

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.

<p style="text-align: center;">PART VI PENALTY FOR NON COMPLIANCE</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>15. The penalties shall be charged for each day that the payment service provider remains in contravention of the requirements under this Directive.</p>	<p>ADVT—207—9181168</p> <p style="text-align: center;"><b>The Citizenship of Zambia Act</b> (Act No. 33 of 2016)</p> <p style="text-align: center;"><b>The Citizenship of Zambia Regulations, 2017</b></p> <p style="text-align: center;"><b>Notice of Intention to Apply for Citizenship by Registration</b></p> <p>NOTICE IS HEREBY GIVEN that—</p> <p style="text-align: center;">ANDREW DONALD SOWDEN of House No. 8, Kaleya Road, Roma, Lusaka.</p>						
<p>16. These Directives shall come into force on the day they are published in the <i>Gazette</i>.</p> <p>Date: 5th February, 2020</p> <p style="text-align: right;">F. CHIPIMO (PHD), <i>Deputy Governor- Operations</i></p> <p>LUSAKA</p>	<p>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.</p> <p>ADVT—208—9181419</p> <p style="text-align: center;"><b>The Money-lenders Act</b> (Cap. 398 of the Laws of Zambia)</p> <p style="text-align: center;"><b>Notice of Application for a Money-lender's Certificate</b></p> <p>NOTICE IS HEREBY GIVEN that Mabyuto 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.</p> <p style="text-align: right;">Dated at Livingstone this 4th day of February, 2020.</p> <p style="text-align: right;">F. K. KALIMBE, <i>Clerk of Court</i></p> <p>P.O. Box 60110 Livingstone</p>						
<p>GAZETTE NOTICE NO. 121 OF 2020 [9187147]</p> <p style="text-align: center;"><b>The Marriage Act</b> (Cap 50 of the Laws of Zambia)</p> <p style="text-align: center;"><b>Appointment of a Person to Solemnise Marriages</b></p> <p>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.</p> <p style="text-align: right;">A. MWANSA, <i>Town Clerk</i> <i>Lusaka City Council</i></p> <p>LUSAKA</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Name</th> <th style="text-align: left;">SCHEDULE</th> <th style="text-align: left;">Church</th> </tr> </thead> <tbody> <tr> <td>Rev. Nelson Coillard Nkhoma</td> <td>Souls Harvest Church and Ministries International P.O. Box 35691, Lusaka</td> <td></td> </tr> </tbody> </table>	Name	SCHEDULE	Church	Rev. Nelson Coillard Nkhoma	Souls Harvest Church and Ministries International P.O. Box 35691, Lusaka		<p>ADVT—209—9181045</p> <p style="text-align: center;"><b>Notice of Change of Name by Deed</b></p> <p>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.</p> <p>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.</p> <p>In witness whereof I have hereunder signed and set my hand and seal the day and year first before written.</p> <p>Signed, sealed and delivered by the above named Prince Chibawah Scott formerly known as Prince Mwape Chibawah in the presence of:</p> <p style="text-align: right;">T. CHISANGA, <i>Businessman</i></p> <p>P.O. Box 31449 LUSAKA</p>
Name	SCHEDULE	Church					
Rev. Nelson Coillard Nkhoma	Souls Harvest Church and Ministries International P.O. Box 35691, Lusaka						
<p>ADVT—206—9181167</p> <p style="text-align: center;"><b>The Citizenship of Zambia Act</b> (Act No. 33 of 2016)</p> <p style="text-align: center;"><b>The Citizenship of Zambia Regulations, 2017</b></p> <p style="text-align: center;"><b>Notice of Intention to Apply for Citizenship by Registration</b></p> <p>NOTICE IS HEREBY GIVEN that—</p> <p style="text-align: center;">MAXINE ANNETTE SOWDEN-VIDMAR of Plot No. 5627, Lufubu Road, Kalundu, Lusaka.</p> <p>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.</p>	<p>ADVT—206—9181167</p> <p style="text-align: center;"><b>The Citizenship of Zambia Act</b> (Act No. 33 of 2016)</p> <p style="text-align: center;"><b>The Citizenship of Zambia Regulations, 2017</b></p> <p style="text-align: center;"><b>Notice of Intention to Apply for Citizenship by Registration</b></p> <p>NOTICE IS HEREBY GIVEN that—</p> <p style="text-align: center;">MAXINE ANNETTE SOWDEN-VIDMAR of Plot No. 5627, Lufubu Road, Kalundu, Lusaka.</p> <p>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.</p>						