STATUTORY INSTRUMENTS

1980 No. 243

SOUTHERN RHODESIA

The Southern Rhodesia (Constitution of Zimbabwe) (Elections and Appointments) (Amendment) Order 1980

Made - - -	*25th February* 1980
Laid before Parliament	*26th February* 1980
Coming into Operation	*26th February* 1980

At the Court at Buckingham Palace, the 25th day of February 1980

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 2 of the Southern Rhodesia Act 1979(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, commencement and construction

1.—(1) This Order may be cited as the Southern Rhodesia (Constitution of Zimbabwe) (Elections and Appointments) (Amendment) Order 1980 and shall come into operation on 26th February 1980.

(2) This Order shall be read as one with the Southern Rhodesia (Constitution of Zimbabwe) (Elections and Appointments) Order 1979(b) (in this Order referred to as "the 1979 Order").

Amendment of section 7 of 1979 Order

2. The following section is substituted for section 7 of the 1979 Order:—

"*Meetings of members of Senate and House of Assembly*

7. The persons elected as members of the House of Assembly, or elected or appointed as members of the Senate, may meet for the purpose of the elections referred to in section 3(2) and section 5 but the Senate and the House of Assembly shall not meet, and the members thereof shall not otherwise assume their functions as such, before Independence Day.".

(a) 1979 c. 52. (b) S.I. 1979/1654.

Amendment of section 8 of 1979 Order

3. Section 8(1) (*a*) of the 1979 Order is amended by deleting the figures "34", "35", "39" and "40".

Amendment of Schedule to 1979 Order

4. The Schedule to the 1979 Order is amended as follows:—

(a) the following new subparagraph (1A) is inserted after subparagraph (1) of the Particular Modifications to section 28 of the Constitution of Zimbabwe set out therein:—

"(1A) Subsection (7) shall have effect as if it read:—

"(7) The electoral college shall be convened and presided over, the drawing of lots shall be conducted and the declaration of the election of the successful candidate shall be made by such person as may be prescribed by regulations under subsection (8)." ";

(b) the following proviso is inserted at the end of the new subparagraph (3A) added by subparagraph 2(*d*) of the Particular Modifications to paragraph 3 of Schedule 3 to the Constitution of Zimbabwe set out therein:—

"Provided that nothing in this subparagraph shall be construed as precluding the Governor from taking such steps as he considers necessary for the purpose of ensuring that the election is, taken as a whole, free and fair.".

N. E. Leigh,
Clerk of the Privy Council.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order, which amends the Southern Rhodesia (Constitution of Zimbabwe) (Elections and Appointments) Order 1979, defers until after Independence Day the election of the presiding officers of the Senate and House of Assembly to be constituted before Independence. It also provides that the electoral college for the purpose of the election of the first President of Zimbabwe shall be convened and presided over by a person to be prescribed by regulations to be made by the Governor.

The Order also safeguards the Governor's powers to take steps necessary to ensure that the election to the House of Assembly is, as a whole, free and fair.
