



Zimbabwe Act 1979

1979 CHAPTER 60

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 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.

2 Nationality

- (1) In section 1(3) of the British Nationality Act 1948 (which specifies the countries whose citizens are by virtue of that citizenship British subjects) the words " Southern Rhodesia " are hereby repealed as from Independence Day; and accordingly any person who immediately before that day is a British subject by virtue only of his citizenship of Southern Rhodesia shall cease to be a British subject on that day.
- (2) The transitional provisions contained in Schedule 1 shall have effect as to applications by citizens of Zimbabwe for registration as citizens of the United Kingdom and Colonies.

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 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.

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 becommg 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) may modify subsection (3) of section 1 of the British Nationality Act 1948 (Commonwealth countries having separate citizenship) so as to add Zimbabwe to the countries mentioned in that subsection; and
 - (b) may repeal or modify any provision contained in Schedule 1 or 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.

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 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 as from Independence Day to the extent specified in the third column of that Schedule.

7 Citation etc.

- (1) This Act may be cited as the Zimbabwe Act 1979.

Status: This is the original version (as it was originally enacted).

- (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.