
EXTRACT FROM ORDER NATIONAL ASSEMBLY PAPER FOR TUESDAY 30 MAY 2023

NOTICE OF AMENDMENTS

Electoral Amendment Bill, (H B 11, 2022)

INSERTION OF NEW CLAUSE 4 (Amendment of section 10 of Cap. 2:13)

BY HON. HWENDE

The Bill is amended on page 2 after new clause 3 by the insertion of following—

4. Amendment of section 10 of Cap. 2:13

The principal Act is amended in section 10 (“Staff of Commission during elections”) by the insertion of the following proviso to sub-section (1)—

“Provided that, such staff seconded to the Commission for the purposes of elections must not be political party activists or have traceable affiliation to any political party.”.

And subsequent clauses re-numbered accordingly.

INSERTION OF NEW CLAUSE 6 (Amendment of section 17A of Cap. 2:13)

BY HON. HWENDE

The Bill is amended on page 2 before clause 3 by the insertion of the following—

6. Amendment of section 17A of Cap. 2:13

The Principal Act is amended in section 17A (“Voter registration to be conducted continuously”) after sub-section (2) by the insertion of the following sub-sections after

—
“(3) The Commission and the Registrar General shall ensure that an electronic biometric voter registration is kept and maintained.”.

And subsequent clauses re-numbered accordingly.

INSERTION OF NEW CLAUSE 8 (Amendment of section of 21 Cap. 2:13)

BY HON. HWENDE

After new clause 7, insert the following—

8. Amendment of section of 21 Cap. 2:13

The Principal Act is amended in section 21 (“Inspection of voters rolls and provision of copies”) by the repeal of sub-section (2) and the substitution of the following—

“(2) A person inspecting any voters roll in terms of subsection (1) may, without removing the roll from the office where it is kept—

- (a) photograph or make a copy of the roll or any part of it; and
- (b) make written notes of anything contained in it.”

And subsequent clauses re-numbered accordingly.

**INSERTION OF NEW CLAUSE 12 (Amendment of section 40I of Cap. 2:13)
BY HON. HWENDE**

The Bill is amended on page 2 in line 8 before clause 3 by the insertion of the following—

12. Amendment of section 40I of Cap. 2:13

The Principal Act is amended in section 40I (“Accreditation of observers”) in sub-section (1a) by the insertion of the following sub-paragraph—

“(b1) open observer accreditation at least six months before any General election and one month before any by-election.”.

And the subsequent clauses shall accordingly be renumbered.

**INSERTION OF NEW CLAUSE 18 (Amendment of section 47 of Cap. 2:13)
BY HON. GONESE**

The Bill is amended by the insertion of a new clause on page 7 in line 40 as follows—

“18. Amendment of section 47 of Cap. 2:13

The Principal Act is amended in section 47 (“Nomination fee”) by the insertion a new sub-section (2) as follows—

“(2) The nomination fee shall neither be exorbitant nor inhibitive but reasonable enough to allow an eligible citizen to stand for election for public office.”.

And the subsequent clauses shall accordingly be renumbered.

**NEW CLAUSE 20 SUBSTITUTING PREVIOUSLY CLAUSE 9 (Insertion of sections
to Cap. 2:13)**

BY HON GONESE

The Bill is amended on page 8 between lines 1 and 5 by the deletion of clause 9 (now clause 31) and the substitution of the following—

“20. Insertion of sections to Cap. 2:13

The principal Act is amended by insertion of the following section 52B and C—

“52B. Printing of Ballot Paper

The Commission shall call for a competitive tender to print ballot papers and all related electoral material including the procurement of indelible ink, the supply of ballot boxes and all relevant material.

52C. Zimbabwe Election Commission National Logistics Committee

(1) Every political party in Parliament should have one representative each in the Commission’s National Logistics Committee established in terms of paragraph 7 of the First Schedule to the Zimbabwe Electoral Commission Act [*Chapter 2:12*].

(2) All other political parties that are not in parliament shall have one representative in the Commission’s National Logistics Committee.

And subsequent clauses re-numbered accordingly.

INSERTION OF NEW CLAUSE 23 (Amendment of section 64 of Cap 2:13)

BY HON. HWENDE

The Bill is amended on page 8 by the insertion of the following new clause after new clause 22—

23. Amendment of section 64 of Cap 2:13

Section 64 (“Procedure after counting at polling station”) of the principal Act is amended by the insertion of the following sub-section after sub-section (2) —

“(3) After affixing a polling station return on the outside of the polling station in terms of subsection (1)(e), the presiding officer shall personally transmit the polling station returns electronically directly to the National Tallying Centre which shall post the returns on a public portal.”.

And subsequent clauses re-numbered accordingly.

BY HON. GONESE

INSERTION OF NEW CLAUSE 28 (Insertion of new section to Cap 2:13)

The Bill is amended on page 8 by the insertion of the following new clause after new clause 27—

28. Insertion of new section to Cap 2:13

The principal Act is amended by insertion of the following sections after section 81 —

“81H. Procedure for voting by citizens outside Zimbabwe

The commission shall establish voting facilities in such countries hosting a significant number of Zimbabweans who shall cast their votes for Presidential candidates only.

And subsequent clauses re-numbered accordingly.

INSERTION OF NEW CLAUSE 31 (Amendment of section 133 of Cap :13)

BY HON. GONESE

The Bill is amended on page 8 by the insertion of the following new clause after new clause 30—

“31. Amendment of section 133 of Cap :13

The principal Act is amended in section 133 (“Responsibilities of political parties and candidates”) by the insertion of the following sub-paragraphs after paragraph (c) —

“(d) The Code of Conduct set out in the Fourth Schedule shall be binding on all political parties, candidates and agents participating in an election.

(e) If any party violates the provisions of the Code, the Commission may—

(vi) disqualify the candidate from participating in the election in the constituency or ward concerned; or

(vii) stop the candidate or party from campaigning for a period of time; or

(viii) issues a warning; or

(ix) forfeit a candidate’s deposit; or

(x) bar the party, agent or candidate from not using the media.”.

And the subsequent clauses shall accordingly be renumbered.

INSERTION OF NEW CLAUSE 33 (Amendment of section 160G of Cap 2:13)

BY HON. GONESE

The Bill is amended on page 8 by the insertion of the following new clause after new clause 32—

33. Amendment of section 160G of Cap 2:13

Section 160G (“Access to public broadcasting media”) of the principal Act is amended in subsection (2) —

(c) by the insertion of the following paragraphs —

“(f) a code of conduct to govern media practitioners’ conduct during elections and the penalties for contravening the code.

(g) that appropriate measures, as may be prescribed, are provided for to prevent any form of abuse or curtailment of the right of access to the broadcasting services.”.

(d) by the insertion of the following subsection after subsection (3) —

“(3) The media shall, as far as practicable, provide information in officially recognised languages or endeavour to translate .”.

And the subsequent clauses shall accordingly be renumbered.

INSERTION OF NEW CLAUSE 36 (Amendment of section 171 of Cap. 2:13)

BY HON MUSHORIWA

The Bill is amended on page 8 by the insertion of the following new clause after new clause 35—

36 Amendment of section 171 of Cap. 2:13

“The principal Act is amended in section Section 171 (“Provisions as to trial of election petition”) by the insertion of the following sub-sections after sub-section (2) —

“(3) Any question of fact to be determined on the trial of an election petition shall be decided on a balance of probabilities.

(4) At the trial of an election petition the Electoral Court shall endeavour to determine the real issues raised by the petition and, while observing the rules of natural justice, shall not be unreasonably restricted by procedural technicalities.”.

And the subsequent sections shall accordingly be renumbered.

INSERTION OF NEW CLAUSE 38 (Insertion of new section to Cap 2:13)

BY HON GONESE

The Bill is amended on page 8 by the insertion of the following new clause after new clause 37—

38. Insertion of new section to Cap 2:13

The principal Act is amended by the insertion of the following new section after section 182—

“182A. Assumption of Office by the President - Elect

(1) There shall be established an ad hoc Committee which shall be called the Assumption of the Office of President Committee which shall comprise of, the—

- (m) Chief Secretary to the Cabinet who shall be the Chairperson;
- (n) Permanent Secretary responsible for Justice, Legal and Parliamentary Affairs;
- (o) Permanent Secretary responsible for Home Affairs;
- (p) Permanent Secretary responsible for Foreign Affairs;
- (q) Permanent Secretary responsible for Local Government;
- (r) Permanent Secretary responsible for Defence;
- (s) Attorney General;
- (t) Chairperson of the Public Service Commission;
- (u) The Director General of the Intelligence Services ;
- (v) The Commander of the Defence Forces;
- (w) The Commissioner General of the Police Services;
- (x) The Commissioner General of the Prison Services.

(2) The Permanent Secretary responsible for Justice Legal and Parliamentary Affairs shall be the Secretary to the Committee.

(3) The Chairperson of the Committee shall convene the first meeting of the Committee upon the conclusion of the harmonized elections.

(4) The quorum of the Committee shall be two thirds of its membership

(5) The Committee shall —

- (h) to ensure the smooth transfer of power from an outgoing president to the president elect where applicable;
- (i) make arrangements for the security of the President Elect;
- (j) make arrangements for the briefing of the President Elect by public officials on relevant matters;
- (k) make provisions for the assignment of personnel and facilities for the president elect;
- (l) organise and coordinate meetings and communication between the outgoing president and president elect;
- (m) make preparations for the inauguration program;
- (n) execute any other functions and activities related to its mandate.

(6) The President Elect shall be entitled to consult the Committee in order to carry out any preparations necessary for the Assumption of Office.

(7) The President Elect shall be entitled to seek any information in writing from any Public Officer the President Elect considers necessary and such officer shall be obliged to provide such information.

(8) The Committee shall make all the necessary arrangements for the swearing in ceremony including publication in the Gazette.

(9) After the taking of the oath of office by the President Elect the outgoing President shall hand over the symbolic instruments of power being the Constitution and a sword

(10) This section shall not apply if the incumbent is re-elected into office.

And the subsequent sections shall accordingly be renumbered.

NOTICE OF AMENDMENTS

Insurance and Pensions Commission Amendment Bill, (H B 6, 2021)

BY THE MINISTER OF FINANCE AND ECONOMIC DEVELOPMENT

AMENDMENT OF CLAUSE 2

Clause 2 (**“Amendment of section 2 of Cap 24:21”**) of the Bill is amended on page 3 in line 17 by the insertion of the following paragraph after paragraph (b) —

“(c) by the insertion of the following definitions —

““asset” includes any property and any right, whether vested or contingent, of whatever kind provided that shares shall be exempted from being designated as assets;

“closely related” means any person who, the following shall be —

- (a) a father, mother, in law, brother or sister of the person;**
- (b) a partner of the person, unless a court or the Commissioner is satisfied that neither person acts in accordance with the directions, requests, suggestions or wishes of the other;**
- (c) a partner in a partnership, if the person, either alone or together with one or more associates, controls fifty per centum or more of the rights to the partnership’s income or capital;**
- (d) the trustee of a pension fund under which the person, or an associate of the person, benefits or may benefit;**
- (e) trustee of a pension Fund, or any other person who benefits or may benefit under the pension fund; and**
- (f) where the person is a company —**