IN THE HIGH COURT OF ZAMBIA **2026/HP/EP.....36.....**

AT THE PRINCIPAL REGISTRY

HOLDEN AT LUSAKA

(CIVIL JURISDICTION)

IN THE MATTER OF: **ARTICLE 1(2),(3), AND 8(c),(d),(e) OF THE CONSTITUTION OF ZAMBIA, CHAPTER ONE OF THE LAWS OF ZAMBIA**

IN THE MATTER OF: **REGULATION 47 OF THE ELECTORAL PROCESS (GENERAL) REQULATIONS, 2016**

IN THE MATTER OF: **ARTICLE 45(1)(a), (2)(a)(b)(c), 73(1) OF THE CONSTITUTION OF ZAMBIA, CHAPTER ONE OF THE LAWS OF ZAMBIA AS READ TOGETHER WITH SECTION 64, 69, 70, 96, 97, 98 AND 99 OF THE ELECTORAL PROCESS ACT No. 35 OF 2016**

IN THE MATTER OF: **SECTION 81 (1)(a), 83 (1) (a)(d), (2) OF THE ELECTORAL PROCESS ACT No. 35 OF 2016**

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

IN THE MATTER OF: **AN ELECTION PETITION RELATING TO KABWATA CONSTITUENCY PARLIAMENTARY ELECTIONS HELD ON THE 13TH DAY OF AUGUST, 2026**

REPUBLIC OF ZAMBIA
07 SEP 2026
PRINCIPAL REGISTRY 6
P.O. BOX 50067, LUSAKA

BETWEEN:

TAYENGWA ANDREW **PETITIONER**

AND

YENGA DANNY **1STRESPONDENT**

THE ELECTORAL COMMISSION OF ZAMBIA **2NDRESPONDENT**

AFFIDAVIT OF SERVICE

I, **NKUMBU SIMBAYA,** a Zambian National of Mapepe, Chilanga District and Lusaka 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 out above.

2. That I am employed as a Legal Assistant at Kamwi Andeleki Legal Practitioners and by such reason, competent to swear to this Affidavit based on my personal knowledge and belief.

3. That on the 3rd day of September, 2026, I did cause to be served on the 1st and 2nd Respondent an Election Petition, Affidavit Verifying Facts, List of Authorities and Skeleton Arguments, who did acknowledge receipt, there is now produced and shown to me exhibit marked **"NS 1"** being a true copy of the acknowledgement of service.

4. That I depose to the above facts verily believing the same to be true and correct in every respect to the best of my knowledge.

SWORN by the said)
NKUMBU SIMBAYA at Lusaka)
This 4th day of Sept 2026) **DEPONENT**

BEFORE ME: _____
COMMISSIONER FOR OATH

MAJOR PATRICK MPUNDU
LLB,LL.M,AHCZ,ASCZ
Legal Practitioner
COMMISSIONER OF OATHS

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BETWEEN:

TAYENGWA ANDREW **PETITIONER**

AND

YENGA DANNY **1ST RESPONDENT**

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

CERTIFICATE OF EXHIBITS

This is the exhibit marked **"NS 1"** referred to in the Affidavit of Service deposed by one **NKUMBU SIMBAYA** filed herein.

Dated day of 2026

MAJOR PATRICK MPUNDU
LLB,LLM,AHCZ,ASCZ
Legal Practitioner
COMMISSIONER OF OATHS

BEFORE ME: _____

COMMISSIONER FOR OATH