

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 7 OF 2018

The Railways Act
(Laws, Volume 25 Cap. 453)

**The Railways (Transportation of Heavy Goods)
Regulations, 2018**

<p>IN EXERCISE of the powers contained in section 103 of the Act, the following Regulations are made:</p>	Title
<p>1. These Regulations may be cited as the Railways (Transportation of Heavy Goods) Regulations, 2018.</p>	Application
<p>2. These Regulations shall apply to the transportation of the heavy and bulk goods and by products specified in the Schedule.</p>	Interpretation
<p>3. In these Regulations unless the context otherwise requires— “local road transporter” means a person carrying on the business of road transporter in Zambia a; and “railway company” means Zambia Railways Limited established under the Act or Tanzania Zambia Railways Authority established under the Tanzania-Zambia Railway Act.</p>	Cap. 454
<p>4. (1) A person who produces, manufactures, or uses as a raw material the goods or byproducts of the goods specified in the Schedule shall transport those goods and by-products in accordance with these Regulations.</p> <p>(2) A person who produces, manufactures, or uses as a raw material any of the goods or byproducts to the goods specified in the Schedule shall ensure that the goods or by-product transported by a person to that person’s plant, industry or place of business are transported in accordance with these Regulations.</p>	Prohibition of transportation of certain goods and commodities other than by rail

Transportation of goods by rail	5. A person who wishes to transport the goods or by-products specified in the Schedule shall transport them by rail in the percentages specified in the Schedule.
Import and export traffic	6. (1) A person who imports into Zambia any goods or by-products specified in the Schedule shall transport by rail a percentage of the imported goods or by-products as specified in the Schedule. (2) A person who exports from Zambia to another country the goods or by-products specified in the Schedule shall transport by rail a percentage of the export goods or by-products as specified in the Schedule. (3) A person who contravenes subregulation (1) and (2) commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years, or to both.
Local traffic	7. (1) Where a manufacturer or producer of a product which is specified in the schedule wishes to transport that product, that manufacturer or producer shall transport by rail the commodity in the percentages specified in the Schedule. (2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding one hundred thousand penalty units or to imprisonment for a term not exceeding one year, or to both.
Transportation of bulk goods where no railway line	8. Where a railway network is not available to enable a person transport goods in accordance with these regulations, that person shall engage the services of a local road transporter to transport the goods to the nearest railway station or railway loading point for onward transportation of the goods by rail.
Inspectorate	9. (1) An inspector of a railway company shall— (a) upon giving reasonable notice and on production of an identity card, enter into the premises and inspect a manufacturer or producer's production of the goods specified in the Schedule for the purpose of ensuring compliance with these regulations; (b) report to law enforcement agencies any contravention of these regulations; and (c) carry out any function reasonably regard to give effect to these regulations.

10. (1) A person who produces, manufactures, or uses as a raw material, goods or byproducts of the goods specified in the Schedule shall, on demand by an inspector, produce documentation or proof of compliance with these regulations. Proof of compliance

(2) A person who contravenes sub-regulation (1), commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a two not exceeding two years, or to both.

SCHEDULE

(Regulations 2, 4, 5, 6, 7, 9 and 10)

<i>Commodity</i>	<i>Percentage of product to be moved by rail</i>
	%
Copper/Copper-Cobalt concentrates	30
Sugar	30
Coal-Local	30
Coal-Imported	30
Cement	30
Sulphur	30
Fuels-Local	30
Fuels-Imported	30

LUSAKA
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