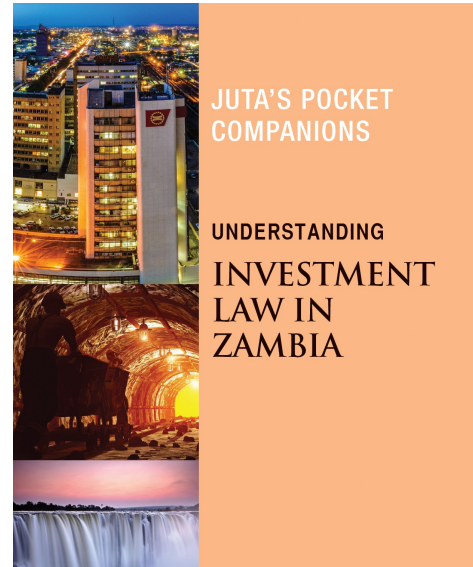


Understanding Investment Law in Zambia

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About this Publication:

Understanding Investment Law in Zambia deals with both the domestic law and international legal norms pertaining to foreign direct investment.

A wide array of topics is covered in this book, including the contractual, legislative and treaty-based protections available to investors as they consider entrusting their capital to another jurisdiction. These protections are considered through the prism of the Zambian investment climate, and give a glimpse into both historical and current issues.

Key Features

- Provides an explanation of Investment law in Zambia by an expert in the field
- Contains the ZDA Act, the MIGA Convention and the ICSID for easy reference
- Explains key cases litigated in this area of the law
- Gives a succinct history and analysis of nationalisation policy in Zambia

Contents Include:

- Cases
- Latin phrases and abbreviations
- Introduction to investment law
 - Sources of international investment law
- The Resource Nationalism Cycle
 - The need for foreign direct investment
 - Appreciation of the natural resource
 - Systems of government
 - A statement of nationalism
- The history of mining in Zambia
 - Commercial mining in Northern Rhodesia
 - Independence and the nationalisation of the mines
 - Privatisation of the mines
- The Zambian Development Agency Act
 - General areas covered by the Zambian Development Agency Act
- Stabilisation clauses
 - Permanent sovereignty over natural resources
 - The effect of stabilisation clauses – early, Libyan nationalisation and later cases
- Nationalisation and compensation
 - Taking of property
 - Is nationalisation legal?
 - Compensation
- Investment arbitration
 - International commercial arbitration
 - The International Centre for the Settlement of Investment Disputes (ICSID)
- The Multilateral Investment Guarantee Agency (MIGA)
 - Types of risks covered
 - Other non-commercial risks and exclusions
 - Eligible investments
 - Eligible host countries and investors
 - Right of subrogation
 - Resources of investment
 - Dispute resolution
- Annexures
 - Convention establishing MIGA
 - Zambian Development Agency Act 11 of 2006
 - ICSID Convention

Of Interest and Benefit to:

- Law students - undergraduate and postgraduate
- Legal academics teaching the investment law
- Judges
- Attorneys
- Magistrates
- Investors
- Legal scholars