

CHAPTER 1:03

STATUTE LAW COMPILATION AND REVISION ACT

Acts 23/1986, 11/1991, 20/1994 (s. 20), 1/1999, 6/2005 (s. 2)

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AN ACT to provide for the form, printing and publication of Acts of Parliament and other enactments; to provide for the compilation and continuous revision of Acts of Parliament and other enactments; and to provide for matters incidental to or connected with the foregoing.

[Date of commencement: 10th February, 1989.]

PART I

PRELIMINARY

1 Short title

This Act may be cited as the Statute Law Compilation and Revision Act [*Chapter 1:03*].

2 Interpretation

In this Act—

“Act of Parliament” ...

[Definition repealed by section 2 of Act No. 1 of 1999.]

“Board” means the Statute Law Advisory Board referred to in section *fourteen*;
“existing laws” ...

[Definition repealed by section 2 of Act No. 1 of 1999.]

“Law Reviser” means the person appointed to be Law Reviser in terms of section *nine*;

“Minister” means the Minister of Justice, Legal and Parliamentary Affairs or any other Minister to whom the President may from time to time assign the administration of this Act;

“statute” means—

- (a) the Constitution; and
- (b) any Act, including this Act.

[Paragraph as amended by section 2 of Act No. 1 of 1999.]

PART II

3 – 9 ...

[Part II, sections 3 -9 repealed by Act no. 1 of 1999.]

PART III

COMPILATION AND REVISION OF ENACTMENTS

9 Appointment of Law Reviser

(1) There shall be a Law Reviser appointed for his ability and experience in the drafting and compilation of enactments and for his knowledge of the operation of enactments.

(2) A person shall not qualify for appointment as the Law Reviser unless—

- (a) he is and has been for not less than seven years, whether continuously or not, qualified to practise as a legal practitioner in a country in which the common law is Roman-Dutch or English and English is an official language; and
- (b) he has, in a country referred to in paragraph (a), been engaged for not less than seven years, whether continuously or not, in the drafting of legislation for enactment by the competent legislative authority.

(3) The office of Law Reviser shall be a public office and form part of the Public Service.

(4) Notwithstanding the above provisions the Minister may appoint the Deputy Chairman of the Law Development Commission appointed in terms of section 4 (b) of the Law Development Commission Act [*Chapter 1:02*] to act as Law Reviser.

[Subsection inserted by section 2 of Act 6 of 2005]

10 Functions of Law Reviser

(1) Subject to this Act, it shall be the function of the Law Reviser to compile the statutes in revised form, whether loose-leaf or otherwise, and to ensure that each statute is continuously revised in such a manner that an up-to-date text of each statute is available as a single document.

(2) In the discharge of his function in terms of subsection (1) the Law Reviser may—

- (a) in the case of a statute compiled in loose-leaf form, prepare and issue a replacement page or replacement pages for any statute affected by—
 - (i) grammatical or typographical errors; or
 - (ii) amendment or repeal, whether such amendment or repeal is express or implied;

(a1) arrange statutes in any sequence or groups that may be convenient, irrespective of the dates when they came into operation, and assign identifying numbers to the statutes so arranged;

[Paragraph as inserted by section 4 of Act No. 1 of 1999.]

(b) consolidate into one statute any two or more statutes *in pari materia*, making the alterations thereby rendered necessary;

(c) supply or alter marginal notes or headings in any statute and insert a table showing the arrangement of sections where, in the opinion of the Law Reviser, such a course is desirable;

[Paragraph as amended by section 4 of Act No. 1 of 1999.]

(d) compile an alphabetical table, a subject-matter index and such other tables and indexes to the statutes as the Law Reviser considers desirable;

(e) correct cross-references;

(e1) omit enacting provisions of statutes;

[Paragraph as inserted by section 4 of Act No. 1 of 1999.]

(f) for the purpose of correcting any grammatical or typographical errors in any statute, make verbal additions, omissions or alterations not affecting the meaning of the statute;

(g) omit any amending or repealing statute or any such provision of a statute;

[Paragraph as substituted by section 4 of Act No. 1 of 1999.]

(g1) omit or alter any savings provision contained in a statute;

[Paragraph as substituted by section 4 of Act No. 1 of 1999.]

- (h) make such amendments, omissions or alterations as the Law Reviser considers necessary to bring any statute into conformity with the Constitution, this Act and the Interpretation Act [*Chapter 1:01*];
- (i) make such formal alterations as to names, localities, offices and otherwise as the Law Reviser considers necessary to bring any statute into conformity with the prevailing circumstances of Zimbabwe;
- (j) invite, receive and consider suggestions from the courts, the legal profession and other users of the law concerning any matter referred to in subsection (1);
- (k) alter the order of sections, subsections, paragraphs or other subdivisions in any law and in all cases where it may be necessary to do so renumber the sections, subsections, paragraphs or other subdivisions;
- (l) alter the form or arrangement of any section by transferring words, by combining it in whole or in part with another section or other sections or by dividing it into two or more subsections; and
- (m) do all other things pertaining to form and method which may be necessary to achieve the objects stated in subsection (1).

(3) The powers conferred upon the Law Reviser by this section shall not be taken to imply any power in the Law Reviser to make major alteration or amendment in the matter or substance of any statute, but shall include powers to make such alterations in the language of statutes as are requisite in order to preserve a uniform mode of expression and to make such amendments as are necessary to bring out more clearly what the Law Reviser considers to have been the intention of Parliament.

- (4)
- (5) ...
- (6) ...

[Subsections (4) to (6) repealed by section 4 of Act No. 1 of 1999.]

11 Classification and numbering of statutes

(1) The Law Reviser may assign a number to any statute, which number shall reflect the subject-matter group into which the Law Reviser classifies the statute and the statute's place within that group.

- (2) The number assigned to a statute in terms of subsection (1) may—
 - (a) be incorporated in the statute at any time before it is promulgated as an Act; or
 - (b) be assigned to the statute through revision in terms of section *eleven A*, *eleven B* or *eleven C*.

[Section as substituted by section 5 of Act No. 1 of 1999.]

11A Publication of revised editions of the laws

(1) The Law Reviser may from time to time publish or cause to be published revised editions of the laws containing all or any of the statutes in revised form.

(2) Revised editions of the laws may be published in terms of subsection (1) in loose-leaf format, or on CD-ROM, or by some other computerised data storage and retrieval system, or in any other appropriate manner that the Law Reviser may determine with the approval of the Minister.

- (3) Upon publication of a revised edition of the laws in terms of subsection (1), the Law Reviser shall—
 - (a) cause notice thereof to be published in the *Gazette*; and
 - (b) sign a copy of the revised edition and deposit it in the office of the Registrar of the High Court, and that copy shall be conclusive evidence of the contents of the revised edition of the laws concerned.

(4) The version of any statute contained in a revised edition of the laws published in terms of subsection (1) shall, upon notification in terms of paragraph (a) of subsection (3), be accepted in all courts as the sole version of the statute concerned as at the date of such notification.

[Section as inserted by section 5 of Act No. 1 of 1999.]

11B Publication of revisions of individual statutes

(1) The Law Reviser may direct the Government Printer to print and publish any statute in revised form, whether loose-leaf or otherwise, and the Government Printer shall comply with any such direction.

- (2) Upon publication of a statute in revised form in terms of subsection (1), the Law Reviser shall—
 - (a) cause notice thereof to be published in the *Gazette*; and
 - (b) sign a copy of the revised statute and deposit it in the office of the Registrar of the High Court, and that copy shall be conclusive evidence of the contents of the statute concerned.

(3) The version of a statute printed in terms of subsection (1) shall, upon notification in terms of paragraph (a) of subsection (2), be accepted in all courts as the sole version of the statute concerned as at the date of such notification.

[Section as inserted by section 5 of Act No. 1 of 1999.]

11C Publication of revision notices

(1) The Law Reviser may publish a statutory instrument specifying the additions, alterations, omissions and corrections which are required to be made to any statute in order to render it in a revised, consistent and up-to-date form.

(2) Upon publication of a notice in terms of subsection (1), the additions, alterations, omissions and corrections specified in the notice shall be deemed to have been made to the statute concerned in all respects as if

the statute had been published in revised form in terms of section *eleven B* and its publication duly notified in terms of that section.

[Section as inserted by section 5 of Act No. 1 of 1999.]

PART IV

STATUTORY INSTRUMENTS

12 Form and authentication of statutory instruments

The Minister may make regulations prescribing the form and authentication of statutory instruments.

13 Continuous revision of statutory instruments

(1) As from the 10th February, 1989, the Law Reviser may direct the Government Printer to print in revised form, whether loose-leaf or otherwise, any statutory instrument specified by the Law Reviser.

(2) Statutory instruments printed in terms of subsection (1) shall be numbered by the Government Printer in such manner as may be determined by the Law Reviser.

(3) Sections *ten*, *eleven B* and *eleven C* shall apply, *mutatis mutandis*, to statutory instruments printed in terms of this section.

[Subsection as amended by section 7 of Act No. 1 of 1999.]

PART V

GENERAL

14 Statute Law Advisory Board

(1) The Minister may, by notice in a statutory instrument, establish a Statute Law Advisory Board, consisting of not less than three and not more than five persons with proven knowledge and interest in the operation of enactments, as the Minister considers fit, to advise the Law Reviser and to render such assistance in the compilation, revision and maintenance of the enactments as the Board may consider desirable or as may be directed by the Minister.

(2) In the discharge of its functions in terms of subsection (1), the Board shall take into consideration any views and comments expressed by users of the enactments which it may find useful.

(3) The meetings and procedure of the Board shall be as may be prescribed.

(4) Any member of the Board who is not in the full-time employment of the State, a statutory body or a local authority shall be paid such remuneration as the Minister may fix for members of the Board generally, after consultation with the Minister responsible for finance.

15 Minister's regulatory powers

The Minister may make regulations providing for anything which in terms of this Act is to be prescribed or which in his opinion is necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Act.

16 Omission of certain laws

(1) The Law Reviser may omit from the compilation and revision in terms of this Act any law or provision thereof which the Law Reviser specifies by notice in a statutory instrument.

(2) Where the Law Reviser omits any law or provision thereof in terms of subsection (1) such law or provision thereof and anything done thereunder shall have the same force as if the law or provision thereof had not been omitted.