



**Submission on the Ramifications of the Water Supply and  
Sanitation Services Bill  
N.A.B No. 2 of 2026**

**Submitted to the committee on energy, water development and tourism**

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## 1. About the Civil Society for Poverty Reduction- CSPR

Established in 2000 in response to Government's call for civil society participation in the development of Poverty Reduction Strategy Papers (PRSPs), the Civil Society for Poverty Reduction (CSPR) is a national network of over 104 civil society organisations operating at grassroots level. CSPR works to facilitate the meaningful participation of poor and vulnerable communities in national development processes.

Over the past 25 years, CSPR's mandate has evolved to promote inclusive participation in the design, formulation, and implementation of National Development Plans (NDPs), as well as to strengthen citizen engagement in monitoring progress towards poverty reduction and human development outcomes in Zambia.

CSPR currently operates in 17 districts across Zambia, with provincial satellite offices in five provinces: Choma, Mongu, Solwezi, Mansa, and Chipata.

For more information, visit: [www.csprzambia.org](http://www.csprzambia.org)

## 2. Introduction

The Civil Society for Poverty Reduction (CSPR) welcomes the opportunity to make submissions on the *Water Supply and Sanitation Services Bill, 2026*. The Bill represents a significant step toward strengthening the legal framework governing water supply and sanitation services in Zambia. The Water Supply and Sanitation Services Bill, N.A.B No. 2 of 2026 represents a critical legislative intervention aimed at reforming Zambia's water and sanitation sector. The provision of safe, reliable, and affordable water supply and sanitation services is fundamental to public health, economic productivity, environmental sustainability, human dignity and overall poverty reduction for Zambia.

Water and sanitation are fundamental to public health, human dignity, and socio-economic well-being. As such, the legal framework governing these services must strike a careful balance between efficiency, sustainability, equity, and accountability.

This submission provides a critical analysis of the Bill and proposes recommendations to strengthen its responsiveness to the needs of all citizens, particularly vulnerable and underserved populations. The Bill is therefore timely aligning with national development priorities and global commitments such as the Sustainable Development Goals (SDGs), specifically Goal 6, which seeks to ensure availability and sustainable management of water and sanitation for all.

This memorandum provides a detailed analysis of the Bill's objectives, key provisions, potential risks, and anticipated socio-economic and institutional ramifications. It further proposes actionable recommendations to strengthen the Bill and ensure it delivers equitable, efficient, and sustainable outcomes.

### 3. CSPR's overall Position

CSPR supports the enactment of the proposed Bill in principle, particularly its efforts to:

- Strengthen regulatory oversight;
- Improve service delivery standards and quality;
- Enhance institutional coordination for the WASH sector.

However, we are of the view that the proposed Bill requires key amendments to ensure that it:

- Protects the right to water and sanitation and ensure this is recognized in Zambia's legislation as such;
- Promotes equitable access to water, sanitation and hygiene services for all;
- Strengthens accountability of duty bearers and other key actors as well as citizen participation in the WASH sector;
- Safeguards against regulatory overreach and exclusion.

### 4. Key Objectives of the Bill

The Bill seeks to achieve several interrelated objectives aimed at strengthening governance, improving service delivery, enhancing sustainability, and ensuring long-term performance of Zambia's water supply and sanitation sector.

First, the Bill aims to strengthen sector governance by clarifying institutional roles among regulators, utilities, and local authorities, thereby reducing duplication and improving coordination. By reinforcing oversight institutions such as the National Water Supply and Sanitation Council (NWASCO) and relevant ministries, the Bill promotes greater transparency, accountability, and adherence to service standards.

Second, it seeks to improve service delivery by ensuring that water supply and sanitation services are safe, reliable, and accessible to all, particularly in underserved and low-income areas. Through defined service standards and regulatory oversight, the Bill aims to reduce inequalities in access while improving public health outcomes.

Third, the Bill promotes financial sustainability by introducing cost-reflective tariffs and strengthening revenue collection mechanisms. This is intended to enable utilities to maintain operations and invest in infrastructure, while reducing dependence on government subsidies. However, this objective requires careful balancing with affordability considerations.

Fourth, the Bill emphasises efficiency and performance by introducing performance monitoring systems and accountability mechanisms. These measures are expected to improve operational efficiency, reduce losses, and enhance service quality across utilities and local authorities.

Fifth, the Bill seeks to encourage investment by creating an enabling environment for both public and private sector participation, including through Public-Private Partnerships. This is critical for addressing infrastructure gaps and accelerating sector development, provided that investments are effectively regulated to protect public interest.

Finally, the Bill promotes environmental sustainability by supporting responsible water resource management, pollution control, and improved sanitation systems. This includes measures to protect water sources, enhance wastewater management, and strengthen resilience to climate-related challenges.

## **5. Key Highlights of the Bill**

The Bill introduces several important provisions that signal a shift toward a more structured, accountable, and performance-driven water supply and sanitation sector. While the Water Supply and Sanitation Act, 1997 already establishes a regulatory framework through NWASCO, licensing of utilities, and decentralised service provision by local authorities, it largely emphasises institutional setup and general oversight rather than stringent performance management and accountability mechanisms.

In contrast the Water Supply and Sanitation Services Bill, 2026 introduces reforms aimed at strengthening regulation, redefining institutional roles, and promoting sustainable access to services, thereby signalling a shift toward a more structured, accountable, and performance-driven sector. Its implementation will require coordinated action among key institutions, including the National Water Supply and Sanitation Council (NWASCO), the Ministry of Water Development and Sanitation (MWDS), local authorities, and Commercial Water Utilities. Collectively, these provisions aim to strengthen regulation, improve service delivery, and enhance long-term sector sustainability.

### **5.1. Strengthened regulatory framework**

The Bill significantly strengthens the mandate of the National Water Supply and Sanitation Council (NWASCO), particularly through its expanded functions under Clause 6, which include licensing utilities, approving tariffs, monitoring performance, and enforcing service standards. However, these are not entirely new functions, as NWASCO already performs these roles under the existing legal framework. What Clause 6 does is strengthen, clarify, and formalize these responsibilities, thereby providing a clearer and more robust statutory basis for their execution. The establishment of service level agreements (SLAs) and guarantees (Clause 6(2)(d)) further reinforces accountability by making performance expectations more explicit and enforceable. In addition, the Council's enhanced enforcement powers under Clause 6(3) including administrative penalties, binding directives, and license suspension mechanisms improve regulatory efficiency by enabling more timely and decisive action where utilities fail to comply. Collectively, these provisions enhance transparency, standardization, and sector discipline by reducing ambiguity in regulatory authority and strengthening NWASCO's ability to ensure consistent adherence to service standards.

### **5.2. Licensing and compliance mechanisms**

The Bill under Clauses 13–16 introduce a more robust licensing regime by establishing clear eligibility criteria, mandatory licensing requirements, and standardized application procedures for utilities. The framework further strengthens regulatory oversight by attaching enforceable service and performance conditions to licenses, providing for time-bound approvals subject to renewal,

and granting the National Water Supply and Sanitation Council powers to suspend or revoke licenses for non-compliance. These features enhance accountability, ensure only technically and financially capable operators enter the sector, and enable continuous regulatory supervision.

The provisions for suspension or cancellation of licenses under Clause 16, together with the appointment of a statutory manager under Clause 21, are central to ensuring compliance with licensing requirements. Clause 16 empowers the regulator to take decisive action against operators who fail to meet prescribed conditions, thereby deterring non-compliance and maintaining standards within the sector. Clause 21 complements this by allowing regulatory intervention through the appointment of a statutory manager to oversee or temporarily assume control of a non-compliant entity, ensuring continuity of services while addressing operational deficiencies. Collectively, these measures reinforce professionalism, promote adherence to regulatory obligations, and ensure that only competent and accountable operators are permitted to provide services.

### **5.3. Tariff setting and cost recovery**

The Bill establishes a structured tariff-setting framework under Clauses 28–30, requiring tariffs to be approved by the Council based on key principles such as cost efficiency, financial sustainability, and consumer impact, with cost recovery anchored in Clause 3(e). While this provides a solid policy foundation and promotes transparency and regulatory oversight, the law does not fully articulate the detailed technical and procedural criteria needed for comprehensive tariff setting. In particular, it lacks clear methodologies for tariff determination, as well as explicit provisions on periodic review, adjustment processes, and the criteria that should trigger such reviews. As a result, although the framework is sound in principle, its effectiveness may be limited by gaps in detail, potentially affecting consistency, predictability, and accountability unless these issues are addressed through subsidiary regulations or regulatory guidelines.

### **5.4. Expansion of service obligations**

The Bill places clear obligations on utilities to provide safe and sustainable services within their service areas under Clause 22, including planning and implementing service delivery projects (Clause 22(2)(f)). In addition, provisions on construction and expansion of facilities (Clause 32) support the extension of services to underserved areas, which is important for achieving inclusion. These measures are intended to improve access, reduce inequalities, and strengthen public health outcomes.

### **5.5. Promotion of Public-Private Partnerships (PPPs)**

The Bill promotes private sector participation through its principles under clause 3(f) and provisions allowing utilities to enter partnerships and joint ventures (clause 12(5)). It also enables service provision through agreements with third-party providers (clause 26). These provisions create an enabling environment for investment and innovation, while maintaining regulatory oversight through the council.

### **5.6. Integration of sanitation services**

The Bill's integration of sanitation into the broader water service framework through Clauses 2, 22(2)(c) and (d), and the regulatory oversight provided under Clause 6(2)(i) largely reflects what

is already contained in the current law. Existing legislation generally recognizes sanitation, including wastewater management, as part of the mandate of water utilities and provides for regulatory oversight of related standards. However, the Bill appears to strengthen this position by more explicitly defining responsibilities, particularly in relation to sanitation sludge management, and reinforcing the role of the regulator in setting and enforcing standards. As such, while the approach is not entirely new, it enhances clarity, strengthens accountability, and aligns the framework more closely with contemporary environmental and public health objectives

## **6. Civil Society for Poverty Reduction's (CSPR's) Assessment of the Bill and Areas of Concern**

CSPR recognizes the Bill as a crucial step toward improving Zambia's water and sanitation sector in line with emerging needs such as technological advancement. Its emphasis on regulatory oversight, financial sustainability, service expansion and coverage, and Public-Private Partnerships reflects a comprehensive approach to addressing long-standing infrastructure and service delivery gaps in the sector.

However, CSPR notes that, despite these positive provisions, the Bill falls short of ensuring equitable access for vulnerable populations. The bill does not provide clear, enforceable mechanisms to guarantee inclusion. The Bill places significant emphasis on cost recovery, efficiency, and private sector participation, but lacks targeted safeguards such as pro-poor tariff structures, subsidies, or mandatory service obligations for low-income, rural, and informal communities. Additionally, there are no explicit provisions addressing affordability barriers, protection against disconnections for vulnerable households, or dedicated financing mechanisms to support service delivery in underserved areas. The absence of clear inclusion and participation mechanisms further limits the ability of marginalized groups to influence decisions that affect their access to services.

As a result, access may remain uneven and driven by commercial viability rather than social equity. Several critical concerns therefore need to be addressed to ensure that implementation is inclusive, equitable, and effective. Without appropriate safeguards, these gaps could undermine the intended benefits of the proposed reforms. In the current form of the Bill, we note the following:

### **6.1. Affordability and Social Equity**

The introduction of cost-reflective tariffs is essential for ensuring the financial sustainability of water utilities; however, it raises significant concerns regarding affordability and social equity. In Zambia, about 27 % of households lack basic access to safe drinking water, with the poorest quintile facing access rates as low as 40 %, highlighting the vulnerability of low-income populations (UNICEF Zambia WASH, 2023). Many households already struggle to pay for existing services, and any increase in tariffs could further strain their limited financial resources. Evidence from global studies indicates that residential water demand is relatively price-inelastic, meaning households are unlikely to reduce consumption proportionately when prices rise, leading to a disproportionate financial burden on poorer households [Grafton et al., 2019; ScienceDirect, Water Demand Price Elasticity Review]. As a result, some households may reduce their use of safe water or turn to unsafe alternatives such as shallow wells or unregulated sources, increasing the risk of waterborne diseases and undermining public health outcomes (UNICEF Zambia WASH, 2023).

Additionally, without targeted social protection measures such as subsidies or lifeline tariffs, vulnerable groups including the urban poor, rural populations, and informal settlement residents may be excluded from accessing essential water and sanitation services. Lifeline tariffs typically work by providing a fixed quantity of water at a highly subsidized or zero cost for basic household needs, while consumption beyond that threshold is charged at full or cost-reflective rates. Such mechanisms ensure that essential water remains affordable for low-income households while maintaining financial sustainability for utilities. For example, South Africa's Water Services Act (1997) mandates municipalities to provide free basic water of 6,000 liters per household per month, demonstrating how pro-poor provisions can be codified in law to promote equitable access. Without similar measures, cost recovery policies risk widening existing inequalities and undermining the principle of universal access. Therefore, while cost recovery is necessary, it must be balanced with deliberate pro-poor policies to ensure that no one is left behind.

## **6.2. Institutional Fragmentation and Overlaps**

The Bill's attempt to strengthen governance may inadvertently create institutional fragmentation if roles and responsibilities are not clearly defined. In Zambia's water sector, multiple actors including regulatory bodies, local authorities, and line ministries already have overlapping mandates. For example, Ministry of Water Development and Sanitation handles water policy and resource management, while the Ministry of Local Government and Rural development oversees service delivery, leading to duplication and gaps in coordination.

Similarly, the National Water Supply and Sanitation Council (NWASCO) and sector ministries sometimes have unclear jurisdiction over enforcement and monitoring functions, causing ambiguity in compliance oversight. Local authorities, tasked with providing water and sanitation services, often operate alongside central agencies without clearly defined operational boundaries, resulting in duplication of functions or unclear accountability. Additionally, cross-sector mandates for instance, sanitation responsibilities split between the Ministry of Health and the Ministry of Education in schools and health facilities further complicate oversight. Without explicit delineation of functions and coordination mechanisms, the Bill risks reinforcing these overlaps, undermining effective service provision, monitoring, and enforcement.

These overlaps can result in duplication of efforts, inefficient use of resources, and delays in decision-making. In some cases, it may also lead to conflicts between institutions, particularly where authority and accountability are not well aligned. Such fragmentation can weaken the overall effectiveness of the sector and undermine the intended improvements in governance. Clear institutional frameworks and coordination mechanisms will therefore be critical to avoid these challenges.

## **6.3. Limited Focus on Rural Areas**

A significant concern is the apparent limited emphasis on rural water supply and sanitation services. Rural communities in Zambia often face the most severe challenges, including lack of infrastructure, long distances to water sources, and reliance on unsafe water. The 2022 Living Conditions Monitoring Survey shows that only 63 % of households in rural areas had access to

safe water, compared to 91.9 % of households in urban areas, underscoring a substantial rural-urban gap in safe water access (2022 LCMS, Zambia Statistics Agency/UNICEF).

This disparity means rural populations remain disproportionately underserved, and if the Bill primarily focuses on urban and peri-urban areas, these gaps may persist or even worsen. Persistent rural-urban inequities in access to safe water can exacerbate poverty, increase travel burdens for women and children to collect water, and heighten risks of waterborne diseases in rural communities. Therefore, without clear, targeted provisions for rural WASH prioritization, the Bill may fail to address the most acute needs in the sector.

Furthermore, the absence of targeted financing mechanisms for rural infrastructure could hinder efforts to expand services in these areas. Rural water systems often require different management models, such as community-based approaches, which may not be adequately addressed in the Bill. Without deliberate provisions for rural service delivery, the goal of universal access will remain unattainable, and rural populations will continue to be marginalized.

#### **6.4. Risks Associated with Private Sector Participation**

While Public-Private Partnerships (PPPs) offer opportunities for mobilizing resources, innovation, and improving efficiency, they also introduce potential risks that must be carefully managed within the water sector. Water is a basic human need that comes at a cost to supply infrastructure, treatment, and distribution require investment and ongoing operation so partnerships with non-state actors, including private and community-based providers, are often necessary to expand access where public utilities alone cannot meet demand.

For example, in peri-urban areas of Lusaka such as Linda and Kanyama, the establishment of water kiosks connected to the piped network has significantly improved access for residents who previously had limited or no direct connections, with thousands benefiting from clean drinking water supplied through these points in collaboration with utilities and development partners (WfW water kiosks Linda & Kanyama project). These kiosks, typically operated under agreements between local water utilities and vendors or intermediary organizations, sell water at affordable rates, demonstrating how non-traditional service points can fill gaps left by formal utility networks.

However, while PPPs can bring services closer to underserved populations, they also introduce risks that must be mitigated. Private operators may advocate for higher tariffs to ensure returns on investment, which could exacerbate affordability challenges for low-income households. Because profit motives can lead to a focus on commercially viable areas, rural, peri-urban, or informal settlement communities may remain underserved unless equity safeguards and pricing controls are in place. In addition, in the absence of strong regulatory oversight, there is a risk of reduced accountability, where service quality may decline without adequate consequences. Therefore, while PPPs and private participation through mechanisms like water kiosks or delegated management models can enhance coverage and complement utility efforts, they must be embedded within robust regulatory frameworks that safeguard public interest, ensure transparency, maintain service quality, and preserve equitable access for all segments of the population.

## 7. Potential benefits of the Bill

The enactment of the *Water Supply and Sanitation Services Bill, N.A.B No. 2 of 2026* presents a significant opportunity to strengthen the governance, efficiency, and sustainability of the water and sanitation sector in Zambia. The Bill introduces key regulatory, institutional, and operational reforms which, if effectively implemented, are likely to generate positive outcomes across multiple sectors.

However, the realization of these benefits will depend on how well the provisions, particularly those relating to regulation, tariffs, and service delivery, are balanced with considerations of equity and improved access.

### 7.1. Positive Ramifications

#### i. Improved service delivery

The Bill provides a stronger regulatory framework through the enhanced role of the National Water Supply and Sanitation Council (NWASCO), particularly under Clause 6, which mandates the Council to monitor utility performance, enforce service standards, and establish service level agreements and guarantees. In addition, Clause 22 clearly outlines the functions of utilities, including the obligation to provide safe, reliable, and sustainable water supply and sanitation services.

However, the Bill appears to have limited provisions regarding direct financing mechanisms from central government to utilities, as it does not explicitly provide for statutory transfers, subsidies, or structured funding arrangements to support service delivery and infrastructure expansion. While such financing may continue through national budget allocations and administrative processes, the absence of clear legal provisions may reduce predictability and weaken long-term planning.

Furthermore, although the Bill strengthens performance oversight, it does not explicitly address the persistent challenge of high non-revenue water (NRW), which significantly undermines the financial viability of utilities. There are no clear provisions outlining NRW reduction targets, performance benchmarks, or mandatory investment in measures such as metering, leak detection, and system rehabilitation. As a result, while the regulatory framework is strengthened in principle, important operational and financial constraints remain insufficiently addressed.

The effectiveness of the proposed regulatory improvements will also depend on the institutional and technical capacity of NWASCO to execute its expanded mandate. Strengthened regulatory functions require adequate staffing, financing, data systems, and enforcement tools; without these, compliance monitoring and enforcement risks remaining limited in practice. Where effectively implemented, enhanced regulation can create a ripple effect across utilities by incentivizing improved operational efficiency, reduced losses, and better adherence to service standards through performance monitoring, service level agreements, and enforcement mechanisms.

However, the Bill appears to place greater emphasis on regulated utilities operating within formal network systems, with limited explicit provisions for rural water supply in unserved or remote areas. In many rural communities without piped networks, households rely on groundwater sources such as boreholes and shallow wells, often managed by communities or local authorities. The absence of clear provisions defining institutional responsibilities, support mechanisms, or regulatory oversight for these non-networked systems may therefore leave significant service gaps unaddressed.

Overall, while the Bill strengthens urban and utility-based service regulation, its impact on rural and off-grid water systems remains uncertain, and further clarification may be required to ensure inclusive service delivery across all areas.

## ii. Increased investment in the sector

The Bill creates a more structured and predictable investment environment through:

1. Cost-reflective tariff frameworks (**Clause 28**)
2. Mandatory tariff approval mechanisms (Clauses 29–30)
3. Promotion of Public-Private Partnerships under the principles outlined in **Clause 3(f)**

Furthermore, **Clause 12** allows for the establishment of utilities as corporate entities, including joint ventures, which can attract private sector participation.

These provisions are likely to:

1. Improve financial sustainability of utilities
2. Enhance investor confidence through regulatory certainty
3. Mobilize capital for infrastructure expansion and rehabilitation

This is particularly critical for addressing infrastructure gaps such as ageing networks, limited treatment capacity, and inadequate sanitation systems.

## iii. Public Health benefits

The Bill reinforces the link between water, sanitation, and public health through:

1. Explicit principles promoting public health and safe sanitation (**Clause 3(b)**)
2. Utility obligations to ensure water quality and safe disposal of wastewater (**Clause 22(2)(a), (c), and (d)**)
3. Regulatory oversight of environmental and health standards (**Clause 6(2)(i)**)

Improved compliance with these provisions is likely to:

1. Reduce incidence of waterborne diseases such as cholera and dysentery
2. Improve sanitation outcomes in both urban and peri-urban areas
3. Strengthen environmental protection through better waste management

These outcomes will contribute to reduced healthcare costs and improved quality of life, particularly for vulnerable populations.

#### iv. Contribution to economic growth

Reliable and efficient water supply and sanitation services are foundational to economic development. The Bill supports this through:

- Improved service reliability (Clauses **6 and 22**)
- Infrastructure development facilitated by investment frameworks (Clauses **12 and 28**)
- Provisions enabling utilities to plan and implement service delivery projects (**Clause 22(2)(f)**)

In addition, **Clause 23** (powers to carry out infrastructure works) and **Clause 24** (land acquisition for service provision) facilitate expansion of water infrastructure.

These provisions are likely to:

- Support industrial and commercial activities that depend on reliable water supply
- Enhance agricultural productivity through improved water access
- Create employment opportunities through infrastructure development

Ultimately, improved water and sanitation services will contribute to broader national development objectives, including economic resilience and poverty reduction.

While these potential benefits are significant, their realisation will depend on the effective implementation of the Bill and the incorporation of safeguards to ensure equity, affordability, and inclusive access.

## 7.2. Negative Ramifications

While the Bill presents significant reform opportunities, several provisions may generate unintended negative consequences if not adequately mitigated through safeguards and complementary policy measures.

### i. Tariff increases and affordability risks

The Bill's emphasis on cost-reflective tariffs particularly under **Clause 3(e)** (full cost recovery) and the tariff-setting framework in **Clauses 28–30** may lead to upward adjustments in water tariffs.

While this approach supports financial sustainability, it presents significant risks:

- Reduced affordability for low-income households
- Increased reliance on unsafe water sources
- Potential rise in non-payment and disconnections under **Clause 48**

The absence of explicit provisions for lifeline tariffs or targeted subsidies means that vulnerable populations may be disproportionately affected. As such, without affordability safeguards, tariff reforms could undermine universal access and create adverse public health outcomes.

## ii. Risk of social exclusion

Although the Bill promotes access in principle (**Clause 3(d)**), it does not provide explicit mechanisms to prioritise underserved populations, particularly those in informal settlements, rural and remote areas.

The utility-based service delivery model under **Clause 4** and the commercial orientation of utilities under **Clause 12** may incentivise expansion in economically viable service areas, potentially excluding low-income or high-cost regions.

This implies that gains in service delivery may be uneven, reinforcing existing inequalities and limiting progress toward universal access.

## iii. Increased administrative and institutional burden

The Bill introduces extensive regulatory, licensing, and compliance requirements, including:

- Licensing processes (**Clauses 13–16**)
- Performance monitoring and reporting (**Clause 6(2)(f)**)
- Enforcement and inspection mechanisms (**Clauses 43–44**)

While these are necessary for sector reform, they may place significant strain on Local authorities and Utilities with limited technical and administrative capacity. Without adequate capacity-building and resourcing, institutions may struggle to comply, resulting in implementation delays, weak enforcement, and regulatory inefficiencies.

## iv. Commercialization and equity risks

The Bill promotes financial sustainability and private sector participation through:

- Cost recovery principles (**Clause 3(e)**)
- Promotion of Public-Private Partnerships (**Clause 3(f)**)
- Corporate utility structures (**Clause 12**)

While these measures can improve efficiency and investment, they also risk shifting the sector toward a **commercial model**, where revenue generation may take precedence over service equity and Low-income and less profitable areas receive limited attention.

The implication of this is that water may increasingly be treated as an economic good rather than a public service, potentially undermining equitable access unless strong regulatory safeguards are enforced.

## **v. Urban Bias in service expansion**

Provisions enabling infrastructure development and investment, such as utility planning and project implementation (Clause 22(2)(f)) and infrastructure access and expansion (Clauses 23 and 24), are more likely to favour areas where infrastructure costs are lower and revenue recovery is more predictable. This creates a structural bias toward urban and peri-urban areas, where service provision is more commercially viable, with the implication that rural areas may continue to experience limited access to water and sanitation services, thereby exacerbating rural–urban disparities and undermining inclusive development.

## **8. Civil Society for Poverty Reduction’s (CSPR’s) Recommendations**

To enhance the effectiveness, inclusivity, and sustainability of the water sector through enacting the Water Supply and Sanitation Services Bill, N.A.B No. 2 of 2026, CSPR proposes the following:

### **8.1. Introducing pro-poor safeguards**

The Bill should incorporate deliberate pro-poor mechanisms to ensure that affordability does not become a barrier to access. This includes the introduction of lifeline tariffs that guarantee a minimum quantity of water at an affordable rate typically aligned with international benchmarks of 3–5% of household income, as referenced by the World Bank alongside targeted subsidies for low-income and vulnerable households, as demonstrated in countries such as South Africa and Chile. In addition, safeguards must be established to prevent the disconnection of basic water services for households unable to pay, recognising water as an essential service critical to public health and human dignity. Such safeguards may include measures like reduced-flow provisions, flexible payment arrangements, or cross-subsidisation models that balance cost recovery with equity, ensuring both financial sustainability and inclusive access.

### **8.2. Strengthen institutional coordination**

Effective implementation of the Bill requires clearer alignment among key institutions. The roles and responsibilities of the Council, relevant ministries, local authorities, and utilities should be more explicitly defined to avoid duplication and gaps. In particular, the Bill should designate the National Water Supply and Sanitation Council as the lead regulatory and oversight body; the Ministry of Water Development and Sanitation as responsible for national policy direction and sector planning; and local authorities, working through commercial utilities, as responsible for service delivery and infrastructure maintenance. Furthermore, formal coordination mechanisms should be established, including an inter-ministerial water and sanitation committee chaired by the lead ministry, mandatory annual joint planning sessions between the Council and utilities, and a shared sector information system for data reporting and monitoring. These mechanisms would facilitate joint planning, information sharing, and policy coherence across the sector, thereby improving efficiency and accountability.

### **8.3. Prioritize rural and underserved areas**

The Bill should place stronger emphasis on addressing the persistent disparities in access between urban and rural areas. This can be achieved by establishing dedicated funding mechanisms for rural water and sanitation infrastructure, promoting community-based

management models that enhance local ownership, and ensuring that water and sanitation are integrated into broader rural development strategies. Such measures are essential to achieving equitable and inclusive service delivery.

#### **8.4. Strengthening consumer protection**

Consumer protection should be more firmly embedded within the legal framework, building on the existing mandate of the Competition and Consumer Protection Commission under the Competition and Consumer Protection Act. While this framework provides broad, economy-wide protections, it does not sufficiently address the sector-specific realities of water and sanitation services. The Bill should therefore complement this by establishing an independent and accessible complaints and dispute resolution mechanism within the sector, clearly articulating consumer rights related to affordability, service quality, and reliability, and setting enforceable standards for service provision. It should also promote greater transparency in billing systems and tariff structures, while clarifying coordination between the sector regulator and the Commission to avoid overlaps and ensure effective redress. These measures are necessary to build trust, improve accountability, and empower consumers to demand better services.

#### **8.5. Regulate public-private partnerships in the public interest**

While the promotion of Public-Private Partnerships offers opportunities for investment and efficiency, stronger regulatory safeguards are required to ensure that such arrangements consistently serve the public interest. Given that aspects of water provision are already commercialised, the focus should be on preventing inequitable outcomes in essential service delivery. Clear guidelines should therefore be developed to define service obligations, affordability thresholds, and accountability requirements for private operators. The regulatory authority must also be adequately empowered to monitor compliance and enforce standards, ensuring that commercial participation does not compromise equitable access, affordability, and the fundamental nature of water as a basic service.

#### **8.6. Build institutional capacity**

The success of the Bill will depend heavily on the capacity of institutions responsible for its implementation. There is a need for sustained investment in technical, regulatory, and administrative capacity across the Council, local authorities, and utilities. This should be complemented by improved financing for local service delivery and the strengthening of monitoring and evaluation systems to ensure that implementation is evidence-based and responsive to emerging challenges.

#### **8.7. Adopt a phased implementation approach**

Given the scope and complexity of the proposed reforms, a phased approach to implementation is essential. Gradual roll-out will allow institutions to adapt, build capacity, and refine systems before full-scale implementation. Piloting key reforms in selected areas can provide valuable lessons and reduce the risk of systemic failure, ensuring that the transition to the new framework is both effective and sustainable.

These recommendations are critical to ensuring that the Bill not only strengthens sector efficiency and financial sustainability, but also delivers equitable, inclusive, and people-centred water and sanitation services for all Zambians.

## 9. Summary matrix of key issues, concerns, and recommendations

KEY ISSUE	CSPR CONCERN	RECOMMENDATION
Absence of Right to Water	The Bill does not explicitly recognize access to water and sanitation as a fundamental human right, weakening its rights-based approach.	Insert a provision explicitly recognising water and sanitation as a basic human right in line with international standards.
Affordability vs Cost Recovery	Emphasis on full cost recovery (Clause 3(e)) risks excluding low-income households and undermining equitable access.	Introduce lifeline tariffs, targeted subsidies, and require affordability assessments in tariff setting.
Weak Protection of Vulnerable Consumers	Disconnection provisions (Clause 48) lack safeguards for poor and vulnerable households.	Prohibit disconnection of minimum essential water supply and introduce social protection measures (e.g., notice periods, payment plans).
Limited Citizen Participation Mechanisms	Public participation is referenced but not institutionalized, risking tokenistic engagement.	Establish legally recognised consumer oversight structures, grievance redress mechanisms, and mandatory public reporting.
Regulatory Independence	Extensive ministerial powers over the Council and Board may undermine regulatory autonomy.	Strengthen independence by limiting ministerial directives to policy guidance only and introducing transparent appointment processes.
Over-centralization of Regulatory Powers	The Council holds extensive powers without sufficient checks and balances, risking inefficiencies and abuse.	Introduce accountability mechanisms, including public disclosure requirements and stakeholder engagement in decision-making.
Tariff Setting Framework	Current provisions do not adequately prioritise affordability or social equity.	Require mandatory public consultations, social impact assessments, and adoption of pro-poor tariff structures.
Inspection and Enforcement Powers	Broad inspection powers (Clause 44) may be prone to misuse without sufficient safeguards.	Introduce judicial oversight, clear procedural safeguards, and accountability mechanisms for inspectors.
Compulsory Acquisition of Land	Limited clarity on compensation and community consultation may lead to disputes and rights violations.	Strengthen provisions on fair compensation, prior consultation, and transparency in land acquisition processes.
Emergency Powers and Service Reduction	Utilities can reduce services (Clause 25) without	Guarantee minimum essential water supply and require transparent

	guaranteeing minimum supply or consumer protections.	communication and oversight during emergencies.
Weak Accountability for Private Sector Participation	PPPs are encouraged but lack clear accountability and service standards.	Define minimum service standards, reporting obligations, and regulatory oversight mechanisms for private providers.
Limited Focus on Rural and Underserved Areas	The Bill is largely utility-centric and does not adequately address rural and informal settlement needs.	Include provisions for rural service delivery models, community-based systems, and targeted investments.
Tribunal Independence	The ad hoc tribunal structure may lack independence and consistency.	Establish a permanent and independent tribunal with clear procedures and safeguards.
Insufficiently defined accountability mechanisms for local authorities.	Responsibilities are assigned but accountability mechanisms are weak.	Introduce performance benchmarks, reporting obligations, and enforcement mechanisms for local authorities.
Excessive Discretion in Guidelines and Regulations	Broad powers given to the Minister and Council may reduce transparency and oversight.	Require public consultation and parliamentary oversight for key regulations and guidelines.

**10. Conclusion**

The Water Supply and Sanitation Services Bill, N.A.B No. 2 of 2026, presents a transformative opportunity to address long-standing challenges in Zambia’s water and sanitation sector. Its focus on regulation, sustainability, and investment is commendable and aligns with both national and global development priorities.

However, the success of the Bill will depend on its ability to balance financial sustainability with social equity, promote inclusivity, and strengthen institutional capacity. Without adequate safeguards, there is a risk that the reforms may inadvertently marginalize vulnerable populations and exacerbate existing inequalities.

It is therefore imperative that the Committee considers the concerns and recommendations outlined in this submission to ensure that the Bill becomes a reliable, inclusive, and effective legal framework that guarantees universal access to safe and affordable water and sanitation services for all Zambians.