

IN THE SUPREME COURT FOR ZAMBIA

APPEAL No. 98/2015

HOLDEN AT NDOLA

SCZ/8/121/2015

(Civil Jurisdiction)

IN THE MATTER OF: **An application by Butler Asimbuyu Sitali to apply for Judicial Review**

IN THE MATTER OF: **SECTION 58 OF THE ANTI-CORRUPTION COMMISSION ACT, ACT NO. 3 OF 2012**

BETWEEN:

BUTLER ASIMBUYU SITALI

APPELLANT

AND

ANTI-CORRUPTION COMMISSION

RESPONDENT

Coram : Hamaundu, Kabuka and Mutuna, JJS

On 5th December 2017 and 8th December 2017

For the Appellant : N/A

For the Respondent : Mr. B. Chiwala and Mrs. G. Muyunda, Legal Officers for the Respondent

J U D G M E N T

Mutuna JS., delivered the judgment of the court.

Cases referred to:

- 1) **R v Inland Revenue Commissioners, Ex parte National Federation of Self Employed and Small Businesses Ltd (1981) 2 ALL ER 93**
- 2) **Re Secretary of The Home Department, Ex parte Rukshanda Begun (1990) C.O.D. 107**
- 3) **Ruth Kumbi v Robinson Kaleb Zulu SCZ judgment No. 19 of 2009**
- 4) **North Western Energy Company Limited v Energy Regulation Board (2010)**
- 5) **The People v Industrial Relations Court Ex parte Zambia Revenue Authority SCZ No. 6 of 2007**
- 6) **R v Dairy Produce Tribunal for England and Wales Ex parte Caswell (1989) 3 ALL ER 205**
- 7) **R v Ashford, Kent JJ, Ex parte Rickey (1955) 1 WLR 562**
- 8) **Zambia Wildlife Authority, Mukela Muyando, Mubiana Munyinda and African Parks Zambia Limited v Muteeloi Community Resources Board Development Co-operative Society**
- 9) **C and S Investment Limited, ACE Car Hire Limited and Sunday Maluba v The Attorney General (2004) ZR 216**

Legislation referred to:

- 1) **Supreme Court Practice, 1999, volume 2**
- 2) **Anti-Corruption Commission Act No. 12 of 2012**
- 3) **Criminal Procedure Code, Cap 88**

The Appellant, Butler Asimbuyu Sitali is a legal practitioner by profession and practices as such before the courts of Zambia. In this appeal he seeks to upset the

