



# Zimbabwe Act 1979

## 1979 CHAPTER 60

An Act to make provision for, and in connection with, the attainment by Zimbabwe of fully responsible status as a Republic. [20th December 1979]

### Commencement Information

- II** Act wholly in force at Royal Assent. Independence Day under s. 1(1) appointed (18. 4. 1980) by [S.I. 1980/394](#).

### 1 Independence for Zimbabwe.

- (1) On such day as Her Majesty may by Order in Council appoint (in this Act referred to as “Independence Day”) Southern Rhodesia shall become an independent Republic under the name of Zimbabwe, and the unexpired provisions of the <sup>M1</sup>Southern Rhodesia Act 1965 shall cease to have effect.
- (2) On and after Independence Day Her Majesty’s Government in the United Kingdom shall have no responsibility for the government of Zimbabwe; and no Act of the Parliament of the United Kingdom passed on or after that day shall extend, or be deemed to extend, to Zimbabwe as part of its law.
- (3) An Order in Council under this section shall be laid before Parliament after being made.

### Modifications etc. (not altering text)

- C1** 18.4.1980 appointed under s. 1(1) by [S.I. 1980/394](#)

### Marginal Citations

- M1** 1965 c. 76.

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Zimbabwe Act 1979. (See end of Document for details)*

#### Textual Amendments

F1 S. 2 repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), [Sch. 9](#)

### 3 Amnesty in respect of certain acts.

- (1) No criminal proceedings or proceedings in tort or for reparation shall be instituted in any court of law in any part of the United Kingdom in respect of any act to which this section applies done, whether in the United Kingdom or in Southern Rhodesia or elsewhere, before the date on which the Governor appointed by Her Majesty under the <sup>M2</sup>Southern Rhodesia Constitution (Interim Provisions) Order 1979 entered upon the duties of his office in the seat of government of Southern Rhodesia.
- (2) The acts to which this section applies are—
- (a) the making with respect to Southern Rhodesia of the purported declaration of independence on 11th November 1965;
  - (b) the purported making of constitutional provision for Southern Rhodesia otherwise than under the authority of the Parliament of the United Kingdom, and in particular the making of any of the instruments styling themselves respectively “the Constitution of Rhodesia 1965”, “the Constitution of Rhodesia 1969” and “the Constitution of Zimbabwe Rhodesia 1979”;
  - (c) any act (including any act by way of conspiracy or incitement) preparatory or incidental to any act falling within paragraph (a) or (b);
  - (d) any act which would have been lawful if the instruments mentioned in paragraph (b) had been lawfully made;
  - (e) any act done on or after 11th November 1965 in the conduct or on the orders of any organisation having the purpose of resisting, frustrating or overthrowing the administration purporting to be the Government of Rhodesia or of Zimbabwe Rhodesia established under any of the instruments mentioned in paragraph (b), being an act done in good faith for any of those purposes;
  - (f) any act done in good faith on or after 11th November 1965 for the purpose of resisting or combating any such organisation as is mentioned in paragraph (e) or resisting, or securing the apprehension of, any person acting in the conduct or on the orders of any such organisation.
- (3) Any criminal proceedings or proceedings in tort or for reparation in respect of any act to which this section applies which are pending in any court in the United Kingdom on the day on which this Act is passed shall be treated as discontinued on that day; and any judgment, order or decree of any court in the United Kingdom given or made before that day in any proceedings in tort or for reparation in respect of any act to which this section applies shall, so far as not enforced before that day, be unenforceable.
- (4) In this section “act” includes an omission, and references to the doing of an act shall be construed accordingly.

#### Marginal Citations

M2 [S.I. 1979/1571](#).

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Zimbabwe Act 1979. (See end of Document for details)*

#### **4 Powers exercisable in connection with Zimbabwe's becoming independent.**

- (1) Her Majesty may by Order in Council—
  - (a) make such modifications of any enactment of the Parliament of the United Kingdom or of any instrument having effect by virtue of such an enactment as appear to Her to be necessary or expedient in consequence of section 1 or 2(1);
  - (b) make such provision as appears to Her to be necessary or expedient for regulating the satisfaction of claims against any assets in the United Kingdom owned by, or held by any person on behalf of, the Government of Zimbabwe as the successor in title of the Government of Southern Rhodesia.
- (2) An Order in Council under this section may be made at any time after the passing of this Act but, if made before Independence Day, shall not come into force before that day.
- (3) Any provision made by Order in Council under this section after Independence Day may be made with retrospective effect as from Independence Day or any later date.
- (4) Subject to subsection (5), any provision made by an Order in Council under this section with respect to any such enactment or instrument as is mentioned in subsection (1)(a) shall, except in so far as the Order otherwise provides, have effect as part of the law of every place to which the enactment or instrument in question extends.
- (5) An Order in Council under this section shall not have effect as part of the law of any associated state or of any country or territory for whose government, at the date on which the Order is made, Her Majesty's Government in the United Kingdom have no responsibility.
- (6) The power of modification conferred by subsection (1)(a) applies to enactments and instruments whenever passed or made.
- (7) No recommendation shall be made to Her Majesty to make an Order in Council under this section unless a draft of the Order has been laid before Parliament and has been approved by resolution of each House of Parliament.

#### **5 Provision in event of Zimbabwe becoming a member of the Commonwealth.**

- (1) If at any time Zimbabwe becomes a member of the Commonwealth, Her Majesty may by Order in Council make such modifications of any enactment of the Parliament of the United Kingdom or of any instrument having effect by virtue of such an enactment as appear to Her to be necessary or expedient in consequence of that event.
- (2) Without prejudice to the generality of subsection (1), an Order in Council under this section—
  - (a) . . . . . F2
  - (b) may repeal or modify any provision contained in Schedule . . . F3 2 to this Act.
- (3) Any provision made by Order in Council under this section after Zimbabwe becomes a member of the Commonwealth may be made with retrospective effect as from the date of that event or any later date.
- (4) No recommendation shall be made to Her Majesty to make an Order in Council under this section unless a draft of the Order has been laid before Parliament and has been approved by resolution of each House of Parliament.

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Zimbabwe Act 1979. (See end of Document for details)*

#### Textual Amendments

- F2** S. 5(2) para. (a) repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), [Sch. 9](#)  
**F3** Words repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), [Sch. 9](#)

## 6 Other provisions as to existing laws.

- (1) The provisions of Schedule 2 (continuation of certain provisions in relation to Zimbabwe, and savings) shall have effect.
- (2) Section 26(5) of the <sup>M3</sup>Prevention of Fraud (Investments) Act 1958 (construction of references to Her Majesty's dominions) shall be amended as from Independence Day by the insertion of the words " and Zimbabwe " after the words "South Africa".
- (3) The enactments and instruments mentioned in Schedule 3 are hereby repealed to the extent specified in the third column of that Schedule.

#### Modifications etc. (not altering text)

- C2** The text of s. 6(2)(3), Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

- M3** [1958 c. 45](#)

## 7 Citation etc.

- (1) This Act may be cited as the Zimbabwe Act 1979.
- (2) An Order in Council under any provision of this Act may contain such transitional or other incidental and supplementary provisions as appear to Her Majesty to be expedient.
- (3) In this Act "modifications" includes additions, omissions and alterations, and related expressions shall be construed accordingly.

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Zimbabwe Act 1979. (See end of Document for details)*

## SCHEDULES

### SCHEDULE

1.....

F4

#### Textual Amendments

F4 Sch. 1 repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), [Sch. 9](#)

### SCHEDULE 2

Section 6(1).

CONTINUATION OF CERTAIN PROVISIONS IN RELATION TO ZIMBABWE, AND SAVINGS

#### *Temporary saving from certain disabilities*

1..... F5

#### Textual Amendments

F5 Sch. 2 para. 1 repealed by [S.I. 1980/701](#), [art. 4](#)

#### *Colonial probates*

- 2 (1) The <sup>M4</sup>Colonial Probates Act 1892 (which provides for the recognition in the United Kingdom of probates and letters of administration granted in British possessions) shall apply in relation to Zimbabwe as it applies in relation to a British possession, and any Order in Council in force under that Act in relation to Southern Rhodesia immediately before Independence Day shall have effect on and after that day as if any reference to Southern Rhodesia were a reference to Zimbabwe.
- (2) Nothing in sub-paragraph (1) shall affect the operation of the said Act of 1892 with respect to probate or letters of administration granted before Independence Day by a court in Southern Rhodesia.

#### Marginal Citations

M4 1892 c. 6.

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### *Maintenance orders*

- 3 (1) The <sup>M5</sup>Maintenance Orders (Facilities for Enforcement) Act 1920 (which provides for the enforcement in England, Wales and Northern Ireland of maintenance orders made in parts of Her Majesty's dominions outside the United Kingdom, and vice versa) shall apply in relation to Zimbabwe as it applies in relation to a part of Her Majesty's dominions, and any Order in Council in force under that Act in relation to Southern Rhodesia immediately before Independence Day shall have effect on and after that day as if any reference to Southern Rhodesia were a reference to Zimbabwe.
- (2) For the purposes of the application of the said Act of 1920 in accordance with sub-paragraph (1), references in that Act to the governor of a part of Her Majesty's dominions shall, in the case of Zimbabwe, be construed as references to the Minister of Justice.
- (3) Nothing in sub-paragraph (1) or (2) shall affect the operation of the said Act of 1920 with respect to any maintenance order made before Independence Day by a court in Southern Rhodesia.
- (4) An order under section 49(2) of the <sup>M6</sup>Maintenance Orders (Reciprocal Enforcement) Act 1972 appointing a day for the coming into operation of the repeal by that Act of the Maintenance Orders (Facilities for Enforcement) Act 1920 may include provision, to take effect on that day, for the repeal of the preceding provisions of this paragraph.

#### **Modifications etc. (not altering text)**

**C3** Sch. 2 para. 3 amended (1. 4. 1992) to transfer functions of the Secretary of State arising by virtue of Sch. 2 para. 3 to the Lord Chancellor by S.I. 1992/709 arts. 4(1)(b)(ii) and 4(2).

#### **Marginal Citations**

**M5** 1920 c. 33.

**M6** 1972 c. 18.

4 ..... F6

#### **Textual Amendments**

**F6** Sch. 2 para. 4 repealed by S.I. 1986/1035 (N.I. 9), art. 24, Sch. 2 and as it applies to Great Britain repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. VI

5 ..... F7

#### **Textual Amendments**

**F7** Sch. 2 paras. 5, 7, 8 repealed by S.I. 1980/701, art. 4

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*Dentists and veterinary surgeons*

6 A person who on Independence Day is registered by virtue of a qualification granted in Southern Rhodesia—

- (a) in the Commonwealth list contained in the dentists register kept under the <sup>M7</sup>Dentists Act 1957, or
- (b) in the Commonwealth list contained in the veterinary surgeons register kept under the <sup>M8</sup>Veterinary Surgeons Act 1966,

shall not cease to be so registered by reason of anything contained in this Act or of any decision as to Zimbabwe’s membership of the Commonwealth.

**Marginal Citations**

- M7** 1957 c. 28.
- M8** 1966 c. 36.

7 ..... **F8**

**Textual Amendments**

- F8** Sch. 2 paras. 5, 7, 8 repealed by S.I. 1980/701, art. 4

8 ..... **F9**

**Textual Amendments**

- F9** Sch. 2 paras. 5, 7, 8 repealed by S.I. 1980/701, art. 4

SCHEDULE 3

Section 6(3).

REPEALS

**Modifications etc. (not altering text)**

- C4** The text of s. 6(2)(3), Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

ACTS

Chapter	Short title	Extent of repeal
15 & 16 Geo. 5. c. xvii.	Imperial Institute Act 1925.	In Schedule 2, in paragraph (1)(b), the words

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		“one by the Government of Southern Rhodesia”.
16 & 17 Geo. 5. c. 40.	Indian and Colonial Divorce Jurisdiction Act 1926.	In section 2(2), the words “the Colony of Southern Rhodesia”.
18 & 19 Geo. 5. c. 35.	Easter Act 1928.	In the Schedule, in Part I, the words “Southern Rhodesia”.
9 & 10 Geo. 6. c. 45.	United Nations Act 1946.	In section 1(2), the words “Southern Rhodesia”.
12, 13 & 14 Geo. 6. c. 67.	Civil Aviation Act 1949.	Section 66(2).
9 & 10 Eliz. 2. c. 11.	Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961.	In section 1(5), the words “Southern Rhodesia”.
10 & 11 Eliz. 2. c. 2.	Southern Rhodesia (Constitution) Act 1961.	The whole Act.
1964 c. 81.	Diplomatic Privileges Act 1964.	Section 8(2).
1965 c. 76.	Southern Rhodesia Act 1965.	The whole Act.
1973 c. 45.	Domicile and Matrimonial Proceedings Act 1973.	Section 17(3).
1978 c. 2.	Commonwealth Development Corporation Act 1978.	In section 17(1), in the definition of “dependent territory”, the words “excluding Southern Rhodesia”.
1978 c. 33.	State Immunity Act 1978.	In section 4(5), the words “or a citizen of Southern Rhodesia”.
1979 c. 52.	Southern Rhodesia Act 1979.	Section 3(4) and (5).

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*INSTRUMENTS*

<b>Number</b>	<b>Title</b>	<b>extent of repeal</b>
S.I. 1964/2043.	Diplomatic Privileges (Citizens of the United Kingdom and Colonies) Order 1964.	In Article 2(2), the words “to Southern Rhodesia”.
S.I. 1965/1125.	Judicial Committee (Southern Rhodesia) Order 1965.	The whole Order.
S.I. 1965/1952.	Southern Rhodesia Constitution Order 1965.	The whole Order.



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S.I. 1965/1957.	Southern Rhodesia (British Nationality Act 1948) Order 1965.	The whole Order.
S.I. 1970/892.	Southern Rhodesia (Higher Authority for Power) Order 1970.	The whole Order.
S.I. 1970/1540.	Southern Rhodesia (Matrimonial Jurisdiction) Order 1970.	The whole Order.
S.I. 1970/1903.	Consular Relations (Merchant Shipping) (Republic of Austria) Order 1970.	In Article 4(a)(i), the words “a citizen of Southern Rhodesia”.
S.I. 1970/1904.	Consular Relations (Merchant Shipping) (Kingdom of Belgium) Order 1970.	In Article 4(a)(i), the words “a citizen of Southern Rhodesia”.
S.I. 1970/1905.	Consular Relations (Merchant Shipping) (Kingdom of Denmark) Order 1970.	In Article 4(a)(i), the words “a citizen of Southern Rhodesia”.
S.I. 1970/1907.	Consular Relations (Merchant Shipping) (Federal Republic of Germany) Order 1970.	In Article 4(a)(i), the words “a citizen of Southern Rhodesia”.
S.I. 1970/1909.	Consular Relations (Merchant Shipping) (Italian Republic) Order 1970.	In Article 4(a)(i), the words “a citizen of Southern Rhodesia”.
S.I. 1970/1910.	Consular Relations (Merchant Shipping) (Japan) Order 1970.	In Article 4(a)(i), the words “a citizen of Southern Rhodesia”.
S.I. 1970/1911.	Consular Relations (Merchant Shipping) (United States of Mexico) Order 1970.	In Article 3(a), the words “a citizen of Southern Rhodesia”.
S.I. 1970/1913.	Consular Relations (Merchant Shipping) (Spanish State) Order 1970.	In Article 4(a)(i), the words “a citizen of Southern Rhodesia”.
S.I. 1970/1917.	Consular Relations (Merchant Shipping) (Socialist Federal Republic of Yugoslavia) Order 1970.	In Article 4(a)(i), the words “a citizen of Southern Rhodesia”.
S.I. 1972/1718.	Southern Rhodesia (Marriages, Matrimonial Causes and Adoptions) Order 1972.	The whole Order.

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S.I. 1979/1374.

Southern Rhodesia  
(Immunity for Persons  
attending Meetings and  
Consultations) (No. 2) Order  
1979.

The whole Order.

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**Status:**

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**Changes to legislation:**

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