IN THE HIGH COURT FOR ZAMBIA **2026/HP/EP/----025**

AT PRINCIPAL REGISTRY

HOLDEN AT LUSAKA

(Civil Jurisdiction)

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
28 AUG 2026
PRINCIPAL REGISTRY 3
P.O. BOX 50067, LUSAKA.

IN THE MATTER OF: **ARTICLE 1(2),(3), 73 (1)(a) AND 45(2)(a)(b) OF THE CONSTITUTION OF ZAMBIA, CHAPTER 1 THE LAWS OF ZAMBIA**

AND

IN THE MATTER OF: **SECTIONS 97 (2) OF THE ELECTORAL PROCESS ACT, NO. 35 OF 2016.**

IN THE MATTER OF: **SECTIONS 70, 81, 87, 94, 96, 97(1),2(b) 98(c), 99(a)(b), 100 (2) (a), OF THE ELECTORAL PROCESS ACT NO. 36 OF 2016.**

IN THE MATTER OF: **RULE 9 OF THE HIGH COURT (ELECTION PETITION) RULES, 2026**

IN THE MATTER OF: **MALAMBO WEST CONSTITUENCY ELECTIONS HELD ON 13TH AUGUST, 2026.**

BETWEEN:

PETER SIMON PHIRI **PETITIONER**

AND

PATRICK MWALE **1ST RESPONDENT**

THE ELECTORAL COMMISSION OF ZAMBIA **2ND RESPONDENT**

AFFIDAVIT VERIFYING FACTS

I, **PETER SIMON PHIRI** a Zambian National of LUKA VILLAGE, CHIEF KAKUMBI MAMBWE, of the Mambwe District of the Eastern Province of the Republic of Zambia DO HEREBY make **OATH** and **SAY** as follows;

1. That my full names, nationality and residential address are as stated above.

2. That I am the Petitioner herein and as such competent to depose to this my affidavit and facts within my personal knowledge and belief.
3. That I did contest as Parliamentary candidate for Malambo West constituency of the Chipata district of the Republic of Zambia in 2026 on the United National Party for Development (UPND) ticket.
4. That the Respondent was declared winner on the 15th August,2026 after scoring six thousand five hundred and seventy four (6,574) while I managed to score Four Thousand Nine Hundred and Sixty -seven (4967). There is now shown and produced to me an exhibit marked as **"PSP"**.
5. That Malambo South constituency has 6 wards and 34 polling stations. The wards are Kakumbi, Kakumbi, Nsefu, Mkanya, Malama, Ncheka and Chipako
6. That the conduct of the Respondent and his Agents and his Known Agents before and during the voting day rendered the elections not free and fair on the following grounds;
   i. At Ayoba: There was intimidation against the Polling Agents of the Petitioner by Agents of the Respondent who are well known by the people in that constituency. This conduct caused a lot of fear in the people especially the elderly person.
   ii. The Agents for the Respondent welded the grill gates the day before the elections and camped at the polling station thereby causing fear in the electorates,
   iii. The vehicle for the Petitioner was badly damaged by the Agents of the Respondent and the said vehicle is parked at the Police. The Agents of the Respondent are seen from time to time with him during campaigns.
   iv. Most of my Polling Agents were chased from the polling station leaving the polling station with no Agents.
   v. The absence of the Polling Agents for the Petitioner exposed the polling station to rigging as there were no independent witnesses to the voting process.
   vi. The Respondent and his Agents paid voters K50.00.
7. That based on the foregoing, the elections for Malambo West were not free and fair.

8. That I depose to the above verily believing the same to be true and correct from facts within my personal knowledge and belief.

SWORN BY the said PETER SIMON PHIRI)

)

At LUSAKA this .....day of .....2026) _____

DEPONENT

BEFORE ME: _____

COMMISSIONER FOR OATHS

ZULU PETER
LL.B, AHCZ, ASCZ
28 AUG 2026
LEGAL PRACTITIONER
COMMISSIONER FOR OATHS

IN THE HIGH COURT FOR ZAMBIA **2026/HP/EP/----**

AT PRINCIPAL REGISTRY

HOLDEN AT LUSAKA

(Civil Jurisdiction)

IN THE MATTER OF: **ARTICLE 1(2),(3), 73 (1)(a) AND 45(2)(a)(b) OF THE CONSTITUTION OF ZAMBIA, CHAPTER 1 THE LAWS OF ZAMBIA**

AND

IN THE MATTER OF: **SECTIONS 97 (2) OF THE ELECTORAL PROCESS ACT, NO. 35 OF 2016.**

IN THE MATTER OF: **SECTIONS 70, 81, 87, 94, 96, 97(1),2(b) 98(c), 99(a)(b), 100 (2) (a), OF THE ELECTORAL PROCESS ACT NO. 36 OF 2016.**

IN THE MATTER OF: **RULE 9 OF THE HIGH COURT (ELECTION PETITION) RULES, 2026**

IN THE MATTER OF: **MALAMBO WEST CONSTITUENCY ELECTIONS HELD ON 13TH AUGUST, 2026.**

REPUBLIC OF ZAMBIA
HIGH COURT OF ZAMBIA
2 8 AUG 2026
PRINCIPAL REGISTRY 3
P.O. BOX 50067, LUSAKA.

BETWEEN:

PETER SIMON PHIRI **PETITIONER**

AND

PATRICK MWALE **1ST RESPONDENT**

THE ELECTORAL COMMISSION OF ZAMBIA **2ND RESPONDENT**

CERTIFICATE OF EXHIBITS

These are the true and correct copies of the exhibits referred to in the Affidavit of one **PETER SIMON PHIRI** now produced and shown to me marked **"PSP".**

Dated this _____ day of _____, 2026.

BEFORE ME: _____

COMMISSIONER FOR OATHS



GEN 20b
[Regulation 50(2)]
(complete in triplicate)

REPUBLIC OF ZAMBIA

ELECTORAL COMMISSION OF ZAMBIA

THE Electoral Process Act, 2016

(Act No. 35 of 2016)

The Electoral Process (General) Regulation, 2021

DECLARATION OF THE RESULTS OF THE POLL - Member of Parliament

I, MUKULUMOYA HENRY being the Returning Officer for MALAMBO WEST Constituency, MAMBWE District, do hereby declare that I have, inaccordance with the law, ascertained the results of the poll in the said constituency and that they have been given to:

Name of Candidate	Political Party	Votes	Votes (in words)
MWALE Patrick	NRPUP	6,574	Six Thousand Five Hundred and Seventy-Four
PHIRI S Peter	UPND	4,967	Four Thousand Nine Hundred and Sixty-Seven
ZULU Isaac	IND	1,140	One Thousand One Hundred and Forty
CHULU Michael	IND	1,003	One Thousand and Three
NKHOMA Donald	LDP	135	One Hundred and Thirty-Five
BANDA Simon	IND	92	Ninety-Two
BANDA Richard	CF	58	Fifty-Eight

I further declare that a total of 394 ballot papers have been rejected as invalid and that a total of 14,363 Votes were cast.

I therefore declare that the said MWALE Patrick to be this day duly elected as Member of Parliament for MALAMBO WEST Constituency.

Dated this 15 day of August, 2026 Signature .....

Witnessed by:

Name	Organisation	Signature	Name	Organisation	Signature
[illegible]	NRPUP				
[illegible]	UNPA				

1. This form must be completed in sufficient quantities to give one copy to each candidate or their polling agent by the Returning Officer. The Returning Officer must read out aloud the text from the original to the public at the place where the totalling of the votes takes place.
2. The full names of the candidates, party and votes received in figures and words must be inserted in the columns above, with the successful candidate's name at no. 1.
3. The original of this form must be delivered to the Electoral Commission of Zambia by the quickest possible means and a copy must be retained by the Returning Officer.