

Statutory Instrument 205 of 2003

Defence Forces (Discipline) Regulations, 2003

SIs 205/2003, 251/2003

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IT is hereby notified that the Minister of Defence has, in terms of section 113 of the Defence Act [*Chapter 11:02*], made the following regulations:—

1. *Title*

These regulations may be cited as the Defence Forces (Discipline) Regulations, 2003.

2. *Interpretation*

In these regulations—

“board” means a board of inquiry held in terms of Part V;

“close arrest” includes the confinement of a member in custody in detention barracks or civil prison in terms of section 44 of the Defence Act [*Chapter 11:02*];

“commanding officer” means an officer appointed in terms of section 39;

“Courts Martial Procedure Regulations” means the Defence (Courts Martial Procedure) Regulations, 2003;

“Director of Legal Services” means the person appointed as Director of Legal Services to the Defence Forces or his deputy;

“Director of Prosecutions” means the person appointed as Director of Prosecutions to the Defence Forces or his deputy;

“field punishment” in relation to a soldier convicted by a military court, means—

- (a) such extra duties, drills or instruction, in addition to those which the soldier might be required to perform were he not undergoing such punishment; and
- (b) such loss of privileges; and

- (c) confinement in such place and manner and such personal restraint to prevent his escape; as the military court may determine is lawfully appropriate in any particular case;
- “higher authority” means—
- (a) in relation to a commanding officer, a superior authority;
 - (b) in relation to an officer commanding, a commanding officer;
- “officer commanding” means an officer appointed in terms of section 39;
- “Military Police” includes the Security Branch of the Air Force;
- “presiding officer”, in relation to the summary of disposal of any charge in terms of Part III, means— (a) a superior authority;
- (b) a commanding officer;
 - (c) an officer commanding;
- “Service Commander” means the Commander of the Zimbabwe National Army or Commander of the Air Force of Zimbabwe;
- “stoppages” means stoppages of pay;
- “summary of evidence” means an abstract of evidence or a record compiled in terms of section 26;
- “summary of trial” means a summary of trial held in terms of Part III;
- “superior authority” means—
- (a) a Brigade Commander;
 - (b) an officer appointed as such in terms of section 39;
- “superior officer”, in relation to a member, means an officer or non-commissioned officer who, in terms of Part I, is of superior rank or appointment;
- “reviewing officer” means an officer appointed in terms of section 23.

PART I

COMMAND AND PRECEDENCE

3. *Ranks in the Defence Forces*

The ranks of members shall be those specified in the First Schedule.

4. *Superior and inferior ranks*

- (1) The rank specified in any item of the First Schedule shall be inferior to any rank specified in a preceding item and superior to any rank specified in a succeeding item.
- (2) The rank specified in the second column of any item of the First Schedule shall be equivalent to the rank specified opposite thereto in the first column of that item and any reference in these regulations to such latter rank shall be considered to include any such equivalent rank.

5. *Precedence generally in the Defence Forces*

- (1) Subject to subsection (4), a member holding substantive rank shall take precedence over members holding temporary or acting rank of the same rank.
- (2) A member holding temporary rank shall take precedence over a member holding acting rank of the same rank.
- (3) Members in the same rank, whether substantive, temporary or acting, shall take precedence according to the date of their promotion or appointment to that rank and if two or more members are promoted or appointed on the same date their precedence shall be determined by the date of their promotion or appointment to their previous lower rank.
- (4) A member holding the substantive, temporary or acting rank or warrant officer (Class I) who, in addition, holds the appointment of Army Sergeant-Major, Brigade Sergeant-Major or Regimental Sergeant-Major, or in the Air Force, Air Force Warrant Officer shall, within his unit, take precedence over the other members holding the rank of warrant officer (Class 1).

6. *Precedence of members of the Regular Force in relation to members of the Defence Force Reserves*

A member holding substantive, temporary or acting rank in the Regular Force shall take precedence over members holding the same substantive, temporary or acting rank in the Defence Force Reserve.

7. *Obedience to commands*

- (1) Subject to subsections (2) and (3) of section 8—
 - (a) a member of inferior rank shall obey the lawful commands of a member holding superior rank;
 - (b) a member shall obey the lawful command of any superior officer of the same rank where such a superior officer was appointed to such rank at a date earlier than that member.
- (2) A warrant officer (Class I) shall obey the lawful commands of the member of his unit holding the rank of Warrant Officer (Class I) who in addition holds the appointment of Army Sergeant-Major, Brigade Sergeant-Major or Regimental Sergeant-Major or in the Air Force, Air Force Warrant Officer or Base Warrant Officer.

8. Command of units

- (1) The command of a unit and the members serving in that unit shall, irrespective of his seniority, vest in such officer as the Service Commander may appoint.
- (2) The Service Commander may appoint an officer to be the second in command of a unit in whom shall vest, irrespective of his seniority, the command of all members serving in that unit other than the unit commander.
- (3) In the absence of the unit commander all the powers and functions vested in him by these regulations shall vest in the second in command of the unit.
- (4) In the absence of both the commander and second in command of a unit the senior officer present shall exercise command.

PART II

ARREST

9. General

- (1) Subject to these regulations, a member taken into military custody in terms of section 40 of the Defence Act [*Chapter 11:02*] shall be placed under either close arrest or open arrest.
- (2) A member placing another member under arrest shall inform the member as to whether the member is being placed under close or open arrest.
- (3) The commander of the guard or other member into whose charge an arrested member is placed shall, within 12 hours of receiving charge of the arrested member, report the fact of the arrest to the arrested member's unit commander.

10. Occasions for placing member under close arrest

A member shall not ordinarily be placed under close arrest unless— (a)

the member's confinement is necessary—

- (i) to ensure his safe custody; or
 - (ii) for the maintenance of discipline; or
 - (iii) to prevent the member from committing further offences; or
 - (iv) to prevent the member from interfering with any witness or evidence relating to the charge against him; or
 - (v) to secure the member's attendance at his trial; or
- (b) the member defies the lawful command ordering the member into arrest; or (c) the member resists—
- (i) a lawful arrest; or
 - (ii) the authority of a superior officer.

11. Provisions for avoiding delay after arrest

(1) A unit commander shall, within 48 hours after a member's arrest has been reported to him in terms of subsection (3) of section 9, report the allegation against the member in the manner prescribed by section 16:

Provided that this subsection shall not apply in any case where compliance is not reasonably practicable owing to the exigencies of military operations.

(2) No member shall be held under close arrest for more than 42 consecutive days pending trial by a military court unless a superior authority on the advise of the Director of Prosecutions, directs in writing that the member shall not be released from custody.

(3) The special report on the necessity for further delay in the assembling of a court martial for the trial of a member, required every eight days in terms of subsection (2) of section 43 of the Act, shall be made in writing to a superior authority.

12. Arrest where accused is remanded for further investigation

(1) Where an accused member is remanded for further investigation, summary trial or for trial by court martial, the member's unit commander shall determine whether, subject to section 10 and having regard to all the circumstances, the member should be— (a) remanded under open or close arrest; or

(b) remanded in custody in a detention barracks or civil prison in terms of section 44 of the Act; or (c) released without prejudice to rearrest until trial or further orders.

(2) The unit commander may change the form of arrest from time to time, as he considers fit, according to the circumstances.

13. Officers and warrant officers under arrest

(1) An officer or warrant officer under close arrest—

- (a) shall if practicable be placed in the charge of an escort consisting of an officer or warrant officer of the same rank; and

- (b) shall not leave his quarters except to take such exercise under supervision as a medical officer considers necessary or desirable:

Provided that if the unit commander considers it necessary or desirable, an officer or warrant officer may be—

- (i) placed in the charge of a guard or sentry; or
 - (ii) remanded in custody in a civil prison in terms of section 44 of the Act.
- (2) Except on active service, an officer or warrant officer under close arrest shall not perform any duty other than personal routine duties and such duties as may be necessary to relieve him of the charge of any money, equipment, stores, accounts or office for which he may be responsible in the ordinary performance of his duties.
- (3) An officer or warrant officer under open arrest—
- (a) may take exercise at such times and within such limits as his unit commander may determine;
 - (b) shall not appear in any place of amusement, entertainment or at a public assembly; (c) shall not appear outside his quarters dressed otherwise than in uniform.

14. Non-commissioned officers other than warrant officers under arrest

Section 13 shall, with appropriate changes, apply to non-commissioned officers other than warrant officers, under arrest.

15. Soldiers under arrest

- (1) A soldier under close arrest shall be— (a) placed in confinement—
 - (i) in the charge of a guard or sentry; or
 - (ii) in detention barracks or civil prison in terms of section 44 of the Act.(b) searched and deprived of any knife, tool, weapon or cutting instrument in his possession.
- (2) Except on active service, a soldier under close arrest shall not— (a) be required to perform any duty other than—
 - (i) personal routine duties; or
 - (ii) such duties as may be necessary to relieve him of the charge of any money, equipment, stores, accounts or office for which he may be responsible in the ordinary performance of his duties. (b) bear arms except—
 - (i) by order of his unit commander; or
 - (ii) on the line of march; or
 - (iii) in detention barracks by order of the commandant for purposes of instruction, exercise or drill.
- (3) A soldier under open arrest—
 - (a) shall not leave barracks except—
 - (i) on duty; or
 - (ii) with the permission of his unit commander;
 - (b) shall attend parades; and
 - (c) may be ordered to perform all his normal duties.
- (4) A soldier under arrest shall not be required to perform any duties in addition to those performed by soldiers who are not under arrest.
- (5) A soldier arrested on a charge of drunkenness shall not be brought before an officer for investigation of the charge until—
 - (a) the soldier is in his sound and sober senses; or
 - (b) 24 hours have elapsed since the time of the soldier's arrest; whichever first occurs.

PART III

INVESTIGATION AND SUMMARY DISPOSAL OF CHARGES

16. General

- (1) An allegation against a member that the member has committed an offence in terms of the Act shall be reported by the member's unit commander in the form of a charge drafted in the manner prescribed in Part I of the Courts Martial Procedure Regulations.
- (2) A report shall be made—
 - (a) in the case of a member above the rank of major, to a superior authority;
 - (b) in the case of a member of or below the rank of major and of or above the rank of warrant officer (Class II), to the member's commanding officer;
 - (c) in the case of a member of or below the rank of master sergeant, to the member's officer commanding.
- (3) A report shall be made within 72 hours of the alleged commission of the offence:

Provided that this subsection shall not apply in any case where compliance is not reasonably practicable owing to the exigencies of military operations.

- (4) A charge reported in terms of this section shall be investigated by the presiding officer to whom it is reported and, subject to these regulations, be disposed of by—
- (a) dismissing it if there is no substance in the allegation or evidence to support it; or
 - (b) remanding it for further investigation by such member as may be directed to undertake the investigation; or
 - (c) summary trial; or
 - (d) remanding it for summary trial or direction by higher authority; or (e) remanding it for a summary of evidence to be taken in terms of section 26:

Provided that—

- (i) any charge against an officer above the rank of major; or
 - (ii) any charge prescribed in subsection (2) of section 21;
- shall, unless it is disposed of in terms of paragraph (a) or (b), be remanded for a summary of evidence.

17. Withdrawal, substitution or addition of charges

The remand of an accused on any charge for— (a)

further investigation; or

- (b) a summary of evidence; or
- (c) summary trial by higher authority; or
- (d) trial by court martial; shall not, on the advice of the Director of Prosecutions, prejudice—
 - (i) the withdrawal of the charge; or
 - (ii) the substitution or joinder of any other charge;

at any time prior to the commencement of the trial.

18. Restriction on right to demand trial by court martial or civil court

No member shall have the right—

- (a) to demand trial before a civil court; or
- (b) except in terms of subsection (10) of section 23, to demand trial by court martial.

19. Representation at any investigation, summary trial or summary of evidence

Subject to section 35, no member shall be entitled to be legally represented by a legal practitioner or any other person at any summary trial, investigation or proceedings for the taking of a summary of evidence held in terms of these regulations.

20. Jurisdiction of presiding officers over members on summary trial

(1) Subject to these regulations—

- (a) a superior authority may try summarily any member of or below the rank of major;
- (b) a commanding officer may try summarily any member of or below the rank of master technician;
- (c) an officer commanding may try summarily any member of or below the rank of master sergeant.

(2) A charge against an officer above the rank of major shall, unless it is dismissed in terms of paragraph (a) of subsection (4) of section 16, be remanded for trial by court martial.

21. Jurisdiction of presiding officers over charges on summary trial

(1) Subject to these regulations and to any advice given by the Director of Prosecutions, any offence prescribed in the following paragraphs of the First Schedule to the Act may be tried summarily— (a) in the case of an officer commanding—

- (i) paragraph 10;
- (ii) paragraph 12;
- (iii) subparagraph (2) of paragraph 14;
- (iv) subparagraphs (2) and (3) of paragraph 15;
- (v) subparagraph (a) of paragraph 16;
- (vi) paragraph 17;
- (vii) subparagraphs (c), (d) and (e) of paragraph 18;
- (viii) paragraph 19;
- (ix) subparagraphs (c) and (d) of paragraph 20;
- (x) subparagraphs (b), (c), (d), (e) and (f) of subparagraph (1) of paragraph 23;
- (xi) subparagraph (b) of subparagraph (3) of paragraph 24;
- (xii) subparagraph (2) of paragraph 25;
- (xiii) paragraph 26;
- (xiv) paragraph 27;

- (xv) paragraph 28;
 - (xvi) subparagraph (2) of paragraph 29; (xvii) paragraph 32;
 - (xviii) subparagraph (b) of paragraph 33;
 - (xix) paragraph 34;
 - (xx) paragraph 35;
 - (xxi) paragraph 38;
 - (xxii) paragraph 40, where attempt, conspiracy or incitement relates to any of the offences specified in subparagraphs (i) to (xxi).
- (b) in the case of a commanding officer, those offences specified in paragraph (a) and in addition—
- (i) paragraph 11;
 - (ii) subparagraph (d) of paragraph 16;
 - (iii) subparagraphs (a) and (b) of paragraph 18;
 - (iv) subparagraphs (a), (b) and (c) of subparagraph 20;
 - (v) subparagraphs (a), (b) and (c) of subparagraph 2 of 31;
 - (vi) with the authority of the Director of Prosecutions, paragraph 39;
 - (vii) paragraph 40, where the attempt, conspiracy or incitement relates to any offence specified in paragraph (a) or subparagraphs (i) to (vi);
- (c) in the case of a superior authority, those offences specified in paragraphs (a) and (b) and in addition—
- (i) paragraph 7;
 - (ii) paragraph 13;
 - (iii) subparagraphs (b) and (c) of paragraph 16;
 - (iv) subparagraphs (a) and (b) of paragraph 18;
 - (v) subparagraphs (a) and (b) of paragraph 20;
 - (vi) paragraph 21;
 - (vii) paragraph 22;
 - (viii) subparagraphs (c) and (d) of subparagraph (1) and subparagraph (a) of subparagraph (3) of paragraph 24;
 - (ix) subparagraph (1) of paragraph 29;
 - (x) paragraph 30;
 - (xi) subparagraph (d) of subparagraph (2) of paragraph 31;
 - (xii) subparagraph (a) of paragraph 33;
 - (xiii) with the authority of the Director of Prosecutions paragraph 39;
 - (xiv) paragraph 40, where the attempt, conspiracy or incitement relates to any offence specified in paragraph (a) or (b) or subparagraphs (i) to (xii).

(2) Subject to subsection (3), the offences prescribed in the following paragraphs of the First Schedule to the Act shall not be tried summarily by a presiding officer—

- (a) paragraph 2;
 - (b) paragraph 3;
 - (c) paragraph 4;
 - (d) paragraph 5;
 - (e) paragraph 6;
 - (f) paragraph 8;
 - (g) paragraph 9;
 - (h) subparagraph (1) of paragraph 15;
 - (i) subparagraphs (a) and (b) of paragraph 18;
 - (j) subparagraphs (a) and (b) of paragraph 20;
 - (k) subparagraph (a) of subparagraph (1) and subparagraph (2) of paragraph 213;
 - (l) subparagraphs (a) and (b) of subparagraph (1) and Subparagraph (2) of paragraph 24;
 - (m) subparagraph (1) of paragraph 25;
 - (n) paragraph 36;
 - (o) paragraph 37;
 - (p) subject to any authority granted in terms of—
 - (i) subparagraph (vi) of paragraph (b); and
 - (ii) subparagraph (xiii) of paragraph (c) of subsection (1), paragraph 39;
 - (q) paragraph 40;
 - (r) paragraph 41, where the attempt, conspiracy or incitement relates to any offence specified in paragraphs (a) to (q).
- (3) A presiding officer may, in terms of paragraph (a) of subsection (4) of section 16, dismiss any charge.

22. Powers of punishment of presiding officers on summary trial

(1) Where, on a summary trial in terms of section 23 and subject to subsection (10) of that section, a presiding officer has determined that an accused is guilty of a charge, the presiding officer shall record a finding of guilty and may, subject to this section and, if appropriate, section 74 of the Act, impose any of the following punishments—

- (a) in the case of a superior authority—
 - (i) where the accused is an officer or warrant officer—
 - A. a fine not exceeding, the equivalent of 60 days' basic pay;
 - B. forfeiture of seniority of rank;
 - C. extra duties over a period not exceeding 40 days;
 - D. a severe reprimand or a reprimand;
 - E. an admonition;
 - F. where the offence has occasioned any expense, loss or damage, stoppages not exceeding 60 days' basic pay or the value of the expense, loss or damage incurred, whichever is the lesser.
 - (ii) where the accused is a non-commissioned officer—
 - A. of the rank of staff sergeant or below, reduction to the ranks or any less reduction in rank;
 - B. a fine not exceeding the equivalent of 60 days' basic pay;
 - C. forfeiture of seniority of rank;
 - D. extra duties over a period not exceeding 40 days;
 - E. a severe reprimand or a reprimand;
 - F. an admonition;
 - G. where the offence has occasioned any expense, loss or damage, stoppages not exceeding 60 days' basic pay or the value of the expense, loss or damage incurred, whichever is the lesser.
 - (iii) where the accused is a soldier—
 - A. detention for a term not exceeding 80 days;
 - B. where the offence was committed on active service, field punishment for a term not exceeding 80 days;
 - C. a fine not exceeding the equivalent of 60 days' basic pay;
 - D. extra duties over a period not exceeding 40 days;
 - E. confinement to barracks for a period not exceeding 40 days;
 - F. an admonition;
 - G. where the offence has occasioned any expense, loss or damage, stoppages not exceeding 60 days' basic pay or the value of the expense, loss or damage incurred whichever is the lesser.
- (b) in the case of a commanding officer—
 - (i) where the accused is a non-commissioned officer, other than a Warrant Officer—
 - A. of the rank of corporal or below, reduction to the ranks or any less reduction in rank;
 - B. a fine not exceeding the equivalent of 30 days' basic pay;
 - C. in the case of an acting or temporary non-commissioned, reversion to substantive rank;
 - D. extra duties over a period not exceeding 20 days;
 - E. a severe reprimand or a reprimand;
 - F. an admonition;
 - G. where the offence has occasioned any expense, loss or damage, stoppages not exceeding 50 days' basic pay or the value of the expense, loss or damage incurred, whichever is the lesser.
 - (ii) where the accused is a soldier—
 - A. detention for a term not exceeding 40 days;
 - B. where the offence was committed on active service, field punishment for a term not exceeding 40 days;
 - C. a fine not exceeding the equivalent of 30 days' basic pay;
 - D. extra duties over a period not exceeding 20 days;
 - E. confinement to barracks for a period not exceeding 20 days;
 - F. an admonition;

- G. where the offence has occasioned any expense, loss or damage, stoppages not exceeding 50 days' basic pay or the value of the expense, loss or damage incurred, whichever is the lesser.
- (c) in the case of an officer commanding—
- (i) where the accused is a non-commissioned officer, other than a warrant officer—
 - A. a fine not exceeding the equivalent of 10 days' basic pay;
 - B. extra duties over a period not exceeding 10 days;
 - C. a reprimand;
 - D. an admonition;
 - E. where the offence has occasioned any expense, loss or damage, stoppages not exceeding 25 days' basic pay or the value of the expense, loss or damage incurred, whichever is the lesser.
 - (ii) where the accused is a soldier—
 - A. a fine not exceeding the equivalent of 10 days' basic pay;
 - B. extra duties over a period not exceeding 10 days;
 - C. confinement to barracks for a period not exceeding 10 days;
 - D. an admonition;
 - E. where the offence has occasioned any expense, loss or damage, stoppages not exceeding 25 days' basic pay or the value of the expense, loss or damage incurred or whichever is the lesser.
- (2) A punishment specified in any subparagraph of paragraph (a), (b) or (c) of subsection (1) shall be considered to be a lesser form of punishment than the punishments specified in the preceding subparagraphs and greater than those specified in the succeeding subparagraphs.
- (3) Subject to subsection (4) or (5) a presiding officer shall impose one punishment only in respect of all charges on which an accused is convicted at the same trial.
- (4) Subject to a presiding officer's jurisdiction, a presiding officer may impose— (a) either in addition to or without any other punishment—
- (i) stoppages, except where a fine is imposed; and
 - (ii) a severe punishment, reprimand or an admonition;
- (b) either in addition to or without a fine—
- (i) forfeiture of seniority of rank; or
 - (ii) reversion to substantive rank; or
 - (iii) confinement to barracks, with or without extra duties.
- (5) Where—
- (a) a superior authority sentences a non-commissioned officer of the rank of staff sergeant or below;
- or
- (b) a commanding officer sentences a non-commissioned officer of the rank of corporal or below; to reduction to the ranks, the superior authority or the commanding officer may, in addition, sentence the accused to a term of detention not exceeding 80 days in the case of the superior authority and 40 days in the case of a commanding officer.
- (6) In the case of a member of the Defence Force Reserves where the presiding officer considers it impracticable to impose any of the punishments prescribed in subsection (1), the presiding officer may, in lieu thereof—
- (a) in the case of a superior authority, impose a fine not exceeding 30 days' basic pay or in default of payment, imprisonment for a period not exceeding three months.
 - (b) in the case of a commanding officer, impose a fine not exceeding 20 days' basic pay or, in default of payment imprisonment for a period not exceeding two months.
 - (c) either in addition to or without the punishment prescribed in paragraph (a), basic pay or in default of payment, imprisonment for a period not exceeding one month;
 - (d) either in addition to or without the punishment prescribed in paragraph (a), (b) or (c), order such member to undergo additional training or instruction for a specified number of hours.

23. Procedure on summary trial by presiding officer

- (1) This section shall apply to the summary trial of an accused before any presiding officer.
- (2) Subject, with appropriate changes, to subsection 52 of the Act, any charge against an accused shall be heard in his presence.
- (3) Each charge shall be read to the accused and explained to him.
- (4) The accused shall be called upon to plead to each charge individually:

Provided that if the accused refuses to plead to a charge, a plea of not guilty shall be entered by the presiding officer.

(5) If the accused is subsequently arraigned on the same charge for trial by— (a) higher authority; or (b) court martial; no evidence as to his plea or any other statement made by him during the summary trial shall be admissible against him at the subsequent trial.

(6) The evidence against the accused shall be given on oath, which oath shall be administered to each witness by the presiding officer in the form and manner prescribed in the First Schedule to the Courts Martial Procedure Regulations and the accused shall be entitled to cross-examine such witnesses.

(7) After the evidence against the accused has been heard the accused shall be given the opportunity of—

- (a) giving evidence on oath; or
- (b) making an unsworn statement; and
- (c) calling any witness; in his defence both on the facts of the charge and in mitigation of punishment.

(8) If the accused elects to give evidence or to call witnesses, the oath shall be administered in terms of subsection (6) and the presiding officer may question the accused or witnesses on their evidence.

(9) Where a summary of evidence on the charge has been prepared the presiding officer may, with the accused's consent—

- (a) dispense with the calling of all or any witnesses; and
- (b) enter the summary or any part thereof as evidence in the trial.

(10) Where, having heard or perused all the evidence on any charge, the presiding officer determines that— (a) the accused is guilty; and

- (b) the appropriate punishment for the offence would, in terms of subsection (2) of section 22 be greater than 15 days' basic pay; and
- (c) the appropriate punishment should summarily be imposed; the presiding officer shall not record any finding or sentence without first giving the accused the opportunity of electing to be tried by court martial.

(11) Where an accused elects to be tried by court martial and does not withdraw that election within 24 hours, the accused shall be remanded accordingly and where no summary of evidence has been taken the procedure therefor shall be commenced within seven days of such remand.

(12) Where an accused does not elect or withdraws his election to be tried by court martial, the presiding officer shall, after convicting and sentencing him, advise him of his rights in terms of sections 25 and 28.

24. Disposal of charge other than by summary trial

(1) Where in terms of paragraph (d) of subsection (4) of section 16, a presiding officer remands a charge for summary or for direction by higher authority he shall— (a) report the nature of—

- (i) the allegation; and
- (ii) the evidence; and

(b) where one has been prepared, submit the summary of evidence; to the higher authority.

(2) On receipt of a report the higher authority may, subject to these regulations— (a) try the case summarily; or

- (b) where the higher authority is a commanding officer, refer the case to a superior authority for— (i) summary trial; or (ii) further direction; or
- (c) refer the case back to the reporting officer with a direction that it be— (i) further investigated; or (ii) tried summarily by the reporting officer where, in terms of paragraph (a) or (b) of subsection (1) of section 21 the charge falls within his jurisdiction;

(d) where a summary of evidence has been prepared on the charge, remand the case for trial by court martial; or

(e) remand the case for a summary of evidence; or

(f) in terms of paragraph (a) of subsection (4) of section 16, dismiss the charge.

25. Review of proceedings of summary trial

(1) The proceedings of any summary trial, other than where the charge was dismissed or the punishment imposed was, in terms of subsection (2) of section 22, not greater than 15 days' basic pay, may within seven days of the conviction, be reviewed at the instance of the accused or any other person who, in the opinion of the Director of Legal Services, is a properly interested party.

- (2) The reviewing authority, where the summary trial was held by— (a) a superior authority shall be the service Commander, a Chief of Staff; (b) a commanding officer or an officer commanding, shall be a superior authority; (c) an officer commanding, shall be the commanding officer.
- (3) Section 62 of the Act shall, with appropriate changes, apply to any review in terms of this section: Provided that—

- (i) pending the decision of the reviewing authority, the operation of any punishment shall not be suspended or interrupted; and
- (ii) no variation in the finding or punishment shall be made without the reviewing authority first having consulted the Director of Legal Services in writing.

26. Preparation of summaries and records of evidence

(1) Where a summary of evidence is required in terms of these regulations it shall, subject to this section and of any standing orders issued in regard thereto by the Commander, be recorded in writing by a presiding officer or such officer as he directs (hereinafter called the recording officer).

(2) The evidence of all witnesses shall be given in the accused's presence and on oath, the oath to be administered by the recording officer in the form and manner proscribed in the First Schedule to the Courts Martial Procedure Regulations.

(3) The accused may cross-examine any witness who gives evidence against him and any questions the accused asks, together with the answers thereto, shall be recorded.

(4) After the evidence against the accused has been recorded the accused shall be given the opportunity of calling and examining witnesses in his defence whose evidence shall be taken and recorded in terms of subsections (2) and (6).

(5) The recording officer may question any witness, either for or against the accused, for the purpose of canvassing all the material issues.

(6) After each witness's evidence has been recorded it shall be—

- (a) read over to him by the recording officer; and
- (b) signed by him; and
- (c) subscribed to by the recording officer.

(7) After all the evidence has been recorded, the accused shall be cautioned by the recording officer in the following terms—

“Do you wish to make any statement in your own defence? You are not obliged to make any statement, unless you wish to do so but whatever you say will be recorded and may be produced in evidence if you are subsequently tried before a military court.”.

(8) The accused shall not be questioned upon any statement he makes after being cautioned in terms of subsection (7) and any such statement shall— (a) be recorded; and

- (b) be read over, signed and subscribed to in terms of subsection (6); and
- (c) at any subsequent trial before a military court, be admissible in evidence upon its mere production without further proof, by— (i) the recording officer; or
- (ii) the prosecutor; or
- (iii) the accused.

(9) Where the recording officer certifies in writing that owing to— (a)

- the exigencies of military operations; or
- (b) the expense involved; or
- (c) any other sufficient reason; the attendance of any witness cannot be readily procured, a statement from such witness may be read to the accused and included in the summary of evidence.

(10) The attendance of any witness at the recording of a summary of evidence may be procured by the recording officer—

- (a) in the case of a member, by ordering him to attend; or
- (b) in the case of a person who is not a member, by issuing a summons in the form prescribed in the Second Schedule which shall be served by a member of the Military Police in the manner prescribed by subsection (2) of section 229 of the Criminal Procedure and Evidence Act [Chapter 9:07].

(11) A witness who attends a summary of evidence in response to a summons issued in terms of paragraph (b) of subsection (10) shall be entitled to such allowances as are payable in terms of the Criminal Procedure and Evidence (Witness Expenses and Allowances) Regulations.

(12) Where, in lieu of a summary of evidence, an abstract of evidence is required by a presiding officer it shall be prepared by the recording officer who shall— (a) in the absence of the accused—

- (i) record the unsworn statements of; or
- (ii) obtain written statements from;
- the witnesses [, and]

- (b) read over to the accused all the statements; and (c) comply with subsections (4), (7) and (8).
- (13) Where, as the result of the investigation of any charge or allegation against a member— (a) a docket has been prepared by—
- (i) a police officer; or
 - (ii) a member of the Military Police; or

(b) a board has recorded evidence; such docket or record of evidence may, on the advice of the Director of Prosecutions, be substituted for any summary of evidence required in terms of these regulations and any reference to a summary of evidence may be construed as meaning such docket or record:

- Provided that the recording officer shall— (i) read the docket or record to the accused; and
- (ii) comply with subsections (4), (7) and (8); and
 - (iii) include, as part of the docket or record, any statement made by, or evidence given on behalf of, the accused in terms of proviso (ii).

PART IV

REDRESS OF WRONGS AND PETITIONS ON REVIEW

27. *Redress of wrongs*

(1) In this section—

“aggrieved member” means a member who considers himself wronged in any matter by a superior officer; “redressing officer”, in relation to an aggrieved member, means the officer, other than the superior officer about whom the complaint is made, who is— (a) the lowest ranking of—

- (i) the aggrieved member's unit commander or commanding officer; or (ii) a superior authority; and

(b) superior in rank to the superior officer about whom the complaint is made; to whom a complaint is first made in terms of subsection (2).

(2) An aggrieved member may complain in writing to his redressing officer setting out— (a) the grounds of his complaint; and (b) the redress sought.

(3) On receipt of a complaint in terms of subsection (2) the redressing officer shall forthwith investigate the matter and, where he considers it proper and equitable to do so, grant the redress sought.

(4) Where the redressing officer does not—

- (a) in terms of subsection (3), grant the redress sought; or
- (b) resolve the matter to the satisfaction of the aggrieved member; he shall

forthwith refer the complaint, with his comments—

- (i) where the redressing officer is the unit commander, to the commanding officer; or
- (ii) where the redressing officer is the commanding officer, to a superior authority; or (iii) where the redressing officer is a superior authority, to the Service Commander.

(5) Where, after investigating a complaint referred to him in terms of paragraph (i) or (ii) of subsection (4), the commanding officer or superior authority, as the case may be, does not—

- (a) grant the redress sought; or
- (b) resolve the matter to the satisfaction of the aggrieved member; he shall

forthwith refer the complaint, with his comments—

- (i) in the case of the commanding officer, to a superior authority; or (ii) in the case of a superior authority to the Service Commander.

(6) Where, after investigating a complaint referred to him in terms of subparagraph (i) of subsection (5), a superior authority does not— (a) grant the redress sought; or

(b) resolve the matter to the satisfaction of the aggrieved member; the superior authority shall forthwith refer the complaint, with the superior authority's comments, to the Commander.

(7) Where a complaint is referred to in terms of— (a) subparagraph (iii) of subsection (4); or

- (b) subparagraph (ii) of subsection (5); or
- (c) subsection (6);

the Commander shall, after investigation, deal with the matter as he considers fit and, except where the aggrieved member is an officer, the Commander's decision shall be final.

(8) Where the aggrieved member is an officer and his complaint is not, in terms of subsection (7), resolved to his satisfaction, the Service Commander shall, with his comments, refer the complaint to the President whose decision shall be final.

28. *Petition on review of proceedings of court martial or summary trial*

- (1) A member convicted— (a) by a court martial; or
(b) on a summary trial held in terms of these regulations; who considers himself aggrieved by the finding or punishment imposed may submit a petition in writing—
(i) in the case of a court martial, to the confirming authority; or
(ii) in the case of a summary trial, to the reviewing authority prescribed by section 25;
- (2) A petition shall—
(a) be submitted within seven days of the member's conviction; and
(b) set out fully why the convicted member considers himself aggrieved; and
(c) be considered by the confirming or reviewing authority at the same time as he reviews the proceedings of the court martial or summary trial, as the case may be.

PART IV

BOARDS OF INQUIRY

29. *Interpretation*

In this Part—

“convening authority” means—

- (a) the Commander;
(b) a Service Commander;
(c) a superior authority;
(d) the officer in command of any unit; “president” means the president of a board.

30. *Convening of boards*

A convening authority may convene a board to collect and record evidence and, if required, to make a report, declaration, opinion or recommendation with regard to any matter which may be referred to it.

31. *Composition of boards*

- (1) A board shall consist of— (a) such officers; or
(b) such officer together with such non-commissioned officers; as the convening authority may appoint.
- (2) The convening authority shall nominate the senior officer as the president.

32. *Instructions to boards*

A board shall follow the written instructions of the convening authority and any standing orders or instructions issued which govern the proceedings of such boards.

33. *Oaths*

- (1) The evidence of a witness given before a board shall not be taken on oath unless— (a) the convening authority so directs; or (b) the inquiry relates to—
(i) any matter which may be the subject of a charge against a member;
or
(ii) the illegal absence of members; or (iii) returned prisoners of war.
- (2) The members of a board shall not themselves be sworn but where the inquiry relates to returned prisoners of war they shall make a declaration in the form prescribed in the Third Schedule.
- (3) Where, in terms of subsection (1), the evidence is to be taken on oath the president shall administer the oath to a witness in the form and manner prescribed in the First Schedule to the Courts Martial Procedure Regulations.

34. *Questioning of witnesses*

The members of a board shall put such questions to a witness as the board consider are necessary to test the truth or accuracy of any evidence and otherwise eliciting the truth.

35.

Procedure on inquiry which might form subject of charge against member or affect his character or reputation

- (1) Where an inquiry might—

- (a) form the subject of any charge against; or
- (b) affect the character of; or
- (c) affect the reputation within the Defence Forces of; a member, the member shall be entitled to be present throughout the inquiry and shall be given the opportunity—
 - (i) to question witnesses; and
 - (ii) to call witnesses; and
 - (iii) subject to being cautioned by the president in terms of subsection (7) of section 26, to make a statement.

(2) The president shall ensure that a member receives notice of his rights in terms of this section and that he fully understands them.

(3) Subject to the interests of security and at the president's discretion, a member may be represented at the inquiry by a legal practitioner or an officer of his own choice:

Provided that such representative shall have the right to question witnesses but not to address submissions to the board.

(4) Where a member does not avail himself of his rights in terms of subsection (1) or (3) the president shall, after all the evidence has been recorded and before the proceedings are submitted to the convening authority—

- (a) furnish the member with a copy of the record of the evidence; and
- (b) subject to subparagraph (iii) of subsection (1), invite the member to submit his written comments, if any, within seven days.

(5) Any—

- (a) statement given in terms of subparagraph (iii) of subsection (1); or
- (b) comments submitted in terms of paragraph (b) of subsection (4); by a member shall, in terms of paragraph (c) of subsection (8) of section 26, be admissible at any subsequent trial before a military court.

(6) The record of evidence of any inquiry or any part thereof held in terms of this section may, subject to subsection (13) of section 26, be substituted for any summary of evidence required in terms of these regulations.

36. Inquiry as to illegal absence

(1) Where a member has been absent without leave for a period of seven consecutive days, a board shall be convened to inquire into— (a) such absence; and

(b) any deficiency in—

- (i) the clothing or other equipment issued to such member for his use for military purposes; or (ii) any State or service property on his charge or entrusted to his care.

(2) Where after inquiry in terms of subsection (1) the board is satisfied that such member has absented himself without leave or other sufficient cause, it shall make a declaration in the form prescribed in the Fourth Schedule which shall be entered in the records of the unit of the absent member.

37. Returned prisoners of war

Where a board is held on a returned prisoner of war the convening authority shall direct the board to record its opinion as to whether the member concerned was taken prisoner by reason of—

- (a) the misfortunes of war; or
- (b) negligence or misconduct on the prisoner's part;
- (c) negligence or misconduct on the part of any other member; and the convening authority shall also record the prisoner's own opinion.

38. Proceedings of board are confidential

Subject to section 36, the record of proceedings of a board is confidential to the Commander who may, in the interests of security or for any other reason the commander considers fit, direct— (a) which part, if any, of; and

(b) to whom; such record may be disclosed.

PART VI

GENERAL

39. Appointment of superior authority, commanding officer and officer commanding

(1) A Service Commander may appoint any officer— (a) as a superior authority;

(b) as a commanding officer;

(c) as an officer commanding; in whom shall vest the powers and functions prescribed by these regulations:

Provided that in making any such appointment the Service Commander may, in writing, limit the extent to which the powers of punishment prescribed in section 22 may be exercised by such officer.

(2) A superior authority may—

- (a) appoint any officer within his unit as an officer commanding;
- (b) delegate to an officer commanding appointed in terms of paragraph (a) or paragraph (c) of subsection (1) all or any of the commanding officer's powers and functions prescribed by these regulations on such occasions and subject to such conditions as the superior authority may consider necessary or expedient.

40. Prescribed officer for purposes of sections 23(1)(b), 45(2), 46(1)(b) and 105(1)B of the Act

A prescribed officer for the purposes of paragraph (b) of subsection (1) of section 23, subsection (2) of section 45, paragraph (b) of subsection (1) of section 46, and subparagraph B of subsection (1) of section 105 of the Act shall be a superior authority, a commanding officer or an officer commanding.

41. Prescribed officer for purposes of section 41(1) of the Act

A prescribed officer for the purposes of subsection (1) of section 41 of the Act shall be a superior authority or the officer under whose command the member or the premises to be searched are for the time being.

42. Prescribed officer for purposes of section 44(1) of the Act

A prescribed officer for the purposes of subsection (1) of section 44 of the Act shall be—

- (a) in respect of any member, a superior authority;
- (b) in respect of any member serving under his command, a commanding officer; (c) in respect of any member serving in his unit, the officer commanding.

43. Prescribed officer for purposes of section 54(10) of the Act

A prescribed officer for the purposes of subsection (10) of section 54 of the Act shall be the officer presiding over the military court trying the accused concerned.

44. Prescribed officer for purposes of section 76 of the Act

A prescribed officer for the purposes of subsection (1) and paragraphs (a) and (b) of subsection (2) of section 76 of the Act shall be the officer who sentenced the member to pay the fine concerned or, in the absence of such officer, the commanding officer of that member.

45. Prescribed officer for purposes of section 77(1) of the Act

A prescribed officer for the purposes of subsection (1) of section 77 of the Act shall be—

- (a) in respect of a member sentenced by an officer prescribed for the purposes of subsection (2) of section 45 of the Act, that officer;
- (b) in respect of a member sentenced by a court martial within Zimbabwe, the officer promulgating the sentence of such court martial;
- (c) in respect of a member sentenced by a court martial outside Zimbabwe, a superior authority.

46. Prescribed warrants for purposes of the Act

(1) A remand warrant issued in terms of subsection (1) of section 44 of the Act shall be in the form prescribed in Part I of the Fifth Schedule.

(2) A warrant issued in terms of subsection (10) of section 54 of the Act shall be in the form prescribed in Part II of the Fifth Schedule.

(3) A warrant issued in terms of subsection (1) of section 76 of the Act shall be in the form prescribed in Part III of the Fifth Schedule.

(4) A warrant issued in terms of paragraph (b) of subsection (2) of section 76 of the Act shall be in the form prescribed in Part IV of the Fifth Schedule.

(5) A warrant issued in terms of paragraph (a) of subsection (1) of section 77 of the Act shall be in the form prescribed in Part V of the Fifth Schedule.

(6) A warrant issued in terms of paragraph (b) of subsection (1) of section 77 of the Act shall be in the form prescribed in Part VI of the Fifth Schedule.

47. Prescribed authority, depot, training camp or base for the purposes of section 105(2) of the Act

(1) A prescribed authority for the purposes of subsection (2) of section 105 of the Act shall be the commanding officer of the member or such officer as may be detailed for that purpose by his commanding officer.

(2) A prescribed depot, training camp or base for the purposes of subsection (2) of section 105 of the Act shall be any depot, training camp or base specified in the Sixth Schedule.

48. Repeals

The Defence Forces (Discipline) Regulations, 1978, published in Rhodesia Government Notice Number 259 of 1978, are repealed.

First Schedule (Sections 4 and 5)

RANKS IN THE DEFENCE FORCES

Army	Air Force
General	Air Chief Marshal
Lieutenant-General	Air Marshal
Major-General	Air Vice-Marshal
Brigadier	Air Commodore
Colonel	Group Captain
Lieutenant-Colonel	Wing Commander
Major	Squadron Leader
Captain	Flight Lieutenant
Lieutenant	Air Lieutenant
Second Lieutenant	Air Sub-Lieutenant
Warrant Officer (Class I)	Warrant Officer (Class I)
No equivalent	Master Technician
Warrant Officer (Class II)	Warrant Officer (Class II)
No equivalent	Master Sergeant
Colour Sergeant; Staff Sergeant	Flight Sergeant
Sergeant	Sergeant
Corporal; Bombadier	Corporal
Lance Corporal; Lance Bombadier	Senior Aircraftsman
No equivalent	Leading Aircraftsman
Private; Trooper; Gunner; Sapper	Aircraftsman
Recruit	Recruit Cadet
Officer Cadet	Officer Cadet

SECOND SCHEDULE (Section 26)
DEFENCE ACT [CHAPTER 11:02]
SUMMONS TO WITNESS

In the case of a summary of Evidence

TO: (Name and address of witness):

WHEREAS a charge of having committed an offence triable by a military court has been preferred against (No.) (Rank)
(Name) (Unit)

AND WHEREAS I have been directed to take a summary of evidence at on the day of
at o'clock in the noon, I do hereby summon and require you to attend as a witness at the said place and hour (and to bring with you the documents hereinafter mentioned)
.....
whereof you shall fail at your peril.

Given under my hand at on the
day of 2

(Signature)
Recording Officer

THIRD SCHEDULE (Section 33)

DECLARATION REQUIRED BY SECTION 34 OF THE DEFENCE
FORCES (DISCIPLINE) REGULATIONS

I, , do
hereby declare that I will duly and impartially inquire into and give my opinion
as to the circumstances in which (No.) (Rank).....

(Name) (Unit) became
a prisoner of war and I do further declare that I will not on any account or at any
time whatsoever disclose or discover my own vote or opinion or that of any
member of the board unless required to do so by competent authority.

Signed at on the
day of 2

(Signature)

FOURTH SCHEDULE (Section 36)

DECLARATION REQUIRED BY SECTION 37 OF THE DEFENCE
FORCES (DISCIPLINE) REGULATIONS

The Board declares that (No.) (Rank).....
(Name) (Unit) illegally absented
himself without leave (or other sufficient cause) at

(Station or place) on the day of
..... , that he is still so absent and that on

the (date on which inventory of kit was taken) he was
deficient and that he is still deficient of the following articles—

<i>Section and reference No.</i>	<i>Denomination</i>	<i>Description</i>	<i>Value</i>

Signed at on the
day of 2

(Signatures of *President*
President
and Members) *Members*

FIFTH SCHEDULE (Section 46)

PART I

REMAND WARRANT ISSUED IN TERMS OF SUBSECTION (1) OF
SECTION 44 OF THE DEFENCE ACT [CHAPTER 11:02]

To member-in-charge detention barracks at /

Officer-in-charge civil prison at

WHEREAS (No.) (Rank)

(Name) (Unit) a member of the Defence

Forces, is awaiting trial on a charge of
you are hereby required in terms of subsection (2) of section 44 of the Defence Act
[Chapter 11:02] to receive the said member into custody and detain him until the date
appointed for his trial unless released earlier by written order given under my hand.

Given under my hand at on the
day of 2

.....
Superior Authority
or Commanding Officer
or Officer Commanding

<i>Section and reference No.</i>	<i>Denomination</i>	<i>Description</i>	<i>Value</i>

Signed at on the
day of 2

(Signatures of *President*
President
and Members) *Members*

FIFTH SCHEDULE (Section 46)

PART I

REMAND WARRANT ISSUED IN TERMS OF SUBSECTION (1) OF
SECTION 44 OF THE DEFENCE ACT [CHAPTER 11:02]

To member-in-charge detention barracks at /

Officer-in-charge civil prison at

WHEREAS (No.) (Rank)

(Name) (Unit) a member of the Defence

Forces, is awaiting trial on a charge of
you are hereby required in terms of subsection (2) of section 44 of the Defence Act
[Chapter 11:02] to receive the said member into custody and detain him until the date
appointed for his trial unless released earlier by written order given under my hand.

Given under my hand at on the
day of 2

.....
Superior Authority
or Commanding Officer
or Officer Commanding

<i>Section and reference No.</i>	<i>Denomination</i>	<i>Description</i>	<i>Value</i>

Signed at on the
day of 2

(Signatures of *President*
President
and Members) *Members*

FIFTH SCHEDULE (Section 46)

PART I

REMAND WARRANT ISSUED IN TERMS OF SUBSECTION (1) OF
SECTION 44 OF THE DEFENCE ACT [CHAPTER 11:02]

To member-in-charge detention barracks at /

Officer-in-charge civil prison at

WHEREAS (No.) (Rank)

(Name) (Unit) a member of the Defence

Forces, is awaiting trial on a charge of
you are hereby required in terms of subsection (2) of section 44 of the Defence Act
[Chapter 11:02] to receive the said member into custody and detain him until the date
appointed for his trial unless released earlier by written order given under my hand.

Given under my hand at on the
day of 2

.....
Superior Authority
or Commanding Officer
or Officer Commanding

PART II

WARRANT FOR CUSTODY OF ACCUSED PERSON FOUND TO BE
MENTALLY DISORDERED OR DEFECTIVE AT THE TIME OF
COMMITTING A CRIME

TO: Officer-in-charge of civil prison at

WHEREAS (No.) (Rank)

(Name) (Unit) a member of the Defence

Forces, held before a military court under the Defence Act [Chapter 11:02]

at on the day of

2 , a special verdict was returned in terms of section 54

of the Defence Act [Chapter 11:02] that the accused was guilty of the offence of

contravening paragraph of the First Schedule to the

Defence Act [Chapter 11:02], that is to say (statement of offence)

..... but was mentally
disordered or defective at the time he committed it;

NOW, THEREFORE, in terms of subsection (10) of section 54 of the
Defence Act [Chapter 11:02], I do hereby require you to receive the accused in
your custody until he be legally discharged or legally removed from your custody.

Given under my hand at on the
day of 2

.....
Officer presiding over military court

PART III

WARRANT ISSUED IN TERMS OF SUBSECTION (1) OF SECTION 76
OF THE DEFENCE ACT [CHAPTER 11:02]

TO: The Messenger of the Magistrate's Court for the Province of
.....
at

WHEREAS (No.) (Rank)
(Name) (Unit) a member of the Defence
Forces, was, on the day of 2 convicted of
the offence of contravening paragraph of the First
Schedule to the Defence Act [Chapter 11:02] and sentenced to pay a fine of
....., or in default of payment, to undergo imprisonment
for a period of this is therefore to require you to
demand payment from the said member of the said fine, together with your costs
and expenses.

You are further required and directed, on failure of the said member to pay
such fine, costs and expenses as afore said, to levy such amount by attachment and
sale of any movable property belonging to that member situated within the limits
of the jurisdiction of the court to which you are attached, together with such
amount as will cover the costs and expenses of such attachment and sale.

Given under my hand at on the
day of 2

.....
*Officer imposing sentence or
Commanding Officer*

PART IV

WARRANT ISSUED IN TERMS OF PARAGRAPH (B) OF SUBSECTION
(2) OF SECTION 76 OF THE DEFENCE ACT [CHAPTER 11:02]

TO: All and each of the members of the Police Force.

WHEREAS (No.) (Rank)
(Name) (Unit) a member of the Defence
Forces, was duly convicted of the offence of contravening paragraph
..... of the First Schedule to the Defence Act [Chapter 11:02],
and sentenced to pay a fine of or in default
of payment, to undergo imprisonment/detention for a period of
..... the said member having failed to pay
such fine;

You are required and directed to arrest the said member and to deliver him
to the member in charge of the detention barracks/person in charge of the civil
prison at to undergo imprisonment/
detention as afore said.

Given under my hand at on the
day of 2

.....
*Officer imposing sentence
or Commanding Officer*

PART V

WARRANT OF COMMITTAL ISSUED IN TERMS OF PARAGRAPH (A)
OF SUBSECTION (1) OF SECTION 77 OF THE DEFENCE ACT
[CHAPTER 11:02]

TO: Member-in-charge detention barracks at

Officer-in-charge civil prison at

WHEREAS (No.) (Rank)

(Name) (Unit) a member of the Defence

Forces, was by a military court under the Defence Act [Chapter 11:02] and by a

sentence imposed on the day of

2 sentenced to be imprisoned/undergo detention for

..... commencing on the afore said day;

NOW, THEREFORE, I do hereby, in terms of subsection (2) of section
77 of the Defence Act [Chapter 11:02], require you to receive the said
member into your custody to undergo his sentence according to law, which
sentence shall be deemed to have commenced on (date sentence imposed) the

..... day of 2....., aforesaid.

Given under my hand at on the

day of 2

.....
*Officer imposing sentence or
Officer promulgating sentence of
court martial or Superior Authority*

SIXTH SCHEDULE (Section 48)

PRESCRIBED DEPOTS, TRAINING CAMPS AND STATIONS

1. Headquarters 1 Brigade, Bulawayo.
2. Corps Training depot, Inkomo.
3. Cranborne Barracks, Harare.
4. Defence Forces Barracks, Harare.
5. Imbizo Barracks, Bulawayo.
6. Headquarters 2 Brigade Barracks, Harare.
7. Zimbabwean Air Force Base, Manyame, Harare.
8. Zimbabwean Air Force Base, Thornhill, Gweru.
9. The Drill Halls at Gweru, Harare and Mutare.