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IN THE HIGH COURT FOR ZAMBIA
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Civil jurisdiction)

2026/HP/EP 041

IN THE MATTER OF :	ARTICLE 73 OF THE CONSTITUTION OF ZAMBIA
AND	
IN THE MATTER OF :	SECTION 81, 83, 84, 97, 98 & 100 OF THE ELECTORAL PROCESS A ACT NO. 35 OF 2016
AND	
IN THE MATTER OF:	REGULATION 15 OF THE ELECTORAL CODE OF CONDUCT, 2016
AND	
IN THE MATTER OIF:	THE HIGH COURT ELECTIONS PETITION RULES, 2026 S.I NO. 31 OF 2026
AND IN THE MATTER OF:	THE PARLIAMENTARY ELECTION FOR CHAMA SOUTH CONSTITUENCY DECLARED ON THE 16TH AUGUST 2026

REPUBLIC OF ZAMBIA
02 SEP 2026
PRINCIPAL REGISTRY 1
P.O. BOX 50067, LUSAKA.

BETWEEN

DANIEL PHIRI	PETITIONER
AND	
NKHATA JERIX	FIRST RESPONDENT
ELECTORAL COMMISSION OF ZAMBIA	SECOND RESPONDENT

ELECTION PETITION

The Petition of **DANIEL PHIRI** of Plot No. 100/378a OFF Twin Palm Road, Ibex Hill ,Lusaka

SHOWETH THAT

1. The Petitioner is a Zambian Citizen and was a candidate in Respect of the Parliamentary election in Chama South Constituency in Eastern Province
2. There were 5 Parliamentary Candidates for Chama South Constituency and same included the Petitioner who successfully filed his nomination as an Independent Candidate and participated in the election and the first Respondent herein who also stood as an Independent candidate

3. That Chama South Constituency had over 40 Polling Stations over presided over by one ZULU ANELO as the returning officer
4. That your Petitioner polled a total of 3220 votes whereas the First Respondent polled a total of 4338 votes and was declared as having been duly elected as Member of Parliament for Chama South Constituency
5. The campaigns leading to the elections where characterized by conduct which fell short of the provisions and promulgations of the Electoral Commission Act and Code of Conduct Set Out in the Schedule to the Act and that this disregard resulted in the election of the 1st Respondent to the Petitioners detriment

GROUNDS RELIED ON

GROUND ONE

BRIBERY AND VOTE BUYING

On the 7th August 2026 the First Respondent and his campaign team where seen paying voters K50 in exchange with the Voters Cards and National Registration Cards

PARTICULARS

1. On the 7th August 2026 the First Respondent together with other persons unknown were seen distributing K50 notes to residents within Chama South Constituency
2. On or about the 8th August 2026 the First Respondent was seen in the company of his supporters giving them K50 Notes to support him in the elections
3. On the 13th August 2026 a ZAMBIA WILD LIFE OFFICER was seen in a video chasing poling agents and disrupting the Voting process
4. On the 13th August 2026 the poling agents within Chama South Constituency were being chased from the polling stations and the said conduct offended the Electoral Code of Conduct

GROUND THREE

FALSEHOOD STATEMENT

During the said campaign the First Respondent in the presence of his supporter made false statements about the Petitioner death to prejudice his chances of winning the elections

PARTICULARS

On the 11th August 2026 the Petitioner was involved in an Accident which resulted his Light Truck to be damaged beyond repair the First Respondent took advantage of the Accident and was heard at one of his community engagement advising voters to forget about the Petitioner

stating that he had died and they should not waste their vote on a Dead person, Thereby making the rural voters to believe and not vote for the Petitioner

GROUND THREE

COLLECTION OF NRCS FROM VOTER

The First Respondent was seen collecting National Registration Cards from the Voters in Exchange of sum monies

PARTICULARS

I. On the 7th August 2026 the First Respondent was seen acting together with his supporters collecting National Registration Cards from unknown people within Chama South Constituency
II. The Petitioner shall argue that the illegal practices and/ or Misconduct were committed by the First Respondent with Knowledge , Consent or Approval of Second Respondent and as scuh may have prevented other voters in Chama South from voting
III. The Petitioner shall demonstrate by production of evidence to the effect that the affromentioned First Respondents Conduct affected the outcome of the Elections

YOUR PETITIONER therefore humbly prays that

i. The declaration of the First Respondent as Winner of the Parliamentary Seat for Chama South Constituency be declared Null and Void
ii. That the Second Respondent be Ordered to Re-run the Parliamentary Election for Chama South Constituency
iii. That the Petitioner be awarded other reliefs as the court may deem fit
iv. The Petitioner be awarded Legal Costs

AND YOUR PETITIONER will ever pray.

Dated this.....day of 2026

SGNED BY: .....

DANIEL PHIRI

PETITIONER

Messrs T.K Ndhlovu & Company
5TH Floor, Zimco House
Off Cairo Road, Lusaka
P.O BOX 36078
ADVOCATES FOR THE PETITIONER

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BETWEEN

DANIEL PHIRI — PETITIONER

AND

NKHATA JERIX — FIRST RESPONDENT

ELECTORAL COMMISSION OF ZAMBIA — SECOND RESPONDENT

LIST OF AUTHORITIES AND SKELETON ARGUEMENTS

LIST OF AUTHORITIES

1. CONSTITUTION OF ZAMBIA
2. THE ELECTORAL PROCESS ACT NO. 35 OF THE LAWS OF ZAMBIA
3. THE ELECTORAL (CODE OF CONDUCT) REGULATIONS STATUTORY INSTRUMENTSNO. 52 OF 2011

SKELETON ARGUMENTS

IF IT MAY PLEASE THIS HONOURABLE COURT we submit Skeleton Arguments on behalf of the Petitioner herein

INTRODUCTION

My Lord/Lady

The facts of this matter are disclosed in the Petition and Affidavit in Support suffice to mention that the issue in this matter is whether or not the 1st Respondent was duly elected as a Member of Parliament for Siavonga Constituency as purportedly declared by the 2nd Respondent.

THE LAW

We shall rely on the provisions of Section 61, 84, 86, 87, 89 and 99 of the Electoral Process Act No. 35 of the Laws of the Republic of Zambia. Furthermore, the Petitioner shall rely on all the Election Code of Conduct which are enforced within the Republic of Zambia.

PRAYER

It is our Prayer that the reliefs sought on the Petition be granted with costs.

We humbly submit.

Drawn By

Messrs T.K Ndhlovu & Company
5TH Floor, Zimco House
Off Cairo Road, Lusaka
P.O BOX 36078

ADVOCATES FOR THE PETITIONER