

**IN THE COURT OF APPEAL FOR ZAMBIA**  
**HOLDEN AT NDOLA AND LUSAKA**  
(Civil Jurisdiction)



CAZ.08/178/2017

**BETWEEN:**

**GEOFFREY LUNGWANGWA**

(On his own behalf and on behalf of 47 other Members of Parliament  
belonging to the United Party for National Development (UPND))

**APPLICANTS**

**AND**

**THE ATTORNEY GENERAL**

**RESPONDENT**

**Coram: Chisanga, JP, Mchenga, DJP, and Makungu, JA**

**On 2<sup>nd</sup> August, 2017 and 24<sup>th</sup> January, 2018**

**For the Applicants: K. Mweemba, Keith Mweemba Advocates with G. Phiri, PNP Advocates**

**For the Respondent: A. Mwansa SC, Solicitor General with C. Hara, Deputy Chief State  
Advocate, D.M. Chileshe, Senior State Advocate, C. Musonda and  
D. Kapumba, In-house counsel, National Assembly**

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## **J U D G M E N T**

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**Mchenga, DJP**, delivered the Judgment of the court.

Cases referred to:

1. **Patience Chalwe Freedom Mwelwa v The Attorney General 2014/HP/0793**
2. **Nigel Kalonde Mutuna and Another v The Attorney General [2012] Z.R. Vol.3 565.**
3. **Judith Chilufya v The Attorney General Ministry of Works and Supply Appeal NO. 76 2006/SCZ No. 8/12/66**
4. **Inland Revenue Commissioners v National Federation of Self Employed and Small Business Limited [1982] A.C. 617**
5. **Kasai Mining and Exploration Limited v The Attorney General, Zamcargo Prospecting Limited and Equinox Minerals Limited SCZ Appeal No. 193, of 2006**

6. **The Attorney General v The Speaker of the National Assembly and Dr. Ludwig Sondashi SCZ Judgement No.6 of 2003**
7. **Zinka v The People [1990-1992] Z.R. 73**
8. **Sitali v Central Board of Health Appeal No. 178 of 1999.**
9. **Puma Energy Zambia Plc v Competition and Consumer Protection Commission SCZ Appeal No. 172 of 2015**
10. **Kachasu v The Attorney General [1967] Z.R. 145**
11. **Patel v The Attorney General [1968] Z.R. 99**
12. **The Attorney General v Law Association of Zambia [2008] ZR 21**
13. **The Attorney General v Mutuna and Others, Appeal No. 88 of 2012**
14. **Chitala v The Attorney General [1995-1997] Z.R. 91**
15. **Nyampala Safari (Z) Limited and Others vs Zawa and Others [2004] Z.R. 49**
16. **Regina vs Aston University Senate, Exparte Roffy and Daro 7LR [1969] 2 WLR 148**
17. **Mahon v Air New Zealand Ltd and Others [1984] 3 ALL ER 201**
18. **Council of Civil Servants Union v Minister for Civil Service [1983] UKHL 6**

Legislation referred to:

1. **National Assembly (Powers and Privileges) Act, Chapter 12 of the Laws of Zambia**
2. **The Constitution of Zambia, Chapter 1 of the laws of Zambia**

Works referred to:

1. **The Rules of Supreme Court, White Book, 1999 Edition**
2. **Standing Orders of the National Assembly, 2016**

