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General Notice 239A of 2016.

PUBLIC ORDER AND SECURITY ACT [CHAPTER 11:17]

Notice of Proposed Prohibition Order

Notice to interested parties of proposed prohibition order

NOTICE is hereby given to all interested parties of the prohibition order sought to be made under section 27 of the Public Order and Security Act [Chapter 11:17] in the terms specified in paragraph 3 below that is proposed to take effect from the 16th September, 2016 and to expire on the 15th October, 2016.

Interested parties are invited to make any representations they may wish to make on the proposed order to the Regulating Authority of the Harare Central Police District addressed in writing to the Regulating Authority, c/o Zimbabwe Republic Police, Harare Central Police Station, corner Inez Terrace and Kenneth Kaunda Road (P.O. Box CY 154, Causeway), Harare.

Proposed prohibition order

WHEREAS it is provided in section 86 of the Constitution that fundamental rights and freedoms set out in the Declaration of Rights may be limited only in terms of a law of general application and to the extent that the limitation is fair, reasonable, necessary and justifiable in a democratic society based on openness, justice, human dignity, equality and freedom, taking into account all relevant factors;

AND WHEREAS it is provided in section 27(1) of the Public Order and Security Act [Chapter 11:17] that if a regulating authority for any area believes on reasonable grounds that the powers conferred by section 26 ("Consultations, negotiations, amendment of notices, and conditions with respect to processions, public demonstrations and public meetings to avoid public disorder") of that Act will not be sufficient to prevent public disorder being occasioned by the holding of processions or public demonstrations or any class thereof in the area or any part thereof, he may issue an order prohibiting, for a specified period not exceeding one month, the holding of all public demonstrations or any class of public demonstrations in the area or part thereof concerned:

NOW, THEREFORE, I, Chief Superintendent Newbert Saunyama of the Zimbabwe Republic Police, being the Regulating Authority of the Harare Central Police District in my capacity as the Officer Commanding Harare Central Police District, hereby, in terms of section 27 of the Public Order and Security Act [Chapter 11:17], make the following order: —

1. This Order may be cited as the Public Order and Security (Temporary Prohibition of Public Demonstrations in the Harare Central Police District) Order, 2016.

Interpretation

2. In this Order—

"Harare Central Police District" means the area bounded by Cumberland Road, Enterprise Road, Churchill Avenue, Swan Drive, Cork Road, Sandringham Drive, Drummond Chaplin Road, Marimba Stream, Coventry Road, Rotten Row, the National Railways of Zimbabwe line up to the Mukuvisi River and back to Cumberland Road;

"Regulating Authority" means Chief Superintendent Newbert Saunyama of the Zimbabwe Republic Police, being the Regulating Authority of the Harare Central Police District in his capacity as the Officer Commanding Harare Central Police District.

3. The Regulating Authority, believing on reasonable grounds that the powers conferred by section 26 of the Public Order and Security Act [Chapter 11:17] will not be sufficient to prevent public disorder being occasioned by the holding of processions or public demonstrations or any class thereof in the Harare Central Police District, hereby issues this Order prohibiting, for a period of one month from Friday, the 16th September, 2016, to Saturday, the 15th October, 2016, the holding of all processions or public demonstrations or any class thereof in the Harare Central Police District.

4. For the avoidance of doubt it is declared that, in terms of section 27(5) of the Public Order and Security Act [Chapter 11:17], any person who organises or assists in organising or takes part in or attends any procession or public demonstration held in contravention of an order under section 27(1) of the Act shall be guilty of an offence and liable to a fine not exceeding level six or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

CHIEF SUPERINTENDENT
NEWBERT SAUNYAMA, ZRP,

13-9-2016.

Regulating Authority, Harare Central Police.

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