



REPUBLIC OF ZAMBIA

CLIENT SERVICE CHARTER

**FOR THE
PATENTS AND COMPANIES REGISTRATION AGENCY**

20TH FEBRUARY, 2012

CLIENT SERVICE CHARTER

FOREWORD

This Service Delivery Charter constitutes a “social pact” between PACRA and you our esteemed clients.

The Charter identifies the services PACRA offers and the standards that we believe our clients have the right to expect and receive. It also provides you with a mechanism on how to complain when services do not meet your expectations and how we will handle your complaints.

PACRA is committed to providing public services in a professional, transparent and accountable manner. As such, we intend to make this charter a living document. To this end, PACRA has established a system of monitoring, evaluating and disseminating results of charter implementation. This will be done through independent surveys and consultations with our clients.

This Charter reflects our commitment to deliver high quality services on a continuous basis. We will therefore review this charter on a regular basis to keep pace with developments and changes in the business environment.

I therefore commend it to you as a means of enhancing constructive dialogue and interaction between PACRA and you our clients.

Hon. Robert Sichinga, MP
MINISTER OF COMMERCE TRADE AND INDUSTRY

1.0 PURPOSE OF THIS CHARTER

- a. To enhance our clients' awareness of the type of services PACRA provides.
- b. To explain to our clients the standards of service they should expect to receive.
- c. To outline your rights and responsibilities as a client
- d. To explain our rights and responsibilities as the Service Provider, and
- e. To explain how our clients can lodge complaints and make suggestions about our service delivery.

2.0 MANDATE VISION AND MISSION

2.1 MANDATE

To regulate business and operate a registry for registered business entities (companies and business names) and industrial property thus serve as a depository of corporate and individual property information.

2.2 VISION

"To be a beacon of excellence in company and industrial property registration and protection"

2.3 MISSION

"To provide customer focused, efficient and effective registration and protection systems for Commercial and industrial property rights in order to promote innovation and orderly trade for the benefit of the nation"

3.0 CORE VALUES

The enduring core values of PACRA are:

- a) **Customer Oriented**
To treat the customer as the reason for our existence;
- b) **Dynamism**
To be a versatile organisation that is open to new ideas and responsive to the changing social, economic and technological environments;
- c) **Integrity**
To exhibit professionalism, responsibility and excellence in our dealings;
- d) **Innovation**
To continuously exploit technology and encourage innovation;
- e) **Team Work**
To foster a collaborative work environment;
- f) **Quality Service**
To continuously improve the quality of service delivery and thereby ensure customer satisfaction;

4.0 WHAT OUR CLIENTS SHOULD EXPECT FROM US

In support of the above values, PACRA will strive to continuously improve the standards of services we provide so as to meet your needs and expectations. To this end, our esteemed clients have the right to expect the highest quality of services from PACRA as outlined below:

- 3.1 Timely and accurate registration of business names
- 3.2 Prompt and accurate registration of companies
- 3.3 Timely and accurate registration / post incorporation requirements
- 3.4 Prompt, complete and accurate dissemination of information relating to the laws governing registration, trademarks, patents and business names
- 3.5 Timely and accurate registration of intellectual property assets for protection
- 3.6 Prompt granting of patents
- 3.7 Timely and accurate registration of trademarks
- 3.8 Timely and accurate registration of industrial designs, and
- 3.9 Timely availability of accurate information on industrial property assets manner.

5.0 STANDARDS OF QUALITY SERVICE DELIVERY

All our staff will, at all times, wear clearly displayed badges for ease of identification.

In conformity with the law and core values espoused in our Strategic Plan, we pledge to provide services in accordance with the following standards.

Service Type	Standard of Service
1. Business Name Registration	4 hours
Requirements	

As per provisions of the Registration of Business Names Act No.16 of 2011:

- *Duly completed Business Name Forms as appropriate:*
- *Form III for Sole Trader, Partnerships, & Corporate Bodies*

These forms can be downloaded from the website : www.pacra.org.zm

Payment of fees of Zambian Kwacha K75, as per Statutory Instrument Number 68 of 2011.

Service Type	Standard of Service
2. Company Incorporation	<p>2 working days at Headquarters in Lusaka,</p> <p>5 working days at Regional Offices in Chipata, Livingstone and Ndola.</p> <p>7 working days for Strategic Partners such as Citizens Economic Empowerment Commission, Local Authorities.</p>

Requirements

As per provisions of the Companies Act cap 388

1. *Name clearance. Name Clearance can be obtained electronically from our Website at www.onlinepacra.org.zm.*
2. *Duly completed Forms :*
 - *Companies Act Form 2 for a Private Company, Companies Form 11 Declaration of Compliance and Companies Form 5 Consent to act as Director or Secretary*
 - *Companies Forms 3, for Companies Limited by Guarantees , Companies Form 11 Declaration of Compliance and Companies Form 5, Consent to act as Director or Secretary*
 - *Companies Form 4, for an Unlimited Company, Companies Form, 11, Declaration of Compliance and Companies Form 5, Consent to act as Director or Secretary, and*
 - *Company Form 11, Declaration of Compliance, Companies Form 5, Consent to act as Director or Secretary and Companies Form 1 for a Public Company.*
 - *Form 11 must be endorsed by a Commissioner of Oaths*

These forms can be downloaded from the website : www.pacra.org.zm

3. *Payment of the following fees as per Statutory Instrument Number 29 of 2005 :*
 - 3.1. *For a Private Company, with a minimum Nominal capital of ZMW 5,000, the fee is ZMW 235.*
 - 3.2. *For a Public company with a minimum capital of ZMW 50,000, the fee is ZMW 1,370.*
 - 3.3. *For a Bureau De Change with a minimum capital of ZMW 250,000, the fee is ZMW 6,370.*
 - 3.4. *For a Financial Institution or Insurance Company with a minimum capital of ZMW 500,000, the fee is ZMW 12,620.*
 - 3.5. *For a Bank with a nominal capital of ZMW 100,000,000 the fee is ZMW 25,120,000*
 - 3.6. *For Foreign Companies wishing to register in Zambia, the fee is ZMW 1,350,000.*

Service Type 3. Post Registration /Incorporation- Commercial	Standard of Service 3 working days at the Headquarters in Lusaka 5 working days Regional Offices in Chipata , Livingstone and Ndola 7 working days for Strategic Partners

Requirements

As per provisions of the Companies Act cap 388

1. Duly completed Companies Forms as detailed below:

- *Companies Form 42, Annual Return of a Company and*
- *Companies Form 53, Certificate of Compliance of a Private Company.*
- *Companies Form 58 , Annual Return of a Company Limited by Guarantee , and*
- *Companies Form 42, Annual Return of a Private Company.*
- *Companies Form 71, No Change for all types of companies*

*These forms can be downloaded from the website : **www.pacra.org.zm***

2. Payment of the following Fees as per Statutory Instrument No. 29 of 2005

2.1. For a Private Company, the fee is ZMW 40.

2.2. For a Public Company, the fee is ZMW 60.

2.3. For Banks

- *Private, the fee is ZMW 500.*
- *Public , the fee is ZMW 750.*

2.4. For Insurance companies

- *Private, the fee is ZMW 400.*
- *Public, the fee is ZMW 500.*

2.5. For Other Finance Institutions

- *Private, the fee is ZMW 300.*
- *Public, the fee is ZMW 400.*

Service Type	Standard of Service
4. Post Registration - Industrial Property-Trade Marks Assignment	30 working days

Requirements

As per provisions of Trade Marks Act cap 401

- 1. Duly completed Forms 16 and 17 , Joint Application by individuals to register a trade mark when it has been assigned or transmitted to them*

*These forms can be downloaded from the website : **www.pacra.org.zm***

- 2. Payment of the following Fees as per Statutory Instrument Number 56 of 1995*

Service Type	Standard of Service
5. Post Registration - Industrial Property-Trade Marks Renewal	30 working days

Requirements

As per provisions of Trade Marks Act cap 401

- 1. Submission of Lodgement Schedule Forms as detailed below:*

- Form 12, Renewal of Registration of Trade Mark*
- Form 13, Transmission of additional fee for the renewal of the trade mark. It accompanies Form 12, and*
- Form 14, Restoration of Trade Mark removed from Register for non- payment of fee.*

*These forms can be downloaded from the website : **www.pacra.org.zm***

- 2. Payment of the following Fees as per Statutory Instrument No. 56 of 1995*

Service Type	Standard of Service
6. Post Registration - Industrial Property- Designs Renewal	30 working days

Requirements

As per provisions of the Registered Designs Act, cap 402

1. *Submission of Lodgement Schedule Form 14, Application by Assignee, mortgager or licensee to enter subsequent proprietorship or interest in Design in the Register.*

*This form can be downloaded from the website : **www.pacra.org.zm***

2. *Payment of the following fees as per Statutory Instrument No. 55 of 1995 LOCAL FIRMS, CORPORATIONS AND INDIVIDUALS*

- 2.1. *If made within 6 months from date of acquisition of proprietorship in respect of one design, the fee is ZMW 10.*

- 2.2. *If made after 6 months but within twelve months from date of acquisition of proprietorships in respect of one design , the fee is ZMW 5.*

- 2.3. *If made after expiration of twelve months from the date of acquisition of proprietorship in respect of one design, the fee is ZMW 2.*

FOREIGN FIRMS, CORPORATIONS AND INDIVIDUALS

- 2.4. *If made within 6 months from date of acquisition of proprietorship in respect of one design, the fee is USD 35*

- 2.5. *If made after 6 months but within twelve months from date of acquisition of proprietorships in respect of one design , the fee is USD 15*

- 2.6. *If made after expiration of twelve months from the date of acquisition of proprietorship in respect of one design, the fee is USD 10.*

Service Type	Standard of Service
7. Post Registration - Industrial Property- Patents Assignment of Registered Users	90 Working days

Requirements

As per provisions of the Patents Act cap 400 :

1. *Submission of Lodgement Schedule Form 40, Application for Registration of Assignment*

*This form can be downloaded from the website : **www.pacra.org.zm***

2. *Payment of the following fees as per Statutory Instrument N. 54 of 1995*

- 2.1. *LOCAL FIRMS, COMPANIES AND INDIVIDUALS, the fee is ZMW 4.*

- 2.2. *FOREIGN COMPANIES AND INDIVIDUALS, the fee is USD 8.50*

Service Type	Standard of Service
8. Post Registration - Industrial Property- Design Assignment of Registered Users	90 working days

Requirements

As per provisions of the Designs Act cap 402:

1. *Submission of Lodgment Schedule Form 14, Application by Assignee, mortgager or licensee to enter subsequent proprietorship or interest in Design in the Register*

*This form can be downloaded from the website : **www.pacra.org.zm***

2. *Payment of the following fees as per Statutory Instrument No.55 of 1995 LOCAL FIRMS, CORPORATIONS AND INDIVIDUALS*

- 2.1. *If made within 6 months from date of acquisition of proprietorship in respect of one design, the fee is ZMW 10.*

- 2.2. *If made after 6 months but within twelve months from date of acquisition of proprietorships in respect of one design , the fee is ZMW 5.*

- 2.3. *If made after expiration of twelve months from the date of acquisition of proprietorship in respect of one design, the fee is ZMW 2.*

FOREIGN FIRMS, CORPORATIONS AND INDIVIDUALS

- 2.4. *If made within 6 months from date of acquisition of proprietorship in respect of one design, the fee is USD 35*

- 2.5. *If made after 6 months but within twelve months from date of acquisition of proprietorships in respect of one design , the fee is USD 15*

- 2.6. *If made after expiration of twelve months from the date of acquisition of proprietorship in respect of one design, the fee is USD 10.*

Service Type	Standard of Service
9. Post Registration - Industrial Property- Trade Marks Assignment - Registered Users	90 working days

Requirements

As per provisions of the Trade Marks Act, cap 401:

1. *Submission of Lodgment Schedule Form 50 , Application for Registration User*

2. *Payment of the following Fees as per Statutory Instrument No. 56 of 1995*

Service Type	Standard of Service
10.Registration of Industrial Designs	4 months (80 working days)

Requirements

As per provisions of the Registered Designs Act cap 402:

1. *Duly completed Design Forms as detailed below:*

- *Forms 1, Application of Registration of Design (Non-Convention)*
- *Form 2, Application for Registration of Design (Convention)*
- *Form 3, Application for Registration of Design to be applied to a set of Articles (Non Convention) , and*
- *Form 4, Application for Registration of Design to be applied to a set of Articles (Convention)*

*These forms can be downloaded from the website : **www.pacra.org.zm***

2. *Payment of the following fees as per Statutory Instrument Number 55 of 1995*

LOCAL FIRMS, CORPORATIONS AND INDIVIDUALS

2.1. *Registering one design applied to a single article:*

- *Being a non textile article, the fee is ZMW15.*
- *Made of lace material, the fee is ZMW 12.*

2.2. *Registering one design to be applied to a set of articles:*

- *Being non textile article, the fee is ZMW 18.50*

2.3. *Made of lace material, the fee is ZMW 15.50*

2.4. *Registering one design to be applied to a textile article, the fee is ZMW15.50*

FOREIGN FIRMS, CORPORATIONS AND INDIVIDUALS

2.5. *Registering one design applied to a single article:*

- *Being a non textile article, the fee is USD 50*
- *Made of lace material, the fee is USD 50*

2.6. *Registering one design to be applied to a set of articles:*

- *Being non textile article, the fee is USD 70.*
- *Made of lace material, the fee is USD 50.*

2.7. *Registering one design to be applied to a textile article, the fee is USD50.*

Service Type	Standard of Service
11.Provision of Information	1 working day at Headquarters Lusaka
Requirements	

1. *Duly completed Forms*
2. *Payment of the following Fees as per Statutory Instruments Nos 54, 55, & 56 of 1995*

Service Type	Standard of Service
12.Registration of Trade Marks	90 working days
Requirements	

As per provisions of the Trade Marks Act , cap 401

1. *Duly completed Lodgement Schedule Forms as detailed below:*

- *Form 1, Form of authorization of Agent*
- *Form 2, Application for Registration of Trade Mark in part of the Register*
- *Form 3, Additional Representation of Trade Mark to accompany Application for Registration, and*
- *Form 5, Application for Registration of Certification Trade Mark*

These forms can be downloaded from the website : www.pacra.org.zm

2. *Payment of the following fees as per Statutory Instrument No 56 of 1995*

- 2.1. *Application for a Trade Mark for Local Firms, the fee is ZMW 15. For Foreign Firms, the fee is USD 150.00*

Service Type	Standard of Service
13..Granting of Letters of Patents	8 months (160 working days)
Requirements	

As per provisions of the Patents Act cap 400:

1. *Duly completed Lodgment Schedule Forms as detailed below:*

- *Form 1, Application for a Patent (Non Conventional)*
- *Form 2, Convention Application for Patent*
- *Form 3, Application for Patent of Addition*
- *Form 5, Provisional Specification, and*

- *Form 6, Complete Specification*

These forms can be downloaded from the website : www.pacra.org.zm

2. Payment of the following fees as per Statutory Instrument No. 54 of 1995

LOCAL FIRMS, CORPORATIONS AND INDIVIDUALS

2.1. Non Conventional Patent, the fee is ZMW 20.

2.2. Application in respect of each application for protection in a Convention country

2.3. the fee is ZMW 20.

FOREIGN FIRMS, CORPORATIONS AND INDIVIDUALS

2.4. Non Conventional Patent , the fee is USD100

2.5. Application in respect of each application for protection in a Convention country the fee is USD100

6.0 OUR OTHER STANDARDS

IF YOU CONTACT US BY TELEPHONE

- *Our staff will identify themselves by name and department to facilitate further follow up.*
- *We will give clear and easy to understand advice.*
- *If we are unable to answer your enquiry immediately, we will advise you when you can expect a comprehensive reply.*

IF YOU WRITE TO US FOR INFORMATION AND GENERAL COMMENTS

- *We will reply to your correspondence within 15 working days. Our replies will be typed on headed paper and clearly show our reference number, the author's name, office telephone, fax and email address.*
- *We will endeavour to resolve your enquiry before we send you the reply. If we are unable to do so, we will inform you the progress we are making and when you can expect a comprehensive reply.*

IF YOU VISIT OUR OFFICES

- *We will attend to you within 5 minutes of your appointment time.*
- *Without an appointment, we will endeavour to attend to you within 45 minutes of your arrival.*

7.0 CLIENT RIGHTS AND OBLIGATIONS

As our esteemed client, you have the right to expect the highest standards of service delivery from PACRA.

In this respect, you have the right to:

- Complete and accurate information on all aspects of the service you are seeking from us. This includes how and where to obtain application forms, whether or not such forms are issued for free, if charged for and how much
- Privacy and confidentiality with respect to personal and financial information, written or oral, that you communicate to us as part of the requirement and in the course of receiving a service from us
- Be treated with courtesy and consideration in all your dealings with us
- Demand the identity of the officer serving you
- Complain when you receive shoddy services, and
- Participate in the review of this charter.

We ask from you the following:

- To treat our staff with courtesy,
- To accurately complete any application forms and attach all the requested documentation,
- To promptly respond to requests for information by us,
- Not to offer any gifts, favours or inducements to our staff or solicit the same from them, and
- To comply with any existing Acts and Regulations, as may be amended from time to time, governing the provision of the service you are seeking.

8.0 HOW TO COMPLAIN AND COMPLIMENT

Complaints and compliments can be made by telephone, email, fax, letter or in person by visiting our offices at the addresses given below:

The Registrar

PACRA Head Office

P.O Box 32020

LUSAKA

Telephone: (+260) 02 - 11 255127, 255151

Fax: (+260) 0211 255426

Email: info@pacra.org.zm

Website: <http://www.pacra.org.zm>

**Office Hours: Monday – Friday 08.00 – 13.00 hrs
14.00 – 17.00 hrs**

PACRA offices are closed on weekends and Holidays

The Head Office is located at **Mwayi House** along Haile Selasse Avenue, Long Acres.

Currently, PACRA has established Regional Offices in Chipata, Eastern Province, Livingstone in Southern Province and Ndola in Copperbelt Province.

The addresses are given below:

CHIPATA REGIONAL OFFICE

EWSC Building

Pererenyatwa Road

P.O Box 510414

Chipata

Telephone: 06 – 222274 Fax: 06- 222275

LIVINGSTONE REGIONAL OFFICE

One stop shop

Mosi-o-tunya road

P.O Box 60518

Livingstone

Telephone/ Fax: 02- 3324228 / 324236

NDOLA REGIONAL OFFICE

Stanchart House

Second Floor

Buteko Avenue

P.O Box 71330

Ndola

Telephone: 03 – 611225 Fax: 03 - 611770

When complaining, we ask that you:

- State clearly why you are not happy with the service or conduct of our staff
- State what you want to be rectified
- Be honest

In order to safeguard your rights, we guarantee you utmost confidentiality and privacy in respect of your identity and substance of your complaint.

However, we encourage you to provide personal details such as postal address, telephone, email or fax. This will enable us to respond to your complaint expeditiously.

9.0 FEEDBACK MECHANISM

We will acknowledge receipt of all complaints, compliments and suggestions.

We will respond to your written complaints within 5 working days of receipt.

Complaints will be resolved within 10 working days of their receipt.

Where we are unable to provide a comprehensive reply within that time, we will inform you when exactly we will be able to do so.

10.0 PUBLIC ACCOUNTABILITY ON CHARTER PERFORMANCE

We will continue to be transparent and accountable in the performance of our duties.

To this end, we will publish information on our level of compliance with our service standards and guarantees we have made in this charter.

Specifically, we will:

Publish performance results against charter commitments in our Annual Budget Reports,

- Report on charter performance to our clients and other stakeholders including our staff, and
- Publish a summary of complaints categorised by type and frequency of occurrence and what actions we took in our Annual Report and print media.