



**Republic of Zambia**  
**Ministry of Finance and National Planning**

## **Revised State-Owned Enterprise Policy**

# **2024**



## **FOREWORD**

The Government of the Republic of Zambia recognizes the important role that State-Owned Enterprises (SOEs) play in advancing public policies and generally creating value for society. SOEs are a useful tool in the provision of public goods and services to sectors where market failures exist. This includes the facilitation of essential infrastructure projects such as rail infrastructure development essential for enhancing the competitiveness of the economy.

However, SOEs in Zambia face numerous challenges, such as high debt levels, inadequate working capital, and governance issues, impeding their effectiveness and consequently Government's ability to deliver on its public policies. Furthermore, in light of the substantial recapitalisation and financial needs, SOEs present financial risks to the Treasury, as well as to the overall macroeconomic stability of the country.

Notwithstanding that efforts have been made to enhance the performance of SOEs, such as the development of the 2012 SOE Policy and the incorporation of the Industrial Development Corporation (IDC) in 2014, operational challenges for the majority of SOEs remain. In part, the poor performance of these enterprises stems from inappropriate governance and management structures, as well as ineffective supervisory, monitoring and regulatory frameworks.

Therefore, to enhance the performance and contribution of SOEs for the betterment of the livelihoods of Zambians, the SOE policy has been revised to, among others, address the gaps identified in the governance and management framework for SOEs. It is anticipated, that through the effective implementation of this revised SOE Policy, the institutional, governance and legal framework for SOEs will be strengthened, enabling SOEs to effectively deliver on their respective mandates. This will also contribute to the country maximizing benefits from the SOEs, through returns on investments in form of dividends as well as cost-effective delivery of public goods and services.



Hon. Dr. Situmbeko Musokotwane, MP

**MINISTER OF FINANCE AND NATIONAL PLANNING**

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I also wish to thank staff from both Cabinet Office and the Ministry of Finance and National Planning, who coordinated the development of this Policy.



Felix Nkulukusa

**SECRETARY TO THE TREASURY**

## **DEFINITIONS**

In this document, unless the context otherwise requires:

Consumer	means a person who purchases or offers to purchase goods or services supplied by an enterprise during business and includes the businessperson who uses the product or service supplied as an input into his or her own business.
Financing	means the act or process of raising or providing funds.
Holding Company	means a State-Owned Enterprises (SOE) which has been given mandate and responsibility by the shareholder minister to manage and own, on behalf of Government, interest in specific companies.
Non-Financial SOEs	refers to SOEs operating in other sectors of the economy except finance and banking.
Market Failure	will refer to sectors of the economy not operating effectively due certain factors and market conditions, thereby resulting in the inefficient distribution of goods and services.
Line Ministry	means a Government sector ministry under which an SOE falls.
Parent Company	means a company that has controlling interest in another company.
Shareholding Minister	means the Minister of Finance in accordance with Section 3 of the Minister of Finance (Incorporation) Act, Cap 349 of the Laws of Zambia.
State-Owned Enterprise	is a legal entity controlled by a Government department or some combination of Government departments and/or public corporations, which is engaged in market production.
State	means the Government of the Republic of Zambia.

## **LIST OF ACRONYMS**

ACC	Anti-Corruption Commission
AG	Attorney General
AMs	Administrative Ministries
BoZ	Bank of Zambia
CBO	Community Based Organisation
CSO	Civil Society Organisation
CCPC	Competition and Consumer Protection Commission
ESG	Environmental Social and Governance
FBO	Faith Based Organisation
GRZ	Government of the Republic of Zambia
IDC	Industrial Development Corporation
IDM	Investments and Debt Management
LuSE	Lusaka Securities Exchange
MOFNP	Ministry of Finance and National Planning
MOJ	Ministry of Justice
NGO	Non-Governmental Organisation
OECD	Organisation for Economic Co-operation and Development
PFMA	Public Finance Management Act, 2018
PDMA	Public Debt Management Act, 2022
PACRA	Patents and Companies Registration Agency
PIA	Pensions and Insurance Authority
SEC	Securities and Exchange Commission
SOE	State-Owned Enterprise
ZIPAR	Zambia Institute for Policy Analysis and Research (ZIPAR)

## **TABLE OF CONTENTS**

<b>FOREWORD</b> .....	<b>1</b>
<b>ACKNOWLEDGEMENTS</b> .....	<b>2</b>
<b>DEFINITIONS</b> .....	<b>3</b>
<b>LIST OF ACRONYMS</b> .....	<b>4</b>
<b>TABLE OF CONTENTS</b> .....	<b>5</b>
<b>1. INTRODUCTION</b> .....	<b>6</b>
<b>2. SITUATION ANALYSIS</b> .....	<b>7</b>
<b>3. VISION</b> .....	<b>10</b>
<b>4. RATIONALE</b> .....	<b>10</b>
<b>5. GUIDING PRINCIPLES</b> .....	<b>10</b>
<b>6. OBJECTIVES AND MEASURES</b> .....	<b>12</b>
<b>7. IMPLEMENTATION FRAMEWORK</b> .....	<b>13</b>

## **1. INTRODUCTION**

State-Owned Enterprises (SOEs) are important tools of Government in the realization of social and economic transformation for the benefit of the Zambian people. SOEs allow for the provision of goods and services to sectors where market failure exists and enable the undertaking of strategic public investments that would otherwise not happen, without public sector intervention.

Currently, there are 48 SOEs in Zambia, and of these, the Government has majority shareholding in 39 and minority in 9. These enterprises operate in critical sectors of the economy such as energy, finance and banking, manufacturing as well as telecommunication, among others. However, their contribution towards the economy has generally been below expectation. The financial performance of most SOEs has been poor with slightly over 60 percent of the SOEs operating on losses during the 2022 financial year, and several failing to produce audited financial statements. Consequently, SOEs have been unable to efficiently and effectively carry out their mandates, while causing a strain on the Treasury in form of resource requirements for recapitalisation and other financial support.

Much of the underlying cause for the poor performance of SOEs relates to governance and ownership related challenges. This is despite previous Government interventions, such as the development of the 2012 SOE Policy and the incorporation of the IDC in 2014, as matters pertaining to ownership and institutional arrangements for SOEs, the rationale for state ownership, financial oversight and fiscal risk management as well as transparency and accountability practices are not clearly spelt out. To a large extent, supervisory and monitoring mechanisms, regulatory frameworks, and fragmentation in the governance and management of SOEs remain a challenge.

Therefore, this 2024 SOE Policy aims at streamlining institutional arrangements and strengthening the legal framework for SOEs to enhance the state's oversight role, and accountability and transparency practices, among others. With this SOE Policy, it is expected that the performance of SOEs will improve, enabling them to effectively deliver on their respective mandates. This will also ensure that Government delivers on its policies while guaranteeing private sector led growth and fiscal sustainability.

The provisions of this policy are applicable to all enterprises in which the Government has controlling interest, including holding and parent companies, as well as their subsidiaries.

The outline of the rest of this policy document is set out as follows: Section 2 provides the situational analysis of SOEs; Section 3 outlines the vision of the policy; Section 4 provides the rationale; and Section 5 outlines the guiding principles, particularly the values to be upheld in the implementation of the policy. Section 6 outlines the objectives of the policy while Section 7 outlines the implementation framework for the policy.

## **2. SITUATION ANALYSIS**

The performance of SOEs in Zambia has been below expectation, with many facing financial challenges. On average, only 30 percent of SOEs in which Government has controlling interest made profit during the period 2020 to 2022, while just over 60 percent produced audited financial statements. Further, solvency challenges, due to reliance on debt financing for operations, as well as liquidity issues, have also characterized the performance of SOEs. For instance, average debt to equity ratios were in excess of 100 percent among non-financial SOEs, while working capital stood at -1 percent of GDP during the financial years 2020 to 2022.

The poor performance of SOEs has been influenced by several factors, among them being a weak legal framework, fragmented institutional arrangements, and inadequate oversight by the state. In the context of the framework of the Organisation for Economic Cooperation and Development (OECD) Guidelines of Corporate Governance for State Owned Enterprises, the following are the key impediments to the effective performance of SOEs.

### **i. State role as owner is not well defined**

The Minister of Finance (Incorporation) Act Chapter 349 of the laws of Zambia mandates the minister responsible for finance (shareholder Minister) with ownership of SOEs. However, the governance and management of SOEs is decentralised, with the ownership functions of most SOEs shared between the shareholder and the line ministries. This is based on the various legislative pieces under which SOEs are established.

In addition, there is a lack of clearly defined and formalised roles and responsibilities for the ministry responsible for finance (shareholder Minister), the holding companies and the line ministries in relation to the governance and management of SOEs. Therefore, supervision and performance monitoring of the SOEs has been fragmented with inadequate collaboration among the various parties.

### **ii. SOEs have been inefficient market operators**

The Government has not been able to effectively hold SOEs accountable for their financial undertakings such as borrowing, prior to the enactment of the Public Debt Management Act, 2022, due to weak supervisory and monitoring mechanisms for SOEs. As a result, some SOEs have incurred high operational costs, leading to liquidity and solvency challenges. In addition, some SOEs are faced with legacy debts because of being undercapitalised at inception. The legacy debts mainly relate to statutory obligations and inter-SOE debt, which tends to create financial distress.

Further, some SOEs are mandated to provide social goods and services and are constrained in charging cost reflective prices, hence affecting their financial sustainability. This has been compounded by Government's inability to provide adequate grants to cover the financing gaps for such SOEs.

Additionally, due to the inadequate financial resource base of these SOEs, many have been slow to adopt modern technology, leading to continued inefficiencies in the delivery of goods and services.

### **iii. Lack of a state ownership policy**

There is no ownership policy defining the rationale for state ownership in enterprises. Therefore, decisions around Government investments in SOEs have not always maximized the long-term value for the society. Further, given the lack of clearly defined rationale for the state ownership in SOEs, some SOEs operate in sectors where the private sector is fully operational, thereby raising concerns on the role of the state in such markets. SOEs should primarily operate in sectors where market failure exists and for strategic purposes. This in order to avoid distortion in the market and reduce fiscal risks associated with SOEs.

### **iv. Transparency and accountability issues**

SOE adherence to Government legal and regulatory requirements has been low, comprising accountability and transparency in their operations. For instance, while the Public Finance Management Act, 2018 requires all public bodies, including SOEs, to submit audited financial statements and an annual report to the Secretary to the Treasury by end of the fourth month of each financial year, only a few SOEs have timely and consistently followed through with these requirements—The lack of such important information has further constrained the effective assessment of the performance of SOEs, as well as informed strategic decision making by Government and other stakeholders.

### **v. Composition and responsibilities of the boards of the SOEs**

Good corporate governance requires independent boards with the necessary composition of skills for them to carry out their functions. However, as the appointment of the boards for many of these SOEs is vested in the ministers of their respective line ministries, this often has the potential of undermining their independence. In addition, as the selection process for board members of SOEs is not guided by any clearly stipulated procedure or criteria, it tends to lack transparency and may also allow for the appointment of boards that lack the requisite expertise, diversity, and gender parity. Further diversity remains a challenge in the board composition of SOEs. As at end-August 2024, for instance, women accounted for only 13.5% of top leadership and management in SOEs.

Further, due to the absence of a corporate governance code for SOEs, some boards and management teams remain unclear of their respective roles and responsibilities regarding corporate governance principles. As a result, operational conflicts do arise between the boards and management, in the running of these SOEs. The lack of a corporate governance code also sustains an environment that can allow the shareholder, through the line ministries, to intervene in the day-to-day operations of SOEs.

## **vi. SOEs and sustainability**

In a global environment in which risks to operational sustainability of businesses have evolved, in light of climate change, it is imperative for the Government to set sustainability related targets for SOEs to take this into account and monitor the adherence of SOEs to these standards. Over the recent past, SOEs have been exposed to the adverse effects of climate change such as droughts, which have become more frequent. This includes those in the energy and manufacturing sectors, with effects culminating into lower SOE productivity and compromised solvency and liquidity positions. Further, other SOEs also contribute to greenhouse gas emissions, such as those in the mining sector. Hence, it is important that SOEs are compelled to make decisions that effectively take into account climate change adaptation and mitigation as part of their long-term sustainability interventions.

## **vii. Equitable treatment of shareholders and other investors**

To encourage efficiency and productivity in SOE it is essential to incorporate equal treatment practices of all shareholders and other investors. These practices mainly involve guaranteeing minority shareholder voting and participation in annual general meetings, as well as ensuring that minority shareholders have access to all material information of the SOEs. Other practices relate to the State developing guidelines that effectively protect minority shareholder interests. Currently, all shareholders in SOEs—majority or minority—are treated equally when it comes to access to material information and participation at annual general meetings. However, given that these practices are not legally enforced across all SOEs, there is room for SOEs to compromise on these practices regarding fair treatment of all shareholders

## **viii. Legal Framework**

There is lack of an overarching law that provides for the formation, governance, and operation of SOEs. While the Companies Act No. 10 of 2017 and the different acts of Parliament serve as underlying pieces of legislation on which SOEs are founded, the governance practices are not standard among these pieces of legislation. In addition, SOEs that not incorporated under the Companies Act are unable to attract private sector equity due restrictive legal framework. Further, while other acts such as the Minister of Finance Incorporation Act No.19 of 1959, Public Finance Management Act (PFMA) of 2018, Public Debt Management Act (PDMA) No 15 of 2022, the Emoluments Commission Act 2022 and the Public Procurement Act No.8 of 2020 provide legislation for the governing of SOEs, these laws do not adequately address challenges affecting the governance of SOEs. That is, they do not provide institutional arrangements, including roles and responsibilities; rationale for ownership of SOEs; shareholders' exercise rights, transparency and disclosure requirements; dividend policy; remuneration policy; competitive neutrality; and fiscal risk management in SOEs, among other issues.

### **3. VISION**

To have efficient and effective State-Owned Enterprises that maximize long-term value for society and the shareholder.

### **4. RATIONALE**

The revised SOE Policy establishes a corporate governance framework for the SOEs consistent with international best practices. It, therefore, addresses the gaps identified in the governance and management of SOEs, which is key to enhancing their performance. The policy specifically aims at providing underlying principles and reforms pertaining to good corporate governance practices with regards to rationale for state ownership in SOEs, appointment of boards, roles and responsibilities of the relevant stakeholders, ownership and institutional arrangement transparency and disclosure, fiscal and risk management, competitive neutrality, and equitable treatment of all stakeholders and investors, among others.

It is anticipated, therefore, that through the effective implementation of this revised SOE policy, the institutional, governance and legal framework for SOEs will be strengthened, enabling SOEs to effectively deliver on their mandate and for Government to maximise public benefit in form of positive returns on investments, receipt of dividends from profit-oriented SOEs, and cost-effectiveness in the delivery of goods and services.

### **5. GUIDING PRINCIPLES**

This policy is guided by the following principles:

#### **i. Clear rationale for state ownership**

The Government shall exercise ownership of SOEs in best interest of the public by developing and disclosing the rationale for state ownership in SOEs which will be subject to recurrent reviews. The ultimate purpose of state ownership of enterprises shall be to maximise long-term value for society, in an efficient and sustainable manner. The rationale for Government ownership in the SOEs shall be guided by clear objectives aligned with public interest, efficient resource management, and addressing of critical market gaps where the private sector is absent or inefficient. The state shall also disclose the rationale for ownership in individual companies as opposed to other policy choices (such as regulation, subsidies, taxes, concessions or PPPs), as well as information regarding how it will minimize financial strain and avoid crowding out private investment

**ii. Active role of the state as owner**

The State shall act as an informed and active owner, ensuring that the governance of SOEs is carried out in an accountable and transparent way, with a high level of professionalism and effectiveness.

**iii. Level-playing field and fair competition**

The legal, regulatory and policy framework for SOEs shall ensure a level playing field in the marketplace when SOEs engage in economic activities, consistent with the rationale of State ownership.

**iv. Equitable treatment of shareholders and other investors**

The rights of all shareholders in SOEs, shall be recognized including that of minority and foreign shareholders. All Shareholders shall have equal access to corporate information and participate in decision making. SOEs should also observe a high degree of transparency, including equal and simultaneous disclosure of up-to-date information, towards all shareholders.

**v. Disclosure, transparency and accountability**

SOEs shall observe high standards of transparency, accountability and integrity and be subject to the same high-quality accounting, disclosure, compliance and auditing standards as listed companies.

**vi. Capability of the boards of the SOEs**

The boards of SOEs shall have the necessary authority, independence, competencies and objectivity to carry out their functions of strategic guidance, risk management, and oversight of management. They shall also act with, and promote integrity, and be held accountable for their actions. Further, the appointing process of board members shall be through an effective and transparent process that shall ensure that capable boards are selected based on merit, professional qualifications, and relevant experience.

**vii. Sustainability**

The state shall set concrete and ambitious sustainability-related expectations for SOEs, including for the board, to ensure disclosure and transparency, accountability, and that ensure SOEs make decisions and manage risk in a way that contributes to responsible business conduct for the sustainability and resilience of SOEs.

## **6. OBJECTIVES AND MEASURES**

The objectives and measures in this policy aim at addressing the identified challenges in the management of SOEs and aligning the governance practices of SOEs to international best practices.

### **6.1 Objectives**

The following are the specific objectives of the policy:

- i. To strengthen good corporate governance practices in SOEs
- ii. To strengthen the Ministry responsible for finance role in SOEs
- iii. To enhance fiscal performance and financial sustainability of SOEs
- iv. To strengthen the legal and regulatory framework for SOEs
- v. To enhance SOE adherence to Environmental Social and Governance (ESG) principles.

### **6.2 Measures**

#### **Objective 1: To strengthen good corporate governance practices in SOEs**

##### **Measures**

- i. Develop a Corporate Governance Code for SOEs consistent with international best practices
- ii. Develop a disclosure and reporting framework for SOEs
- iii. Develop a framework that ensures SOE boards have the necessary authority, competencies, and objectivity to carry out their functions; and
- iv. Enhance capacity building for key stakeholders in SOE on corporate governance

#### **Objective 2: To strengthen the Ministry responsible for finance role in SOEs**

##### **Measures**

- i. Operationalize the Supervisory and Performance Monitory Framework for SOEs
- ii. Enhance institutional arrangements for the governance of SOEs
- iii. Develop an SOE ownership strategy, which should make explicit the entity(ies) that is (are) responsible for exercising the role of the shareholder in SOEs, and the rationale for the ownership arrangement(s)
- iv. Develop and publish an Annual SOE Performance Report.

**Objective 3: To enhance fiscal performance and financial sustainability of SOEs**

**Measures**

- i. Promote strategic equity partnerships to encourage private investment in SOEs
- ii. Develop a financial oversight and fiscal risk framework for SOEs
- iii. Develop and implement a debt dismantling strategy for SOEs
- iv. Develop regulations that ensure commercial management of SOEs, without reliance on subsidies or tax advantages, to ensure competitive neutrality

**Objective 4: To strengthen the legal and regulatory framework for SOEs**

**Measures**

- i. Develop and enact a single law that encompasses the governance and management of all SOEs and promote responsiveness for private sector participation
- ii. Develop regulations that ensure equitable treatment of shareholders and other investors

**Objective 5: To enhance SOEs adherence to ESG principles**

**Measures**

- i. Mainstream ESG principles in the operations of SOEs.
- ii. Enhance SOE capacity for the implementation of ESG principles.
- iii. Monitor adherence of SOEs to ESG principles.

## **7. IMPLEMENTATION FRAMEWORK**

To realize the vision, objectives, and measures set out in this Policy, programs and activities under the annual work plans and budgets shall be derived from the 2024 SOE Policy Implementation Plan. Further, monitoring and evaluation mechanisms shall be put in place in collaboration with other stakeholders, key to the implementation this policy, including the public, private sector, and other non-state organizations. The implementation framework, therefore, provides for the roles and responsibilities of the institutions and agencies entrusted with the implementation of the Policy.

## **7.1 Institutional Arrangements**

To implement the above-mentioned measures, the Government shall operationalise, the Supervisory and Performance Monitoring Framework for SOEs which defines the roles and responsibilities of the ministry responsible for finance, the holding company, and the line ministries in relation to oversight of SOEs. Further, the respective roles and responsibilities of the Ministry responsible for finance, line ministries, holding companies in the governance of SOEs, as set out below, shall also be stipulated in the SOE Act which the Government envisions to develop and enact, to support the effective implementation of the principles set out in this policy.

### **7.1.1 The Ministry Responsible for Finance**

The ministry responsible for finance shall assume effective ownership of all SOEs and shall provide policy guidance in the implementation of this SOE policy. The responsibilities of the ministry responsible for finance shall include, but not be limited to: reviewing and clarifying state ownership in SOEs; facilitating the adoption of holistic governance and other reforms for SOEs to ensure competitive neutrality and best practices; reviewing the performance of SOEs in line with relevant laws and policies; setting disclosure and transparency reporting requirements for SOEs; facilitating board appointments and maintenance of a data base on the same; and reviewing investment and business strategies for SOEs, including that of holding companies and subsidiaries. The ministry shall also be responsible for executing performance contracts with SOEs, assessing the performance of SOEs, assessing fiscal risks of SOEs, and the development of consolidated reports for SOEs that provide sufficient information for effective oversight and decision making.

Therefore, SOEs shall on a regular basis, submit reports to the Ministry of Finance and National Planning (shareholder ministry) on matters pertaining to their respective financial performance, business strategies or investments plans, board matters, and other issues that relate to the rights of the shareholder. The relevant reports shall be made on quarterly and annual basis and in the form as required by law, and as may be advised by the ministry. SOEs under the direct supervision of a state-owned holding company shall to their respective holding company, which shall subsequently report to the ministry responsible for finance. Further, the holding companies shall, at the end of each financial year, submit to the minister responsible for finance, a consolidated annual performance report for its SOEs.

### **7.1.2 The Ministry Responsible for Justice**

The ministry responsible for justice, in collaboration with the ministry responsible for finance, shall be responsible for the review and enactment of laws and regulations relating to SOEs, ensuring harmonization of laws and the avoidance of conflicts among stakeholders. The ministry

shall also provide legal opinions on treaties, memoranda of understanding, arrangements, agreements, and any matters relating to SOEs.

### **7.1.3 Line Ministries**

Line ministries shall be responsible for the regulatory environment in which SOEs operate, including the development of sector policies, as well as the provision of technical advice for investments that SOEs intend to undertake, in line with the public investments management guidelines. Line ministries shall also collaborate with the ministry responsible for finance in the formulation of performance contracts for the SOEs to ensure attainment of Government interests in the various sectors of the economy.

### **7.1.4 State Owned Holding Companies**

State-owned holding companies shall be accountable to the ministry responsible for finance and their responsibilities, in relation to SOEs under their mandates, shall be to: (i) ensure the timely submission of audited financial statements to the ministry responsible for finance in conformity with the law ; (ii) ensure adherence to the transparency and disclosure reporting requirements in line with the legal and regulatory framework; (iii) provide effective technical backstopping to ensure value for investment and business strategic plans of SOEs; (iv) ensure approvals, as may be required by law, are obtained from the ministry responsible for finance for undertakings by SOEs;(v) facilitate for board appointments in line with Government policy and applicable laws; (vi) submit, by end July of each financial year, a consolidated audited financial statement and annual report for its portfolio to the ministry responsible for finance; and (vii) submit audited financial statements and annual reports for the holding company as required by law.

The consolidated annual report for SOEs shall highlight, in detail, the financial performance of SOEs under the holding company, investment undertaken by the SOEs, transfers and loans the holding company extended to the SOEs, arrears between SOEs, and any other relevant developments.

### **7.1.5 Regulatory Institutions**

Regulatory institutions such as the Bank of Zambia (BOZ), Securities and Exchange Commission (SEC), Lusaka Securities Exchange (LuSe), Pensions and Insurance Authority (PIA), Competition and Consumer Protection Commission (CCPC) and Patents and Companies Registration Agency (PACRA) shall be responsible for promoting of a conducive regulatory environment in their respective jurisdictions, within which SOEs operate.

### **7.1.6 Oversight Institutions**

Oversight institutions such as the National Assembly of Zambia and Office of the Auditor General shall provide checks and balances in the performance of SOEs to promote transparency and accountability in the execution of their mandates.

### **7.1.7 Non-State Actors**

Non-state actors including the private sector, civil society organizations (CSOs), non-governmental organisations (NGOs), faith-based organisations (FBOs) and CBOs, shall play a key role in policy dialogue as well as offer checks and balances.

## **7.2. Legal Framework**

The Government shall review the existing legislation and develop an SOE act which shall provide clear guidelines in relation to the principles and objectives set out in this policy, covering, among others:

- i. Ownership and institutional arrangements;
- ii. Rationale for ownership in SOEs;
- iii. Transparency and disclosure;
- iv. Roles and responsibilities of stakeholders;
- v. Rights and equitable treatment of shareholders and other investors
- vi. Remuneration policy;
- vii. Strategic business partnership for SOEs;
- viii. Dividend policy; and
- ix. Competitive neutrality, among others.

Among the acts to be reviewed include the following, that have a bearing on the successful implementation of this SOEs Policy:

- i. **The Minister of Finance and National Planning (Incorporation) Act No. 19 of 1959:** The Act empowers the Minister of Finance and National Planning to, amongst others, acquire and hold in that name: land, government securities, shares in any company, securities for money, and real and personal property of every description; to sue and be sued; to execute deeds and to enter into agreements binding on himself and his successors in office;
- ii. **The Public Finance Management Act (PFMA) No. 1 of 2018:** The Act provides for an institutional and regulatory framework for the management of public funds, as well as the management and control of public assets and stores among others.

- iii. **The Companies Act No. 10 of 2017:** The Act provides for the formation, management, administration, and winding up of companies; registration of charges over the undertakings of properties of companies; registration of foreign companies doing business in Zambia; as well as matters connected with, or incidental to the foregoing;
- iv. **Banking and Financial Services Act, No. 7 of 2017:** The Act provides for the regulation of the conduct of banking and financial services; safeguards investors in, and customers of banks and financial institutions; and provides for matters connected with or incidental to the foregoing;
- v. **The Public Procurement Act No.8 of 2020:** The Act provides for transparency and accountability in public procurement; regulations and control of practices relating to public procurement in order to promote the integrity of fairness and public confidence in, the procurement process; and matters connected with or incidental to the foregoing;
- vi. **The Anti-Corruption Commission (ACC) Act No. 3 of 2012 :** The Act provides for, among others, the prevention, detection, investigation, prosecution and punishment of corrupt practices and related offenses based on the rule of law, integrity, transparency, accountability and management of public affairs and property, provide for the development, implementation and maintenance of coordinated anticorruption strategies through the promotion of public participation, provides for the protection of witnesses, experts, victims and other persons assisting the commission; provide for the nullification of corrupt transactions; and provide for the payment of compensation for damage arising out of corrupt activities;
- vii. **The Competition and Consumer Protection Act (CPPA) No 24 of 2010:** The Act safeguards and promotes competition; protects consumers against unfair trade practices; and the matters connected to or incidental to the foregoing
- viii. **The Public Debt Management Act (PDMA) No. 5 of 2022:** The Act provides for the raising of loans, the establishment of sinking funds, the giving of guarantees and indemnities and the granting of loans by, or on behalf of, Government; and matters incidental thereto and connected therewith
- ix. **The Emoluments Commission Act 2022 :** provides for a harmonised framework to govern the determination and management of emoluments for chiefs and officers in a state organ and state institution; enhance the capacity of a state organ and state institution to attract, retain and motivate officers and staff with requisite qualifications, skills and experience in order to improve service delivery; and provide for matters connected with, or incidental to, the foregoing.

### **7.3 Resource Mobilization and Financing for the Policy**

This SOE Policy requires financing to successfully achieve its desired objectives. The Government through its relevant line ministries and other agencies shall, therefore, make available resources for the undertaking of the outlined measures required to actualise the objectives of the policy. Further, cooperating and development partners, as well as other non-state actors shall be engaged in mobilising support for the implementation of this policy.

### **7.4. Monitoring and Evaluation**

To ensure effective implementation of the measures set out in the SOE Policy, the ministry responsible for finance shall ensure effective monitoring of the implementation of the policy across all Government institutions and regulatory bodies. The indicators to be used in the monitoring and evaluation of the policy will be developed in collaboration with various line ministries and other stakeholders. Further, the implementation of the policy shall be reviewed and revised after five years from the date of its execution. In addition, a mid-term review of the policy shall be undertaken after 3 years, to assess progress in the implementation of the policy.