

TITLE 9

Chapter 9:02

PREVIOUS CHAPTER**AMNESTY ACT**

Ord. 3/1979.

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Amnesty and abatement of proceedings in respect of certain acts, etc.

[Date of commencement: 21st December, 1979.]

1 Short title

This Act may be cited as the Amnesty Act [Chapter 9:02].

2 Amnesty and abatement of proceedings in respect of certain acts, etc.

(1) No legal proceedings whatsoever, whether civil or criminal, shall be instituted in any court of law in respect of any act to which this section applies, done within Southern Rhodesia or elsewhere, before the 21st December, 1979.

(2) The acts to which this section applies are—

(a) the making of the purported declaration of independence in Zimbabwe on 11th November, 1965, the purported making of constitutional provision for Zimbabwe otherwise than under the authority of the Parliament of the United Kingdom and, without prejudice to section 11 (1) of the Constitution (Interim Provisions) Ordinance 1979, any act done in good faith for the purpose of, or in connection with, resisting or combating any organization referred to in paragraph (b) or resisting, preventing or securing the apprehension of any person committing or having committed, or reasonably suspected of committing or having committed, any of the acts (whether or not themselves done in good faith) referred to in paragraph (b) or paragraph (c);

(b) the establishment of, membership of, support of or adherence to any organization having the purpose of resisting or frustrating the administration purporting to be the government of the territory of Zimbabwe established under any of the instruments styling themselves respectively “The Constitution of Rhodesia, 1965”, “The Constitution of Rhodesia, 1969”, and “The Constitution of Zimbabwe Rhodesia, 1979”, and any acts done between 11th November, 1965, and the 21st December, 1979 (whether or not done on the orders of any such organization) which were done in good faith in furtherance of that purpose or with a view to assisting any person acting in furtherance of that purpose;

(c) any acts (including acts by way of conspiracy or incitement) preparatory or incidental to any of the aforesaid acts.

(3) Any prosecution pending immediately before the 21st December, 1979, in respect of any act to which this section applies shall be discontinued on that day and any civil proceedings pending immediately before that day in respect of any such act shall abate and terminate on that day.

(4) The provisions of subsection (1) shall be without prejudice to any conviction sustained, sentence imposed or civil judgment given before the 21st December, 1979, but any such civil judgment or part of any such judgment that has been given in respect of an act to which this section applies and that has not been enforced before the 21st December, 1979, shall not be enforced thereafter.

(5) Where any civil proceedings abate and terminate in accordance with the provisions of subsection (3), the costs or expenses in the proceedings shall be in the discretion of the court.

(6) In this section “act” includes an omission, and references to the doing of an act shall be construed accordingly.

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