

THE LOCAL AUTHORITY MARKET REGULATIONS

ARRANGEMENT OF REGULATIONS

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SECTION 5-THE LOCAL AUTHORITY MARKET  
REGULATIONS  
*Regulations by the Minister*

*Statutory  
Instruments  
215 of 1968  
146 of 1969  
Act No.  
13 of 1994*

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| 1. These Regulations may be cited as the Local Authority Market Regulations. | Title       |
| 2. After consultation with a local authority, the Minister may, by           | Application |

statutory order, declare that on and after a date specified in the statutory order all or any of these Regulations shall apply, or shall cease to apply, to the whole or any part of the area of that local authority.

**3.** (1) In these Regulations, unless the context otherwise requires-

Interpretation  
Cap. 295

"goods" means-

(a) foodstuffs, livestock and other agricultural and natural products, the growth or produce of Zambia;

(b) articles of handicraft made and sold by or on behalf of the same person not being a company or firm and of which not less than seventy-five per centum in content or value of the materials used shall have been grown or produced in Zambia;

"health inspector" has the meaning assigned to it by the Public Health Act;

"inspector of markets" means a person appointed by the local authority to be an inspector of markets or authorised by the local authority to discharge the functions of an inspector of markets;

"market" means a market established under the Act in an area or part of an area to which all or any of these Regulations apply;

"stall" means any building, stand, shelter, table, place or plot in a market set aside by the local authority for the sale of goods.

(2) Nothing in these Regulations contained shall be construed as conferring upon a local authority any power in relation to a market which is not within the area of that local authority.

**4.** No person shall in a market sell-

Goods for sale

(a) anything other than goods as defined by these Regulations; or

(b) game meat; or

(c) beer of any kind.

**5.** No person shall, in any public place within a radius of two miles from the centre of a market, sell any goods except in a market:

Sale of goods  
within specified  
area

Provided that the provisions of this regulation shall not apply in relation to-

(i) the sale of goods in accordance with the provisions of a licence granted under the Trades Licensing Act; or Cap. 393

(ii) the sale of goods by the persons and in the circumstances specified in subsection (2) of section one of the Trades Licensing Act.  
(No. 146 of 1969)

**6.** (1) The local authority may from time to time determine by resolution the days of the week and the hours during each day of the week during which a market shall be open for business. Times for transaction of business

(2) No person shall sell or purchase any goods in a market except when the market is open for business.

**7.** (1) The local authority may from time to time determine by resolution stallages, rents or tolls and fees for the inspection of produce to be paid to the local authority by persons wishing to sell goods in a market: Stallages, rents, tolls and fees

Provided that no such resolution shall have effect unless and until approved by the Minister.

(2) Any stallages, rents, tolls or fees payable under this regulation shall be collected by the inspector of markets.

(3) No person shall sell any goods in a market unless he has paid the stallages, rents, tolls or fees payable by him in accordance with the provisions of this regulation.

**8.** (1) The local authority may from time to time determine by resolution the maximum prices which may be demanded on the sale by retail of any article of food in a market: Maximum prices

Provided that the maximum price determined under these Regulations shall not be higher than the maximum price fixed by any other written law for sale by retail of the same article of food.

(2) No person shall sell by retail any article of food in a market at a price higher than the price determined under this regulation.

*(As amended by S.I. No. 9 of 1989)*

**8A.** (1) No person shall sell or offer to sell in a market any article of food the price of which is controlled unless the price thereof is quoted and charged by reference to metric weight or to such other unit as is used by the Price Controller.

Use of metric weight

(2) It shall be the duty of every person selling or offering to sell any article of food in a market to provide and use appropriate scales to comply with this regulation.

*(As amended by S.I. No. 187 of 1974)*

**9.** (1) The inspector of markets may reserve any stall in the market for the sale of any particular kind of goods.

Reservation of stalls

(2) No person shall from any stall reserved for the sale of a particular kind of goods sell any other goods.

**10.** (1) No person shall within a market-

General regulation of markets

(a) erect any building, tent, booth or shelter except with the permission of the local authority; or

(b) keep or use any block, stand, vessel, container or utensil in connection with the sale of any produce or other article, unless it is of a nature or character approved by the inspector of markets; or

(c) gut fish or game or wash or clean vegetables or any other produce or articles except at places provided for that purpose; or

(d) keep any chickens, ducks, doves or other birds for sale except in a cage or crate.

(2) No person shall bring or keep or allow to be brought or kept in a market any dog.

(3) No person shall-

(a) use a market as a sleeping place; or

(b) frequent a market between sunset and sunrise, except with the permission of the inspector of markets.

**11.** (1) The inspector of markets may, subject to the provisions of these Regulations, give to any person using a market or stall such directions as may be reasonably necessary for the purpose of keeping order, preventing obstructions and maintaining cleanliness therein or in the approaches thereto.

General powers  
of inspector of  
markets and  
health  
inspectors

(2) The inspector of markets or a health inspector may direct any person selling rotten or dirty produce in a market to destroy such produce or remove it from the market.

(3) No person shall fail to comply with any direction given under this regulation.

**12.** (1) Every person renting, holding, occupying or using a stall within a market shall, as soon as practicable after the market has closed for business on any day, remove from the market all goods belonging to him.

Removal of  
goods and  
waste

(2) All abandoned waste matter, such as loose grain sweepings, remaining at a market after the market has closed for business on any day shall be the property of the local authority, and no person shall remove any such matter from the market except in accordance with the directions of the inspector of markets.

**13.** No resolution of the local authority for the purposes of these Regulations shall have force and effect unless there is posted up in a conspicuous place in the market to which it relates a copy of the resolution or a notice conveying the purport of the resolution.

Publication of  
takeover  
resolutions

**14.** Any person who contravenes these Regulations shall be guilty of    Penalty  
an offence and shall be liable upon conviction-

(a)     in the case of a first offence, to a fine not exceeding twenty five  
penalty units or to imprisonment for a period not exceeding three  
months, or both;

(b)     in the case of a second or subsequent offence, to a fine not  
exceeding twenty five penalty units or to imprisonment for a period not  
exceeding six months, or both.

*(As amended by S.I. No. 9 of 1989 and Act No. 13 of 1993)*

## **REGULATION 2 OF THE LOCAL AUTHORITY MARKET REGULATIONS- APPLICATION**

Orders by the Minister

The whole of the Regulations apply to-

City of Lusaka.	(No. 319 of 197
City of Ndola.	(No. 361 of 196
Chingola Municipality.	(No. 314 of 197
Chinsali Rural Area.	(No. 309 of 197
Gwembe Rural Area.	(No. 49 of 197
Kafue Gorge Market, Mazabuka Rural Area.	(No. 28 of 197
Kafue Township.	(No. 200 of 196
Kalabo Rural Area.	(No. 332 of 197
Kaoma Rural Area.	(No. 330 of 197
Kasempa Rural Area.	(No. 312 of 197
Mansa Township.	(No. 324 of 197
Mazabuka Township.	(No. 310 of 197
Mbala Township.	(No. 104 of 197
Mongu Rural Area.	(No. 306 of 197
Mongu Township.	(No. 328 of 197
Monze Township.	(No. 359 of 196