

NON-COMPETE / NDA REVIEW FORM

(Prepared in accordance with the Employment Code Act No. 3 of 2019)

Jurisdiction: Republic of Zambia

Document Type: Legal Review Form – Employment Law

SECTION A: CLIENT & CONTRACT INFORMATION

Client Name: _____

NRC Number: _____

Client Address: _____

Email / Contact Number: _____

Name of Employer / Contracting Party: _____

Contract Title: ☐ Employment Contract ☐ NDA ☐ Consultancy Agreement

☐ Partnership/Joint Venture Agreement

Date of Contract: _____

Duration of Engagement (if fixed): _____

SECTION B: DOCUMENT REVIEW PURPOSE

☐ Seeking legal advice prior to signing

☐ Contesting enforceability after exit/termination

☐ Reviewing for potential violation

☐ Other (specify): _____

SECTION C: KEY CLAUSES TO BE REVIEWED

Please tick clauses that apply and provide full text (attach contract or copy relevant portions):

Clause Type	Clause Present?	Comments / Clause Excerpt
Non-Compete	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
Non-Solicitation	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
Confidentiality (NDA)	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
Duration of Restriction	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
Geographical Limit	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
Penalty Clause / Damages	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
Jurisdiction Clause	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
Dispute Resolution	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Arbitration <input type="checkbox"/> Court <input type="checkbox"/> Internal Committee <input type="checkbox"/> Other: _____

SECTION D: LEGAL REVIEW & ANALYSIS

1. Enforceability Under Zambian Law

- **Employment Code Act No. 3 of 2019**, Section 50–54 (fair dismissal, restraint of trade)
- **Common law principles** on restraint of trade and fairness
- **Contract Act, Cap. 149** – validity and legality of restrictive clauses
- **Companies Act No. 10 of 2017** – applies to directors/officers
- **Competition and Consumer Protection Act** – anti-competitive practices

Summary of Legal Position on Clause(s):

2. Clause Assessment Checklist

Test of Validity	Assessment (✓ or ✗)	Notes
Is the clause time-limited?		
Is the restriction geographically reasonable?		
Does the clause protect legitimate interests?		
Is the clause overly broad or ambiguous?		
Are remedies or penalties proportionate?		

SECTION E: RECOMMENDATIONS

- ☐ Clause is reasonable and enforceable
- ☐ Clause should be renegotiated or clarified
- ☐ Clause is unenforceable under Zambian law
- ☐ Recommend client does not sign
- ☐ Legal letter / negotiation support recommended

Additional Notes:

SECTION F: GOVERNING LAW & DISCLAIMER

This review is based on Zambian law, specifically:

- **Employment Code Act No. 3 of 2019**
- **Companies Act No. 10 of 2017**
- **Contract Act, Cap. 149**
- **Competition and Consumer Protection Act**
- **Common Law Principles applicable in Zambia**

This review is advisory in nature and does not constitute a formal legal opinion unless expressly stated.

SECTION G: LEGAL PRACTITIONER ENDORSEMENT

Prepared By:

Name: _____

PC | LP

ZIALE Registration No.: _____

Law Firm (if any): _____

Signature: _____

Date: _____

PC | LP

Patrick Chulu Legal Practitioners

OFFICIAL STAMP: _____