



ZIMBABWE

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General Notice 316A of 1981.

### CONSTITUTION OF ZIMBABWE

#### Proposed Amendments to Draft Bill

NOTICE is hereby given, in terms of subsection (2) of section 52 of the Constitution of Zimbabwe, that the following amendments are proposed to be made to the draft Constitution of Zimbabwe Amendment (No. 2) Bill, 1981, which was published under General Notice 252 of 1981—

(a) in clause 4—

(i) in the proposed section 80, to delete subsection (3) and to substitute—

“(3) If the services of an additional judge are required for a limited period, the Chief Justice may appoint a person who holds the office of a judge of the High Court or who has held office as a judge of the Supreme Court or the High Court to act as a judge of the Supreme Court for such period as may be specified by the Chief Justice.”;

(ii) in the proposed section 81, to delete subsection (3) and to substitute—

“(3) The Chief Justice may, from time to time, after consultation with the Judge President of the High Court, appoint a judge of the Supreme Court to act as a judge of the High Court.”;

(b) in clause 5 to delete the proposed section 82 (2) and to substitute—

“(2) In computing, for the purposes of subsection (1) (b), the period during which any person has been qualified to practise as a legal practitioner—

(a) any period during which he was qualified to practise as an advocate or attorney in Zimbabwe shall be included; and

(b) any period during which he has held judicial office, whether in or outside Zimbabwe, after having so qualified as a legal practitioner shall be included;

and the reference in subsection (1) (b) to a legal practitioner shall include a reference to persons in other jurisdictions who have comparable functions or who have been admitted to practise the profession of law as advocates or attorneys by whatever name they may be called.”;

(c) after clause 5, to insert the following new clause and to renumber existing clauses accordingly—

New section substituted for section 83 of Constitution.

6. Section 83 of the Constitution is repealed and the following is substituted—

Oath of Office. “83. A judge of the Supreme Court or the High Court, including an acting judge, shall, before entering upon his office, take and subscribe before the President or some person authorized by the President in that behalf the oath of loyalty and the judicial oath in the forms set out in Schedule 1:

Provided that where a person is appointed in terms of section 80 (3) or 81 (3) to act as a judge of the Supreme Court or the High Court, as the case may be, it shall not be necessary for such person to take and subscribe the oaths referred to in this section in respect of such appointment.”;

(d) in the Schedule, in the third paragraph of the first column, to delete “83.”.

31-3-81.

S. V. MUBAKO,  
Minister of Justice and Constitutional Affairs.

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