IN THE HIGH COURT FOR ZAMBIA
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA
(Election Jurisdiction)

2026/HP/EP/038

IN THE MATTER OF: ARTICLES 45(2)(a)-(e) OF THE CONSTITUTION OF ZAMBIA (AMENDMENT) ACT NO. 2 OF 2016 AS AMENDED BY ACT NO. 13 OF 2025

AND

IN THE MATTER OF: THE PARLIAMENTARY ELECTIONS HELD ON 13TH AUGUST, 2026 FOR ROMA PARLIAMENTARY CONSTITUENCY

AND

IN THE MATTER OF: CONTRAVENTION OF SECTIONS 29,37,50,65,68(d),71,72,73 AND 81 OF THE ELECTORAL PROCESS ACT NO. 35 OF 2016 AS AMENDED BY ACT NO. 12 OF 2026

AND

IN THE MATTER OF: SECTION 97(1),2(b) AND 4 AS READ TOGETHER WITH SECTIONS 83(2), 98(a)(b) AND 99(a) OF THE ELECTOROL PROCESS ACT NO. 35 OF 2016 AS AMENDED BY ACT NO. 12 OF 2026

AND

IN THE MATTER OF: SECTION 4(1) AND 2(a), (b) AND (c) OF THE ELECTORAL COMMISSION ACT NO. 25 OF 2016

AND

IN THE MATTER OF: PART III OF THE HIGH COURT (ELECTION PETITION) RULES 2026 OF THE LAWS OF ZAMBIA

AND

IN THE MATTER OF: THE ELECTORAL *(CODE OF CONDUCT)* REGULATIONS 2011 STATUTORY INSTRUMENT NO. 52 OF 2011

BETWEEN:

CHILANDO CHITANGALA — PETITIONER

AND

ROSS KASIKILI — 1ST RESPONDENT
ELECTORAL COMMISSION OF ZAMBIA — 2ND RESPONDENT
ATTORNEY GENERAL — 3RD RESPONDENT

REPUBLIC OF ZAMBIA HIGH COURT OF ZAMBIA 07 SEP 2026 PRINCIPAL REGISTRY 4 P.O. BOX 50067, LUSAKA

2ND RESPONDENT'S AFFIDAVIT IN OPPOSITION

I, PENELOPE MUBITA AONGOLA, of Chalala Rockfied of Lusaka in the Lusaka district of the Lusaka Province in the Republic of Zambia do hereby make OATH and SAY as follows:

1. That my particulars are as stated above.
2. That I am a Zambian National.
3. That I was the Returning Officer for Roma Constituency and by reason thereof, competent to depose to this my affidavit by virtue of my position and from facts within my knowledge.

4. That I have read the Petitioner's Affidavit in support sworn by the said Chilando Chitangala and wish to respond as hereunder.
5. That the Roma Parliamentary elections were held on 13th August, 2026 and the 1st Respondent was declared as the duly elected Member of Parliament having obtained 17,201 votes.
6. That there is no contention with regard to contents of paragraphs 2-6 of the Affidavit in support.
7. That there were people still queued up to vote even around 17:00 ours on election day at the Unza poling station.
8. That only those that were on the queue at 18:00 hours were allowed to vote and the counting of votes started only after everyone who was on the queue was done voting. Further, counting started after or around 23:00 hours due to the unconducive environment and there was need for the situation to be calm and be conducive for counting to commence.
9. That there was no polling station that was closed and reopened at Unza and the 2nd Respondent did not receive any objection that tendered by any observers, monitors or any person present whatsoever.
10. That there was no simultaneous voting and counting that was done at the polling stations.
11. That the 2nd Respondent proffers no comment on the contents of paragraphs 22-27 of the Affidavit in support as the same are within the peculiar knowledge of the Petitioner.
12. That each of the 12 polling stations at Unza were in one (1) hall but were mandated to count separately.
13. That the counting of the votes at the polling stations at Unza finished in the early hours of 14th August, 2026.
14. That once the counting was done at all Unza polling stations with all the observes, monitors and polling agents for the candidate present and then they were transported to Northmeand Secondary School as the totaling center for Roma Constituency.
15. That all observes, poling agents and monitors were allowed to be present at the totaling center.
16. That according to the results received from all polling stations in Roma, the 1st Respondent was the duly elected Member of Parliament for Roma Constituency.
17. That there were inaccuracies recorded and no prejudice occasioned to any particular candidate who contested the Roma Parliamentary elections.

18. That the elections were conducted in a free and fair manner and there is no need for fresh elections.
19. That I depose to the above verily believing the same to be true and correct to the best of my knowledge and belief.

SWORN by the said PENELOPE)
M. AONGOLA the 7 day)
Of Sept 2026)

DEPONENT'S SIGNATURE

BEFORE ME: _____

COMMISSIONER FOR OATHS

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
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