

OFFICE OF THE CHIEF JUSTICE



PRACTICE DIRECTION 6 OF 2021

OPERATIONAL DIRECTIONS FOR THE COURTS DURING LEVEL IV NATIONAL LOCKDOWN

Application

- 1) This practice direction applies to the Constitutional Court, the Supreme Court, the High Court (including the offices of the Master and the Sheriff), the Labour Court, the Administrative Court and the Magistrates' Court (including the Messenger of Court) in Zimbabwe.

General Note

- 2) Following the extension of national lockdown pronounced through the Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (No. 2) Order, 2020 published in Statutory Instrument 200 of 2020, as read together with the **Public Health (COVID -19 Prevention, Containment and Treatment) (National Lockdown) (No.2) (Amendment) Order, 2021(No.30)** (published in Statutory Instrument 198 of 2021) and the unprecedented upsurge of Covid-19 cases country wide, this practice

direction is hereby issued to give guidance on court operations; filing of pleadings and processes; and handling of cases before the courts.

Court Operations

- 3) With effect from **22 July 2021**, the filing of new cases, process, documents, pleadings and papers shall be suspended for a period up to **27 July 2021**, unless the period is earlier extended or revoked.
- 4) The limited services that will be provided by the courts are **initial remands; urgent applications and processes; and bail applications.**
- 5) The Sheriff and the Messenger of Court will be available to attend to matters that are connected or related to those filed in terms of paragraph 4 above.
- 6) Registries shall be open for litigants and legal practitioners **only** on week days, between **0800hrs** and **1500hrs** to accept process related to matters outlined in paragraph 4.

Court Attendance

- 7) Admission into court premises and offices shall **only** be granted to litigants, legal practitioners and members of the press subject to the conditions stated hereunder. They must :
 - a. be subjected to temperature checks and sanitisation of hands at entry into court premises;
 - b. wear face masks in the manner prescribed by law;
 - c. avoid person to person contact; and
 - d. maintain social distancing as prescribed by law.
- 8) Any person who does not comply with the requirements specified in paragraph 7 shall not be allowed entry into court premises or courthouse or courtroom; or shall be asked to leave the court premises or courtroom or courthouse.

Dies induciae/ Prescription

- 9) The time limited by any rule for the filing of process, pleadings, documents and papers shall be suspended for the duration of this period to contain the spread of the corona virus.
- 10) Any act required by the Rules to have been done during the period of the lockdown within a specified period of time, shall be done within the specified time limit calculated from the **27th July 2021**.
- 11) Any act which would have been due within the remaining period of a *dies induciae*, shall be due to be done within the same remaining period of the *dies induciae*, calculated from the **27th of July 2021**.

Civil matters

- 12) All pending civil cases **originally** postponed or set down on the dates shown in Column 'A' of **paragraph 15**, shall be rolled over to the dates indicated in column 'B' of **paragraph 15**.
- 13) The registrars and clerks of court of the respective courts shall reset down the matters in consultation with the parties.
- 14) The Sheriff and the Messenger of Court shall not charge the costs of serving notices of re-set down for such matters.

Criminal matters

- 15) All pending criminal cases **originally** remanded to the dates shown in Column 'A' are rolled over to the dates indicated in column 'B':-

Column 'A'	Column 'B'
Original Remand Date	New date of remand
22 July 2021	27 July 2021

23 July 2021	28 July 2021
26 July 2021	29 July 2021
27 July 2021	30 July 2021

Effective date

16) This Practice Direction takes effect from **22 July 2021** and shall remain in effect until **27 July 2021**, unless earlier extended or revoked.

Hon. Mr. Justice L. Malaba
Chief Justice of Zimbabwe

HARARE

21 July 2021