



ZIMBABWEAN

GOVERNMENT GAZETTE
EXTRAORDINARY

Published by Authority

Vol. XCIV, No. 30

23rd MAY, 2016

Price US\$2,00

General Notice 85 of 2016.

CONSTITUTION OF ZIMBABWE

Clemency Order No. 1 of 2016

IT is hereby notified that His Excellency the President has, in terms of section 112(1)(a) and (d) of the Constitution of Zimbabwe, made the order set out in the Schedule.

V. MABIZA,

23-5-2016. Secretary for Justice, Legal and Parliamentary Affairs.

SCHEDULE

CLEMENCY ORDER

Title

1. This order may be cited as Clemency Order No. 1 of 2016.

Remission of the sentence for all convicted female prisoners

2. A full remission of the remaining period of imprisonment is hereby granted to all female prisoners, regardless of the offence committed, save for those sentenced to life imprisonment and to death.

Remission of sentence for all juveniles

3. Full remission of the remaining period of imprisonment is hereby granted to all juvenile prisoners under the age of eighteen years serving terms of imprisonment, irrespective of the offences they committed.

Remission of sentence for prisoners sentenced to 36 months and below

4. Full remission of the remaining period of imprisonment is hereby granted to all those prisoners sentenced to imprisonment for a period of 36 months and below and who would have served a quarter of their sentence by the date of gazetting of this Clemency Order, provided they are not excluded from benefitting in terms of paragraphs 10 and 11.

Remission of sentence on medical grounds

5. Full remission of the remaining period of imprisonment is hereby granted to all terminally ill prisoners who are unlikely to survive their prison terms irrespective of the offences they committed upon certification by a Prison Medical Officer or a Government Medical Officer, of the fact that the concerned prisoner is unlikely to survive his or her prison term.

Remission of sentence for prisoners at the open prison

6. Full remission of sentence is hereby granted to all prisoners serving a term of imprisonment at the open prison. This category consists of prisoners who as a result of good behaviour and a genuine desire to reform whilst in closed prison, have been selected for the open prison rehabilitation programmes.

Remission of sentence for prisoners aged 60 years and above

7. Full remission of sentence is hereby granted to all prisoners aged sixty (60) years and above, and who would have served two thirds of their sentence by the date of gazetting of this Clemency Order save for those sentenced to life imprisonment or death.

Remission of sentence for prisoners convicted of stock theft

8. Full remission is hereby granted to all prisoners serving a sentence of imprisonment for stock theft who would have served two thirds of their sentence after a one third remission by the date of gazetting of this Clemency Order.

Remission of sentence for prisoners sentenced to life imprisonment

9. Full remission is hereby granted to all prisoners sentenced to life imprisonment on or before 25th December, 1995.

Prisoners excluded from the proposed amnesty

10. The following prisoners are excluded from this amnesty:

- (i) any habitual criminals serving a term of extended imprisonment;
- (ii) any person under sentence of death;
- (iii) any person serving a sentence imposed by a Court Martial;
- (iv) any person who escaped from lawful custody and is still at large by the date of gazetting of this Clemency Order; and
- (v) any person convicted of committing a specified offence except those excluded in terms of paragraphs 2 and 3 of this Schedule.

Definitions

11. For the purposes of this amnesty, "Specified Offence" means—

- (a) murder, treason;
- (b) rape or any sexual offence;
- (c) carjacking, armed robbery;
- (d) any conspiracy, incitement or attempt to commit any of the offences referred to in paragraphs (a), (b) or (c);
- (e) being an accessory after the fact to any of the offences referred to in paragraphs (a), (b) or (c).

Given under my hand and seal at Harare this twentieth day of April, in the year of Our Lord two thousand and sixteen.

R. G. MUGABE,
President.

CONTENTS

General Notice

Number	Page
85. Constitution of Zimbabwe: Clemency Order No. 1 of 2016	417