

CHAPTER 308
THE NATIONAL FOOD AND NUTRITION
COMMISSION ACT

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Establishment of National Food and Nutrition Commission
4. Membership of Commission
5. Vacation of office by members
6. Procedure of Commission
7. Special committees
8. Funds of Commission
9. Accounts, audit and reports
10. Miscellaneous administrative provisions
11. Minister may give directions to Commission
12. Nutrition Groups.

SCHEDULE-Objects of Commission

CHAPTER 308

NATIONAL FOOD AND NUTRITION COMMISSION

41 of 1967
23 of 1975

An Act to establish a body corporate to be known as the National Food and Nutrition Commission; to provide for its membership; to specify its functions; and to provide for matters incidental thereto.

1. This Act may be cited as the National Food and Nutrition Commission Act.

Short title

2. In this Act, unless the context otherwise requires-

Interpretation

"Commission" means the National Food and Nutrition Commission established under section *three*;

"member" means a member of the Commission.

"Nutrition Group" means a voluntary, nonprofit-making organisation concerned with combatting malnutrition, the constitution whereof has been approved by the Commission.

(As amended by Act No. 23 of 1975)

3. (1) There is hereby established a National Food and Nutrition Commission which shall have the powers and duties prescribed in this Act.

Establishment
of National
Food and
Nutrition
Commission

(2) The objects of the Commission shall be those set out in the Schedule.

(3) The Commission shall be a body corporate to be known as the

National Food and Nutrition Commission with perpetual succession and a common seal, with powers to sue and be sued under its corporate name, to enter into contracts, to acquire, purchase and hold all land and personal property whatsoever, whether situate in the Republic or elsewhere, and to grant, devise, let, alienate, sell, mortgage, charge or otherwise dispose of the same and to do all such acts and things as bodies corporate may by law do and as are incidental or appertain to a body corporate.

(4) Without prejudice to the generality of the foregoing, the Commission may-

(a) receive such sums of money by way of grant or donation or in any other way from any source and expend and invest such sums as it may deem expedient;

(b) subject to the approval of the Minister responsible for finance, borrow by way of loan or otherwise, such sums as it may require to meet or discharge its obligations;

(c) with the approval of the Minister, employ a secretary and such other staff as appears to the Commission to be necessary, on such terms and conditions as the Commission may determine.

4. (1) The Commission shall consist of five members appointed by the Minister of whom one shall be designated by the Minister as chairman. Membership of Commission

(2) The Commission may exercise its powers and duties notwithstanding any vacancy in its number.

(3) A member shall, subject to the provisions of this Act, hold office for two years.

(4) A retiring member shall be eligible for reappointment.

(5) On the expiration of the period for which a member is appointed, he shall continue to hold office until his successor has been appointed but in no case shall such further period exceed three months.

(6) A member shall-

(a) hold office on such conditions; and

(b) be paid out of the funds of the Commission such remuneration and allowances;

as the Minister may, after consultation with the Minister responsible for finance, in his case, fix.

5. (1) The office of a member shall be vacated-

Vacation of
office by
members

(a) upon his death; and

(b) if he is absent from two consecutive meetings of the Commission, of which he has had notice, without the permission of the chairman; or

(c) upon the expiry of one month's notice in writing of his intention to resign his office given by him to the Minister; or

(d) if, in the opinion of the Minister, he is mentally or physically incapable of performing his duties as a member; or

(e) if, in the opinion of the Minister, he is guilty of improper conduct and is so notified by the Minister; or

(f) if he is adjudged bankrupt.

(2) When a member's office is vacated, the Minister shall appoint a person to fill the vacancy until the expiration of the period during which such member would, but for the vacation of his office, have continued in office.

(3) Whenever there are three or more vacancies on the Commission, the Minister may perform all the functions of the Commission until such time as sufficient vacancies have been filled to enable a quorum of the Commission to be formed.

6. (1) Subject to the provisions of this Act, the Commission may determine its own procedure.

Procedure of
Commission

(2) The Commission shall meet at such times and places as may be necessary or expedient for the transaction of business and such meetings shall be held at such times and places and on such dates as the Commission may determine:

Provided that the chairman may at any time call a meeting of the Commission and shall do so on the request in writing made to him in that behalf by any two members.

(3) Three of the members shall be a quorum at any meeting of the Commission.

(4) If the chairman is for any reason absent from any meeting of the Commission, the members present may elect one of their number to preside at such meeting.

(5) Any matter for decision by the Commission shall be determined by a majority of the members present and voting and, where there is an equality of votes, the chairman or the member presiding shall have a casting vote in addition to his deliberative vote.

7. (1) The Commission may appoint special committees of experts to advise it on any specified matter.

Special
committees

(2) Members may be appointed to special committees who are not members of the Commission and whose names do not appear on the panel of experts established by the Minister.

(3) There may be paid to a member of a special committee by the Commission such fees and allowances as the Minister, after consultation with the Minister responsible for finance, may, in his case, fix.

(4) The Minister may establish a panel of experts from which the

Commission may appoint the members of any special committee.

8. The funds of the Commission shall consist of-

Funds of
Commission

(a) such moneys as may be payable to the Commission from moneys appropriated by Parliament; and

(b) such moneys or assets which may vest in or accrue to the Commission from other sources.

9. (1) The Commission shall cause to be kept proper books of account which shall be audited annually by auditors approved by the Minister responsible for finance.

Accounts, audit
and reports

(2) The financial year of the Commission shall be the calendar year.

(3) The Commission shall as soon as may be, and in any case not later than six months after the end of each financial year, prepare a report for the past financial year.

(4) The report required by subsection (3) shall, together with a certified copy of the accounts of the Commission as audited and the annual report of the auditors, be laid before the National Assembly.

10. (1) The seal of the Commission shall be such as may be determined by the Commission, and the fixing of the seal shall be authenticated by the signatures of any two members.

Miscellaneous
administrative
provisions

(2) Any document purporting to be a document executed under the seal of the Commission authenticated as aforesaid shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

(3) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Commission by any person generally or specially authorised by the Commission to do so.

(4) No stamp duty, transfer duty or other duty or registration fees shall

be payable in respect of any transfer of property to the Commission.

(5) The validity of any proceedings, act or decision of the Commission shall not be affected by any vacancy in the membership of the Commission or by any defect in the appointment of any member or by reason that any person not entitled so to do took part in the proceedings.

11. (1) The Minister may give to the Commission such general or special directions with respect to the exercise of the powers and duties of the Commission as the Minister may consider necessary and the Commission shall comply with all such directions. Minister may give directions to Commission

(2) The Commission shall make regular reports to the Minister on the progress of the national food and nutrition programme.

12. (1) The Commission shall keep and maintain in such form as may be prescribed, a register wherein shall be registered, all Nutrition Groups formed in Zambia. Nutrition Groups

(2) Every Nutrition Group shall operate in accordance with the directions of the Commission, which shall oversee and guide their activities, and submit a report relating thereto to the Minister, as and when it thinks it desirable, or it is required by the Minister to do so.

(3) A Nutrition Group shall not receive or request for any contribution, financial aid or other assistance from any source within or outside Zambia, except through or with the approval in writing of the Commission.

(4) Any contribution, financial aid or other assistance received by or through the Commission for purposes of Nutrition Groups shall be acknowledged by the Commission by means of an official receipt or acknowledgment in writing.

(5) The Commission may, at any time, with the approval of the Minister, dissolve any Nutrition Group, without assigning any reason therefor, and when any Nutrition Group is dissolved, its name shall be struck off the register kept and maintained under subsection (1).

(6) For carrying into effect the provisions of this section the Minister may, by statutory instrument, make regulations.

(As amended Act No. 23 of 1995)

SCHEDULE

(Section 3 (2))

OBJECTS OF COMMISSION

- (a)* To reduce mortality due directly or indirectly to malnutrition in children focus public attention on the nutritional needs of children and youth.
- (b)* To improve the nutritional status of vulnerable groups (mothers, infants, school and pre-school children).
- (c)* To create community interest in better nutrition, to arouse public awareness of the serious impact of malnutrition and to instil public confidence in the solutions to the problems.
- (d)* To reduce the incidence of malnutrition and under-nutrition by providing enough highly nourishing food, at all seasons of the year, to ensure a long, healthy life and diets conducive to maximum intelligence and mental health.
- (e)* To make provision in relation to nutrition for the rapidly growing population.
- (f)* To ensure adequacy of diets in institutions.
- (g)* To provide food consumption and nutrition data on a representative national scale.
- (h)* To incorporate the concept of improvement of nutrition in food and agricultural development planning.
- (i)* To take all necessary steps to facilitate the implementation of Government's approved policy in relation to the national food and nutrition programme.
- (j)* To collate all information already available regarding food and nutrition in Zambia.
- (k)* To assist in the co-ordination of training in food and nutrition at professional, supervisory and field levels.
- (l)* To initiate studies relating to food and nutrition, especially those relating to children and youth, and make recommendations on solutions to these problems.
- (m)* To arrange for execution of work, either directly or through agencies, in relation to subjects relating to food and nutrition which are not part of any ministerial portfolio.

- (*n*) To establish a nutrition library.
- (*o*) To maintain statistical records of national nutrition.
- (*p*) To stimulate public relation activities in relation to the National Food and Nutrition Programme and, in particular, to focus public attention on the nutritional needs of children and youth.
- (*q*) To liaise with International Agencies and friendly Governments regarding aid to the programme subject to the Government's procedures laid down in this connection.