



ZIMBABWE

ACT

To amend the Citizenship of Zimbabwe Act [Chapter 4:01].

ENACTED by the President and the Parliament of Zimbabwe.

1 Short title

This Act may be cited as the Citizenship of Zimbabwe Amendment Act, 2003.

2 New section inserted after section 9 of Cap. 4:01

The Citizenship of Zimbabwe Act [Chapter 4:01] (hereinafter called "the principal Act") is amended by the insertion after section 9 of the following section—

"9A Special procedure for renunciation of citizenship by certain persons.

(1) In this section—

"SADC country" means a country which is a member of the Southern African Development Community established in terms of the Treaty signed at Windhoek in the Republic of Namibia on the 17th August, 1992.

"migrant worker" means any person who entered Zimbabwe from a SADC country or left Zimbabwe for a SADC country for the purposes of employment as a—

- (a) farm labourer; or
(b) mine worker; or
(c) domestic employee; or
(d) worker in any other unskilled occupation.

(2) A person may renounce his citizenship of a SADC country and confirm his citizenship of Zimbabwe in terms of subsection (3) instead of renouncing his citizenship of a SADC country in terms of subsection (3), (4), (5), (6) or (7) of section nine, if—

- (a) he was born in Zimbabwe and—
- (i) one of his parents was born in a SADC country and entered Zimbabwe on or before the 18th of April, 1980, as a migrant worker, and from the date of such entry until the date of birth of the person referred to in this section such parent has continuously resided in Zimbabwe; and
 - (ii) he has continuously resided in Zimbabwe since the date of his birth except for any temporary absence in any of the circumstances specified in subsection (2) of section *thirteen*; and
 - (iii) he has not at any time after the date of his birth acquired any foreign citizenship or foreign passport, whether voluntarily or otherwise, or enjoyed the protection of any foreign country;

or

- (b) he was born in a SADC country and—
- (i) one of his parents was born in Zimbabwe and left Zimbabwe on or before the 18th of April, 1980, for a SADC country as a migrant worker, and such parent was resident in that country at the date of birth of the person referred to in this section; and
 - (ii) he is permanently resident in Zimbabwe at the time of making an application in terms of subsection (3); and
 - (iii) he has not at any time after the date of his first entry into Zimbabwe acquired any other foreign citizenship or other foreign passport, whether voluntarily or otherwise, or enjoyed the protection of any foreign country.

(3) A person referred to in subsection (2) may at any time apply to the Registrar, in the prescribed form and manner, for renunciation of his citizenship of a SADC country and confirmation of his status as a citizen of Zimbabwe and the Registrar shall, if he is satisfied that the applicant fulfils the conditions described in that subsection, issue a certificate confirming his status as a citizen of Zimbabwe."

3 Amendment of section 20 of Cap. 4:01

Section 20 of the principal Act is amended by the insertion after subsection (4) of the following subsection—

"(5) Notwithstanding anything contained in subsection (1) of section 25 of the Civil Evidence Act [*Chapter 8:01*], if in any proceedings referred to in subsection (4) the Registrar-General produces a document purporting to be a copy of any written law of a foreign country which shows that any person is, by virtue of that law, a citizen of that country, it shall be presumed, unless it is shown to the contrary, that that person is a citizen of that country."