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NAVIGATING LEGAL AND ADMINISTRATIVE HURDLES TO ATTRACT FOREIGN DIRECT INVESTMENT IN ZAMBIA'S TOURISM SECTOR. A COMPARATIVE ANALYSIS WITH RWANDA AND SOUTH AFRICA

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2025

AUTHOR’S DECLARATION

I, **ISAAC SISEHO MUTONDO**, do hereby declare that this dissertation titled “**NAVIGATING LEGAL AND ADMINISTRATIVE HURDLES TO ATTRACT FOREIGN DIRECT INVESTMENT IN ZAMBIA'S TOURISM SECTOR. A COMPARATIVE ANALYSIS WITH RWANDA AND SOUTH AFRICA**” which is hereby submitted to the School of Law at the University of Lusaka as part of the requirements for the award of the Bachelor of Laws (LLB) degree, is solely of my own and that it has, to the best of my knowledge, not yet been presented for any academic purposes in Zambia or elsewhere. Other people’s work and sources used in the study have been acknowledged. I hereby declare that I have read and understood the regulations governing the submission of the Bachelor of Laws Degree (LLB) dissertation including those relating to length and plagiarism, as contained in the rules of the University and that this dissertation conforms to those regulations.

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12/11/2025

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I, **MILAMBO CHIBBONTA PUPWE**, do recommend that the dissertation titled "**NAVIGATING LEGAL AND ADMINISTRATIVE HURDLES TO ATTRACT FOREIGN DIRECT INVESTMENT IN ZAMBIA'S TOURISM SECTOR. A COMPARATIVE ANALYSIS WITH RWANDA AND SOUTH AFRICA**" authored by **ISAAC SISEHO MUTONDO**, STUDENT NUMBER LLB21210745 was done under my supervision, be admitted by the University. I have checked it carefully and I am satisfied that it meets the requirements related to the format as laid down by the University Regulations governing directed research.

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Mrs Milambo Chibbonta Pupwe

(Supervisor)

12/11/2025

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(Date)

DEDICATION

This dissertation is dedicated to my loving and supportive mother, Enala Fiona Chipungu and to my late grandparents whom I forever cherish, Jane Nampelewe Chipungu and her brother Saxson Simpelwe.

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LIST OF ACRONYMS

8NDP	Eighth National development Plan
BBC	British Broadcasting Cooperation
BRRA	Business Regulatory Review Agency
DNPW	National Parks and Wildlife
FDI	Foreign Direct Investment
GDP	Gross Domestic Product
ICT	Information Communication Technology
ITBD	Investment, Trade and Business Development Act
MNCs	Multinational Corporations
NHCC	National Heritage Conservation Commission
NMB	National Museums Board of Zambia
PSG	Paris Saint Germain
RDB	Rwanda Development Board
RSCs	Regulatory Services Centres
SSA	Sub-Saharan Africa
TV	Television
UNCTAD	United Nation Trade and Development
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNWTO	United Nation World Tourism Organisation
ZAWA	Zambia Wildlife Authority
ZDA	Zambia Development Agency
ZITHS	Zambia Institute for Tourism and Hospitality Studies
ZTA	Zambia Tourism Agency

LIST OF STATUTES

Business Regulatory (Amendment) Act (Act 14 of 2018)

Business Regulatory Act (Act 3 of 2014)

Gazette Notice No. 1123 of 2021

Investment Code of Rwanda Law 006/2021 of 05/02/2021

Law Regulating Tourism in Rwanda Law 12TER of 2014

Minerals Regulation Commission Act (Act 14 of 2024)

National Heritage Conservation Commission Act (Cap.173)

National Museums Act (Cap.174)

South Africa Intergovernmental Relations Framework Act 13 of 2005

South Africa Protection of investment Act 22 of 2015

South Africa Tourism Act 3 of 2014

The Investment, Trade and Business Development Act (Act 17 of 2022)

The Zambia Development Agency Act (Act 18 of 2022)

Tourism and Hospitality Act (Act 13 of 2015)

Zambia Institute for Tourism and Hospitality Studies Act (Act 42 of 2016)

Zambia Wildlife Act (Act 14 of 2015)

TABLE OF CONTENTS

ABSTRACT

This dissertation critically examined the legal and administrative hurdles to foreign direct Investment attraction in Zambia's tourism sector, with a view to identifying legal structural impediments and proposes reforms. It argued that while FDI remains a vital tool for economic diversification and growth, Zambia's tourism sector continues to underperform due to fragmented regulatory frameworks, inadequate sector specific legislation and the absence of a functional one-stop shop. The study was structured around three core objectives the first being, to analyse the legal and administrative challenges affecting FDI inflows into Zambia's tourism sector, second, to evaluate the effectiveness of Zambia's current marketing and investment promotion strategies and third, to draw comparative insights from Rwanda and South Africa, jurisdictions that have successfully leveraged legal and administrative reforms to attract tourism related FDI. Through analysis and comparative study, the research identified a significant gap in both academic literature and policy implementation concerning the intersection of FDI and tourism. The findings underscored the need for legislative clarity, institutional coordination and strategic marketing realignment. Key recommendations include the consolidation of licensing functions under the Zambia Development Agency, the codification of priority sectors within investment legislation, the integration of digital technologies and the establishment of a statutory framework for intergovernmental coordination. The dissertation concluded that Zambia was well positioned to emulate best practices from its regional competitors and that targeted legal and administrative reforms could substantially enhance the country's competitiveness as a destination for tourism driven FDI.

CHAPTER ONE

1.0 INTRODUCTION

Foreign direct investment (FDI) has played a pivotal role in shaping Zambia's economic landscape over the years. Initially focused on industries such as mining and agriculture, FDI has gradually expanded to include other sectors such as tourism which offers significant potential for economic growth and diversification, often taunted as one of the fastest growing sector.[1] In the tourism sector, Zambia has seen a gradual rise in foreign investment, particularly in areas such as accommodation facilities, eco-tourism projects, and wildlife conservation initiatives.[2] And with the relatively recent enactment of the **Tourism and Hospitality Act[3]**, which regulates the tourism and hospitality industry, in contrast with its predecessor now aims to achieve sustainable tourism which has been defined as the form of tourism that takes full account of its current and future economic, social and environmental impacts, addressing the needs of visitors, the industry, the environment and host communities.[4] The act seeks to facilitate sustainable tourism development through effective planning, management, and promotion while adapting to changing tourism trends, through collaboration between the government, private sector, and communities through public private partnerships and active public participation.[5]

However, despite these developments, the sector remains underutilized compared to competitors in the region, highlighting untapped opportunities for FDI driven development in Zambia. Tourism, being one of the few sectors with direct impacts on infrastructure development, job creation, and foreign exchange earnings, could significantly enhance Zambia's broader economic growth if adequately supported by foreign investments.[6]

Therefore, addressing impediments to FDI in Zambia's tourism sector is crucial for unlocking this potential. Challenges such as insufficient marketing efforts, inefficient bureaucratic procedures, and limited or inadequate sector specific investment legislation or policy deter foreign investors and inhibit the sector's progress. Tackling

[1] Chitonge H and others, The Oxford Handbook of the Zambian Economy (Oxford University Press 2024)

[2] Ibid

[3] Act 13 of 2015

[4] ibid

[5] ibid

[6] Boley BB and Green GT, 'Ecotourism and Natural Resource Conservation: The "Potential" for a Sustainable Symbiotic Relationship' (2015) 15 Journal of Ecotourism 36

these barriers would not only make Zambia a more attractive destination for foreign investors but also enable the country to develop sustainable infrastructure, bolster international visibility and create employment opportunities. By resolving these issues, Zambia can ensure that its tourism sector contributes meaningfully to national economic growth while positioning itself as a competitive global tourism destination.

1.1 BACKGROUND OF THE STUDY

Zambia holds immense potential to expand its tourism sector through FDI, yet systemic inefficiencies continue to constrain this growth. Key challenges including insufficient international marketing, fragmented administrative processes, and a lack of sector specific investment legislation have hindered the sector's ability to attract high quality FDI, preventing it from emerging as a significant driver of economic development.[7]

These barriers not only limit infrastructure expansion but also restrict foreign exchange earnings and job creation, leaving Zambia lagging behind its regional counterparts. Ideally, tourism should serve as a pillar of economic diversification.[8] However, these existing obstacles have resulted in missed opportunities for sustainable sectoral development.

Countries like South Africa and Rwanda have successfully integrated FDI into their tourism strategies, achieving substantial benefits through streamlined regulatory frameworks and robust international marketing campaigns. Their success highlights how a well-structured approach to FDI can foster sustainable tourism growth. Given Zambia's rich cultural and natural heritage, the country is well positioned to adopt similar strategies, strengthening its presence in the global tourism market. By reforming its legal, administrative, and legislative and policy frameworks, Zambia can cultivate a more attractive investment climate for foreign stakeholders. Drawing lessons from regional success stories and tailoring policies to its unique context could enable Zambia to emerge as a leading tourism destination, fostering inclusiveness,

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[7] Percy Mabvuto-Ngwira, 'Why Zambian Tourism Marketing Has Failed' (Lusaka Times, 23 March 2011) < https://www.lusakatimes.com/2011/03/23/zambian-tourism-marketing-failed/ > accessed 14 April 2025

[8] UNCTAD, 'Contribution of Tourism to Economic Diversification and Poverty Reduction' (UNCTAD, 2017) < https://unctad.org/news/contribution-tourism-economic-diversification-and-poverty-reduction > accessed 14 April 2025

resilience, and long-term growth in the sector.

1.2 STATEMENT OF THE PROBLEM

Foreign Direct Investment in Zambia’s tourism sector faces significant legal and administrative challenges that hinder optimal development in the sector.

Investment in Zambia’s tourism sector is limited with regards to international marketing. The absence of global partnerships with leading marketing platforms for tourism promotion significantly limits Zambia's ability to capture the attention of international investment. Without strategically leveraging high profile platforms or collaborations, the country remains overshadowed by competitors, which actively engage in such initiatives. Zambia's tourism marketing efforts have often been underfunded or inconsistent, which hampers its ability to attract international tourists and investors.[9] Hence this lack of visibility directly affects Zambia's tourism potential by reducing the inflow of FDI.

FDI in Zambia is primarily regulated by two pieces of legislation. The **Zambia Development Agency (ZDA) Act**[10] and the **Investment, Trade and Business Development (ITBD) Act**[11]. However, these laws offer generalized provisions that do not provide for specific needs of individual industries, including tourism. While the **Tourism and Hospitality Act**[12] serves as the governing legislation for the tourism industry, it lacks substantive provisions that could actively promote and facilitate FDI within the sector. This legislative gap results in a regulatory environment that fails to address the unique requirements of tourism development, thereby limiting the sector’s ability to attract investment and achieve sustainable growth. Additionally, the multiplicity of government agencies involved in licensing and permit issuance creates confusion and inefficiency, deterring potential investors. Although the **Business Regulatory Act**[13] introduced a one-stop shop model to streamline processes, its implementation has been ineffective due to weak enforcement mechanisms and poor coordination among stakeholders such as the department of national parks and wildlife, Zambia wildlife authority and Zambia tourism agency among others.

[9] N6
[10] Act 17 of 2022
[11] Act 18 of 2022
[12] N3
[13] Act 14 of 2018

Consequently, these legal and structural impediments reduce attraction of foreign investment in the tourism sector.

1.3 RESEARCH OBJECTIVES:

1. To analyse the legal challenges and administrative frameworks impacting foreign direct Investment in Zambia's tourism sector.
2. To analyse the effectiveness of Zambia's current marketing and investment promotion strategies in attracting international investors to the tourism sector.
3. To draw lessons from Rwanda and South Africa on how Zambia's legal and administrative frameworks can be reinforced to enhance foreign direct Investment in the tourism sector.

1.4 RESEARCH QUESTIONS:

1. What are the legal challenges and administrative frameworks impacting foreign direct Investment in Zambia's tourism sector?
2. How effective are Zambia's current marketing and investment promotion strategies in attracting international investors to the tourism sector?
3. What lessons can be drawn from Rwanda and South Africa on how Zambia's legal and administrative frameworks can be reinforced to enhance foreign direct Investment in the tourism sector?

1.5 SIGNIFICANCE OF THE STUDY

This study highlights the critical legal and administrative challenges hindering FDI in Zambia's tourism sector. By examining barriers such as fragmented regulatory processes, inadequate international marketing and investment policies, the research considers key obstacles preventing Zambia from fully leveraging its tourism potential. Additionally, by comparing Zambia's framework with successful models in competing nations such as Rwanda and South Africa, the study provides insights into best practices that could enhance tourism driven economic growth. Addressing these challenges is vital for strengthening investment attractiveness, fostering sustainable infrastructure development, and positioning Zambia as a competitive global tourism destination.

1.6 SCOPE OF THE STUDY

This study focuses on exploring the legal and administrative barriers that impact FDI in Zambia's tourism sector. It analyses administrative and regulatory frameworks, licensing processes and investment strategy and policies to identify challenges and propose solutions for creating a conducive investment environment. The research also examines Zambia's international marketing efforts and the role of global partnerships in attracting FDI, highlighting opportunities for improvement. Additionally, the study draws comparisons with Rwanda and South Africa to identify best practices that can be adapted to enhance FDI in Zambia's tourism sector. The scope is limited to the tourism sector and emphasizes sustainable approaches to fostering economic growth through improved FDI within the sector.

1.7 DEFINITION OF TERMS AND ACRONYMS

Foreign Direct Investment (FDI): An investment from a party in one country into a business or corporation in another country with the intention of establishing a lasting interest.[14]

Tourism: A social, cultural and economic phenomenon which entails the movement of people to countries or places outside their usual environment for personal, business or professional purposes.[15]

Sustainable Development: An approach to social, economic, and environmental planning that attempts to balance the social and economic needs of present and future human generations with the imperative of preserving or preventing undue damage to the natural environment.[16]

Policy: A set of ideas or a plan of what to do in particular situations that has been agreed to officially by a group of people, a business organization, a government, or a political party.[17]

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[14] Corporate Finance Institute, 'Foreign Direct Investment (FDI)' (Corporate Finance Institute, 2025) < https://corporatefinanceinstitute.com/resources/economics/foreign-direct-investment-fdi/ > accessed 16 April 2025.

[15] UNWTO, 'Glossary of Tourism Terms' (UNWTO, 2025) < https://www.unwto.org/glossary-tourism-terms > accessed 16 April 2025

[16] Rebecca M. Kulik and The Editors of Encyclopaedia Britannica, 'Sustainable Development' (Encyclopaedia Britannica, 2025) < https://www.britannica.com/topic/sustainable-development > accessed 16 April 2025

[17] Cambridge Dictionary, 'Policy' (Cambridge University Press, 2025) < https://dictionary.cambridge.org/dictionary/english/policy > accessed 16 April 2025.

1.8 LITERATURE REVIEW

The relationship between FDI and the tourism sector is not a novelty, as some scholars have critiqued the coexistence of the same and how it can be used as a tool for economic growth, mostly in developing countries which normally have economic dependence on FDI. However, scholars have equally highlighted the scarcity of literature with regards to the correlation between FDI and the tourism sector with emphasis on the lack of empirical studies on the matter.

Sheereen Fauzel emphasizes the need for policymakers to adopt strategic measures to attract Foreign Direct Investment in the tourism sector. She argued that reducing restrictions on FDI and creating a business-friendly environment through improved ease of doing business, flexible labour markets, and intellectual property protection can significantly boost investment inflows. Key incentives include tax holidays, tariff exemptions, and access to preferential loans, alongside public private partnerships and government backed infrastructure financing. Further measures such as investment promotion centres, joint ventures between domestic and foreign investors, and multinational corporations (MNCs) operating hotels would enhance tourism related FDI. She highlights those policies directly targeting tourism such as marketing strategies and segment focused approaches are essential for sustained growth.[18] This study shall be the same as the research above to the extent of understanding and resolving how hurdles such as marketing efforts, investment policies and bureaucratic procedures stifle FDI in Zambia's tourism sector.

Sheereen Fauzel, Boopen Seetanah, and R.V. Sannassee, in their study *Analysing the Impact of Tourism Foreign Direct Investment on Economic Growth: Evidence from a Small Island Developing State***,** highlight how economic liberalization has facilitated increased foreign direct investment in key tourism segments such as restaurants, yachts, and travel agencies. Their findings suggest that these investment friendly policies have not only attracted greater FDI inflows but have also provided essential capital for expansion, improved infrastructure and introduced valuable expertise and skills that have enhanced the sector's overall productivity. Additionally, this influx of investment has significantly contributed to both direct and indirect

[18] Fauzel S, 'FDI and Tourism Futures: A Dynamic Investigation for a Panel of Small Island Economies' (2021) 7(1) Journal of Tourism Futures 98-110 < https://doi.org/10.1108/JTF-05-2018-0026 > accessed 16 April 2025.

employment growth, reinforcing tourism’s role as a driver of economic development.[19] This study shall be different from the research above as it shall seek to bring out how hurdles such as marketing efforts, investment policies and bureaucratic procedures stifle FDI in Zambia’s tourism sector.

Catarina da Silva Santos in her thesis identified significant potential for growth and investment in the tourism sector of Portugal’s west region. She noted that to maximize these opportunities, the region’s strengths should be strategically leveraged through a collaborative approach involving both public and private stakeholders. By working together in a sustainable manner, these actors can implement well defined strategies that drive investment and foster long term development. This coordinated effort will not only enhance the tourism industry but also contribute to the region’s overall economic and sustainable growth.[20] This study shall be different from the research above as it shall seek to bring out how hurdles such as marketing efforts, investment policies and bureaucratic procedures stifle FDI in Zambia’s tourism sector.

Şafakli, Okan Veli in their work sought to provide a structured approach to enhancing FDI in Northern Cyprus. Key strategies included establishing a stable policy framework, institutionally planning sectoral development particularly in tourism and environmental management and implementing a national physical plan alongside a tourism master plan to effectively guide FDI activities. Additionally, fostering free enterprise through competitive policies and improving overall infrastructure beyond tourism would strengthen investment appeal. They further noted that Northern Cyprus must also enhance investment incentives and promotional efforts compared to Southern Cyprus, while reducing bureaucratic barriers to FDI.[21] This study shall be the same as the research above to the extent of understanding and resolving how hurdles such as marketing efforts, investment policies and bureaucratic procedures stifle FDI in Zambia’s tourism sector.

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[19] Fauzel S, Seetanah B and Sannassee RV, 'Analysing the Impact of Tourism Foreign Direct Investment on Economic Growth: Evidence from a Small Island Developing State' (2016) Tourism Economics < https://wtochairs.org/sites/default/files/8%20Tourism%20Economics-2016-Fauzel-fdi%20and%20eg.pdf > accessed 17 April 2025

[20] Catarina da Silva Santos, Territorial Marketing: Attracting Investment for the Tourism Industry in the West Region of Portugal (Master’s thesis, ISCTE Business School 2017).

[21] Şafakli OV, 'The Extent of Foreign Direct Investments (FDI) in the Tourism Sector of Northern Cyprus' (2005) 13(1) Journal of Hospitality Financial Management < https://hdl.handle.net/20.500.14394/30815 > accessed 19 April 2025.

Julian Kampamba Mwango in her dissertation *Marketing strategies and sustainable tourism: an assessment of the Zambia Tourism Agency* found that a relationship does exist between marketing strategies and sustainable tourism. However, the tourism sector in Zambia is faced with a challenge of formulating the right marketing strategies that will build upon sustainable development of tourism as is expected by most consumers of tourism. Consumer attitude and behaviour has shifted towards the more sustainable destinations. A gap exists between the marketing strategies and sustainable tourism development. The tourism development strategy must be right from the beginning otherwise resources will be spent on developing and promoting inappropriate forms of tourism, using inappropriate channels of marketing for the 21st century consumer.[22] This study shall be different from the research above as it shall seek to bring out how hurdles such as marketing efforts, investment policies and bureaucratic procedures stifle FDI in Zambia's tourism sector.

Josephine Gatsinzi and Ronnie Donaldson, highlight in their work that tourism holds the potential to generate substantial benefits, including foreign currency inflows, job creation and infrastructural development critical drivers for growth in developing economies. Moreover, the sector's potential can be maximized through strategies such as fostering interregional integration, formulating regional marketing initiatives and establishing subregional partnerships.[23] This study shall be the same as the research above to the extent of understanding and resolving how hurdles such as marketing efforts, investment policies and bureaucratic procedures stifle FDI in Zambia's tourism sector.

Jerry Kolo assessed the role of tourism in economic growth and poverty alleviation in Sub-Saharan Africa (SSA), urging policymakers, technocrats, and other stakeholders to recognize its interconnections with broader development sectors. He emphasized that tourism offers significant opportunities for employment creation, entrepreneurship, hence the need for cultural promotion, strategic planning, investment simulation and efficient management. As global competition for a profitable share of the tourism market intensifies, SSA countries must prioritize the

[22]Julian Kampamba Mwango, Marketing Strategies and Sustainable Tourism: An Assessment of the Zambia Tourism Agency (Master's dissertation, University of Zambia 2018).
[23] Josephine Gatsinzi and Ronnie Donaldson, 'Investment in the Tourism Industry: The Experience of Rwanda' in Journal for Development Support (Vol. 1, 2009) 33-49.

coherence of tourism policies and plans, the diversity and quality of tourism services and products and the capacity of industry players to meet expectations. *Kolo* argues that tourism can no longer be treated with indifference, as its effective development is imperative for the region's economic advancement.[24] This study shall be the same as the research above to the extent of understanding and resolving how hurdles such as marketing efforts, bureaucratic procedures and investment laws and policies stifle FDI in Zambia's tourism sector.

Georgeta Ilie explored the role of FDI in driving economic growth within the tourism sector, highlighting its potential to generate employment, enhance infrastructure and boost export revenues. However, challenges such as weak integration of foreign enterprises with local businesses, environmental degradation and economic dependency remain key concerns. To mitigate these issues, she emphasizes the need for coherent policy frameworks that strengthen FDI. Additionally, it underscores the rapid expansion of the tourism sector, presenting valuable opportunities for economies. Active FDI promotion through trade fairs, fiscal incentives and public private partnerships is encouraged, yet she warns that many countries fail to implement policies that fully maximize FDI's potential benefits further stressing the importance of an integrated and strategic policy approach that fosters sustainable tourism growth by improving connections across the entire value chain. [25] This study shall be the same as the research above to the extent of understanding and resolving how hurdles such as marketing efforts, investment policies and bureaucratic procedures stifle FDI in Zambia's tourism sector.

Dr Reeti Gupta in his article, *Tourism, FDI and Inclusive Growth in India* explores how tourism serves as a crucial driver of India's economic and social progress, significantly contributing to their gross domestic product (GDP) and foreign exchange earnings. The article underscores the sector's potential for inclusive growth, particularly through employment generation and poverty reduction, benefiting marginalized groups such as youth and women. He noted that FDI plays a pivotal role in strengthening infrastructure development, enhancing industry competitiveness

[24] Jerry Kolo, A Critical Analysis of Tourism as a Strategy for Sustainable Development and Poverty Alleviation in Sub-Saharan Africa (2015) in The Routledge Companion to Business in Africa.

[25] Georgeta Ilie, Foreign Direct Investment in Tourism Sector (2015) 7(3) Knowledge Horizons - Economics 9-13

and driving growth in key sectors like hospitality and transport. However, several challenges including complex tax structures, inadequate policy coherence and limited ICT infrastructure impede the tourism sectors full potential. To address these barriers, the document emphasizes the need for integrated policy frameworks, improved regulatory mechanisms and the strategic use of digital technologies to foster sustainable and inclusive development within India's tourism sector.[26] This study shall be the same as the research above to the extent of understanding and resolving how hurdles such as marketing efforts, bureaucratic procedures and investment laws and policies stifle FDI in Zambia's tourism sector.

Edwin Mulenga, in his dissertation *Evaluating the lacuna in the legal framework for FDI in Zambia* offers a critical examination of the legal framework governing FDI in Zambia, particularly through the **ITBD Act**. He identifies key shortcomings such as limited absorptive capacity, deficient infrastructure and policy gaps that hinder the optimal utilization of FDI and obstruct sustained economic progress. He emphasizes that while FDI holds significant potential as a catalyst for development, the current legal apparatus inadequately addresses its multifaceted impact on local industries, income distribution and societal welfare. His work calls for a comprehensive restructuring of Zambia's investment laws to better harness FDI for national transformation.[27] While his analysis provides a broad overview across sectors, this research narrows its focus on the legal and administrative hurdles such as enforcement mechanisms impeding FDI in Zambia's tourism sector.

1.9 RESEARCH GAP

Despite extensive research by the scholars highlighted above, on FDI in the tourism sector, significant gaps remain in understanding the effectiveness of marketing strategies, legal challenges, administrative frameworks and investment policies in driving FDI into the sector. While marketing is widely recognized as a critical tool for attracting investment, there is limited analysis on how targeted promotional campaigns, branding strategies and digital marketing approaches influence investor

[26] Reeti Gupta, Tourism, FDI and Inclusive Growth in India (2015) 7(12) Pacific Business Review International 108-114.

[27] Edwin Mulenga, Evaluating the Lacuna in the Legal Framework for Foreign Direct Investment in Zambia (LLB dissertation, University of Lusaka 2023).

decisions and sector sustainability. Additionally, although FDI incentives such as tax holidays and tariff exemptions are frequently discussed, there is insufficient research on their long-term effectiveness in retaining investment and fostering local economic integration. Legal and administrative challenges present another major gap, as regulatory inconsistencies, bureaucratic inefficiencies, complex permitting processes and policy instability create barriers for investors.

Many studies highlight the importance of investment friendly policies, yet few comprehensively examine how legal uncertainties, governance structures and transparency issues impact investor confidence and expansion in the tourism sector. Addressing these gaps would provide valuable insights into optimizing FDI's role in tourism and ensuring a more structured, efficient and investment friendly environment in the sector.

1.10 RESEARCH METHODOLOGY

The research methodology is qualitative and it will focus on gathering and analysing existing data and information from published sources. The research methodology will incorporate the desk research method. It will involve reviewing relevant laws, regulations, policy documents, scholarly articles, reports and other published sources to gain insights into the current legal provisions, challenges and gaps in the existing framework.

1.11 DATA COLLECTION AND ANALYSIS

The researcher will make use of data collection through review of various pieces of literature, both legal and non-legal, including books, journals, journal articles and internet sources. The analysis will be through phenomenological analysis which will explore experiences and identify common trend and patterns in the experiences.

1.12 TARGET POPULATION AND SAMPLE SIZE

This research targets a population defined by the scope and relevance of existing sources such as academic literature, government reports, industry publications and credible online sources. Rather than engaging with individuals directly, the study draws insights from documented evidence and expert analyses.

1.13 ETHICAL CONSIDERATIONS

In order to conform with research ethics requirements, first permission will be sought from the University of Lusaka research ethics committee, the second, permission will be sought from organizations and the third permission will be sought from individual research subject. The researcher will endeavour to follow academic writing principles like referencing and acknowledgement of other people's work.

1.14 CHAPTER OUTLINE

Chapter one: Highlights the importance and significance of the topic stating how imperative it is to consider and address key obstacles preventing Zambia from fully leveraging FDI through the tourism sector.

Chapter two: Examines the legal and administrative challenges affecting FDI in Zambia's tourism sector. It highlights gaps in key laws like the **Zambia Development Agency Act**, **Investment, Trade and Business Development Act**, **Business Regulatory Act** and the **Tourism and Hospitality Act**, and explores weak enforcement and institutional coordination that hinders investment in the sector. The chapter aims to identify barriers within the current framework and suggest areas for reform to better attract and manage tourism related FDI.

Chapter three: Examines the effectiveness of Zambia's current marketing and investment promotion strategies in attracting international investors to the tourism sector. It evaluates promotional campaigns, branding efforts and digital outreach, as well as collaborations with international organizations. The chapter assesses how these initiatives influence investor perceptions and identifies gaps in visibility and consistency that may limit Zambia's competitiveness in the global tourism market.

Chapter four: This chapter draws lessons from Rwanda and South Africa to explore how Zambia can strengthen its legal and administrative frameworks to enhance FDI in the tourism sector.

Chapter five: This chapter presents the conclusion and recommendations based on the findings from the previous chapters (1-4) and aims to guide stakeholders toward reforms that can improve investor confidence, streamline governance, and position Zambia as a competitive destination for tourism investment.

CHAPTER TWO
LEGAL AND ADMINISTRATIVE FRAMEWORKS IMPACTING FOREIGN DIRECT INVESTMENT IN ZAMBIA'S TOURISM SECTOR

2.0 INTRODUCTION

Over the years, FDI has been recognised as a tool of economic growth.[28] This revelation has prompted various governments to invest multitude of resources in various industries to boost market attractiveness and increase traffic for foreign investment in their countries.[29] This trend is particularly seen in developing countries that seek economic growth from foreign investments through job creation, infrastructure development and technology transfer among other benefits derived from FDI.[30] Therefore, it is crucial to understand potential barriers to FDI in order to remedy and develop strategic marketing, legislation and policy frameworks that will contribute to the inflow of sustainable FDI and further balance the scale between the objectives and interest of a government and that of the investor.

This chapter will examine the legal and administrative challenges affecting the retention and inflow of FDI in Zambia's tourism sector, by assessing legislative and procedural defects. It will consider and analysis the gaps in key primary Zambian legislation that govern FDI, particularly in the tourism sector, such as the **Zambia Development Agency Act**, **Investment, Trade and Business Development Act**, **Business Regulatory Act** and the **Tourism and Hospitality Act**. It will further explore the weak enforcement mechanisms and institutional coordination that hinders investment in the sector. The chapter aims to identify barriers within the current framework and suggest areas for reform to better attract and retain tourism related FDI.

2.1 FOREIGN DIRECT INVESTMENT AND THE ZAMBIAN TOURISM SECTOR

A variation of definitions of FDI have been provided by different scholars and organisations, but for the purpose of uniformity, this work will adopt the detailed definition provided by the United Nation Trade and Development (UNCTAD) in its *World Investment Report 2022* where it defines FDI as follow;

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28 Adeolu B Ayanwale, *FDI and Economic Growth: Evidence from Nigeria* (AERC Research Paper 165, African Economic Research Consortium 2007)

29 ibid

30 Alvin G Wint and Densil A Williams, 'Attracting FDI to developing countries: A changing role for government?' (2002) 15(5) International Journal of Public Sector Management 361–374

An investment involving a long-term relationship and reflecting a lasting interest and control by a resident entity in one economy (foreign direct investor or parent enterprise) in an enterprise resident in an economy other than that of the foreign direct investor (FDI enterprise or affiliate enterprise or foreign affiliate). FDI implies that the investor exerts a significant degree of influence on the management of the enterprise resident in the other economy. Such investment involves both the initial transaction between the two entities and all subsequent transactions between them and among foreign affiliates, both incorporated and unincorporated. FDI may be undertaken by individuals as well as business entities.[31]

This comprehensive definition by UNCTAD offers a standardized framework for understanding FDI, ensuring clarity and consistency in its application throughout this study.

In a quest for economic growth and development, many developing countries are looking to tourism as a potentially promising avenue for economic and infrastructure development.[32] Tourism has become a relatively new focus for a number of economies, as they now seek to capitalize on its potential as seen in recent years from countries such as the United Arab Emirates that have experienced a rapid increase in tourist arrivals and revenue, driven by deliberate efforts to develop and promote the sector.[33] Traditionally, tourism was placed below manufacturing and agriculture, since it was not seen as a significant or appropriate source of growth.[34] In contrast, today, a *quiet but significant reappraisal* is taking place, which values tourism as a potential means of earning export revenues, generating large numbers of jobs including for youth and women promoting economic diversification and a more services oriented economy, helping to revive declining urban areas and cultural activities, and opening up remote rural areas.[35]

Tourism has further been identified as a cross-cutting sector that connects industries such as accommodation, transport, construction and agriculture, involving both

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[31] United Nations Conference on Trade and Development, World Investment Report 2022: International Tax Reforms and Sustainable Investment (United Nations 2022)

[32] United Nations Conference on Trade and Development, FDI in Tourism: The Development Dimension (United Nations 2007)

[33] ibid

[34] Chitonge H and others, The Oxford Handbook of the Zambian Economy (Oxford University Press 2024)

[35] n31

MNC's and small enterprises.[36] Its unique structure where consumers travel to producers allows even small transactions to contribute to the global economy. When well-managed, tourism can drive poverty reduction through job creation and income generation especially for small businesses.[37] With the above revelations, several developing countries in Africa including Zambia have given considerable attention to the tourism sector as a way to drive sustainable economic development in their economies.

Zambia's tourism industry is based on its wildlife protected areas being 20 national parks and 34 game management areas comprising about 30 percent of the country's territory, abundant lakes and rivers, and its rich and diverse culture.[38] Its most notable site is the Victoria Falls located in Livingstone in the southern province, has been designated as a UNESCO Heritage Site and is considered the largest sheet of falling water in the world and brings in majority of visitors to the nation.[39] In 2019, the travel and tourism sector's contribution to Zambia's GDP was 7.7% and provided close to 489,700 jobs, this fell to 4.3% and 340,100 jobs in 2020 due to the global shutdown during the covid 19 pandemic, as Zambia's tourism sector was one of the worst affected due to the disruptions in international travel.[40] The sector has steadily been on a path of recovery, as of 2022 the sector recorded an increase in the number of international tourist visitors by 91.4% from 554,200 during the same period in 2021.[41]

2.2 INSTITUTIONAL FRAMEWORK FOR FOREIGN DIRECT INVESTMENT IN ZAMBIA'S TOURISM SECTOR

The Zambian tourism sector is managed and governed by the ministry of tourism which consist of 7 departments and 4 statutory bodies highlighted below.[42]

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[36] European Environment Agency, Tourism (Climate-ADAPT) < https://climate-adapt.eea.europa.eu/en/eu-adaptation-policy/sector-policies/tourism > accessed 16 August 2025.

[37] n31

[38] International Trade Administration, Zambia – Travel and Tourism (6 June 2024) < https://www.trade.gov/country-commercial-guides/zambia-travel-and-tourism#:~:text=Overview,Opportunities > accessed 16 August 2025

[39] ibid

[40] African Nature-Based Tourism Platform, *Country Summary Report: Zambia* (January 2022) < https://naturebasedtourism.africa/wp-content/uploads/2022/01/African-NBT-Platform-Zambia-Summary-Report.pdf >accessed 16 August 2025

[41] Zambia Development Agency, Tourism Sector Profile (2024) < https://www.zda.org.zm/wp-content/uploads/2024/09/ZDA-Tourism-Sector-Profile-2024.pdf > accessed 16 August 2025

[42] Ministry of Tourism (Zambia), About the Ministry (June 2024) < https://www.mot.gov.zm/wp-content/uploads/2024/06/About-the-Ministry.pdf > accessed 21 August 2025

2.2.1 Department of Human Resource and Administration

The department is responsible for management and development of human resources and provision of administrative and logistical support services in order to improve performance and enhance smooth operations of the ministry. The department manages human resources, provides administrative and logistical support, promotes staff wellness, maintains facilities, oversees public relations and ensures compliance with policies to enhance the ministry's efficiency and working environment under the leadership of the director assisted by the assistant director.[43]

2.2.2 Department of Planning and Information

The department of planning and Information leads the development, coordination and review of Ministry policies and legislation to support effective delivery of programmes and projects. It monitors and evaluates tourism, culture and wildlife initiatives to ensure goals are met. The department also manages strategic planning, supports international cooperation, prepares budgets and develops project proposals to secure resources. It conducts research, maintains an information system and provides ICT services to support informed decision making. Additionally, it handles cabinet and parliamentary matters, integrates cross cutting issues like gender and climate change into programmes and compiles sector statistics. The department is headed by a director, supported by a chief planner and an assistant director.[44]

2.2.3 Department of Tourism

The department is responsible for tourism research and development, managing the tourism development fund and overseeing the regulation and licensing of casinos and the registration of hotel managers to support sustainable development in the country. The department develops and reviews tourism policies. The department further plans and identifies key development areas and conducts research to guide decision making and promotes tourism product diversification and investment and further supporting international and regional cooperation and ensuring the implementation of the relevant treaties and protocols. It works with various stakeholders, enforces tourism ethics and regulations, monitors compliance and encourages indigenous small businesses in the sector. The department is led by a director, supported by an

[43] Ministry of Tourism (Zambia), 'Departments' (Ministry of Tourism, 2023) < https://www.mot.gov.zm/?page_id=451 > accessed 4 September 2025

[44] ibid

assistant director and six regional coordinators.[45]

2.2.4 Department of Culture and Traditional Affairs

The department is responsible for promoting research, investment and product development in culture and traditional affairs to preserve Zambia's heritage and support socio-economic growth. It develops and implements cultural policies, maintains and upgrades cultural infrastructure and safeguards both tangible and intangible heritage including folklore. The department encourages investment in creative industries, fosters cooperation at local and international levels and provides entertainment at official events. It also supports the production and sharing of cultural content, facilitates cultural training and research, integrates culture into tourism and monitors cultural programmes. The department is led by a director assisted by a chief culture and folklore officer and an assistant director for traditional affairs, ten provincial cultural affairs officers and one Information, education and communication officer.[46]

2.2.5 Department of National Parks and Wildlife

the Department of National Parks and Wildlife (DNPW) was established by an act of parliament which later transitioned from the former Zambia Wildlife Authority (ZAWA) into a government department now operating under the ministry of tourism and arts. DNPW aims to promote the sustainable use and appreciation of wildlife by involving local communities in wildlife management, supporting tourism development, raising awareness of wildlife's economic value among stakeholders and educating the public.[47]

2.2.6 Department of Finance

The department is responsible for managing the ministry's financial resources and stores to support effective programme implementation. It oversees budget execution, monitors spending, prepares financial reports and enforces internal controls to ensure transparency and accountability. The department also maintains financial records, processes payroll, collects and accounts for government revenue, manages assets and submits audited accounts to aid in decision making. It is led by a director,

[45] ibid
[46] ibid
[47] ibid

assisted by a Principal Accountant.[48]

The department further consists of two main units being the internal audit unit and the procurement and supplies unit. The internal audit unit strengthens oversight of public resources by conducting audits, reviewing risk management and supporting the audit committee. It tracks the implementation of audit recommendations, maintains an audit database, verifies arrears and assets and prepares regular reports. The unit also advises management and ensures proper checks and balances in store management. It is headed by a chief internal auditor, supported by two principal internal auditors.[49] The procurement and supplies unit handle the acquisition of goods, services and works to ensure value for money and efficient resource use. It prepares and executes procurement plans, manages contracts, drafts solicitation documents, advises on procurement matters and reports on procurement activities.[50] The unit also provides secretarial support to the ministry's procurement committee.

2.2.7 Hostels Board of Management.

The department of Hostels Board of Management is responsible for providing high quality lodging and conferencing services to support the needs of travellers and contribute to the growth of the hospitality sector. It oversees the operations of hostels, lodges and conference facilities under its mandate, develops and improves products and services, conducts market research and drives business development. The department also implements quality control systems, maintains and upgrades facilities, offers administrative and logistical support and ensures responsible management of financial and other resources. It is led by a director who serves as both chief executive officer and secretary to the board, assisted by an operations manager.[51]

2.2.8 National Heritage Conservation Commission (NHCC)

The National Heritage Conservation Commission (NHCC) is a statutory body established under the **National Heritage Conservation Commission Act**[52] and operates under the Ministry of Tourism and Arts. It is mandated to conserve Zambia's

[48] Ministry of Tourism (Zambia), 'Finance' (Ministry of Tourism, 2023) <https://www.mot.gov.zm/?page_id=473> accessed 4 September 2025
[49] ibid
[50] ibid
[51] n42
[52] Cap 173

diverse natural and cultural heritage, including ancient monuments, historic sites and landscapes of ecological and archaeological significance.[53] As the principal authority in heritage protection, the commission plays a critical role in identifying, preserving and managing heritage resources across the country. To further ensure effective regional oversight and community engagement, the Commission is decentralized into four operational zones which are East-Central, South-West, North-West and Northern regions with administrative offices located in Lusaka, Livingstone, Solwezi and Kasama. These regional offices operate under the guidance of the executive director and the NHCC board to implement conservation policies, facilitate research and promote sustainable heritage tourism.[54]

2.2.9 National Museums Board (NMB)

The National Museums Board of Zambia (NMB) was established in 1966 under the **National Museums Act[55]**. It is entrusted with the vital responsibility of safeguarding the nation's cultural and natural heritage. The board functions include research, documentation, preservation and presentation of Zambia's rich historical legacy, ensuring that both tangible and intangible heritage is protected for future generations.[56] The board runs and manages museums in Zambia which include the Lusaka National Museum, Livingstone Museum, Copperbelt Museum, Choma Museum and Crafts Centre and the Moto Moto Museum. The board serves as a dynamic platform for education, cultural exchange, national identity and fostering appreciation for Zambia's diverse traditions, histories and ecosystems.[57]

2.2.10 Zambia Institute of Tourism and Hospitality Studies (ZITHS)

The Zambia Institute for Tourism and Hospitality Studies (ZITHS) is a statutory institution established under the **Zambia Institute for Tourism and Hospitality Studies Act[58].** As a body corporate, the institute is mandated to provide specialized education and professional training tailored to the needs of Zambia's growing tourism

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[53] National Heritage Conservation Commission, 'National Heritage Conservation Commission – Off-Grid Information Hub' (Off-Grid Information Hub, 2025) < https://offgrid.gov.zm/en/Directory/Details/fb518a87-596c-4fcc-94da-ee2cad1a5a2a > accessed 4 September 2025.
[54] ibid
[55] Cap 174
[56] National Museums Board, 'Welcome to the Zambia National Museums Board' (NMB, 2025) < https://nmb.co.zm/ > accessed 4 September 2025.
[57] ibid
[58] Act 42 of 2016

and hospitality sector. Its core functions include delivering market responsive academic programs, conducting industry research and offering consultancy services that support innovation and excellence within the field.[59] The act also establishes the council of ZITHS as the institute's highest governing authority responsible for setting strategic direction, ensuring institutional accountability and guiding the development of human capital in alignment with national tourism goals.

2.2.11 Zambia Tourism Agency (ZTA)

The Zambia Tourism Agency (ZTA) is a statutory body established under the **Tourism and Hospitality Act**[60] and operates under the Ministry of Tourism. Tasked with a dual mandate, the agency is responsible for both marketing Zambia as a premier global tourism destination and regulating the country's tourism industry. The agency is led by a chief executive officer who reports to a board of directors, ensuring strategic oversight and effective governance.[61] The agency's functions also include strategic planning, destination branding and sector development, showcasing Zambia's abundant natural beauty, wildlife and cultural heritage. Through collaborative partnerships with local communities, private enterprises and international stakeholders, the agency promotes sustainable tourism practices that drive economic growth and enrich visitor experiences. Additionally, the agency plays a regulatory role by licensing and grading accommodation establishments, thereby maintaining quality standards and fostering professionalism across the tourism value chain.[62]

Pursuant to **Gazette Notice No. 1123 of 2021,** the Ministry of Tourism's portfolio functions include accommodation establishments, casinos, culture policy, folklore and preservation of oral traditions, hotels and rest houses, indigenous knowledge, museums, national heritage, national parks and wildlife, promotion of souvenirs, promotion of tourism, promotion of traditional crafts, research in culture, safari operations, tourism policy, traditional ceremonies and travel agencies.[63] Besides the portfolio functions, the Ministry is mandated to ensure implementation of pieces of

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[59] Zambia Institute of Tourism and Hospitality Studies, 'Home – Zambia Institute Of Tourism And Hospitality Studies' (ZITHS, 2025) < https://ziths.edu.zm/home/ > accessed 4 September 2025.
[60] Act 13 of 2015
[61] Zambia Tourism Agency, 'Zambia Tourism Zambia Tourism Agency' (Zambia Tourism, 2015) < https://www.zambia.travel/zta.html > accessed 4 September 2025
[62] ibid
[63] ibid

legislation such as **National Heritage Conservation Commission Act**[64]**, National Museums Act**[65]**, Tourism and Hospitality Act**[66]**, Zambia Institute of Tourism and Hospitality Studies Act**[67] and the **Zambia Wildlife Act**[68] through the respective established entities and departments discussed above.

In a quest to increase the inflow of FDI, several countries have further established investment promotion agencies.[69] In Zambia, **section 3 of the Zambia Development Agency Act**[70] establishes the Zambia development agency which essentially acts as Zambia's investment promotion agency as seen from its functions provided in **section 5 of the Act**[71] as follows;

The Agency shall further the economic development of the Republic through the promotion and facilitation of investment, domestic and foreign trade, competitiveness in business development and the privatisation of state-owned enterprises.

2.3 LEGAL FRAMEWORK FOR FOREIGN DIRECT INVESTMENT IN ZAMBIA'S TOURISM SECTOR

While the **Zambia Development Agency Act** establishes the institutional framework for the agency, **the Investment, Trade and Business Development Act** serves as its strategic guide, focusing on economic growth through investment and trade by providing policy direction, incentives and mechanisms for identifying and developing special economic zones. **Section 3 of the Act**[72] provides that;

This Act shall be administered by the Agency.

Further **section 7 of the Act**[73] provides;

This Act applies to an investor investing in a sector or an industry or any region of the Republic.

Section 18 (1) of the act[74] goes on to provide;

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[64] Cap 173
[65] Cap 174
[66] Act13 of 2015
[67] Act 42 of 2016
[68] Act 14 of 2015
[69] What Works Centre for Local Economic Growth, Investment Promotion Agencies Toolkit (November 2017) < https://whatworksgrowth.org/wp-content/uploads/17-11-08_Investment_Promotion_Agencies_Toolkit.pdf > accessed 21 August 2025.
[70] Act 17 of 2022
[71] ibid
[72] Act 18 of 2022
[73] ibid

A person may apply to the Agency for a licence, permit or certificate of registration in the prescribed manner and form and on payment of the prescribed fee, where that person intends to;

(a) develop any premises as a special economic zone;

(b) operate a business in a special economic zone;

(c) invest in any business in a priority sector as prescribed;

(d) register a business; or

(e) operate a business in a rural area for purposes of this Act.

Therefore, if an investor intends to make an investment in Zambia, they must engage with the ZDA and apply for the appropriate licence, permit or certificate of registration depending on the nature of the investment whether it involves developing or operating within a special economic zone, investing in a priority sector, registering a business or establishing operations in a rural area.

2.4 CHALLENGES IN THE SECTOR

The **Investment, Trade and Business Development Act** defines priority sector in **section 2**[75] as;

Means a sector or product that has a high growth potential as may be prescribed

The act does not directly provide for sectors identified as priority sector but only provides in **section 8**[76] that;

The Minister shall, in consultation with the Minister responsible for finance and with the approval of Cabinet, declare a sector as a priority sector by statutory instrument.

The lack of a clearly defined list of priority sectors within the **ITBD Act**[77] presents challenges for investors seeking to align their ventures with government supported areas. Since the Act relies on ministerial declarations through statutory instruments to identify these sectors, investors may face delays, uncertainty or difficulty accessing incentives tied to priority sectors. This ambiguity can hinder strategic planning and discourage timely investment decisions unique to the tourism sector, especially when compared to jurisdictions where priority sectors are transparently outlined and readily

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[74] ibid
[75] ibid
[76] ibid
[77] ibid

accessible in their legislation such as in Rwanda. Though Zambia's legislation has not recognised tourism as a priority sector, the Eighth National development Plan (8NDP) has identified the tourism sector as one of the key sectors for economic transformation and job creation but it does not give it any legal efficacy.[78]

The ease of doing business is a critical factor in fostering economic growth and attracting investment through streamlined business registration, access to finance and digitalization of services.[79] Countries with a high ease of doing business index experience higher economic growth rates, as streamlined processes facilitate business formation and expansion, leading to job creation and increased tax revenues.[80] In Zambia, the tourism sector is regulated by multiple authorities, the main three being civic councils (local authorities), the ZTA, and the DNPW. Each of these entities have the mandate to issue permits or licenses required to operate within the industry. However, this fragmented regulatory framework poses a challenge for prospective investors who typically seek streamlined procedures and one-stop-shop as solutions that promote ease of doing business. A more coordinated and transparent system would enhance predictability and make it easier to establish operations in the sector.

In 2014, the **Business Regulatory Act**[81] was enacted and now amended by the **Business Regulatory (Amendment) Act**[82] which provides for the Business Regulatory Review Agency (BRRA) which among other functions, is mandated to coordinate the establishment, operationalisation and roll out of Regulatory Services Centres (RSCs) in Zambia in order to improve delivery and accessibility of business regulatory services and ultimately reduce the cost of doing business. In an effort to streamline licencing processes in the industry, the **Tourism and Hospitality Act**[83] has provided in **section 23**[84] as follows;

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[78] Ministry of Finance and National Planning (Zambia), Eighth National Development Plan 2022–2026: Socio-Economic Transformation for Improved Livelihoods (Republic of Zambia 2022) < https://nstc.org.zm/wp-content/uploads/2025/07/8NDP-2022-2026.pdf > accessed 16 August 2025

[79] Renuka Selvaraj (ed), Volume II: Proceedings of the ICSSR Sponsored National Seminar on Vision for Vishwa Guru India: Initiatives for Global Leadership by 2047 – Ease of Doing Business, Enhancing Economic Growth and Investment (ResearchGate, 2024) < https://www.researchgate.net/publication/380374637 > accessed 21 August 2025.

[80] ibid

[81] Act 3 of 2014

[82] (Amendment) Act 14 of 2018

[83] Act 13 of 2015

[84] ibid

(1) Subject to this Act, the Agency shall operate a single licensing system for the tourism industry in accordance with the Business Regulatory Act, 2014.

(2) Where a permit is obtained in accordance with the procedures specified under the Business Regulatory Act, 2014, the Agency shall endorse on the licence or certificate

(a) the name of the permit;

(b) the nature and scope of the activity authorised under the permit;

(c) the conditions attached to the permit; and

(d) any other relevant information that the regulatory agency may request to be so endorsed.

As of august 2025, the Agency has established six (06) RSCs located in Chipata, Kabwe, Kitwe, Livingstone, Lusaka and Solwezi.[85] Despite the progressive legal framework introduced by the **Business Regulatory Act[86]** and its amendment, and commendable effort to streamline business regulation in Zambia through the establishment of the BRRA and RSC's, the reality on the ground reveals persistent challenges in enforcement, implementation and stakeholder coordination. These issues undermine the goal of reducing the cost of doing business.

In an effort to enhance the ease of doing business, sectors such as mining in Zambia have undertaken legislative reforms through the enactment of the **Minerals Regulation Commission Act[87]**. This new law establishes the Minerals Regulation Commission (the "Commission") as a body corporate with perpetual succession. the act significantly broadens the commission's regulatory mandate, transferring powers previously held by the minister of mines and departmental directors within the ministry of mines to a centralized authority which is now the commission.[88] licensing and permits have now been streamlined under a single entity being the commission by the board, thereby promoting greater efficiency, transparency and predictability in the administration of mining and investments in the sector.[89] Zambia's tourism sector can draw valuable lessons from these reforms to improve its attractiveness for FDI by

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[85] Business Regulatory Review Agency, Regulatory Services Centres (BRRA,) < https://www.brra.org.zm/rsc/ > accessed 21 August 2025

[86] Act 3 of 2014

[87] Act 14 of 2024

[88] Chilombo Malama and Karen Mutale, 'Comparing the Mines and Minerals Development Act and the Minerals Regulation Commission Bill' (DLA Piper Africa, 28 October 2024) < https://www.dlapiperafrica.com/en/zambia/insights/2024/comparing-the-mines-and-minerals-development-act-and-the-minerals-regulation-commission-bill > accessed 4 September 2025.

[89] ibid

consolidating regulatory functions under a single autonomous authority similar to the minerals regulation commission. the tourism sector could reduce bureaucratic complexity and enhance transparency unlike currently, were overlapping mandates among civic councils, the ZTA, and the DNPW create inefficiencies and uncertainty for investors which is further not being remedied by the BRRA. Therefore, by establishing a centralized licensing body with clear procedures and streamlined process, the tourism sector would foster a more predictable business environment, making Zambia's tourism landscape more competitive and investor friendly. Without a robust integrated enforcement strategy, a clear framework for stakeholder collaboration or provision of a one stop shop, regulatory reform risks being lost and limits the provision of a streamlined process, further reducing investor confidence in the sector.

CONCLUSION

In conclusion, the tourism sector serves as valuable tool for strategic economic growth, provided that appropriate measures are implemented. Therefore, it is necessary for Zambia to achieve a balance between government revenue generation and investor interests, by establishing clear, transparent legislation and further facilitating easier investor entry through the provision and execution of functional, efficient and user-friendly processes such as streamlined processes and one stop shops to unlock the sector's full potential.

CHAPTER THREE
ANALYSING THE EFFECTIVENESS OF ZAMBIA'S CURRENT MARKETING AND INVESTMENT PROMOTION STRATEGIES IN ATTRACTING INTERNATIONAL INVESTORS TO THE TOURISM SECTOR

3.0 INTRODUCTION

This chapter examines the effectiveness of Zambia’s current tourism marketing and investment promotion strategies in attracting international investors to the tourism sector. It evaluates promotional campaigns, branding efforts and digital outreach, as well as collaborations with international organizations through investment promotion and marketing strategies. The chapter assesses how these initiatives influence investor perceptions and identifies gaps in visibility and consistency that may limit Zambia’s competitiveness in the global tourism market.

3.1 WHAT IS TOURISM MARKETING AND INVESTMENT PROMOTION?

To assess marketing and investment promotion strategies that attract FDI within the tourism sector, it is essential to first define and understand how these concepts have evolved and performed on a global scale in order to fully appreciate them.

3.1.1 Tourism Marketing

Different scholars have provided varying definitions of the term marketing, reflecting its multifaceted nature, but for the purposes of this study, the definition provided by the Chartered Institute of Marketing will be adopted, which states as follows;

Marketing is the management process responsible for identifying, anticipating and satisfying customer requirements profitably.[90]

This definition shows the need for a structured management approach within marketing activities. In the tourism sector, particularly across many jurisdictions, this management function is often carried out by promotional agencies. These agencies are tasked with the responsibilities outlined in the definition namely, identifying market needs, anticipating customer expectations and delivering services or experiences that satisfy those requirements in a profitable manner. Therefore, tourism marketing can be said to be the process that involves organized and strategic implementation of business policies by both public and private sector tourism entities

[90] Chartered Institute of Marketing, ‘What is marketing?’ (CIM, 14 March 2023) < https://www.cim.co.uk/content-insights/articles/what-is-marketing/ > accessed 6 September 2025.

operating across local, regional, national and international levels.[91] Its primary goal is to effectively meet the specific needs of targeted tourist and potential investors while ensuring a suitable return on investment for the organizations involved and the sector at large.[92] It must be further noted that tourism marketing is different from other products because tourism is a service product, where instead of selling physical goods, an intangible experience is sold.[93] Scholars from Indira Gandhi National Open University in their book *Introduction to Tourism Marketing* have noted several challenge's in tourism marketing such as limited engagement in market research, largely due to the dominance of small scale enterprises that often lack both the expertise and financial capacity to implement comprehensive marketing strategies.[94] These businesses frequently adopt a short term perspective, neglecting the long term planning essential for sustainable growth. Financial constraints further hinder effective marketing, especially when attempting to establish a presence in international markets. They further noted that competition is already growing, therefore keeping customers happy will be more important than ever to retain brand confidence.[95] Tourism marketing is often overlooked by those who create tourism policies, which leads to confusion about how important marketing really is for the sector.[96] Therefore, proper planning in tourism marketing is key in improving market attractiveness to consumers, investors and further helping businesses grow, reach their goals and perform well in a fast changing market. It is therefore important to carefully study all the factors that affect tourism marketing.

3.1.2 Investment promotion

A comprehensive definition of investment promotion has been provided by Columbia University's centre on sustainable Investment as:

Investment promotion is about promoting a country (or location within a country) as

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91 Tourism Notes, 'Tourism Marketing – Definition, History, Types and Tour Package Marketing' (Tourism Notes) < https://tourismnotes.com/tourism-marketing/ > accessed 6 September 2025.

92 ibid

93 Introduction to Tourism Marketing, (Indira Gandhi National Open University) < https://www.ihmnotes.in/assets/Docs/Ignou/TS-06/Unit-1,INTRODUCTION%20TO%20TOURISM.pdf > accessed 6 September 2025.

94 ibid

95 ibid

96 A Abuharris and L Ruddock, Tourism Marketing Planning: Strategies for Development (Research Institute for the Built and Human Environment, University of Salford) < https://www.irbnet.de/daten/iconda/CIB14651.pdf > accessed 10 September 2025

an investment destination.[97]

According to *Bamituni E. Abamu*, Investment promotion emerged as a response to market failures, particularly those caused by information gaps that prevent investors from recognizing viable opportunities in certain countries.[98] Scholars like *Wells*, *Wint* and *Loewendahl* argue that these gaps known as information asymmetry can hinder foreign direct investment even when a country offers a favourable business environment.[99] He further outlined two main strategies for attracting FDI, the first being the neoclassical approach, which assumes that if a government creates a welcoming investment climate, investors will naturally be drawn to it. However, this overlooks the reality that many investors are unaware of such opportunities and tend to follow familiar paths or competitors within desired sectors.[100] The second strategy is the interventionist approach, which forms the basis of investment promotion. It emphasizes the need for governments to actively market their countries to potential investors, bridging the information gap and making opportunities more visible.[101] *Bamituni* recognised that while there is debate about where investment promotion fits within the field of marketing, some scholars have noted its similarities to industrial marketing, while others see similarities with destination marketing. *Bamituni* was of the view that investment promotion sits at the intersection of both and that it involves marketing a country as a business destination while targeting specific industries and investors.[102]

Investment promotion is carried out by an investment promotion agency which is created by governments and has a core function of marketing the country to foreign investors. *Bamituni* noted that while there are many activities conducted in investment promotion, these activities have been grouped into four core functions namely, image building which relates to creating awareness and generating positive

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[97] Brooke Skartvedt Guven, Briefing Note: Investment Promotion and Facilitation for Sustainable Development (Columbia Center on Sustainable Investment, July 2020) < https://ccsi.columbia.edu/sites/ccsi.columbia.edu/files/content/docs/publications/Briefing-Note-Investment-Promotion-and-Facilitation-for-Sustainable-Development-FINAL.pdf > accessed 10 September 2025.

[98] Bamituni E Abamu, 'Introducing Investment Promotion: A Marketing Approach to Attracting Foreign Direct Investment' (2019) 11(4) International Journal of Marketing Studies < https://www.ccsenet.org/journal/index.php/ijms/article/view/0/41359 > accessed 11 September 2025.

[99] ibid

[100] ibid

[101] ibid

[102] ibid

views and perceptions about a country as an attractive investment destination, this is done through advertising, partnerships and public relations campaigns.[103] The second is investment generation which is done by targeting specific foreign investors and convincing them to establish their investment in the country by identifying target investors through direct contact, forums, seminars and reaching-out campaigns.[104] The third is investment facilitation by assisting an investor in analysing his decision, assist in establishing a business and ensure it continues to operate through the provision of information, assistance in getting approvals, assistance with locating suitable sites and provision of adequate utilities.[105] And lastly policy advocacy's by supporting initiatives that improve the investment climate and identifying private sector views through surveys, participation in inquiry or compliance task forces, policy proposals and lobbying.[106]

It can therefore be seen that tourism marketing and investment promotion are similar and often used interchangeably in relation to investment promotion and are essentially vital tools for driving economic growth and attracting foreign investment through showcasing a country's unique assets to the global market and attracting investors and consumers alike.

3.2 TOURISM MARKETING, INVESTMENT PROMOTION AND FDI IN THE TOURISM SECTOR

It is important to reemphases the importance of FDI in the tourism sector in today's economies as it plays a key role in economic growth in both developing and developed countries. Therefore, to compete for the attraction of foreign investment globally, countries need to build the ability to attract investors, keep them interested and make the most of the benefits their investments bring.[107] Tourism over the years has become one of the largest industries and one of the fastest growing income generating sectors which play important role in the economic development of a

[103] ibid
[104] ibid
[105] ibid
[106] ibid
[107] Columbia Center on Sustainable Investment, Overview of Investment Promotion (Columbia University) < http://mci.ei.columbia.edu/initiatives/private-sector-development/overview-of-investment-promotion/ > accessed 14 September 2025.

country by generating direct foreign revenues.[108] Besides the foreign earning, tourism creates the country's brand image with the countries tradition, norms, natural resources and history.[109] Image, brand awareness and perceptions play a big role in where companies choose to invest.[110] Businesses decide where to invest based on the information they have and how well they understand what a location has to offer.[111] That's why investment promotion and marketing is so important as it helps attract foreign investment. As a result, many countries have set up investment promotion agencies and their numbers have quickly risen around the world.[112] Normally, marketing has traditionally been strategy businesses use to reach their customers, but now governments are now using it, especially to attract foreign investment.[113] This has led to increased competition among countries and regions to attract inflow of FDI, forcing national and regional governments to adopt various marketing practices or investment promotion strategies.[114]

3.3 ZAMBIA'S CURRENT TOURISM MARKETING STRATEGY

The ZTA has crafted a strategic plan for 2022–2026 that aligns with major national policy frameworks, including the 8NDP, vision 2030 and the tourism master plan 2038.[115] This strategy positions tourism as a key driver of economic transformation, with strong potential to boost productivity, stimulate business growth and create employment, particularly for youth and women.[116] The plan articulates ZTA's vision, mission and core values and lays out a comprehensive roadmap for implementation. It includes strategic pillars, objectives and actionable strategies informed by both

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[108] Mst Khadijatul Kobra, Kamrul Hasan Bhuiyan and Nurul Mohammad Zayed, 'Well and Woes of Tourism Promotion in Bangladesh: Investment Perspective' (2018) 22(3) Academy of Marketing Studies Journal < https://www.abacademies.org/articles/well-and-woes-of-tourism-promotion-in-bangladesh-investment-perspective-7256.html > accessed 14 September 2025.
[109] ibid
[110] Henry Loewendahl, 'A Framework for Investment Promotion' (2001) 10(1) Transnational Corporations < https://digitallibrary.un.org/record/450719 > accessed 14 September 2025
[111] n97
[112] ibid
[113] Torfinn Harding and Beata S Javorcik, FDI Promotion and Comparative Advantage (University of Oxford) < https://users.ox.ac.uk/~econ0247/Harding_Javorcik_Maggioni.pdf > accessed 14 September 2025.
[114] n97
[115] Zambia Tourism Agency, 2022–2026 ZTA Corporate Strategic Plan (Zambia Tourism Agency 2022) < https://www.zambia.travel/MarketingDownloads/strategicplan.pdf >
[116] ibid

internal assessments and external environmental analyses.[117] The strategy is guided by foundational principles designed to steer the agency toward sustainable growth and memorable visitor experiences. This strategic plan for 2022–2026 is built around six strategic pillars designed to drive value creation and realize the agency's long-term vision. These pillars reflect intentional and results oriented decisions aimed at transforming the tourism sector into a dynamic engine of economic growth. They include strengthening stakeholder engagement to foster inclusive development, enhancing marketing and brand visibility to position Zambia as a premier destination and improving financial sustainability through diversified revenue streams. Additionally, the plan emphasizes regulatory improvements to ensure quality standards, operational excellence for efficient service delivery and human capital development to build a skilled and motivated workforce. Together, these pillars form a cohesive framework that guides ZTA's efforts to unlock the full potential of Zambia's tourism industry.

The ZTA's plan for 2022–2026 align with global recommendations from international organisations such as UNWTO, UNCTAD and the World Bank on how countries can grow tourism and attract investment.[118] This shows a strong commitment to turning tourism into a key part of Zambia's economy through the inclusion of important goals such as community involvement, destination branding, quality assurance and workforce development as key drivers of tourism competitiveness and investment readiness.[119]

However, in order to increase and retain FDI in the tourism sector, the plan could be improved by the inclusion of more detail specific strategies aimed at providing clear and more friendly investment policies tailored to the sector, promotion of sustainability, the use of modern technology and creating systems that help investors feel welcomed and supported in the sector.

In today's world, technology plays a vital role in every economy by driving innovation, increasing productivity and enabling global connectivity that fuels business growth and competitiveness. Therefore, it is import for countries to integrate technologies

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[117] ibid

[118] United Nations World Tourism Organization, Tourism for Development – Volume I: Key Areas for Action (UNWTO 2017) < https://www.e-unwto.org/doi/book/10.18111/9789284419401 > accessed 20 September 2025.

[119] ibid

within their processes and systems. The ZTA's plan for 2022–2026 falls short in addressing digital transformation which is an area that is increasingly prioritized by global investors today.[120] By integrating smart technology with marketing and investment promotion activities, Zambia's appeal to investors would drive in the necessary capital to sustainably develop and grow the tourism sector. Further, the absence of provision of a robust monitoring and evaluation framework in the plan also limits the ability to track progress and make data driven adjustments that could help align policy formulation, marketing and investment promotion strategies with global and domestic trends that may influence investor decisions.[121] Without a robust monitoring and evaluation system that is transparent, it makes it difficult to adjust policies, marketing and investment strategies to match with global trends which affect investor's decisions.

3.4 CONCLUSION

In conclusion, while Zambia's tourism marketing and investment promotion strategies demonstrate a strong commitment to aligning with global standards and fostering economic growth, key gaps remain that could hinder their full potential. The lack of emphasis on digital transformation and the absence of a robust monitoring and evaluation system limits the country's ability to attract and retain international investors in a competitive global market. In order to strengthen its position, Zambia must adopt more targeted investor friendly policies, embrace modern technology, and implement transparent systems that allow for continuous improvement. These enhancements would not only boost investor confidence but also ensure sustainable development of the tourism sector as a vital pillar the economy.

[120] United Nations World Tourism Organization, Digital Transformation (UNWTO, 2025) https://www.untourism.int/digital-transformation accessed 20 September 2025

[121] United Nations World Tourism Organization, Tourism for Development – Volume I: Key Areas for Action (UNWTO 2017) 45.

CHAPTER FOUR
LESSONS FROM RWANDA AND SOUTH AFRICA ON HOW ZAMBIA'S LEGAL AND ADMINISTRATIVE FRAMEWORKS CAN BE REINFORCED TO ENHANCE FOREIGN DIRECT INVESTMENT IN THE TOURISM SECTOR

4.0 INTRODUCTION

This chapter draws lessons from Rwanda and South Africa to explore how Zambia can strengthen its legal and administrative frameworks to enhance FDI in the tourism sector. These countries have successfully integrated FDI into their tourism strategies, achieving substantial benefits through streamlined regulatory frameworks and robust international marketing campaigns. Their success highlights how a well-structured approach to FDI can foster sustainable tourism growth. Drawing lessons from regional success stories and tailoring policies to its unique context could enable Zambia to emerge as a leading tourism destination, fostering inclusiveness, resilience and long-term growth in the sector.

4.1 RWANDA'S POSITION ON FOREIGN DIRECT INVESTMENT ATTRACTION IN THE TOURISM SECTOR

Rwanda has been recognised as one of Africa's rapidly growing economies, with a significant portion of its GDP backed by its tourism sector.[122] Rwanda has positioned itself as one of the top global attractions for both tourism and investment through its strategic policy and administrative frameworks which makes doing business seamless. In 2024 Rwanda's tourism sector broke all records, contributing 1.9 trillion Rwanda *franc* to its GDP, which represented 9.8% of the national economy, a 17.7% increase from its previous peak in 2019 with record levels of international visitor spending and employment.[123] Therefore, Rwanda is one of the best jurisdictions to draw a lesson on how to make Zambia tourism sector more effective to draw in more FDI.

4.1.1 Legal and Institutional framework for foreign direct investment in Rwanda tourism sector

Rwanda's tourism sector is regulated primarily by the **Investment Code of**

[122] World Travel & Tourism Council, Rwanda's Travel & Tourism Sector Broke All Records in 2024 (WTTC, 27 June 2025) < https://wttc.org/news/rwandas-travel-tourism-sector-broke-all-records-in-2024 > accessed 20 October 2025.

[123] ibid

Rwanda[124] for investment in the sector and the **Law Regulating Tourism in Rwanda**[125] for licencing and operations. The **Investment Code** recognises certain sectors as priority sectors which also includes the tourism sector.[126] The law further offers key incentives which include a 0% corporate income tax rate for international companies that establish regional headquarters in Rwanda and meet specific investment, employment, and operational criteria.[127] Additionally, investors who commit at least USD 50 million with 30% equity in the tourism sector and complete the investment within seven years are eligible for a corporate income tax holiday of up to seven years.[128] These incentives aim to attract long-term capital and enhance Rwanda's position as a competitive tourism and investment destination.

Rwanda's investment promotion agency Rwanda development board (RDB) is a government institution tasked with accelerating Rwanda's economic development by fostering private sector growth.[129] Operating under the supervision of the office of the president, RDB is governed by a board of directors comprising of global entrepreneurs and experts.[130] Established in 2008 through the merger of eight government agencies including the tourism agency.[131] RDB was designed to serve as a one stop shop for business and investment services, drawing on international best practices and global expertise.[132] RDB's core services include business and investment registration, visa facilitation, environmental impact assessments, tax incentive management, investment promotion and negotiation, export and special economic zone development, tourism and conservation and private sector skills development. Through these services, RDB supports investors throughout their journey and works to position Rwanda as one of Africa's most competitive business destinations.

Visit Rwanda is a government led initiative managed by the RDB to promote tourism, which is a key part of the national economy. The initiative focuses on attracting

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124 Law 006/2021 of 05/02/2021
125 Law 12TER of 2014
126 Law 006/2021 of 05/02/2021
127 ibid
128 ibid
129 Rwanda Development Board, Investment Opportunities in Tourism (Rwanda Development Board, 2025) < https://rdb.rw/investment-opportunities/invest-in-tourism/ > accessed 20 October 2025.
130 ibid
131 ibid
132 ibid

visitors and investors to Rwanda by highlighting its natural beauty, rich culture and commitment to conservation and sustainable tourism.[133] In May 2017, the RDB appointed the Portland communications agency to lead a strategic rebranding initiative aimed at reshaping Rwanda's image in the United Kingdom media and boosting tourism.[134] Consultant Annabel Illingworth spearheaded the effort to shift global perceptions from Rwanda's tragic past to its emergence as a hub for responsible tourism and tech innovation. Her focus was on increasing the average length of stay by showcasing the country's diverse attractions beyond gorilla trekking, particularly targeting high end tourists aligned with the premium pricing of gorilla permits.[135] This led to the creation of the *Visit Rwanda* brand, a new website covering tourism, trade and investment and a series of promotional films distributed across African TV, online platforms and events.[136] Rwanda has significantly invested in its branding efforts through strategic international partnerships and collaborations by the *Visit Rwanda* brand. This can be seen from high profile football sponsorships by Rwanda, beginning with the English premier league club Arsenal and later extending to French club Paris Saint Germain (PSG). The partnership with Arsenal was officially announced on 23 May 2018, marking RDB as the club's first official sleeve sponsor. This collaboration aimed to elevate Rwanda's profile as a top tourist destination by prominently featuring the *Visit Rwanda* branding on Arsenal's football kits and across its global media platforms, thereby leveraging the club's extensive international fanbase to reshape perceptions and attract high end tourism and investment. Further, celebrity involvement has played a significant role in promoting Rwanda's tourism brand, particularly through high profile visits and social media exposure. In 2018, famous American actress Portia de Rossi gifted famous American tv host Ellen DeGeneres a trip to Rwanda for her 60th birthday, which included a visit to the Dian Fossey Gorilla Fund in *Kinigi*, Rwanda and the introduction of a new campus named after DeGeneres. The couple shared their experiences widely across social media, reaching a combined audience of over 150 million followers. During their visit, they

[133] Thomas Yaw Voets, '"Visit Rwanda": a well primed public relations campaign or a genuine attempt at improving the country's image abroad?' (2023) 19 Place Branding and Public Diplomacy 143 https://link.springer.com/article/10.1057/s41254-021-00206-6
[134] ibid
[135] ibid
[136] ibid

met with President Kagame and Clare Akamanzi, posing with a *Visit Rwanda* placard which further amplified the country's visibility. These marketing and branding strategies by the *Visit Rwanda* team have helped reinforce Rwanda's image as a premium travel destination and showcased its commitment to conservation and unique wildlife experiences.

4.2 SOUTH AFRICA'S POSITION ON FDI ATTRACTION IN THE TOURISM SECTOR

South Africa has been dominating and recognised with other countries such as Egypt Morrocco and Kenya as reporting record breaking arrivals as Africa's leading destinations for both tourism and investment driven by its expanded flight networks, infrastructure investment and rising global demand for cultural, safari and coastal experiences.[137] To accelerate its growth and sustainability in the tourism sector, South Africa has implemented strategic marketing and policy interventions that have helped them increases there FDI and tourism numbers, hence South Africa is a sound jurisdiction to draw lessons from.

4.2.1 Legal and Institutional framework for FDI in South Africa's tourism sector

South Africa's tourism sector is primarily regulated by the **Tourism Act**[138] which makes provisions for the development and promotion of sustainable tourism for the social, economic and environmental benefit of South African citizens and the **Protection of Investment Act**[139] which aims to safeguard investors and their investments, establish a fair balance of rights and obligations for all investors and address related matters. South Africa's department of trade, industry and competition in an effort to make doing business in South Africa easier for domestic and foreign investors established *InvestSA*, a one stop shop which forms part of South Africa's effort to reduce regulatory red tape and accelerate the FDI in the country.[140] The one stop shop is the focal point of contact in government for all investors to coordinate and facilitate the relevant government departments involved regulatory, registration,

[137] Africa Briefing, 'Africa leads world in tourism growth' (26 August 2025) Africa Briefing https://africabriefing.com/africa-tourism-growth-2025
[138] Act 3 of 2014
[139] Act 22 of 2015
[140] InvestSA, One Stop Shop for Investors (InvestSA) < https://www.investsa.gov.za > accessed 23 October 2025.

permits and licences. *InvestSA* further significantly shortens and simplify administrative procedures and guidelines for the issuance of business approvals, permits, licences and thereby remove bottlenecks faced by investors in establishing and running a business.[141] Its success can be lightly attributed from the **Intergovernmental Relations Framework Act**[142] which encourages cooperation between national, provincial, and local governments and ensures alignment of development goals across regions including the tourism sector.

4.3 COMPARATIVE ANALYSIS

Zambia has over the years strived to improve its legal and administrative farmwork with regards to FDI and this can be seen from various statutory amendments and the introduction of new statutory bodies such as the BRRA. It can be argued that these reforms are progressive but their implementation is inadequate as compared to its regional competitors such as Rwanda and South Africa who are doing very well in attracting FDI in their jurisdictions.

To begin with, Rwanda's **Investment Code**[143] stands out for its clear and strategic express prioritization of the tourism sector. Through its Investment Code and Tourism Law, Rwanda explicitly identifies tourism as a priority sector for national development, offering targeted incentives such as tax breaks, duty exemptions and streamlined licensing processes to attract investors. This legal clarity not only boosts investor confidence but also aligns public and private efforts toward sustainable tourism growth. As a result, Rwanda has made significant improvements in infrastructure, international visibility and FDI in the tourism sector. In contrast, Zambia's reliance on ministerial directives to define priority sectors brings up inconsistencies and incoordination in policy implementation which further reduces investor confidence. This may hinder Zambia's ability to compete regionally, attract long term investment and fully capitalize on its rich natural and cultural tourism assets. Without legislative backing, tourism development risks being inconsistent and underfunded, slowing economic diversification and job creation in a sector with high growth potential.

[141] ibid
[142] Act 13 of 2005
[143] Law 006/2021 of 05/02/2021

In South Africa and Rwanda, both countries have implemented a centralized one stop shop for investment, in south Africa being InvestSA and in Rwanda the RDB. Their core functions are to streamline processes, reduce bureaucratic delays, and enhance coordination across government agencies. These hubs provide clear guidance, fast-track approvals and dedicated support for tourism investors, making the investment process more efficient and attractive. Additionally, both countries maintain strong international marketing campaigns for example, South Africa leverages platforms like *INDABA* and collaborates with global travel media while Rwanda partners with high profile brands such as *Arsenal FC* and *PSG* to promote its *Visit Rwanda* brand. Zambia has made provision of a one stop shop being the BRRA which has not been fully performing its purpose as other licensing agencies and stakeholders are yet to come onboard, hence services are still fragmented. Further, Zambia is yet to establish consistent international marketing partnerships and collaborations unlike its regional competitors. While recent efforts like the BBC campaigns signal light progress, the absence of a permanent, integrated investment and sustainable global outreach campaign limits Zambia's visibility and competitiveness.[144] Without strategic collaboration and streamlined services, Zambia risks falling behind in a region where tourism is increasingly seen as a key driver of economic growth.

In South Africa, the **Intergovernmental Relations Framework Act**[145] establishes mechanisms for structured cooperation among government departments and agencies enabling smoother policy alignment and implementation, dispute resolution and joint planning. In the tourism sector, this framework empowers bodies like South African Tourism and the Department of Tourism to work cohesively with provincial and municipal authorities. This legal backing ensures that tourism strategies are implemented uniformly, with shared responsibilities and consistent messaging across all levels of government. Zambia lacks a comparable legislative framework to encompass intergovernmental coordination. This absence contributes to fragmented roles among tourism related departments and agencies, inconsistent policy implementation and limited collaboration between government entities. Without a

[144] Zambia Tourism Agency, Zambia Tourism Agency Signs Tourism Promotion Campaign with BBC and Expedia (Ministry of Tourism, 24 July 2025) < https://www.mot.gov.zm/?p=4438 > accessed 23 October 2025

[145] Act 13 of 2005

formalized structure like South Africa, Zambia faces challenges in aligning tourism development efforts which can hinder investment attraction, infrastructure development and effective marketing.

4.4 LESSONS FOR ZAMBIA

4.4.1 Establish a legal framework for intergovernmental coordination

South Africa's **Intergovernmental Relations Framework Act** provides a structured legal basis for collaboration across government levels. Zambia can learn from this by enacting similar legislation to formalize coordination among tourism related agencies, ensuring consistent policy implementation and shared accountability.

4.4.2 Create a centralized and effective one-stop shop

Rwanda and South Africa both operate efficient one-stop shop that streamline investor services. Zambia should prioritize establishing a permanent, centralized one stop shop by assimilating the BRRA into ZDA to reduce bureaucratic delays, improve investor experience and attract tourism related investment alike RDB.

4.4.3 Strengthen International marketing and partnerships

South Africa and Rwanda actively engage in global tourism campaigns and strategic partnerships. Zambia can enhance its visibility by investing aggressively in long term international marketing strategies and collaborating with global brands to promote its unique tourism offerings.

4.4.4 Express provision of priority sectors in investment Act

Rwanda have expressly defined priority sectors in its investment code which have led to legal certainty and strategic direction needed to attract sustainable investment in Rwanda. Zambia may take lessons and shift from ad hoc ministerial directives to a stable legislative framework that could enhance investor confidence, improve policy coordination and unlock the full potential of Zambia's tourism sector.

4.5 CONCLUSION

Given Zambia's rich cultural and natural heritage, the country is well positioned to adopt similar strategies as Rwanda and South Africa and strengthen its presence in the global tourism investment market. By reforming its legal, administrative, and policy frameworks, Zambia can cultivate a more attractive investment climate for foreign stakeholders.

CHAPTER FIVE
CONCLUSIONS AND RECOMMENDATIONS

5.0 INTRODUCTION

This chapter presents the conclusion and recommendations based on the findings from the previous chapters (1- 4) and aims to guide stakeholders toward reforms that can improve investor confidence, streamline governance, and position Zambia as a competitive destination for tourism investment.

5.1 GENERAL CONCLUSION

This study sought to identify the legal and administrative hurdles to attract foreign direct investment in Zambia's tourism sector and further compare and draw lessons from regional competitors being Rwanda and South Africa. The study discovered that Zambia is falling back behind its regional competitors being Rwanda and South Africa due to non-sector specific legislation, fragmented or ineffective marketing strategy and the failure to make it easy for a foreign investor in the tourism sector to integrate themselves due to a lack of facilities such as an effective one stop shop. These hurdles don't only limit the inflow of FDI but it further diminishes all efforts of economic development and all benefits that come with FDI. Therefore, it is vital for Zambia to realign its self to global best practice in FDI retention and high inflow within its tourism sector to develop and empower its citizens.

5.2 SUMMARY OF CHAPTERS

5.2.1 CHAPTER ONE

Chapter one provides insights and a brief history on how foreign direct investment is a vital element of an economy and how it further impacts the tourism sector in Zambia and other jurisdictions. The chapter further analysis potential legal and administrative hurdles that affect FDI inflow and retention in the tourism sector and three main problems were found being, ineffective and fragmented marketing strategies, a lack of sector specific legislation for the tourism sector and a lack of a robust and coordinated one stop shop. Three research objectives where found, the first being to analyse the legal challenges and administrative frameworks impacting foreign direct investment in Zambia's tourism sector, the second was to analyse the effectiveness of Zambia's current marketing and investment promotion strategies in attracting international investors to the tourism sector and the third is to draw lessons from Rwanda and South Africa on how Zambia's legal and administrative frameworks can be reinforced to enhance Foreign Direct Investment in the tourism sector. Further, 3 research questions were identified from the above objectives and where to be addressed in the subsequent chapters. The chapter further highlighted the significance and scope of study which is to provide insights into best practices that could enhance tourism driven economic growth and was limited to the legal and administrative barriers that impact foreign direct investment in Zambia's tourism sector while drawing lessons from Rwanda and south Africa. Various pieces of literature in relation to this topic were reviewed and it was common understanding that there is a scarcity of literature with regards to the correlation between FDI and the tourism sector with scholars emphasising on the lack of empirical studies on the matter. A significant research gap was further discovered being the effectiveness of marketing strategies, legal challenges, administrative frameworks, and investment policies in driving FDI into the tourism sector.

5.2.2 CHAPTER TWO

Chapter 2 focused on legal and administrative frameworks impacting foreign direct investment in Zambia's tourism sector. The chapter defined and highlighted the current state of FDI and the tourism sector in Zambia. It goes on to analysis the institutional framework such as departments under the ministry of tourism and other statutory bodies such as the Zambia tourism agency, national museum board among others and the legal framework of FDI in Zambia's tourism sector such as the Zambia development agency act and the Investment, trade and business development act. Legal and administrative challenges in the sector were addressed being the ineffectiveness of the BRRA which is supposed to be Zambia's one stop shop due to their failure to on board the relevant stakeholders. and a lack of legislation expressly identifying tourism as a priority sector to be able to facilitate more progressive sector specific policies and incentives. The chapter concludes that it is necessary for Zambia to achieve a balance between government revenue generation and investor interests, by establishing clear, transparent legislation and further, facilitating easier investor entry through the provision and execution of functional, efficient, and user-friendly processes such as streamlined processes and one stop shops to unlock the sector’s full potential.

5.2.3 CHAPTER THREE

Chapter 3 considers the effectiveness of Zambia’s current marketing and investment promotion strategies in attracting international investors to the tourism sector. The chapter defines two vital concepts being tourism marketing and investment promotion and further analysis the correlation between the two concepts and FDI in the sector. The chapter further analysis Zambia’s current marketing strategies and concludes that Zambia’s tourism marketing and investment promotion strategies demonstrate a strong commitment to aligning with global standards and fostering economic growth, but key gaps remain that could hinder their full potential. The lack of emphasis on digital transformation and the absence of a robust monitoring and evaluation system limits the country’s ability to attract and retain international investors in a competitive global market. In order to strengthen its position, Zambia must adopt more targeted investor friendly policies, embrace modern technology, and implement transparent systems that allow for continuous improvement. These enhancements would not only boost investor confidence but also ensure sustainable development of the tourism sector as a vital pillar the economy.

5.2.4 CHAPTER FOUR

Chapter 4 draws lessons from Rwanda and South Africa on how Zambia’s legal and administrative frameworks can be reinforced to enhance foreign direct investment in the tourism sector. The chapter considers Rwanda and South Africa’s current position on foreign direct investment attraction in their tourism sectors specifically focusing on their legal and Institutional frameworks. The chapter further compares Zambia’s current legal and institutional framework to those of Rwanda and South Africa. 4 lessons were identified from the comparative analysis being, that Zambia must establish a legal framework for intergovernmental coordination, Zambia must reenforce or create a centralized and effective one-stop shop, Zambia must strengthen international marketing and partnerships and Zambia must express provision of priority sectors in investment Act. The chapter concludes that Zambia is well positioned to adopt similar strategies as Rwanda and South Africa and strengthen its presence in the global tourism market. By reforming its legal, administrative, and policy frameworks, Zambia can cultivate a more attractive investment climate for foreign stakeholders.

5.3 RECOMMENDATIONS

Having highlighted the legal and administrative hurdles to FDI attraction in Zambia's tourism sector, and further drawing lessons from Rwanda and South Africa. The author will proceed to provide recommendations on how Zambia may improve its legal and administrative framework in order to draw more sustainable FDI in the tourism sector.

5.3.1 Enhancement of efficiency of FDI in the tourism sector

The multiplicity of licensing agencies and departments with regards to investment in the tourism sector makes it difficult for foreign investors to understand and be complaint with all regulations. Hence the need to improve efficiency in the sector by delegating all permit and licensing authority with regards to investment in the tourism sector to the ZDA, together with all powers and responsibility of the BRRA with regards to streamlining processes. This will make ZDA's role as an investment promotion agency and the investor more convenient as it will be an efficient one stop shop.

5.3.2 Realignment of Zambia's marketing strategy

In order to make Zambia more attractive to tourists and foreign investors, Zambia must invest in innovative and captivating marketing campaigns by collaborating with top globally recognised brands and celebrities as this will boost Zambia's global image. Further, Zambia must introduce and effective research and development framework to its marketing and branding strategy to understand the current market climate for tourism investment.

5.3.3 Technology integration

Most jurisdictions have focused on technology and integrated into their daily business, even in investment attraction efforts. If Zambia seeks to adequately compete on the global market to attract FDI in its tourism sector, Zambia must invest in technology that makes it easier for investors to integrate and operate effectively in the sector. This can be done for example, by making all registration and licensing processes online and further providing a wide range of updated information on the sector online.

5.3.4 Expressly define priority sectors in investment legislation

To strengthen Zambia's tourism investment climate, the government must adjust its investment legislation to explicitly define priority sectors. Moving away from ad hoc ministerial order to codified legal provisions would enhance transparency, reduce policy uncertainty and foster greater investor confidence.

5.3.5 Establish a legal framework for intergovernmental coordination

To enhance coordination within Zambia's tourism sector, the government must establish a formal legal framework for intergovernmental relations. Such legislation would provide a sound basis for collaboration among national, provincial and local tourism agencies, promoting consistent policy implementation, reducing duplication of efforts and fostering shared accountability. This would improve investor confidence, making Zambia's tourism sector more attractive to foreign investors by reducing regulatory uncertainty and demonstrating a commitment to a stable and transparent governance system.

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SCHOOL OF LAW

L400B / Dissertation II – DIRECTED RESEARCH (OBLIGATORY ESSAY)

RESEARCH CLEARANCE FORM

NAME: ISAAC SISEHO MUTONDO STUDENT NUMBER: LLB21210745

SUPERVISOR: MILAMBO CHIBBONTA PUPWE TOPIC: NAVIGATING LEGAL AND ADMINISTRATIVE HURDLES TO ATTRACT FOREIGN DIRECT INVESTMENT IN ZAMBIA'S TOURISM SECTOR. A COMPARATIVE ANALYSIS WITH RWANDA AND SOUTH AFRICA.

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Chapter 2 –	APPROVED	5/9/25	05/09/2025
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