



Advancing sanitation governance in Zambia

A snapshot of the strengthened regulations for onsite sanitation and faecal sludge management

January 2024



Ministry of Foreign Affairs of the Netherlands



About SNV

SNV is a global development partner, deeply rooted in the countries where we operate. Driven by a vision of a better world where all people live with dignity and have equitable opportunities to thrive sustainably, SNV strengthens capacities and catalyses partnerships that transform agri-food, energy, and water systems. We help strengthen institutions and effective governance, reduce gender inequalities and barriers to social inclusion, and enable adaptation and mitigation to the climate and biodiversity crises. With 60 years of experience and a team of approximately 1,600 people, we support our partners in more than 20 countries in Africa and Asia, tailoring our approaches to different contexts to achieve large-scale impact and create more equitable lives for all.

About the WASH SDG programme

The WASH SDG Programme is a manifestation of the Dutch commitment and contribution to realising the Sustainable Development Goals, particularly SDG 6. It is a seven year consortium programme (2017-2024) implemented in 7 countries, financed by the Netherlands' Ministry of Foreign Affairs whose members - SNV, WAI, and Plan International - aim to increase access to and use of safe drinking water for at least 450,000 people; and to improve access to and use of sanitation facilities, and good hygiene behaviours for at least 2 million people.

In Zambia, SNV's sub-programme is named the Chambeshi Lukanga Sanitation Project and is implemented in collaboration with the Ministry of Water Development and Sanitation and the sector regulator NWASCO, in partnership with Chambeshi and Lukanga Water and Sanitation Companies as well as the Local Authorities of Kabwe, Kasama, Mbala, Nakonde and Mpulungu.

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Suggested citation: SNV, *Advancing sanitation governance in Zambia: A snapshot of the strengthened regulations for onsite sanitation and faecal sludge management*, Lusaka, SNV, 2024.

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Sanitation governance: key to unlocking sustainable progress towards the WASH SDG

Sanitation governance encompasses the institutional and regulatory aspects, the integration of sanitation into municipal administration and planning exercises (also budgets), data management and monitoring, multi-stakeholder dialogue, key leadership buy-in for urban sanitation improvements and attention to vulnerable groups and areas in the urban settings.

SNV's approach to strengthening urban sanitation governance is focused on identifying and addressing these challenges through a long-term engagement with the key actors, and the use of evidence-based advocacy, provision of technical assistance and facilitation of multistakeholder coordination both at National and Subnational level.

These institutional strengthening processes are driven by national policy and regulatory frameworks and directed to support the achievement of national targets and the WASH SDG.

Challenges encountered in advancing urban sanitation governance in Zambia includes:

- the fragmented attention it receives in the town's spatial planning,
- the insufficient allocation/ disbursement of resources,
- the unclarity of roles and responsibilities between Local Authorities and commercial utilities,
- the limited dialogue between the duty bearers and other key actors (including private service providers and communities), and
- the limitations in the collection and use of data forevidence-based decision-making.

Further, despite the existence of key regulatory pieces such as the Zambia Water and Sanitation Act (1997) and the Regulatory Framework for Onsite Sanitation and Faecal Sludge Management (2018), gaps remained for several dimensions of the urban sanitation service chain, while enforcement mechanisms and related roles and responsibilities were not entirely defined.

SNV initiated discussions at town and regional level on the need to address Sanitation regulatory gaps, that were escalated to national level platforms and members of Parliament. The Ministry of Water Development and Sanitation was then tasked to spearhead the formulation of Strengthened Regulations for onsite sanitation and faecal sludge management through the National Water and Sanitation Council (NWASCO).

The strengthened regulations are national in scope, but their relevance for urban settings cannot be overstated given the fast urbanization, the population density and the prevalence of sub-standard sanitation systems particularly in peri-urban areas. SNV integrated and supported the national technical committees formulating the strengthened regulations, whose development included an extensive consultation process with key national actors and cooperating partners, across all provinces of Zambia.





Why strengthening the regulations for onsite sanitation and faecal sludge management

The Zambia Water and Sanitation Act No. 28 of 1997 establishes onsite and offsite sanitation as a service under the responsibility of Water and Sanitation Utilities and regulated by NWASCO. However, the Act did not provide sufficient clarity on the roles and responsibilities of all the relevant actors across the sanitation chain. Other issues that lacked comprehensive guidance and/or provision for regulation included:

- 1 **Standards on the types of onsite sanitation systems allowed within a given jurisdiction**
- 2 **Use of onsite sanitation systems and emptying frequency**
- 3 **Offloading of faecal sludge at treatment sites and management of transfer stations and offloading bays**
- 4 **Treatment, re-use, and disposal of faecal sludge**
- 5 **Powers of authorized officers and penalties for non-compliance**

Practical implications of the additional regulations

For Local Authorities

The strengthened regulations clarifies and enhances the responsibilities of Local Authorities. Once the strengthened regulations comes into force, the Local Authority (LA) will have to maintain and continuously update a database of all existing and planned sanitation systems which shall be accessible by utility and other relevant stakeholders. It is also the role of the LA to set and specify the number of users and the emptying schedule prescribed under the Regulation.

The strengthened regulations makes it clear that the LA carries the responsibility of ensuring that facilities constructed are compliant with the defined standards for sanitation systems. In determining the sanitation systems allowed, it is envisioned that the strengthened regulations will require the LA to consider:

- Groundwater vulnerability information as provided by the institution responsible for water resources management or any other relevant and duly established institution;
- Geological, topographical, environmental, socio-economic, technical conditions in a place in which the application of a sanitation system is being considered;
- Minimum distances between pollution sources and water sources as prescribed by the institution responsible for water resources management;
- The geometry of plots;
- The current or any future availability of water and sewer pipes; and
- Any conditions to do with climate change adaptation

'When you're developing a house, part of the things that the local authority will actually scrutinise into detail is the fact that you have sound toilet systems compliant to the regulation of standards.'

Kasenga Hara
Senior Inspector-Technical -
NWASCO





'These Regulations shall bind all persons, owners, occupiers, service providers and communities in the Republic of Zambia so as to ensure the protection of the environment and public health; and the safe disposal or use of faecal sludge as a resource.'

Source: Onsite Sanitation and Faecal Sludge Management Regulations (draft)

For sanitation systems owners

Foreseen obligations for sanitation systems owners include the specification of the sanitation system planned within new constructions' permits requests, which is to be approved by the LA. For existing buildings, the established sanitation system will go through an inspection and approval process from LA. All households will have to comply, within a certain period of time, with the standards prescribed by the LA. Further, the household owner will proceed with the safe emptying of the facility within the time threshold set by the LA.

When the number of users exceeds the limit determined by the Regulation, the owner of the household is required to notify the LA that shall specify the remedial measures to be taken if necessary. Owners will have to ensure that their containments have a provision for emptying without the utility or a service provider resorting to breaking any part of the toilet or any other structure surrounding the containment.

For water and sanitation commercial utilities

Water and Sanitation Utilities are already fully responsible for the provision of faecal sludge management (FSM) services, though they may, with the approval of the Council, enter into agreements with service providers for this end. It is anticipated that the strengthened regulations will enable the Commercial Utility to apply a fine to sanitation systems owners that dispose of unsuitable materials such as solid waste into their containments. The strengthened regulations will also determine the methods and reuse products that can be generated from faecal sludge, and establish the related product standards, testing procedures and reporting mechanisms to the competent Government Agencies.

Moving forward and next steps

It is anticipated that the Statutory Instrument for Onsite Sanitation and Faecal Sludge Management will be approved and come into force in 2024/2025. Once rolled out, it will progressively change the urban sanitation landscape in Zambia as it leads to increased public and environmental health, particularly substantial advances in the reduction of water borne diseases, including cholera. Other benefits include the development of new sanitation businesses, potentially for reuse products.

The strengthened regulations will be disseminated to its intended users, and mechanisms envisioned to bring about awareness on the new guidelines and related responsibilities include several forms of engagement.



Organised sanitation workers wearing full protective gear while carrying out emptying service



Key stakeholder engagements



Radio



Media



Website information



Door to door sensitisations



Community platforms

Figure 1. Forms of engagement



Impact
that matters



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