

ISSUES THAT THE ACT SEEKS TO RESOLVE AND BENEFITS

Issues to Be Resolved

- Sets conditions under which a disaster or an emergency can be declared including who declares and at what level. This is critical but currently non-existent.
- Puts legal authority to the National Disaster Management regime to mobilize the necessary resources in order to effectively and efficiently deal with emergency situations. This critical but currently absent.
- Sets conditions under which an evacuation can be ordered and managed. This is critical but currently absent.
- Creates specific functions and powers at different levels of the disaster management command and control structure. This is critical but currently absent.
- Sets legal provisions necessary for putting in place disaster preparedness plans by Various institutions depending on the nature of their operations. This critical but currently absent.
- The Act further defines functions of stakeholders at different levels and holds them accountable for their functions. It also strengthens the coordination role of the Disaster Management and Mitigation Unit.
- The ACT further seeks to establish for the maintenance and operations of the disaster Management System for anticipation, coordination, command and control of disaster situations as well as organization and management of relief and development efforts in the country which currently lack legal support.

Benefits of the Act

- The impact of disasters on communities and individuals shall be minimized as citizens shall be compelled to take actions that shall avoid or minimize the impact of a disaster on them;
- Organizations and individuals who are required to carry out disaster management responsibilities shall feel protected. This shall in turn encourage them to do more in this area;
- Citizens will be better protected against disasters as the law will oblige Government to protect its citizens from the effects of disaster.
- Disaster relief resources shall be better accounted for as the law will provide punitive measures aimed at protecting disaster relief resources from misapplications;
- Donated disaster relief materials shall be more responsive to a given disaster situation as the law will provide conditionality for bringing in and receiving external relief assistance;
- Disaster situations will be orderly/smoothly handled as the law will provide conditions under which a disaster or an emergency can be declared including who declares, and at what level and how to deal with evacuations issues; and
- The country, communities and individuals will be safer from disasters as the law will provide for the requirement of institutional disaster preparedness plans. This will compel individual institutions to invest more in the area of safety.

REPUBLIC OF ZAMBIA



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Disaster Management and Mitigation Unit



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HIGHLIGHTS OF THE DISASTER MANAGEMENT ACT

The disaster management ACT No. 13 of 2010 was assented to on the 13th April 2010.

SUMMARY OF CHAPTERS IN THE DISASTER MANAGEMENT ACT

The ACT has eight (8) chapters and Administrative provisions which are summarized as follows;

Part I – Preliminary

- Part I brings out the Title of the Act and defines key concepts and/or terms.

Part II – The National Disaster Management and Mitigation Unit

- Part II provides for the establishment of the Disaster Management and Mitigation Unit, its functions, powers and guides on how to prevent and mitigate disasters.
- The Act elevates the position of the National Coordinator from Director to that of the Permanent Secretary in the government quest to strengthen DMMU as an institution.
- It further provides for the establishment of the National Disaster Management Council of ministers and its functions.
- It also provides for the establishment of the National Disaster Management Technical committee of Permanent Secretaries from 14 line ministries that have a direct element to play in Disaster Management as well as the functions of the committee. It further stipulates how the proceedings of the technical committee will be conducted.
- It also provides for the establishment of a Disaster Management Information system which shall maintain early warning information on disasters and inventory of resources.

Part III – Provincial Disaster Management Committees

- This part provides for the establishment of the Provincial Disaster Management Committee, its composition, functions and how the proceedings of the Provincial committees will be conducted. It also provides for the creation and appointment of the Provincial Disaster Management Coordinator.

Part IV – District and Satellite Disaster Management Committees

- This part provides for the establishment of the District Management Committee, its composition, functions and how the proceedings for the District Committee will be conducted. It also provides for the creation and appointment of a District Disaster Management coordinator and his powers.
- The part further provides for the establishment of the satellite Disaster Management Committee, its composition, and functions and how their proceedings will be conducted.
- The recruitment of volunteers to provide or assist in the provision of any disaster management service in any district is also provided for.

Part V – The National Disaster Relief Trust Fund

- This part provides for the establishment of the National Disaster Relief Trust and stipulates the sources of resources to go into the fund.
- It also sets the framework for effective management of the fund.

Part VI – Declaration of National Disaster

- This part provides for the declaration for a National Disaster, the responsible person and the circumstances under which a disaster may be declared.
- It also provides for regulatory powers once a disaster has been declared.

Part VII - Disaster Management Plans

- This part provides for the development of the National Disaster Management Plans by different levels of the Disaster Management structure.
- It further creates parameters for post disaster reconstruction, rehabilitation and recovery which shall be implemented upon approval by the Council.
- The ACT further provides for the development of sector disaster management plans by Government Ministries or departments, Statutory bodies, Institutions, just to mention a few.

Part VIII – General Provisions

- This part stipulates how general offences shall be dealt with.
- It also provides for presidential regulations relating to the implementation of the contents of the Act.