

**IN THE HIGH COURT FOR ZAMBIA
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA**

2018/HP/0138

(Civil Jurisdiction)



IN THE MATTER OF:

**AN APPLICATION FOR LEAVE
FOR JUDICIAL REVIEW.**

IN THE MATTER OF:

**THE PUBLIC PRIVATE
PARTNERSHIP ACT NO. 14 OF
2009.**

IN THE MATTER OF:

**THE PUBLIC PROCUREMENT ACT
2008**

IN THE MATTER OF:

**THE CITIZENS ECONOMIC
EMPOWERMENT ACT 2006**

IN THE MATTER OF:

**A DECISION BY THE ROAD
TRAFFIC & SAFETY AGENCY &
THE PUBLIC PRIVATE
PARTNERSHIP UNIT TO AWARD A
CONTRACT ON TRAFFIC
ENFORCEMENT TO INTELLIGENT
MOBILITY SOLUTIONS LIMITED
UNDER THE PRIVATE PUBLIC
PARTNERSHIP FRAMEWORK
DISREGARDING A SIMILAR
PENDING UNSOLICITED
PROPOSAL.**

IN THE MATTER OF:

**A DECISION BY THE 1ST
RESPONDENT TO IMPLEMENT
DIGITAL TRAFFIC
ENFORCEMENT WITHOUT THE
APPROVAL OF THE APPLICANT.**

B E T W E E N :

TURNKEY SOLUTIONS (Z) LIMITED

APPLICANT

AND

ROAD TRAFFIC & SAFETY AGENCY
THE ATTORNEY GENERAL

**1ST RESPONDENT
2ND RESPONDENT**

Before Honourable Mrs. Justice M. Mapani-Kawimbe on the 6th day of February, 2018

For the Applicant : *Mr. M. D. Lisimba assisted by Ms. N. Sameta, Messrs Mambwe Siwila & Lisimba Advocates*

R U L I N G

Cases Referred To:

1. *William David Carlisle Wise v E. F. Hervey Limited (1985) ZR 17*

Legislation Referred To:

1. *Rules of the Supreme Court 1999 Edition*

On 24th January, 2018, the Applicant filed an *ex parte* application for extension of time and leave to apply for judicial review pursuant to Order 53 Rule 3 and 4 of the Rules of the Supreme Court. It is supported by an Affidavit and Statement.

The Affidavit is sworn by **Msaiwale Mlewa** who states that in 2010, he submitted an unsolicited proposal to the Zambia Development Agency for the introduction of an electronic traffic enforcement system on a Build, Operate and Transfer (BOT) basis under the Public Private Partnership framework. That the Zambia

