



ANTI-CORRUPTION
COMMISSION
ZAMBIA

ACC Newsletter

Volume 5 Issue 1

FUNCTIONS OF THE COMMISSION

- Investigate and prosecute cases of corruption
- Prevent Corrupt Practices in both public and private bodies
- Create awareness on the dangers of corruption and enlist support from the public in the fight against corruption

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Message from the Director- General



Dear reader,

I am glad to welcome you to this edition of the E-Newsletter covering some notable activities of the Commission for the first half of 2022. It is always gratifying and a wonderful opportunity to reach out to you and share information with our stakeholders.

The Anti-Corruption Commission and management appreciate the support rendered by you our various stakeholders and the general public, in the first half of this year. The overwhelming feedback the Commission received on its operations through the media and our social media platforms is a testimony that you abhor corruption and desire to have a corruption- free Zambia. This is the desire of the Commission as well. The Commission is committed to a zero-tolerance stance to corruption.

The Commission highly appreciates your support especially if you resist, reject and report corruption. This is because corruption is evil and deprives the country of the much-needed resources for development. Therefore, you and I should strive to be men and women of integrity and help safeguard the nation's resources in order to create a better future for our children and generations to come. Together we can fight corruption and better the lives of Zambians. Let us embrace the national anti-corruption slogan: "A Corruption Free Zambia Begins with Me."

I am pleased to share some highlights during this reporting period. among them is the appointment of a substantive Director - General after a long period of time as well as a new Board of Commissioners by the Republican President His Excellency Mr. Hakainde Hichilema. The new Board of Commissioners will add value to the fight against corruption through provision of policy direction.

You will recall that the Commission in conjunction with other Law Enforcement Agencies, in the 'Faith Chisela Musonda' case ensured that sums of K65.3 million and US\$ 57,950 were forfeited to the state as proceeds of crime. The Commission then handed over the money to Ministry of Finance which was later handed over to the Ministry of Education for support towards student bursaries. This was a milestone achievement and this could not have been done without your support and vigilance.

In conclusion, I wish to reiterate that the Commission will vigorously fight corruption. This will be non-negotiable, past, present and future corruption will be relentlessly fought. The Commission remains resolute and committed to ensure that the fight against corruption in Zambia yields results and contribute to good governance and, national development. To achieve this, the Commission will endeavor to engage the public to enlist their support by resisting, rejecting and reporting all acts of corruption.

Enjoy this edition of the Newsletter.

Gilbert Phiri

ACC DG, Board of Commissioners Appointed & Ratified

By Crystal M. Mwale

The composition of the Anti-Corruption Commission Board of Commissioners and the Director-General was earlier this year unveiled, following the dissolution of the previous Board and resignation of the former Director-General last year.

The Republican President Mr. Hakainde Hichilema in March appointed Mr. Gilbert Phiri as Director-General and Mr. Musa Mwenye S.C. as Board Chairperson of the Anti-Corruption Commission.

The President further appointed Mrs Irene Lamba, Dr. Henry Mbushi and Dr. O'brien Kaaba as Commissioners of the ACC Board.

The National assembly in June, ratified the above appointments which were in exercise of the power vested in the President pursuant to paragraph 2(3) of the schedule to Section 4(3) of the Anti-Corruption Act No. 3 of 2012.



During their swearing-in ceremony, the Head of State implored the appointed officials to serve the public with diligence and efficiency in their individual capacities and collectively as a team, to meet the expectations of the Zambian people.

He reiterated the government's commitment to ensuring that there is an improved governance record in the country.

Above: The Republican President with ACC Director-General Mr. Gilbert Phiri during his swearing-in ceremony at State House



The ACC Board of Commissioners, Director-General group picture with members of Management

ACC hands over recovered K65million and US\$ 57,000.00 to Government

By Collins Chilambwe

The Commission recently handed over seized cash amounting to K65,332,446.00 and US\$57,950.00 and forfeited them to the State as proceeds of crime. The recovered money was officially handed over to the Minister of Finance and National Planning, Dr. Situmbeko Musokotwane who then handed it over to the Ministry of Education, as funding for additional university bursaries in 2022.

The money was recovered from the recent case involving Ms. Margaret Chisela Musonda, alias Faith Musonda.

Speaking during the ceremony, ACC Secretary to the Commission Mr. Ivor Mukwanka noted that economic crimes such as corruption and money laundering were clandestine in nature, and that the Commission has over time re-strategized its enforcement mechanism, by employing two approaches which are: the conviction-based forfeiture; and the non-conviction-based forfeiture of proceeds of crime.

He said the approaches are provided for under the Forfeiture of Proceeds of Crime Act No. 19 of 2010 and the Anti-Corruption Act No.3 of 2012.

He added that the Commission will in due course hand over other properties including the house valued at K6.5million in which the money was stashed.

Mr Mukwanka appealed to members of the public with information on suspected illegally acquired properties to report to law enforcement agencies.

And in receiving the funds, Minister of Finance and National Planning Dr. Situmbeko Musokotwane said the funds will benefit an additional 2,232 university students across the country who were left out from government bursaries in December 2021 due to budget constraints.

Meanwhile, Minister of Education Hon. Douglas Syakalima, expressed gratitude for the funds that would go towards enhancing the provision of free education to learners.



Secretary to Commission Mr. Ivor Mukwanka handing over a cheque to Minister of Finance and National Planning Dr. Situmbeko Musokotwane



Finance Minister hands over a cheque to the Education Minister during the ceremony

Corruption Obstructs National Development– Commonwealth

By Collins Chilambwe



The Commonwealth Secretariat (COMSEC) has described corruption as the greatest obstacle to economic development around the world

Speaking during a training dubbed 'Leadership and Management' comprising of ACC Management and senior members of staff, COMSEC-UK Head Public Sector Governance, Dr Roger Koranteng said it was for this reason that in its global conference on sustainable development, the UN organisation declared that for mankind to achieve sustainable development, the international community had "to substantially reduce corruption and bribery in all its forms."

"Accomplishing corruption reduction, demands a substantial anti-corruption agenda, set out comprehensively in the sections of the United Nations Convention Against Corruption (UNCAC). This agenda includes partnership between civil society organisations and governments; the establishment of robust codes of conduct for public officials; the re-socialisation of young people; ethics training at

all levels; international cooperation, cross-border exchange of information and mutual legal assistance; anti-corruption legislation, effective anti-corruption institution building and robust law enforcement," he said.

Dr Koranteng said in Africa it is estimated that 50% of tax revenue, 25% of the continent's GDP and US \$30 billion dollars in aid for Africa was eaten up by corruption.

He lamented that Africa was not devoid of the laws, policies and institutions to fight corruption, the problem is in the nature of the states, the lack of political will, complacent officials and weak oversight mechanisms, which has led to poverty in the midst of abundance.

Dr. Koranteng said the COMSEC is keen and committed to assist the Anti-Corruption Agencies (ACAs) to achieve meaningful and long-lasting effort to combat corruption and to enhance good governance on the continent.

He noted that to ensure the smooth and effective management of ACAs, leadership is key in producing greater interventions-based results.

"Being that leadership is a process, and Management staff of ACAs must become prudent to influence, involve and gain support from those they are leading. The styles of leadership have been changed with regard to the passage of time and needs of the situations.

Dr Koranteng said great leaders inspire people who work under them and give those who have grown professionally more responsibility and leadership roles.

He said the programme was carefully designed to equip senior management to effectively manage the Commission and acquire innovative skills towards achieving the SDG 16.

Dr. Koranteng disclosed that COMSEC has supported the ACC in Zambia over the years and will continue to do so in the future.

ACC Integrity Committee revamps with new Membership



Newly appointed IC group photo with Management

The Anti-Corruption Commission (ACC) recently reconstituted new membership for its internal Integrity Committee (IC), in a bid to revamp the activities of the Committee.

The ACC IC was established in 2006 and was among the first eight (8) pilot institutions to have Integrity Committees. The Commission has since facilitated the establishment of over 140 ICs in various public and private institutions.

Speaking as he officially opened the three-day IC training workshop at Mika Hotel in Kabulonga, ACC Acting Director-General Silumesi Muchula said the Commission has been instrumental in helping other institutions

establish and effectively run their ICs, hence the need for ACC to have one which was vibrant.

“Colleagues you have been appointed as change agents, I want this IC to be the most active of all, we should not relax because we are ACC, we need to work towards enhancing a conducive and ethical work environment in the Commission. Your task is huge and you must hit the ground running, I therefore direct the Chairperson to ensure that ethical sensitisations to members of staff begin immediately after this training induction,” he said.

Mr. Muchula urged IC members to be pro-active and live beyond reproach in all the dealings, both at work and elsewhere.

The Acting DG cautioned members and the Secretariat to be accountable in their conduct at all times because it would have a direct bearing on effectively conducting IC activities.

Meanwhile, Director, Corruption Prevention Ms Glenda Mungalaba was happy that finally the ACC Integrity Committee had been revamped and re-operationalized.

ACC Partners with MoH in Health Recruitment Exercise

By Crystal M. Mwale

The Anti-Corruption Commission partnered with the Ministry of Health in the health workers recruitment exercise under the Global Funds Programme- COVID- 19.

The Commission participated in all stages of the recruitment exercise as part of its corruption prevention function of preventing and taking necessary and effective measures for the prevention of corruption in public and private bodies, as provided

under Section 6 (1) (a) of the Anti-Corruption Act No. 3 of 2012.

The Commission was part of the exercise to ensure that it was conducted with the utmost adherence to due processes, merit and transparency.

The Commission further collaborated with the Ministry of Health in the mass recruitment of 11,200 health workers.

Commission Officers were dispatched to all districts in which the shortlisting was undertaken as part of the Corruption Prevention function.

Members of the public were urged to report all suspected incidents of corruption and warned to desist from engaging in corrupt practices to be shortlisted.

FORMER JUSTICE MINISTER GIVEN LUBINDA ARRESTED



The Anti-Corruption Commission arrested and charged Patriotic Front (PF) Acting President Given Lubinda for corruption involving more than US\$539,000.

Mr. Lubinda 58, of plot 21841 Hillview Park Lusaka has been charged with five counts of possession of property suspected to be proceeds of crime contrary to section 71 (1) of the Forfeiture of Proceeds of Crime Act No. 19 of 2010, of the Laws of Zambia.

Details in count one (1) are that Mr Lubinda on 2nd April 2019 in Lusaka Province, did possess a house type S3-A+I valued at US \$260, 000 situated at Kingsland City, Along Twin Palms Road, Ibex Hill Lusaka.

Details in count two (2) are that Mr Lubinda on 20th February 2019, did possess US \$100, 000

in his account number 055-1026566 domiciled at ABSA Bank Zambia PLC.

Details in count three (3) are that Mr Lubinda on 23rd December 2019 did possess US \$80, 000 in his account number 055-1026566 domiciled at ABSA Bank Zambia PLC.

Details in count four (4) are that Mr Lubinda on 6th March 2018 did possess US \$50, 000 in his account number 055-1026566 domiciled at ABSA Bank Zambia PLC.

Details in count five (5) are that Mr Lubinda on 2nd April 2019 did possess US \$49, 990 in his account number 055-1026566 domiciled at ABSA Bank Zambia PLC.

The above properties are reasonably suspected to be proceeds of crime.

Mr Lubinda was released on bond and the matter is before the Economic and Financial Crimes Court.

“A corruption-free Zambia begins with me”

ZAMRA CEO AND PRINCIPAL REGULATORY AUTHORITY OFFICER ARRESTED- IN HONEYBEE CASE

The Anti-Corruption Commission arrested and charged Zambia Medicines Regulatory Authority (ZAMRA) Director - General and a Principal Regulatory Officer for corrupt practices.

Bernice Mwale, aged 64, of Chudleigh, Lusaka and Brian Muwanei Kabika, aged 42, of Meanwood Chamba Valley, Lusaka have been charged with Willful Failure to Comply with Applicable Law and Procedure contrary to

Section 34 sub section (2) (b) of the Anti-Corruption Act No. 3 of 2012.

Details are that on dates unknown but between 1st July 2019 and 30th September, 2019 Ms Mwale and Mr Kabika jointly and whilst acting together with other persons unknown, failed to comply with applicable procedure and regulations when processing license number

PL/ 5- 00091/19, in favor of Honeybee Pharmacy.

The above officials were released on Bond and the matter is before Court.

NDOLA BUSINESSMAN JAILED FOR CORRUPTION

The Kasama Magistrate Court convicted a Ndola businessman to four (4) years imprisonment for corruption.

The Anti – Corruption Commission-Kasama in November 2021, arrested and charged Albert Oraya Nkonde 39, of house no. CHT 3277, Chifubu Ndola, for corrupt practices, contrary to section 19 (2) as read with Section 41 of the Anti-Corruption Act No. 3 of 2012, of the Laws of Zambia.

Details are that Mr Nkonde in Kasama district, Northern Province Zambia, on a date unknown but between 1st February 2021 and 28th February 2021 did corruptly give K5, 000 cash gratification to a Zambia Police Inspector Martha Ngambi as a reward or inducement for her to release three (3) impounded motor vehicles that traffic Police officers had impounded, a matter or transaction concerning the Zambia Police, a public body.

The matter was presided over by Magistrate Hon. Samson Mumba.



FORMER LUSAKA PROVINCE MINISTER & WIFE ARRESTED FOR CORRUPTION

The Anti- Corruption Commission charged and arrested former Lusaka Province Minister Bowman Lusambo's wife, for being in possession of properties reasonably suspected to be proceeds of crime worth USD 378,000.

Mrs. Lusambo, 37, of Chamba Valley area in Lusaka, has been charged with four counts of possession of property reasonably suspected of being proceeds of crime contrary to section 71 (1) of the Forfeiture of Proceeds of Crime Act No. 19 of 2010.

The arrest of Mrs. Lusambo follows the earlier arrest of her husband Mr. Bowman Lusambo in January this year.

Mr Lusambo, 45, of Chamba Valley area in Lusaka, has been charged with four (4) counts of being in possession of property reasonably suspected to be proceeds of crime contrary to section 71 (1) of the for-

feiture of proceeds of crime act no. 19 of 2010. He has also been charged with two counts of concealment of property reasonably suspected to be proceeds of crime, contrary to section 71 (1) of the forfeiture of proceeds of crime act no. 19 of 2010.

Details in the four (4) counts of possession of property reasonably suspected to be proceeds of crime are that between 1st day of May 2015 and the 31st day of December, 2021, in Lusaka and Copperbelt provinces, he was in possession of property number f/609/e/44/13/9, property number Ndo/In_77505/1, property number Masai/In_1005309/1, and property number Palab/In_73112/17. The above properties are reasonably suspected of being proceeds of crime.

Details in the two (2) counts of concealment of property reasonably to be proceeds of crime are that, Mr Lusambo, jointly and whilst acting together with other persons unknown, on dates unknown but between the 1st day of May 2015 and the 31st day of December, 2021, in the Lusaka and Copperbelt provinces of the Republic of Zambia, did conceal property number Masai/In_100328/218 disguised in the name of Mbachi Nkwazi and property number Ndo/In_1004844/191 disguised in the name of Gatbro International Limited.

The properties are reasonably suspected of being proceeds of crime.

Mr and Mrs. Lusambo were released on bond and the matter is before the Economic and Financial Crimes Court.

ACC Scoops APSD Award as Veep re-affirms Govts Commitment to fight Graft

By Crystal M. Mwale

The Anti-Corruption Commission (ACC) in Kasama scooped “the Most Client- centric Institution” award in the governance category, during this year’s Africa Public Service Day (APSD) commemorations held in June this year.

Commission officers in Lusaka, Kasama and Choma participated in nation- wide APSD commemorations which ran under the theme “The role of Public Administration in Building and Sustaining peaceful co-existence among communities.”

Meanwhile, the Republican Vice-President Mutale Nalumango reaffirmed Government’s commitment to stay relentless in its quest to fight corruption.

Speaking as she officiated at the 2022 APSD ceremony in Lusaka, Ms Nalumango said the corruption fight was not political rhetoric but a genuine one that every citizen should support.

She explained that corruption denies citizens access to quality services and better livelihood.



*Insert:
The Vice President Mrs Nalumango confers with Snr Corporate Affairs Officer Dr. Mzumara as she visited the ACC stand at the official ceremony in Lusaka*

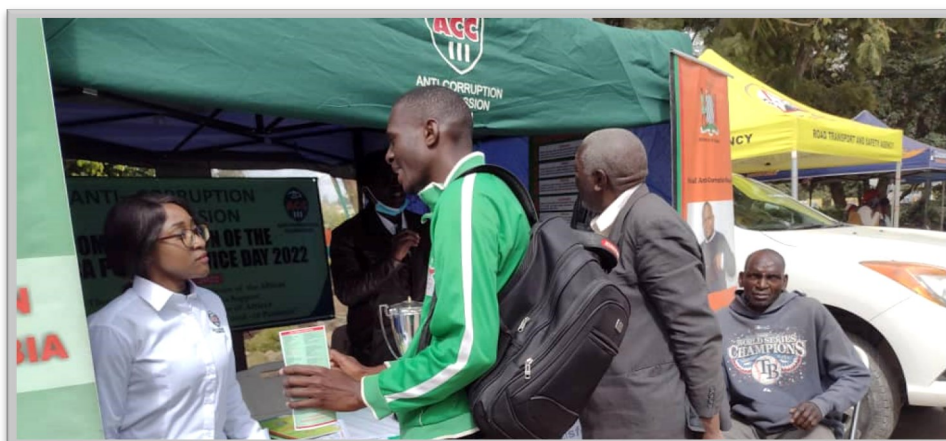
Ms. Nalumango has since urged the public service to uphold integrity, accountability and professionalism.

And Acting Secretary to Cabinet Patrick Kangwa said the public service has been labelled as corrupt, irresponsible and unprofessional by many despite some public service workers not falling in that category.

Mr. Kangwa warned that bad officers in the public service will be rooted out and dealt with accordingly following cabinet directives.



Above: Winning Kasama team member Iwell Phiri interacting with N. Prov. Dep. Permanent Secretary Lewis Mwape, during the APSD



Left: Choma Community Education Officer Manyonga Chidongo attending to a stand visitor during the APSD exhibitions.

CORRUPTION AND GOVERNANCE

Corruption is the abuse of entrusted authority for private gain and can take the form of bribery or indeed abuse of authority of office. Good Governance encompasses a set of processes, policies, laws and institutions that promote accountability and strengthen public institutions in the management of public resources to provide a conducive economic and social environment for development. From the above, Corruption and Good Governance have a strong link.

There is actually a proven recognition of the link between good governance and sustainable human and economic growth and development, when the principles of accountability, participation and the adherence to the rule of law are emphasized. Good governance or the absence of it has a bearing on economic growth, poverty levels and sustainable development.

It has widely been accepted that Good Governance has five (5) main attributes. These are:

Transparency – This demands that ordinary people should be able to follow and understand the decision-making process. It means that they will be able to clearly see how and why a decision was made – what information, advice and consultation was considered, and which legislative requirements (when relevant) were followed.

Accountability: Is a fundamental requirement of good governance. It is about being responsible for the actions and submitting to whatever scrutiny is appropriate to an institution or office. Government has an obligation to report, explain and be answerable for the decisions it takes.

Participatory: Anyone affected by or interested in a decision should have the opportunity to participate in the process for making that decision. An example would be inclusion of minorities and women in the political process.

Adherence to the rule of law: This means that decisions are consistent with relevant legislation or common law and are within the Constitution. This demands that Government rules in accordance with the law and without fear or favor. For instance, those indicted should be seen to undergo the due process of the law and justice should not only be done, but be seen to be done. The justice system should be free from outside interference.

Responsiveness (to the needs of the people) - Government should always try to serve the needs of everyone while balancing competing interests in a timely, appropriate and responsive manner.

Corruption is the principal threat to good governance. Corruption cripples economic growth and development. Corruption from petty bribery, nepotism to large scale theft and fraud can have a devastating impact which includes undermining development, destroying public trust and burdening the lives of many, in particular, the poor. Clearly the effects of corruption can be destructive. Therefore, in order to promote good governance, it is vital that corruption is effectively tackled.

Corruption has a direct impact on economic and social structures. It increases the cost of creating new businesses and staying in business within the formal economy. For instance, unofficial payments and unpredictability of their size and frequency drive the costs and risks so high that entrepreneurs prefer to move their businesses underground to avoid bribes that they have to pay for services such as registration and accessing licenses and permits. Bribes paid for setting up business firm by investors are passed on to consumers through higher prices of goods and services.

“ Corruption is the principal threat to good governance. It cripples economic growth and development.”

Therefore, weaknesses in governance are strongly correlated with deficiencies in development. Bad governance is associated with corruption, distortion of government budgets, inequitable growth, social exclusion and lack of trust in authorities. Inefficiency of formal governance institutions leads to creation of informal institutions that fill the inefficiency gap by illegally cutting corners.

It is therefore vital that we tackle all instances of both high level and low level corruption with equal conviction, responding quickly and professionally to indications of corruption. This demands having in place stringent policies of prevention and identification by enhancing our procedures and tools to verify information that may uncover corruption.

In 2011 a comprehensive policy, National Anti-Corruption Policy (NACP) was implemented to prevent and combat corruption with participation and involvement of all sectors to enhance good governance.

Having just gone through a presidential bye-election, it would be amiss not to relate corruption to democratic elections, rule of law and good governance. It is no coincidence that to have good elections, some key elements of good governance need to be at play, such as transparency, accountability, rule of law and participatory.

As stated earlier corruption is one of the greatest threats to good governance and it is a serious threat to the electoral processes. This can be in the form of bribery of voters or candidates or the abuse of public office or resources to influence outcomes in favour of one person or the other.

In conclusion, Good governance is about having institutions which are accountable, effective, efficient, participatory, transparent, responsive and equitable. Corruption defeats these and should therefore not be tolerated at all costs.

Photo Focus

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1. ACC and Attorney General Alliance entered into a memorandum of Understanding to collaboratively address corruption and organized crime.
2. ACC Lusaka HQ members of staff who participated in the Labour Day commemorations March– past.
3. TIZ Executive Director, Maurice Nyambe making a presentation during the media launch of the Zambia Bribe Payers Index survey exercise– to which ACC is a partner.
4. Corporate Affairs Officer Christopher Chibanku interacting with stand visitors during the Zambia Police Service's Open– Day Commemorations at Heroes stadium.



ANTI-CORRUPTION
COMMISSION

Vision

A proactive, impartial and professional anti-corruption agency that promotes the attainment of a corruption free Zambia

Mission

To effectively and impartially prevent and combat corruption in order to promote integrity, transparency and accountability for the attainment of a corruption-free Zambia.

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