

GOVERNMENT OF ZAMBIA

ACT

No. 14 of 2000

Date of Assent: 25th August, 2000

An Act to amend the Prisons Act

[1st September, 2000

ENACTED by the Parliament of Zambia

Enactment

1. This Act may be cited as the Prisons (Amendment) Act, 2000, and shall be read as one with the Prisons Act, in this Act referred to as the principal Act.

Short Title
Cap. 97

2. Section *one hundred and thirty-five* of the principal Act is amended by the deletion of subsection (1) and the substitution therefor of the following subsection:

Amendment
of section
135

(1) Where in any declared area a prisoner is committed to imprisonment for non-payment of any fine, compensation, costs or other sum adjudged to be paid under any written law, the court so sentencing or committing that person may, with the prisoners consent, order that the prisoner shall perform public work, in accordance with this Part outside a prison for the duration of such imprisonment.

3. The principal Act is amended by the insertion immediately after section *one hundred and thirty-five* of the following new sections:

Insertion of
new sections
135A and
135B

135A (1) Where a court makes an order for community service in accordance with the Penal Code and Criminal Procedure Code, the authorised officer to whom the offender reports shall notify the offender or cause the offender to be notified of the hours, place, nature and any other necessary details of the community service to be performed by the offender.

Community
service

(2) Where an offender, who has been ordered to perform community service, is found by a medical officer to be medically unfit to perform community service the authorised officer shall report to the court which shall—

- (a) vary the order to suit the circumstances of the case;
- (b) impose on the offender a fine not exceeding three hundred penalty units, or
- (c) send the offender to prison for the period the offender is liable, subject nevertheless to a reduction of the number of days, if any, for which community service has already been performed.

Serving
prisoner's
right to
apply for
community
service

135.B (1) Any prisoner serving punishment of imprisonment in respect of a misdemeanor who has been convicted within the last six months before the coming into force of the provisions for community service may apply to court for community service.

Regulations

(2) The Minister shall, by statutory instrument, make regulations for the process of applying to the court for community service.