



REPUBLIC OF ZAMBIA

# GOVERNMENT GAZETTE

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GAZETTE NOTICE NO. 119 OF 2020

[9187099/1

## **The Credit Reporting Act (Act No. 8 of 2018)**

### **The Credit Reporting (Licensing) Guidelines, 2020**

IN EXERCISE of the powers contained in section *sixty-three* of the Credit Reporting Act, 2018, the following Guidelines are hereby made:

#### *Title*

1. These Guidelines may be cited as the Credit Reporting(Licensing) Guidelines, 2020.

#### *Interpretation*

2. In these Guidelines, unless the context otherwise requires—

“Act” means the Credit Reporting Act, No. 8 of 2018.

“Associated person” means—

- (a) a company in which a person is a manager or director;
- (b) each person that beneficially owns shares in the same company;
- (c) a third person that owns or exercises, or is capable of exercising, directly or indirectly, significant control over a company or person referred to in paragraph (a) or (b);
- (d) persons that are in a partnership;
- (e) persons that are both members of a voting trust or other arrangement relating to shares;
- (f) the spouse, parent, child, brother or sister of a person, or of the person’s parent, child, brother or sister.

“Bank” means the Bank of Zambia established under Article 213 (1) of the Constitution of the Republic of Zambia.

#### *Application for a licence*

3. An application for a licence shall be made to the Bank by the submission of a completed form CRA 1 as set out in Schedule 1 of these guidelines and shall be accompanied by:

- (i) The Articles of Association related to the applicant;
- (ii) Business Plan of the applicant;
- (iii) Evidence of required capital, as certified by an auditor;
- (iv) Data Management Policy and Manual evidencing that the applicant has clear and comprehensive policies and procedures for management of credit information designed to ensure the security, confidentiality and integrity of such information;
- (v) Compliance and Risk Management Policy and Manual;
- (vi) Proforma balance sheet and income statement for at least 3 years with relevant assumptions;
- (vii) Particulars of all shareholders by completion of Shareholder Questionnaires and Vital Statistics Forms as set out in Schedule 2;
- (viii) Particulars of directors and key management personnel concerned with the management of the credit reporting agency by completion of Directors Questionnaire and Vital Statistics Forms as set out in Schedule 2.

#### *Minimum Capital Requirement*

4. (1) The minimum start-up capital requirement shall not be less than five million fee units and may comprise—

- (i) paid-up capital of not less than 50 percent
- (ii) shareholder loans
- (iii) Long term loans (not less than five years).

- (2) The minimum start-up capital may be revised by the Bank.

#### *Licence Fee Structure*

5. (1) A licence application fee of eighteen thousand fee units shall be made to the Bank.

(2) An annual licence fee of nine thousand fee units shall be made to the Bank for every year as a licence renewal. A credit reporting agency, which is operational during the month of January of a particular year, shall pay in full the annual licence fee due for that year not later than the 31st of January of that year.

- (3) The annual licence fee may be revised by the Bank and shall take effect in the calendar year following the date of the revision.

F. CHIPIMO (PhD),  
Deputy Governor - Operations

FIRST SCHEDULE  
(Guideline 3)



BANK of ZAMBIA

APPLICATION FOR REGISTRATION AND OPERATION AS A CREDIT REPORTING AGENCY IN ZAMBIA  
(Part III of the Credit Reporting Act 2018)

(Please read the entire form before completing)

1. NAME OF APPLICANT (*that is, the Company*)

\_\_\_\_\_

2. PHYSICAL ADDRESS OF APPLICANT'S HEAD OFFICE

\_\_\_\_\_

3. APPLICANT'S POSTAL ADDRESS

\_\_\_\_\_

4. CONTACT TELEPHONE NUMBER

(*State country and area codes if based outside the Republic of Zambia*)

\_\_\_\_\_

5. CONTACT FACSIMILE NUMBER

(*State country and area codes if based outside the Republic of Zambia*)

\_\_\_\_\_

6. E-MAIL ADDRESS (*Use small letters as per standard*)

\_\_\_\_\_

PROPOSED BOARD OF DIRECTORS: STATE NAME, NATIONALITY AND WHETHER RESIDENT OR NON-RESIDENT  
(*Non-executive directors must be in the majority and more than half the directors must be residing within the Republic of Zambia*)

<i>Name</i>	<i>Nationality</i>	<i>Resident Non-Resident</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. THE SHARE CAPITAL OF THE APPLICANT

(a) AUTHORISED CAPITAL \_\_\_\_\_

(b) ISSUED CAPITAL \_\_\_\_\_

(c) PAID UP CAPITAL \_\_\_\_\_

(*Documentary evidence of paid up capital must accompany the application. For example, bank statement and written assurance by the external auditor. If part of the paid up capital is in form of fixed assets, the Bank may appoint a valuer to assess the value of the assets at the applicant's expense. Such assets must be essential to the operation of the credit reporting agency. Documentary evidence of title to the assets has to be made available to the Bank on demand.*)

## 8. (a) SHAREHOLDERS/SHAREHOLDING OF THE CREDIT REPORTING AGENCY TO BE REGISTERED AS FOLLOWS

<i>Name</i>	<i>Number of Shares</i>	<i>Kwacha Value of Shares</i>	<i>% of Total Shares</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

## (b) IF SOME SHAREHOLDERS MENTIONED IN 8(a) ABOVE ARE NATURAL PERSONS, STATE THEIR NAMES, NATIONALITY AND PLACE OF PERMANENT RESIDENCE.

<i>Name</i>	<i>Nationality</i>	<i>Place of Permanent Residence</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

## (c) IF SOME SHAREHOLDERS MENTIONED IN 8(a) ABOVE ARE UNNATURAL PERSONS/CORPORATE BODIES, STATE THEIR NAMES AND PLACE OF REGISTRATION/INCORPORATION

<i>Name</i>	<i>Place of Registration</i>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

## (d) STATE BELOW THE NAMES OF NATURAL PERSONS WHO ARE BENEFICIAL OWNERS OF SHARES IN THE UNNATURAL PERSONS/CORPORATE BODIES MENTIONED IN 8(a) ABOVE AS FOLLOWS:

<i>Corporate Body</i>	<i>Shareholder</i>	<i>% of Total Shares</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

## 9. (a) BUSINESSES/COMPANIES ASSOCIATED/AFFILIATED WITH DIRECTORS OR BUSINESSES/COMPANIES IN WHICH DIRECTORS HOLD A SUPERIOR POSITION IN ZAMBIA

<i>Director's Name</i>	<i>Business Interest</i>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(b) BUSINESSES / COMPANIES ASSOCIATED/AFFILIATED WITH DIRECTORS' IMMEDIATE FAMILY MEMBERS OR BUSINESSES IN WHICH DIRECTORS' IMMEDIATE FAMILY MEMBERS HOLD A SUPERIOR POSITION IN ZAMBIA

<i>Family Member's Name</i>	<i>Business Interests</i>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

10. IN CASE OF A FOREIGN OWNED/CONTROLLED CREDIT REPORTING AGENCY.

(That is, if more than 50% of voting shares are held by non-Zambian residents/corporations registered outside Zambia who are part of company group).

(a) Certificate of the regulatory authority/or authorisation governing credit reporting agencies of the country or political subdivision of the country in which the head office of the credit reporting agency is domiciled, certifying that the credit reporting agency has been duly incorporated or established and when it was established by, pursuant to, or in accordance with the laws of that country or political subdivision and the title of citation of these laws.

(b) A certified copy of the resolution of the directors of the credit reporting agency authorizing the establishment of the subsidiary in Zambia

11. WHETHER THE DIRECTORS HAVE ANY EXPERIENCE, EXPERTISE OR BACKGROUND IN MANAGING THE BUSINESS OF THE TYPE MENTIONED IN THIS APPLICATION OR WHETHER THEY ARE/WERE ASSOCIATED WITH ANY OTHER SIMILAR BUSINESS CONCERN AS OWNERS OR OTHERWISE: IF SO GIVE FULL DETAILS,

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12. DETAILS OF PROPOSED TOP/SENIOR EXECUTIVES OF THE CREDIT REPORTING AGENCY TO BE REGISTERED.

(Please attach curriculum vitae of each of them).

(a) CHIEF EXECUTIVE OFFICER/MANAGING DIRECTOR:

<i>Name</i>	<i>Nationality</i>	<i>Academic/Professional Qualification (Certified copies of certificates to be attached)</i>
<hr/>	<hr/>	<hr/>

(b) CHIEF TECHNICAL OFFICER<sup>1</sup>:

<i>Name</i>	<i>Nationality</i>	<i>Academic/Professional Qualification (Certified copies of certificates to be attached)</i>
<hr/>	<hr/>	<hr/>

13. NAME AND ADDRESS OF APPLICANT'S PROPOSED AUDITORS

---

14. PLEASE LODGE WITH THIS APPLICATION THE FOLLOWING DOCUMENTS RELATING TO THE CREDIT REPORTING AGENCY TO BE REGISTERED

- (a) (i) Articles of Association
- (ii) Business Plan
- (iii) Proforma balance sheet and income statement with relevant assumptions for at least 3 years

<sup>1</sup> The Chief Technical Officer is the senior manager responsible for the ICT and data management

15. DOCUMENTS RELATING TO THE PROMOTERS/SHAREHOLDERS OF THE CREDIT REPORTING AGENCY TO BE REGISTERED IN CASE THEY ARE CORPORATE BODIES/UNNATURAL PERSONS:

(b) (i) Articles of Association

(ii) Audited balance sheet and income statement for the last completed financial year immediately preceding the sending of the application.

16. ATTACH CURRICULUM VITAE OF EACH DIRECTOR

17. STATE WHO IS GOING TO PERFORM THE CONSOLIDATED SUPERVISION OF YOUR GROUP.

*(This applies only to subsidiaries of foreign controlled companies, where Non-Zambian holds more than 50% of the voting shares in the companies/corporation(s) who are part of a foreign registered group).*

18. \*I/WE HEREBY CERTIFY THAT TO THE BEST OF MY/OUR KNOWLEDGE AND BELIEF THE INFORMATION GIVEN ABOVE IS CORRECT AND TRUE

19. CHAIRMAN \_\_\_\_\_  
(Full Names)

\_\_\_\_\_  
(Signature)

20. CHIEF EXECUTIVE OFFICER \_\_\_\_\_  
(Full Names)

\_\_\_\_\_  
(Signature)

21. DATE \_\_\_\_\_ PLACE \_\_\_\_\_  
(date, month, year) (city/town, country)

*\*Delete where not applicable*

*Note: Where the space provided in this form is insufficient to furnish required details, please use a separate sheet of paper indicating the relevant item of the application form. The chairman/chief executive or any duly authorised representative of the applicant company should duly sign such attachments(s).*

SECOND SCHEDULE  
(Guideline 3)



BANK of ZAMBIA

SHAREHOLDER/DIRECTORS AND OFFICERS QUESTIONNAIRE

STATEMENT BY INDIVIDUALS WHO ARE HOLDING, OR ARE PROPOSING TO HOLD, THE OFFICE OF A DIRECTOR OR AN EXECUTIVE OFFICER OF A CREDIT REPORTING AGENCY OR A CONTROLLING COMPANY

(If insufficient space is provided, please attach a separate sheet)

1. Name of institution in connection with which this questionnaire is being completed ("the institution"):  
.....
2. Your surname:  
.....
3. Your full forename(s):  
.....
4. Former surname(s) and or forenames(s) by which you may have been known:  
.....
5. Please state in what capacity you are completing this questionnaire, i.e. as a current or prospective director, executive officer or combination of these. Please state your full title and describe the particular duties and responsibilities attaching to the position(s) that you hold or will hold. If you are completing this form in the capacity of director, indicate whether, in your position as director, you have or will have executive responsibility for the management of the institution's business. In addition, please provide a copy of your curriculum vitae, unless it has already been provided:  
.....
6. Residential address  
.....
7. Any previous residential address (es) during the past 10 years:  
.....
8. Date and place of your birth (including town or city)  
.....
9. Your nationality and how it was acquired (birth, naturalisation or marriage):  
.....
10. Name(s) and address(es) of your bankers during the past 10 years:  
.....
11. Your professional qualifications and year in which they were obtained:  
.....
12. Your occupation and employment now and during the past 10 years, including the name of your employer in each case, the nature of the business, the position held and relevant dates:  
.....
13. Of what bodies corporate (other than the institution) are you a director or an executive officer and since when?  
.....
14. Do you have any direct or indirect interest representing 15 per cent or more of the issued capital of any body corporate (other than the institution) that is now registered, or has applied for a license, under the Act? If so give particulars:  
.....
15. Of what bodies corporate other than the institution and those listed in reply to Question 13 have you been a director or an executive officer at any time during the past 10 years? Give relevant dates:  
.....
16. Do any of the bodies corporate listed in reply to Questions 12, 13, 14 and 15 maintain a business relationship with the institution? If so, give particulars:  
.....
17. Do you hold or have you ever held or applied for a licence or equivalent authorisation to carry on any business activity in the Republic of Zambia ("the Republic") or elsewhere? If so, give particulars. If any such application was refused or withdrawn after it was made or any authorisation was revoked, give particulars:  
.....

18. Does any institution with which you are, or have been associated as a director or executive officer hold, or has it ever held or applied for, a licence or equivalent authorisation to carry on any business activity? If so, give particulars. If any such application was refused, or was withdrawn after it was made or an authorisation revoked, give particulars:

.....

19. Have you at any time been convicted of any offence, excluding

(i) any offence committed when you were under 18 years, unless the same was committed within the last 10 years;

(ii) any road traffic offence; or

(iii) any political offence?

If so, give particulars of the court by which you were convicted, the offence, penalty imposed and the date of conviction:

.....

20. Have you, in Zambia or elsewhere, been censured, disciplined, warned against some conduct, or made the subject of a court order at the instigation of regulatory authority or any professional body to which you belong or belonged, have you ever held a practising certificate subject to conditions? If so, particulars:

.....

21. Have you, or has any body corporate, partnership or unincorporated institution which you are, or have been, associated as a director or executive officer, been subject of an investigation, in Zambia or elsewhere, by or at the instigation of a government department or agency, professional association or other regulatory body if so, give particulars:

.....

22. Have you, in Zambia or elsewhere, been dismissed from any office employment, or subject to disciplinary proceedings by your employer or barred from entry to any profession or occupation? If so, give particulars:

.....

23. Have you ever been declared insolvent (either provisionally or finally) by a court in Zambia or elsewhere, or has a bankruptcy petition ever been served on you? If so, give particulars:

.....

24. Have you ever suspended any payments or compounded or proposed a compromise with creditors in Zambia or elsewhere? If so, give particulars:

.....

25. Have you, in connection with the formation or management of any body corporate, partnership or unincorporated institution, been adjudged by a court in Zambia or elsewhere, civilly liable for any fraud, misfeasance or other misconduct by you towards any members thereof? If so, give particulars:

.....

26. Has any body corporate, partnership or unincorporated institution with which you were associated as a director or executive officer, in Zambia or elsewhere, been wound up, made subject to an administration order, otherwise made any compromise or arrangement with its creditors or ceased trading, either while you were associated with it or within one year after you ceased to be associated with it, or has anything analogous to any of these events occurred under the laws of any other jurisdiction? If so, give particulars:

.....

27. Have you been concerned with the management or conduct of the affairs of any institution that, by reason of any matter relating to a time when you were so concerned, has been censured, warned as to future conduct, disciplined or made the subject of a court order at the instigation of any regulatory authority in Zambia or elsewhere? If so, give particulars:

.....

28. In carrying out your duties will you be acting on the directions or instructions of any other individual or institution? If so, give particulars:

.....

29. Do you, or does any related party of whom you are aware, undertake business with this institution? If so, give particulars:

.....

30. How many shares in the institution are registered in your name or the name of an associated person? If applicable, give name(s) in which registered and class of shares:

.....

31. In how many shares in the institution (not being registered in your name or that of an associated person) are associated persons beneficially interested?

.....

32. Do you, or does any associated person, hold any shares in the institution as trustee or nominee? If so, give particulars:

.....

33. Are any of the shares in the institution mentioned in reply to Questions 30, 31 and 32 equitably or legally charged or pledged to any party? If so, give particulars:

.....

34. What proportion of the voting power at any general meeting of the institution (or of another body corporate of which it is a subsidiary) are you or any associated person entitled to exercise or control the exercise of?

.....

35. If the exercise of the voting power at any general meeting of the institution, or of another body corporate of which it is a subsidiary, is or may be controlled by one or more of your associates, give the proportion of the voting power so controlled in each case and the identify of each associate.

.....

36. Are you currently, or do you, other than in a professional capacity, expect to be, engaged in any litigation in Zambia or elsewhere? If so, give particulars:

.....

37. Do you have a basic knowledge and understanding of the risks to which credit reporting agencies are exposed?

.....

38. Do you, at all times while acting in your capacity as a director or executive officer of the credit reporting agency subject of this application, undertake to:

- (i) act in good faith towards the credit reporting agency subject of this application;
- (ii) avoid conflict between your other interests and the interests of your credit reporting agency; and
- (iii) place the interest of your credit reporting agency above all other interests?

.....

39. Have you acquainted yourself with, and do you understand, the extent of the rights and powers, as well as your responsibilities and duties as a director of the institution, as contained in the applicable law? (To be completed only by directors or prospective directors.)

.....



## DECLARATION

I ..... hereby declare the following: This statement consists of ..... pages, each signed by me. The content of this declaration is true to the best of my knowledge and belief. I am aware that should it be submitted as evidence and I know that something appears therein that I know to be false or believe not to be true, I may be liable to prosecution.

I undertake, that for as long as I continue to be a director or executive officer of the institution, I will notify the Registrar of any material changes to, or affecting the completeness or accuracy of, the information supplied by me in items 1 - 39 as soon as possible, but in any event not later than 21 days from the day that the changes come to my attention.

I know and understand the content of this declaration. I have \*/do not have\* objections to taking the prescribed oath. I consider the prescribed oath to be binding \*/not binding\* on my conscience.

.....SIGNATURE OF DEPONENT

I certify that the above statement was taken by me and that the deponent has acknowledged that he\*/she knows and understands the content of this statement. This statement was sworn to\*/affirmed before me and the deponent's signature was placed thereon in my presence at ..... On this .....Day of ..... Two thousand and .....

.....  
For/Commissioner for Oaths

Full Names: .....

Ex-Officio: .....

Area : .....

Address : .....

\* Delete whichever is not applicable

## DECLARATION BY CHAIRMAN OF CREDIT REFERENCE AGENCY OR AUDITOR IN CASE OF A NEW INSTITUTION

I, the undersigned ....., being chairman of the board of directors\*/auditor\* of ....., confirm that I have carefully studied all information supplied in this statement and, after discussion with the deponent ..... and all other members of the board, and after having taken into account any other information at my disposal or that has come to my attention, am of the opinion that the deponent ..... is fit and proper to take up office in this institution. In the case of the appointment of a director I confirm that the appropriate conditions of the articles of association of the company have been complied with. Similarly, in the case of the appointment of an executive officer, I confirm that company policy has been complied with.

Name .....

Signed.....

Date.....

\* Delete whichever is not applicable



**BANK of ZAMBIA**  
**VITAL STATISTICS FORM**

**Part A** (*This Part Applies to Zambian Citizens Only*)

Name.....

Date of Birth..... Place of Birth.....

District..... Village..... Chief.....

Identity card number .....

Residential Address..... Telephone No.....

Business Address..... Telephone No.....

Marital Status..... No. of Children.....

Passport No./NRC No..... Expiry Date (*If Passport No. indicated*).....

Name of spouse..... Identity card number.....

**Part B** (*This Part Applies to Non-Zambians Only*)

Name..... Residential Address.....

Immigration Permit No..... Passport No.....

Passport Expiry Date..... Entry Date into Zambia.....

**Part C** (*Applies to Both Zambians and Non-Zambians*)

Educational Background.....

.....

.....

Employment Record.....

.....

.....

Last Employer.....

.....

.....

Employer's reference.....

Next of Kin.....

Name of Parents.....

Signature.....

**(Footnotes)**

<sup>1</sup> The Chief Technical Officer is the senior manager responsible for the ICT and data management

GAZETTE NOTICE No. 120 OF 2020

[90181149]

**The National Payment Systems Act**  
(Act No. 1 of 2007)

**The National Payment Systems Directives On Domestic  
Automated Teller Machine, Point of Sale, Internet  
Transactions and Mobile Payments, 2020**

WHEREAS the Bank of Zambia is mandated under the Bank of Zambia Act, Chapter 360 of the Laws of Zambia and the National Payment Systems Act No. 1 of 2007 to formulate policies for the development of an efficient system in Zambia.

WHEREAS it is the intention of the Bank of Zambia to consolidate and integrate the multiple payment systems with varying service levels into a national wide uniform and standard business process for all retail payment systems. This action will result in an affordable payment mechanism beneficial to the consumers of services provided through payment systems across the country as well as enhance financial inclusion.

IN EXERCISE of the powers contained in section forty-three of the National Payment Systems Act No. 1 of 2007, the following Directives are hereby made:

*Title*

These Directives may be cited as the National Payment Systems Directives on Domestic Automated Teller Machine, Point of Sale, Internet and Mobile Payments, 2019.

*Application*

These Directives shall apply to all Payment Service Providers authorized to conduct Automated Teller Machine, Point of Sale, Internet and Mobile Payments and other payment transactions under the National Payment Systems Act.

*Authority of the Bank of Zambia*

The Bank of Zambia shall be the regulatory authority for the purpose of giving effect to these Directives. The Bank of Zambia may, subject to such conditions as it may consider necessary, delegate to any person the performance of any of the powers conferred upon the Bank of Zambia, in these Directives.

*Interpretation*

In these Directives, unless the context otherwise requires:

“Acquirer” means a participant or any other duly authorized person that enables merchants to accept payment cards as a means of payment for goods and services and is responsible for merchant settlement or enables consumers to withdraw cash or access to a service offered on devices including but not limited to Automated Teller Machines, Point of Sale terminals or Mobile Devices.

“Bank” means the Bank of Zambia established under Article 213 (1) of the Constitution of the Republic of Zambia and Section 3 of the Bank of Zambia Act;

“bank” shall have the same meaning as assigned in the Banking and Financial Services Act;

“Consumer” shall have the same meaning as assigned in the Competition and Consumer Protection Act of 2010;

“Domestic Transaction” means a transaction between an acquirer and issuer who are both domiciled in Zambia;

“International payment” means a payment where one of the parties is not domiciled in Zambia;

“Issuer” means a participant in the National Financial Switch or any other duly authorized person that provides payment cards and tokens to consumers to facilitate payments, and also usually holds the customer funds that will be used to pay for goods and services;

“Merchant” means person or entity that sells goods or services utilizing a point of sale or other device installed by the Payment Service Provider;

“Payment Service Provider” means an entity or financial institution designated or licensed by the Bank to provide payment services.

“Scheme Operator” means a person or body that is responsible for setting the rules and technical standards for the execution of a payment transaction using the underlying payment system and manages the daily operations of the payment system and its processes to ensure any regulatory requirements associated with the processing of a payment are met;

“Switch Operator” means a person designated by the Bank to operate the National Financial Switch; and

“Surcharge” means an extra fee or charge levied on the consumer, by a merchant or an acquirer, in addition to the fees set by the scheme operator for the use of its Point of Sale machines, Automated Teller Machines or other devices.

**PART I**

**PROCESSING OF DOMESTIC PAYMENT TRANSACTIONS ON THE  
NATIONAL FINANCIAL SWITCH**

1. The National Financial Switch is designated by the Bank as a shared national payment system infrastructure that interconnects the Automated Teller Machines, Point of Sale machines, Internet, mobile payment and other payment devices in the country to facilitate provision of payment services.

2. All participants on the National Financial Switch shall be required to comply with the rules issued by the Switch Operator and these may be adjusted from time to time.

3. All commercial banks licensed and operating in Zambia shall be participants or members of the National Financial Switch.

4. A payment service provider, other than a commercial bank, shall become a participant or member of the National Financial Switch following approval by the Bank.

5. A payment service provider shall, from a date to be determined by the Bank, process all domestic transactions such as Automated Teller Machines, Point of Sale, internet, mobile and other payment transactions conducted with other payment service providers through the National Financial Switch.

**PART II**

**SURCHARGES AND DISCLOSURE OF FEES**

6. A payment service provider shall ensure that a merchant does not surcharge a consumer for use of a point of sale or any electronic device used to make a payment.

7. A payment service provider shall not surcharge a consumer for use of its Automated Teller Machine, Point of Sale terminal or other payment device.

8. A payment service provider shall fully disclose all applicable fees to a consumer before each transaction.

**PART III**

**FAILED CUSTOMER TRANSACTIONS**

9. A payment service provider shall not charge a customer whose transaction fails on account of a technical failure on the part of the payment service provider's retail payment system or the National Financial Switch.

**PART IV**

**RESPONSIBILITY OF THE BOARD OF DIRECTORS AND SENIOR  
MANAGEMENT**

10. The board of directors and senior management of a payment service provider shall be responsible for compliance with the provisions of these Directives.

11. The board of directors and senior management of a payment service provider shall comply with all the rules, technical and business requirements and standards that may be issued by the Switch Operator or the Bank from time to time.

## PART VI

## PENALTY FOR NON COMPLIANCE

12. Where the Bank is satisfied, after due investigation, or where a person admits that the person has committed an offence in terms of these Directives, the Bank may impose an administrative penalty as the Bank may determine.

13. If a person, on whom an administrative penalty is imposed, in accordance with this section, fails to pay the penalty within the time ordered by the Bank, the Bank may take necessary steps to collect the penalty including taking action in a court of competent jurisdiction.

14. A payment service provider that contravenes these directives shall be guilty of an offence and shall be liable, upon conviction, to pay a fine not exceeding two hundred thousand penalty units or for a term of imprisonment not exceeding two years or to both.

15. The penalties shall be charged for each day that the payment service provider remains in contravention of the requirements under this Directive.

## PART VII

## EFFECTIVE DATE OF THE DIRECTIVES

16. These Directives shall come into force on the day they are published in the *Gazette*.

Date: 5th February, 2020

LUSAKA

F. CHIPIMO (PhD),  
Deputy Governor- Operations

GAZETTE NOTICE NO. 121 OF 2020

[9187147]

**The Marriage Act**  
(Cap 50 of the Laws of Zambia)

**Appointment of a Person to Solemnise Marriages**

IT IS HEREBY NOTIFIED for public information that in exercise of powers conferred upon the Town Clerk for Lusaka City Council by Section 5(2) of the Marriage Act, Cap. 50 of the Laws of Zambia, the person named in the Schedule set out hereto is appointed to Solemnise Marriages in the Republic of Zambia.

LUSAKA

A. MWANSA,  
Town Clerk  
Lusaka City Council

## SCHEDULE

Name	Church
Rev. Nelson Coillard Nkhoma	Souls Harvest Church and Ministries International P.O. Box 35691, Lusaka

ADVT—206—9181167

**The Citizenship of Zambia Act**  
(Act No. 33 of 2016)

**The Citizenship of Zambia Regulations, 2017**

**Notice of Intention to Apply for Citizenship by Registration**

NOTICE IS HEREBY GIVEN that—

MAXINE ANNETTE SOWDEN-VIDMAR of Plot No. 5627, Lufubu Road, Kalundu, Lusaka.

intends to apply to the Board for citizenship by registration and that any person who knows any reason that citizenship by registration should not be granted should send a written and signed statement of such reason to the Chief Passports and Citizenship Officer, P.O. Box 30104, Lusaka, within twenty-one days from the date of this notice.

ADVT—207—9181168

**The Citizenship of Zambia Act**  
(Act No. 33 of 2016)

**The Citizenship of Zambia Regulations, 2017**

**Notice of Intention to Apply for Citizenship by Registration**

NOTICE IS HEREBY GIVEN that—

ANDREW DONALD SOWDEN of House No. 8, Kaleya Road, Roma, Lusaka,

intends to apply to the Board for citizenship by registration and that any person who knows any reason that citizenship by registration should not be granted should send a written and signed statement of such reason to the Chief Passports and Citizenship Officer, P.O. Box 30104, Lusaka, within twenty-one days from the date of this notice.

ADVT—208—9181419

**The Money-lenders Act**  
(Cap. 398 of the Laws of Zambia)

**Notice of Application for a Money-lender's Certificate**

NOTICE IS HEREBY GIVEN that Mabvuto Zulu of House No. C434, Libuyu, Livingstone, in the Livingstone District of the Southern Province of the Republic of Zambia is applying for a Money lenders Certificate under the Money Lenders Act Cap. 398 of the Laws of Zambia and the Application will be heard by the Subordinate Court of the First Class sitting at Livingstone on the 25th day of March, 2020 at 0800 hours.

Dated at Livingstone this 4th day of February, 2020.

P.O. Box 60110  
Livingstone

F. K. KALIMBEWE,  
Clerk of Court

ADVT—209—9181045

**Notice of Change of Name by Deed**

BY THIS DEED POLL made this 31st day of January, 2020 by the undersigned Prince Mwape Chibawah of Plot No. 25603 off Buluwe Road, Woodlands Chalala, Lusaka Province of the Republic of Zambia, I Prince Mwape Chibawah, a Zambian citizen by birth and holder of National Registration Card No. 261912/31/1 do hereby for myself absolutely and entirely renounce and relinquish the use of my former name of Prince Mwape Chibawah and in lieu thereof do assume as from the date hereof the name of Prince Chibawah Scott and in pursuance of such change of name I hereby declare that I shall at all times hereafter in all records, deeds, documents and other writings and in all dealings and transactions and all occasions whatsoever use and subscribe to the said name of Prince Chibawah Scott to the intent that the said Prince Mwape Chibawah hereafter be known or distinguished by the name Prince Chibawah Scott.

I, hereby authorise and request all persons at all times to designate, describe and address me by such assumed name to the intent that my full name shall be Prince Chibawah Scott.

In witness whereof I have hereunder signed and set my hand and seal the day and year first before written.

Signed, sealed and delivered by the above named Prince Chibawah Scott formerly known as Prince Mwape Chibawah in the presence of:

P.O. Box 31449  
LUSAKA

T. CHISANGA,  
Businessman