

PRACTICE DIRECTION 3 OF 2020

OPERATIONAL DIRECTIONS FOR THE COURTS DURING LEVEL 2 LOCKDOWN

Application

1. This practice direction is issued to replace the operational instructions announced in practice directions 1 and 2 of 2020 and applies to the Constitutional Court, the Supreme Court, the High Court, the Labour Court, the Administrative Court, and the Magistrates' Courts in Zimbabwe.

General Note

2. Following the proclamation on 1 May 2020 by His Excellency, the President that the country is moving into level 2 lockdown from 4 May 2020, these directions are issued to guide court operations during the level 2 lockdown period.
3. For the purposes of implementing the measures introduced under level 2 lockdown, practice direction number 1 of 2020 as amended shall remain effective until the 10th of May 2020.
4. Accused persons automatically remanded to dates between 4 May 2020 and 8 May 2020 under practice direction 2 of 2020, will be remanded by the courts to dates after 11 May 2020.

Court Operations

5. All courts shall become operational with effect from 11 May 2020.
6. Court functions and duties shall proceed in the manner set out in this practice direction.
7. Registries shall be open for litigants, legal practitioners and the public on week days, between 0800hrs and 1500hrs.
8. Filing of court documents, including process and pleadings, shall proceed in terms of the applicable rules, legislation or court order.
9. Matters must be heard and determined expeditiously to avoid unnecessary attendances by litigants at courts.
10. The Sheriff shall serve all other process and orders, but shall not carry out evictions, executions or conduct sales in execution for the duration of the lockdown period.

11. Solemnisation of marriages shall remain suspended for the duration of lockdown period.

Court Attendance

12. Litigants and other court users shall at all times:-

- i. be subjected to temperature checks and sanitisation of hands at entrances;
- ii. wear face masks;
- iii. avoid person to person contact; and
- iv. maintain social distancing of at least one metre apart.

13. Any person who does not comply with the requirements specified in paragraph 12 shall not be allowed to enter into the courthouse or courtroom; or shall be asked to leave the courtroom or the courthouse.

14. Entry into court rooms shall be limited to litigants, their legal practitioners, witnesses and members of the press.

15. Entry into courthouses shall not be permitted for members of the public who have no business at court.

16. Litigants who are required to attend Court in a Province or District other than where they are normally resident shall obtain the necessary letters of clearance at the nearest police station.

Effective dates

17. Paragraphs 3 and 4 take effect from 4 May 2020 and shall remain in force until 10 May 2020.

18. All the other paragraphs of this practice direction take effect from 11 May 2020 and shall remain in force until the expiry of the Level 2 Lockdown period.

Hon. Mr Justice L Malaba

Chief Justice of Zimbabwe

HARARE

3 May 2020