

IN THE CONSTITUTIONAL COURT OF ZIMBABWE

CASE NO: CZ...../2025

HELD AT HARARE

In the matter between

MBUSO FUZWAYO

IBETSHU LIKAZULU



1st APPLICANT

2nd APPLICANT

And

ZIMBABWE AFRICAN NATIONAL UNION

PATRIOTIC FRONT (ZANU PF).

1st RESPONDENT

MINISTER OF JUSTICE, LEGAL &

PARLIAMENTARY AFFAIRS (N.O)

2ND RESPONDENT

SPEAKER OF PARLIAMENT (N.O)

3RD RESPONDENT

ATTORNEY GENERAL (N.O)

4TH RESPONDENT

PRESIDENT OF ZIMBABWE (N.O)

5TH RESPONDENT

COURT APPLICATION FOR LEAVE OF DIRECT ACCESS

TO THE CONSTITUTIONAL COURT

**In Terms of Section 167 (5) of the Constitution of the Constitutional Court Rules
2025 (S.I 19 of 2025)**

Prepared by:

Advocate Method Ndlovu as duly instructed by:

SITHOLE LAW CHAMBERS, Applicants' Legal Practitioners, Numbers 14 Park
Road, Suburbs, Bulawayo

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FORM CCZ 1

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**COURT APPLICATION FOR LEAVE OF DIRECT ACCESS
TO THE CONSTITUTIONAL COURT**

In Terms of Section 167 (5) of the Constitution of the Constitutional Court Rules
2025 (S.I 19 of 2025)

TAKE NOTICE THAT, the Applicants intends to apply to the Constitutional Court for an order in terms of the Draft Order annexed to this notice of motion and that the

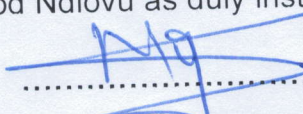
accompanying affidavits and documents will be used in support of the application. As more fully set out in the affidavit supporting this application/

If you intend to oppose this application, you will have to file a Notice of Opposition in Form CCZ2, together with one or more opposing affidavits with the Registrar of the Constitutional Court at Harare within ten(10) days after the date on which this notice was served upon you. You will also have to serve a copy of the Notice of Opposition and affidavits on the applicant at the address for service specified below. Your affidavits may have annexed to them documents verifying the facts set out in the affidavits.

THUS, DONE AND DATED AT BULAWAYO THIS ¹²04 DAY NOVEMBER 2025.

Prepared by:

Advocate Method Ndlovu as duly instructed by


SITHOLE LAW CHAMBERS

Applicant's Legal Practitioners

Number 14 Park Road

Suburbs

BULAWAYO (Mr Sithole/Im)

sitholelawchambers@gmail.com

Cell: 0772 944 717

Tel: (029) 233 1494

TO: THE REGISTRAR
Constitutional Court of Zimbabwe
HARARE

AND TO: ZIMBABWE AFRICAN UNION PATRIOTIC FRONT (ZANU PF)
 (1st Respondent herein)
 Pennfather Avenue
HARARE

AND TO: MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS
 (2nd Respondent herein)
 6th Floor, New Government Complex
 Corner 3rd Street/Central Avenue
HARARE

AND TO: SPEAKER OF PARLIAMENT (N.O)
 (3rd Respondent herein)
 Parliament of Zimbabwe, Mount Hampden Junction
HARARE

AND TO: ATTORNEY GENERAL OF THE REPUBLIC OF ZIMBABWE (N.O)
 (4th Respondent herein)
 4th Floor, New Government Complex
 Corner 3rd Street/Central Avenue
HARARE

AND TO: PRESIDENT OF THE REPUBLIC OF ZIMBABWE (N.O)
 (5th Respondent herein)
 c/o **Attorney General of the Republic of Zimbabwe**
 4th Floor, New Government Complex
 Corner 3rd Street/Central Avenue
HARARE

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PRESIDENT OF ZIMBABWE (N.O)

5TH RESPONDENT

1ST APPLICANT'S FOUNDING AFFIDAVIT

In support of

COURT APPLICATION FOR DIRECT ACCESS TO THE CONSTITUTIONAL COURT

In Terms of Section 167 (5) of the Constitutional of Zimbabwe Amendment (No. 20) Act, 2013 as read with Rule 26(2) of the Constitutional Court Rules 2025

THE OATH

I, **MBUSO FUZWAYO**, do hereby make oath and state that: -

1. I am the 1st Applicant in this matter and my address for service is that of my legal practitioners, **Sithole Law Chambers, Number 14, Park Road, Suburbs, Bulawayo**. To the extent to which I make statements on matters of law, it is on the basis of the legal advice I have received and accepted.
2. I am an adult citizen of Zimbabwe by birth. I attach a copy of my national identity card as **Annexure "B1"**. My parents are both citizens of Zimbabwe by birth. My citizenry cannot be queried.
3. The 2nd Applicant is **Ibhetshu Lika Zulu**, a trust duly registered with the Deeds Office and has power to sue and being sued in its own name. I attach its Deed of Trust as **Annexure "B1"**. Its address of service is care of its undersigned legal practitioners of record, being **Sithole Law Chambers, Number 14 Park Road, Suburbs, Bulawayo**.
4. The 1st Respondent is the **Zimbabwe African National Union Patriotic Front (ZANU PF)**, (the party), it being a duly constituted political party organisation with the capacity to sue and be sued in its own name. Its address for service is **Pennfather Avenue, Harare**.
5. The 2nd Respondent is the **Minister of Justice, Legal and Parliamentary Affairs, and the Secretary for Legal Affairs** of the 1st Respondent; cited in his official capacity in both roles. His address for service is **6th Floor, New Government Complex, Corner 3rd Street and Central avenue, Harare**.
6. The 3rd Respondent is the **Speaker of Parliament**. He is cited in his official capacity in these proceedings. His address of service is **Parliament of Zimbabwe, Mount Hampden Junction, Harare**.
7. The 4th Respondent is the **Attorney General of the Republic of Zimbabwe** cited in her official capacity as the principal Legal Adviser to the Government and representing it in civil and constitutional matters. Her address for service

is **4th Floor, New Government Complex, Corner 3rd Street and Central Avenue, Harare.**

8. The 5th Respondent is the **President of the Republic of Zimbabwe** cited in his official capacity, as the Head of State and Government as an interested party. His address for service is % **Attorney General of the Republic of Zimbabwe, 4th Floor, New Government Complex, Cnr 3rd Street and Central Avenue, Harare.**

Nature of the Application

9. This is an application for an order of leave for direct access for Constitutional Court (the Court) in terms of section 167(5) of the Constitution of Zimbabwe 2013 (The Constitution) as read with Rule 26(2) of the Constitutional Court Rules, 2025 (the Rules). The cause of action arises from the Resolution 1 of 2024 made by the 1st Respondent which I contend has an effect of infringing my constitutionally guaranteed rights which are my political rights as provided for in section 67 of the Constitution of Zimbabwe and for me to be subjected to free and regular elections and freedom of association as provided for in section 58 of the Constitution of Zimbabwe. This I shall demonstrate in this affidavit.
10. I also contend that Resolution 1 of 2024 by the 1st Respondent infringes my right to equal benefit of the law. The 5th Respondent benefited from the existing law for him to become the President. A Resolution that then seeks to extend the term of presidency is one which closes political space for me and any other persons who might have presidential ambitions.

Background Matrix

11. The 1st Respondent, Zanu PF, adopted Resolution Number 1 at its National People's Conference held on or about **26 October 2024** in Bulawayo, which

states:

"The President and First Secretary of ZANU PF Party, His Excellency, Cde. Dr. E.D Mnangagwa's term of office as President of the Republic of Zimbabwe and First Secretary of ZANU PF be extended beyond 2028 to 2030. The Party and Government should, therefore, set in motion the necessary amendments to the National Constitution so as to give effect to this resolution."

12. A true and certified copy of the Resolution is annexed hereto as "**Annexure C.**" I also attach the minutes leading to the Resolution and mark the same as **Annexure "D"**.

13. At its Annual People's Conference held in Mutare on or about **18 October 2025**, the 1st Respondent resolved to give urgency to the implementation of the Resolution by directing that:

*"On the state of the party, that whereas the 21st National People's Conference of ZANU PF held on **26 October 2024** in Bulawayo resolved as follows: In recognition of the extensive developmental milestones and the significant socio-economic progress achieved under the leadership of the President and First Secretary of ZANU PF, His Excellency, Dr ED Mnangagwa, it is resolved that his term of office as President of the Republic of Zimbabwe be extended beyond 2028 to 2030. The party and Government are therefore directed to initiate the requisite legislative amendments to give full effect to this resolution to ensure continuity, stability and the sustained transformation of the nation."*

14. A true copy of the Resolution is annexed hereto as "**Annexure E**".

15. The Resolutions explicitly directs not only the party but also the "Government" to initiate constitutional amendments as a matter of urgency, before the first Respondent's annual meeting set for October 2026, implying state action to extend the 5th Respondent's term of office is underway and therefore alive.

16. This directive has been echoed in public pronouncements by government officials, including the 2nd Respondent, the Minister of Justice, Legal and Parliamentary Affairs, who has expressed commitment to implementing the Resolution. For instance, in statements reported in the media and parliamentary proceedings (e.g., references in ZBC News on **21 September 2025** and the US State Department 2025 Investment Climate Report noting Zanu PF's push for extension), the Minister has indicated government intent to pursue legislative changes aligned with the Resolution. These pronouncements create a real and imminent threat of unconstitutional action.

17. I am advised that implementing the Resolution would require amending sections 95(2)(b) (presidential term of office) and 143(1) (parliamentary lifespan), which opponents argue are term-limit provisions under section 328(1), triggering section 328(7)'s referendum requirement for incumbent-benefiting extensions. The Resolution's call for such amendments without referendums risks entrenching incumbency, favouring the 5th Respondent.

18. I am also advised that this Honourable Court ruled in ***Marx Mupungu v Minister of Justice, Legal and Parliamentary Affairs & Ors*** CCZ7/21 defined a term limit provision as being *"a myriad of provisions that unquestionably constitute specific term limit provisions within the parameters of s 328. First and foremost, there is s 95(2) which expressly stipulates that the term of office of the President is 5 years and coterminous with the life of Parliament."* The definition is binding.

19. Based on the above I have been advised and now I have a real apprehension that the Resolution:

- (i) threatens the rule of law principle by bypassing potential referendum safeguards, eroding multiparty democracy as it seeks to entrench Zanu PF as a political party, without citizen input through a national

referendum to the detriment of foundational values and principles enshrined in section 3 of the Constitution.

- (ii) discriminates by extending benefits to the incumbent President, the 5th Respondent, violating equality before the law protected under section 56 of the Constitution.
- (iii) risks infringing rights (enshrined in section 67 of the Constitution) to free, fair elections and participation, as the amendments being sought without referendums would skew democratic processes.

20. Accordingly, 1st Applicant is seeking appropriate relief, including a declaration that the Resolution is unconstitutional to the extent it directs amendments to the Constitution without regard to section 328(7)'s national referendum requirements, and an interdict prohibiting the Respondents from taking steps to implement it pending a determination on whether sections 95(2)(b) and 143(1) are term-limit provisions under section 328(1).

Locus Standi

21. As a citizen, I have a real and substantial interest and the right to approach this Court because of my apprehension that my fundamental rights and freedoms enshrined in Chapter 4 of the Constitution—specifically, the right to equal protection and benefit of the law (section 56) and political rights (section 67)—are likely to be infringed by the implementation of Zanu PF's Resolution Number 1 of 2024, adopted at its 21st National People's Conference in Bulawayo in October 2024 ("the Resolution").

22. I therefore seek protection of the law and to vindicate my constitutional rights under section 85(1) of the Constitution which provides as follows:

"Enforcement of fundamental human rights and freedoms (1) Any of the following persons, namely-

(a) any person acting in their own interests;

Is entitled to approach a court, alleging that a fundamental right or freedom enshrined in this Chapter has been, is being or is likely to be infringed, and the court may grant appropriate relief, including a declaration of rights and an award of compensation."

23. This Honourable Court has given fully expression to section 85 in the words of MALABA DCJ (as he then was) in the case of **Meda v Sibanda** 2016 (2) ZLR 232 (CCZ)

Grounds for Direct Access to the Constitutional Court

24. I am advised that direct access is sought under section 85(1)(a) of the Constitution, as I allege that my rights under sections 56 and 67 "are likely to be infringed" by the Resolution's implementation. Section 85(1) permits any person acting in their own interests to approach a court for redress, and the Constitutional Court has exclusive jurisdiction over such matters per section 167(2)(d).

25. I seek direct access per Rule 26 of the Constitutional Court Rules (SI 19/2025), considering national importance (electoral integrity), urgency (pre-2028 implementation), and public interest (clarifying section 328(1) amid national clamour for referendums).

26. I am further advised that the interests of justice warrant direct access, as established in **Mudzuru & Another v Minister of Justice, Legal & Parliamentary Affairs & Others** (CCZ 12/15) [2015] ZWCC 12 and **Jonathan Nathaniel Moyo v Sergeant Chacha & Others** (CCZ 19/17) [2017] ZWCC 19. In **Mudzuru**, the Court granted direct access for a matter of national importance involving child rights, emphasizing urgency and public interest. Similarly, in **Moyo v Sergeant Chacha**, direct access was considered for alleged liberty infringements, highlighting the need for swift resolution where lower courts would delay justice. Here, the issues involve electoral integrity, constitutional supremacy, and potential infringement of democratic rights—a

matter of profound public importance affecting all Zimbabweans, with urgency given the government's expressed commitment to act (e.g., ministerial statements on implementation).

27. Factors favouring direct access include: (a) the national significance of clarifying section 328(1) amid succession debates; (b) avoidance of multiplicity of proceedings, as lower courts would likely refer under section 175(3); (c) the risk of irreparable harm if amendments proceed without judicial guidance; and (d) the Applicants' standing as voters whose political rights are threatened.

Infringements of Fundamental Rights

28. The Resolution is likely to infringe section 3's foundational values (supremacy of the Constitution, rule of law, multiparty democracy) by directing amendments that bypass section 328(7)'s safeguards if sections 95(2)(b) and 143(1) are term-limit provisions, undermining democratic accountability.

29. It violates section 56 (equal protection of the law) by favouring the 5th Respondent through incumbency extension, discriminating against other citizens' political participation and creating unequal access to office.

30. It threatens section 67 (political rights) by entrenching power without referendums, infringing rights to free, fair elections and democratic participation, as the directive implies state-led changes skewing the electoral playing field.

31. These infringements are imminent, given the Resolution's explicit call for government action and supporting pronouncements (e.g., the Minister of Justice's commitments to implement, as reported in ZBC News and parliamentary discussions), necessitating the relief I crave.

32. All told, there's now a real, clear and present dispute triggered by the resolve of the 1st Respondent to implement a blatantly unconstitutional

resolution. Alarming evidence of this is the petrol bombing of the premises of the Southern Africa Political Economy Series (SAPES), ahead of a news conference by opponents of the Resolution that was due to be hosted by SAPES on 28 October 2025. I attach as "**Annexure F**", depicting the bombing of Sapes.

33. Relief Sought

34. I therefore pray for an order granting me and the 2nd Applicant leave for direct access to the Constitutional Court.

35. If I am granted leave for direct access I will seek the following order:

- (i) Interdicting the Respondents from taking any steps to implement Zanu PF's Resolution Number 1 pending the determination of this matter.
- (ii) Declaration that sections 95(2)(b) and 143(1) constitute term-limit provisions under section 328(1) and 328(7) of the Constitution.
- (iii) Declaration that the implementation of Zanu PF's Resolution Number 1 infringes my rights under sections 3, 56, and 67 of the Constitution if sections 95(2)(b) and 143(1) are term-limit provisions under section 328(1) and (7).

36. I do not seek any order of costs as against any Respondents as this is a matter of public and national importance.

37. I attach as **Annexure "G"** the substantive application that I intend to file when I am granted leave for direct access.

38. Wherefore, I pray for an order in terms of the draft order hereto attached.

SWORN TO AT BULAWAYO THIS ^{November} 4th DAY OF OCTOBER 2025 *K. Ngwenya*

BY ME: *[Signature]*

MBUSO FUZWAYO

SWORN TO BEFORE ME THIS ^{November} 4th DAY OF OCTOBER 2025 *K. Ngwenya*

BEFORE ME: *K. Ngwenya*

COMMISSIONER OF OATHS



Annexure H^v

ZIMBABWE National Registration 


58-163955P58

NATIONAL NUMBER
58-163955 P-58 CIT
FUZWAYO
MBUSO
10-08-1976
MENYAZWA
KWEKWE
763-2810
09.12.96

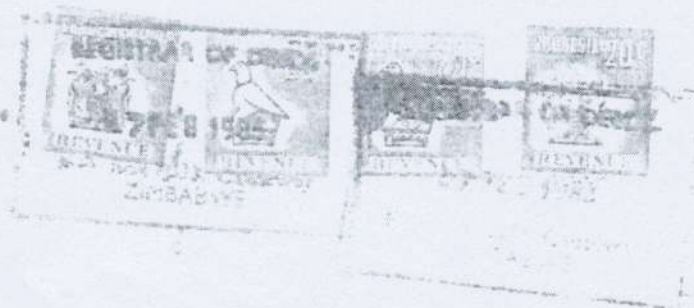
Annexure "B1"

Deed of Donation and Trust

Notarial Deed of Donation and Trust

02-85

[Signature]



[Signature]
REGISTRAR OF DEEDS

NOTARIAL DEED OF DONATION AND TRUST

IN ALL MEN WHOM IT MAY CONCERN

THAT on this day of , in the year
of Our Lord One Thousand Nine Hundred and Eighty One, before me

of SALISBURY, Zimbabwe, Notary Public by lawful authority duly
sworn and admitted and in the presence of the subscribed witnesses,
personally came and appeared

DR THE HONOURABLE NATHAN SHAMUYARIRA

in his capacity as the Minister of Information and Tourism of and
representing the Government of Zimbabwe (hereinafter referred to
as "the Government")

/AND THE



Menu

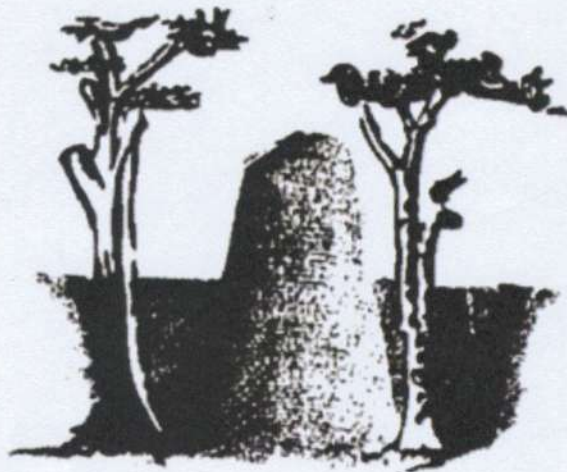
Zanu PF 21st National People's Conference resolutions



by Staff Reporter

29th October 2024

ZANU PF



UNITY, PEACE AND DEVELOPMENT

Commending the President and First Secretary of ZANU-PF, His Excellency, Cde. Dr. E.D.

Mnangagwa's leadership; Observing the significant strides made by the President and First Secretary of ZANU-PF, His Excellency, Cde. Dr. Emmerson Dambudzo Mnangagwa, in transforming



the economy;

Recognising the positive impact on the nation's sustainable economic growth;
Acknowledging the efforts towards industrialisation, modernisation and enhancing service delivery and prioritising sustainable development across all key sectors;

Conscious of the importance of attaining Vision 2030 through the judicious implementation of the National Development Strategy 1 (NDS1) and attendant policies as guiding frameworks for socio-economic development;

Reaffirming ZANU PF's commitment to supporting policies that ensure continued progress and transformation of the livelihoods of the citizenry.

Grateful to the President and First Secretary of ZANU PF, His Excellency, Cde. Dr. E.D. Mnangagwa, for the extraordinary philanthropy of the First Lady Cde. Dr. A. Mnangagwa;



Congratulating the President and First Secretary of ZANU PF, His Excellency, Cde. Dr. E.D. Mnangagwa, on assuming the Chairmanship of Southern African Development Community (SADC). His visionary and astute leadership will further strengthen regional integration, socio-economic cooperation and collective development across the region and beyond.

NOW THEREFORE, the Delegates to the ZANU PF 21st National People's Conference resolve as follows:

A. State of the Party

A handwritten signature in blue ink, appearing to read 'Anwar D', is written over the text 'A. State of the Party'.

1 the President and First Secretary of ZANU PF Party, His Excellency, Cde. Dr E. D. Mnangagwa's term of office as President of the Republic of Zimbabwe and First Secretary of ZANU PF be extended beyond 2028 to 2030. The Party and Government should, therefore, set in motion the necessary amendments to the National Constitution so as to give effect to this resolution;



2 the Party and Government should establish a comprehensive framework that ensures the operationalisation of the principle of Party Supremacy over Government;

3 the Chitepo School of Ideology should decentralise its training programmes to Administrative Districts for the benefit of Party Members, Government employees, private sector and the general populace;

4 the Party's Conflict Resolution Committee should be proactive and come up with programmes that detect, resolve and mitigate conflict within the Party;

5 the Party should expedite the digitalisation of its Cell /Village Registers to ensure credible Party Voters Rolls during Party elections so as to minimise election related disputes;

6 the Government prioritises the employment of National Youth Service graduates who have the requisite qualifications;

 Menu

7 the Party District Executive Committee Chairmen be allocated motor cycles to effectively enhance their mobility in executing Party programmes;

8 the Party amends the Party Constitution to recognise Non-Combatant Cadres and War Collaborators as categories forming part of the Veterans of the Liberation Struggle;

9 1st July of each year be declared a Public Holiday in honour of the late Hon. Vice President, Cde. Dr. Joshua Nyongolo Mqabuko Nkomo;

10 political returnees from the opposition be integrated into the Party after following proper procedures thereby ensuring their progressive ascendancy in the Party Structures;

11 Party internal election processes should strive to achieve the implementation of the 50-50 Gender Equality Policy;



12 the Party should create a level political field to allow women access to positions of authority, within the Party, in Government and in other institutions;

13 the Party establishes Information Desks at each District Coordinating Committee Offices;

14 attendance at the Chitepo School of Ideology sessions be encouraged for all members of ZANU PF; and

15 Nhangas/ Gota/ Ixhiba programmes be supported by the Party. The Party directs Government to:

B. State of the Economy Macroeconomic Stability

16 take robust measures to strengthen the purchasing power of the Zimbabwe Gold currency (ZiG) and entrench its usage;

17 expedite efforts to de-dollarise the economy and promote the use of the ZiG as the country's sole currency;



18 promote the wider circulation of the ZiG currency and its availability in all denominations;

19 curb money laundering, speculation and arbitrage on the parallel market, including the criminalisation of the activities of economic saboteurs, errant manufacturers, retailers and other service providers as well as prescribing deterrent penalties;

20 synchronise, harmonise and coordinate all fiscal and monetary policies in order to stabilise the economy;

21 implement a robust zero tolerance legal framework against corruption;

22 formulate a set of incentives and other support measures to promote indigenous participation in the mining sector;

23 amend the legislation on Exclusive Prospecting Orders (EPOs) in order to allow other players to prospect in the area covered by the EPO;



24 enforce the policy of “Use it or Lose it” in order to inhibit mining entities from holding mining claims for speculative purposes;

25 develop and implement a robust programme to revive all closed-down mines through modern technologies, innovation and funding frameworks;

26 ensure that land owners in resettlement areas are given “the right of first refusal” in mining claims;

27 revoke non-operational special grants in mining to give other potential investors with the relevant capacity an opportunity to work on the grants;

28 ensure that investors are incentivised to purchase raw materials from local producers;

29 ensure that the Mutapa Investment Fund is strategically structured and operationalised to resuscitate and capacitate State-Owned Enterprises



(SOEs) so as to increase their contribution to the National GDP;

30 ensure that the Zimbabwe Revenue Authority, working with law enforcement agencies, develop and implement a robust system that curb leakages of unprocessed natural resources and the smuggling of goods in and out of the country;

31 speed up the completion of Gwayi-Shangani and Kunzvi Dams;

32 ensure that the Presidential Livestock programmes continue benefitting the vulnerable;

33 strengthen restocking programmes to grow the national herd;

34 expedite the implementation of the new land tenure policy to give beneficiaries security of tenure;

35 expedite the allocation of 10ha plots per District for the youths;



36 expedite the localization of the production of fertilizers and other agricultural inputs so as to reduce the cost of production;

37 enforce the law on GMOs according to the existing legislation;

38 ensure that in line with the President's vision, distribution of Presidential Inputs and social welfare relief are distributed to all deserving citizens regardless of political or other affiliations;

39 distribute Presidential Inputs and social welfare relief free of corruption;

40 ensure timeous distribution of Agricultural inputs to farmers in an effort to promote and sustain food sovereignty;

41 promote production and consumption of traditional foods;

42 sufficiently capitalise the Venture Capital Fund in order to support start-up ventures;



43 ensure the Women's Bank and Empower Bank are adequately capitalised;

44 come up with policy measures, with a clear action plan that promotes the ease and cost of doing business so as to promote a conducive investment environment and increasing exports;

45 enforce the laws on Reserved Sectors of the economy;

46 intensify efforts towards clearing the country's external debt in order to unlock global capital;

47 formulate an effective incentive programme to encourage corporate social responsibility among corporates;

48 develop and implement comprehensive policies to realise the formalisation of the informal sector through the enforcement of the appropriate laws; Social Services and Poverty Eradication



49 strengthen monitoring mechanisms to enforce adherence to labour laws especially in the private sector;

50 develop a programme that ensures efficiency, transparency, equity, inclusiveness and speed in the distribution of drought relief to all vulnerable citizens immediately;

51 Expedite the operationalisation, including digitalisation of the National Disaster Management Centre;

52 develop an effective incentives programme to harness Corporate Social Responsibility contribution to community development;

53 ensure the urgent development and implementation of a comprehensive and transformative programme that is consistent with an upper middle-income society for Civil Servants working conditions;

54 urgently review the public and private



pensions policies to improve and safeguard the welfare of pensioners and the parameters for strengthening all pension funds as guided amongst others by the Justice Smith Commission Report;

55 ensure that all Presidential empowerment programmes are implemented in an efficient and transparent manner strictly for the benefit of targeted communities;

56 establish Secondary School Teacher Training Colleges in every Province;

57 expedite the upgrading and registration of satellite schools through the Ministry of Primary and Secondary Education;

58 adequately stock all health facilities with essential drugs and equipment;

59 capacitate all Provincial and District Hospitals with ambulances;

60 expedite completion of projects



Provincial Hospital;

61 expedite the development of Lupane as a Provincial Capital for Matabeleland North Province; 62 upgrade and increase the number of Nursing Schools;

63 expedite the establishment of the School of Hospitality Industry in Victoria Falls;

64 capacitate the School of Mines in order to increase enrolment of trainees;

65 accelerate the provision of low-cost housing;

66 ensure that legacy arrears arising from Basic Education Assistance Module (BEAM) commitments are cleared and funds due under the programme are timeously released;

67 ensure that BEAM beneficiaries are not sent away due to delayed payment of fees;



68 provide free health care services for the elderly, minors, persons with disabilities, marginalized and the vulnerable;

69 review policies and strengthen the legal framework to curb the distribution of drugs and substances;

70 improve the operational efficiency of ZUPCO buses in both rural and urban communities and ensure affordable fares;

71 expedite the construction, rehabilitation and capacitation of dip-tanks in all Provinces;

72 ensure that activities of land and space barons are curtailed through the accelerated development of masterplans and digitisation of the State Land Bank;

73 raise awareness on the preservation of the rights of widows and widowers on inheritance of estates and review estate duties downwards;

74 establish mobile health care facilities in



all communities where there are no primary and maternal health care services;

75 establish functional and resourced mothers' shelters as well as Visual Inspection with Acetic Acid and Camera (VIAC) screening equipment at all health facilities;

76 expedite the establishment of the National Health Insurance Scheme;

77 develop and implement a programme that supports the existing government policy that aims to provide free of charge health services for pregnant and lactating mothers, children under five and those aged sixty years and above;

78 strengthen enforcement of laws related to Gender Based Violence (GBV), rape, murder and child marriages;

79 ensure that women, children, persons with disabilities and other vulnerable groups directly benefit from Government



80 ensure that there be a programme that guarantees the availability of medicines for chronic diseases;

81 ensure that the recruitment of candidates for the Zimbabwe National Youth Service is done in consultation with the Party Provincial leadership;

82 develop a policy that prioritises qualified graduates from the Zimbabwe National Youth Service for employment opportunities in the Public Sector;

83 intensify the establishment and rehabilitation of Vocational Training Centres in every district;

84 sustain the implementation of policies that prioritise marginalised communities in line with the thrust of leaving no-one and no place behind;

85 ensure that Local Authorities adhere to the call by the President that they provide services to citizens in line with A Call to Action- No Compromise to Service



Delivery blueprint; Infrastructure and Utilities

86 intensify the upgrading and modernisation of irrigation and power generation infrastructure at existing water bodies as well as installation of irrigation and power generation infrastructure at any idle water body;

87 expedite the operationalisation, including digitalisation of the National Disaster Management Centre;

88 prioritise funding for the completion of Gwayi-Shangani and Kunzvi Dams;

89 expedite through the Extended Emergency Road Rehabilitation Programme 2 (ERRP2) the completion and rehabilitation of all major roads;

90 increase rural electrification with focus on renewable energy;

91 expedite the development of infrastructure at gazetted border posts;



92 improve radio and television reception in underserviced areas;

93 improve teledensity and the telecommunications reception in underserviced areas;

94 embark on an accelerated development programme to reduce the power generation deficit;

95 rehabilitate, refurbish and maintain all State Buildings;

96 speed up the rollout of e-Government services, including e-learning services;
Value Addition and Beneficiation

97 intensify efforts on value addition and beneficiation of all resource endowments;

98 ensure that investors are given incentives that encourage them to purchase raw materials from local producers;

99 develop innovations that can be



patented and packaged for uptake by industry to enable manufacturing of intermediate goods;

100 expedite the localisation of the fertiliser value chain and other agricultural inputs;

101 accelerate the implementation of Zimbabwe Industrialisation Recovery and Growth Plan (ZIRGP) to enhance manufacturing capacity and value addition in the pharmaceutical, iron and steel, , timber, agro-value chain and mining sectors;

102 expedite the passage in Parliament of the amendment of the Mines and Minerals Bill;

103 establish industrial parks in all provinces to drive rural industrialisation and employment creation;

104 to accelerate the revival of National Railways of Zimbabwe (NRZ) to enable efficient and cost effective movements of



cargo in order to promote trade and prolong the lifespan of the rehabilitated roads;

105 to enforce the Reserved Sector measures on the movement of heavy minerals with adequate safeguards against profiteering;

106 to expedite the establishment of laboratories for testing of minerals;

107 to finalise the digitization of the mining title management system commonly referred to as the mining cadastral system;

108 to upscale the formalization of the informal sector to enhance their participation in the value addition and beneficiation value chain;

109 to ensure funding for retooling Small and Medium Enterprises (SMEs) in the value addition and beneficiation value chain;

110 to strengthen the enforcement of



110 to strengthen the enforcement of legislation and regulations to combat the proliferation of fake products, counterfeit, underweight, hazardous, improperly labelled and smuggled goods in order to enhance consumer welfare and fair trade in the market place;

•
111 To expedite the review of laws on competition and antimonopolies to enhance fair trade and competition;
Engagement and Re-engagement

112 engage the British Government to fulfil its promise to contribute financially to pay off former white commercial farmers;

C. Provincial Economies

113 publish Provincial Gross Domestic Product (GDP) data to monitor, track and inform economic development policies;

114 expedite the promulgation of the devolution legislation to establish clear governance structures and ensure effective service delivery;



115 timeously disburse Devolution funds to support transformative infrastructure projects in Provinces;

116 coordinate awareness meetings on Devolution programmes to promote citizen participation;

117 establish processing factories where resources are extracted in order to promote local economic growth;

118 re-capitalise the Rural Infrastructure Development Agency (RIDA) to strengthen the devolution agenda;

119 ensure that local communities are given preference to participate in developmental projects domiciled in their area;

120 enhance training and capacity-building programmes for provincial officials to enhance governance and service delivery;

121 promote public-private partnerships to



support provincial economic development;

122 strengthen Provincial Disaster Risk Management Plans and emergency response systems in Provinces;

D. Liberation War Heritage

123 expedite the vetting and gazetting of outstanding veterans of the liberation struggle, make timely payments of appropriate gratuities and issue recognition awards;

124 accommodate all categories of the Veterans of the Liberation struggle in the twenty percent (20%) quota allocation reserved in respective sectors for Veterans of the Liberation Struggle;

125 implement an all-inclusive programme to refurbish and maintain all National, Provincial and District Heroes Shrines;

126 review protocol policy to recognise



Veterans of the Liberation Struggle at State Occasions;

127 prioritise the disbursement of resources for exhumations and reburials of Veterans of the Liberation Struggle;

128 protect Veterans of the Liberation Struggle from land evictions and undue development planning by local authorities that affect them and their lawful dependants;

129 establish provincial museums to preserve memories of the liberation struggle;

130 accelerate the renaming of roads, schools, institutions and buildings after Veterans of the Liberation Struggle;

131 accelerate the renaming of some Provinces and do away with colonial names;

132 implement a policy that will guarantee state assisted burials for liberation war



heroes;

133 establish specialized medical facilities to provide comprehensive medical services that cater for their unique war related ailments;

134 create land tax and other tax exemptions for Veterans of the Liberation Struggle;

135 designate and allocate land in local authorities for the implementation of Veterans of the Liberation Struggle's projects as part of economic empowerment and full participation in commerce;

136 restructure and resuscitate the entire Veterans of the Liberation Struggle investment portfolio in a transparent and professional manner.;

E. Culture and Religion

137 Recognise and memorialise the role played by Spirit Mediums in the First and



Second Chimurenga Wars;

138 implement a robust programme to refurbish and maintain all National, Provincial and District Heroes Shrines;

139 enhance protocol policy to recognise Veterans of the Liberation Struggle at State Occasions;

140 develop a policy for the design and the erecting of statues of national heroes in the provinces;

141 conduct an annual National Bira in liaison with traditionalists;

142 review the Chiefs' regalia to reflect Zimbabwe's culture and national ethos

F. Women Affairs

143 make available economic empowerment opportunities for women to have access to businesses that provide them with a competitive edge;



144 address the challenges affecting women and widows on issues of inheritance of estates of deceased husbands and that widows must not pay heavy taxes when changing ownership of properties after the death of their husbands; G. Youth Affairs and Sport

145 make use of ZIMDEF funds to establish new and upgrade existing Vocational Training Centres (VTCs) and Recreational facilities to curb idleness that leads to drug and substance abuse;

146 expedite the review of laws and policies to curb drug and substance abuse among the youths;

147 continue accelerating empowerment programmes including mining concessions, land, skills training, access to affordable capital and education;

148 promote the establishment of Youth Desks in every Ministry, Department and Agency;



149 provide affordable and accessible education from Early Childhood Development to Higher and Tertiary and support youths with exceptional talent;

150 ensure that attendance to the Chitepo School of Ideology be compulsory to every member of the ZANU PF Youth League;

151 consider the appointment of qualified Youths in Boards of State Owned Enterprises;

152 implement the 20% youth quota across all sectors;

153 tighten and enforce the laws against homosexuality and other social ills.

H. Environment and Climate

154 prioritise and safeguard environmental sustainability in all developmental projects;

155 enforce the ban on riverbed mining and accelerate river de-siltation



programme through the cancellation of mining licenses and environmental permits, including the confiscation of mining equipment in these areas;

156 operationalise air rescue services to assist in human and wildlife conflict;

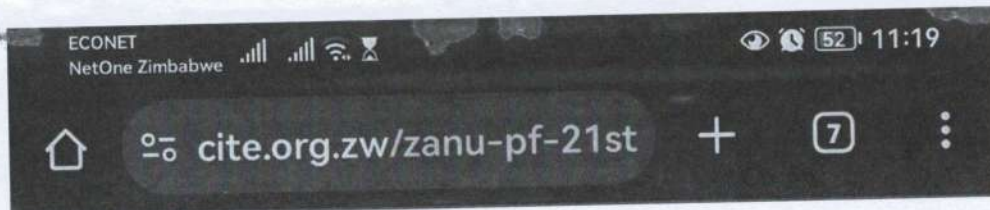
157 implement the policy on the management of human and wildlife conflict;

158 institutionalise Gastronomy Tourism in conjunction with Township Tourism to create employment and boost revenue inflows;

159 explore alternative ways for the country to unlock value in ivory to fund wildlife management and community development programmes;

160 accelerate climate proofing programmes and initiatives to mitigate the negative effects of climate change;

161 intensify environmental management



Menu

programmes across the country to ensure a safe and clean environment; and

162 follow up on the effective implementation of resolutions.

TAGGED:

21st National People's Conference

President Emmerson Mnangagwa

resolutions

Zanu PF

Previous

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Philemon Kwaramba

5th December 2024 at 5:50 pm

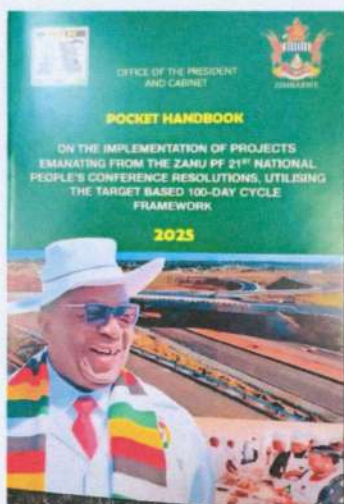
very strong resolutions

Reply

Annexure 'E'

22nd Zanu PF National People's Conference resolutions

Online Reporter • SundayMail • October 19, 2025 • 0 Comments



Below we reproduce excerpts of resolutions from the 22nd ZANU PF National People's Conference held at the Mutare Polytechnic, Manicaland province.

COMMENDING the visionary leadership of the President and First Secretary of ZANU PF, His Excellency Comrade Dr ED Mnangagwa, for providing a clear and strategic path towards national prosperity.

Observing the tangible development initiatives of his leadership that are positively impacting the lives of Zimbabweans through economic empowerment and expanded opportunities.

Recognising the bold strides to position Zimbabwe as a future leader in mining and manufacturing, being achieved by reviving key industries, such as the production of steel, the establishment of robust value chains and promotion of beneficiation, among others.

Acknowledging the strategic prioritisation of critical infrastructure, including roads, energy, water, housing, health and education facilities, that constitute the foundation for sustainable economic growth, industrialisation and modernisation.

Cognisant of the strides made in making Zimbabwe food secure by the attainment of wheat self-sufficiency and the commendable progress towards overall grain self-sufficiency.

Mindful to consolidate the gains realised under NDS1 (National Development Strategy 1) in the transition to NDS2 to increase the momentum towards accelerating the attainment of a prosperous and empowered upper middle-income society by 2030.

Appreciative of the President and First Secretary of ZANU PF, His Excellency, Cde Dr ED Mnangagwa, for championing the land tenure programme as a driver of development and positioning land as a cornerstone for achieving a high quality of life for the citizens.

Reaffirming ZANU PF's unwavering commitment to policies that uplift livelihoods, ensure inclusive political and social economic participation and guarantee equitable development across all communities.

Grateful to the President and First Secretary of ZANU PF, His Excellency, Dr ED Mnangagwa, for this steadfast dedication to transforming Zimbabwe, complemented by the First Lady, Comrade Dr Auxillia Mnangagwa, for her philanthropic work in advancing community welfare and social development.

Now, therefore, be it resolved by the delegates to the ZANU PF 22nd National People's Conference as follows.

State of the party

On the state of the party, that whereas the 21st National People's Conference of ZANU PF held on 26 October 2024 in Bulawayo resolved as follows: In recognition of the extensive developmental milestones and the significant socio-economic progress achieved under the leadership of the President and First Secretary of ZANU PF, His Excellency, Dr ED Mnangagwa, it is resolved that his term of office as President of the Republic of Zimbabwe be extended beyond 2028 to 2030.

The party and Government are therefore directed to initiate the requisite legislative amendments to give full effect to this resolution to ensure continuity, stability and the sustained transformation of the nation.

Noting that no notable steps have been taken to implement this resolution, this conference hereby reaffirms this resolution and directs the Secretary of Legal Affairs and the Minister of Justice to ensure that before the 23rd National People's Conference this resolution of the party is fully implemented. Furthermore, all organs of the party, including the Central Committee and the Politburo, are directed to ensure that this resolution is fully implemented.

And that the party expedites the dissemination and enforcement of the Framework on Registration of New Affiliates and their functions, ensuring all affiliates work in harmonious synergy with the main party structures for greater collective impact.

Develop and implement a qualified handbook that regulates and guarantees the framework of party supremacy over Government.

Develop a comprehensive five-year strategic plan that outlines key priorities, goals and objectives, and annual programmes and projects in order to harmonise national provincial and district structures' workflow and support strategic resource allocation.

Expedite the allocation of vehicles, motorcycles and bicycles to all levels of the party structures to improve operational mobility and effectiveness.

Direct the Commissariat and legal departments to develop and implement a robust mechanism to safeguard the integrity of internal party elections.

Integrate political returns from the opposition after following due process

Integrate political returnees from the opposition after following due process, enabling their progressive ascendancy in the party structures.

Direct the Chitepo School of Ideology to design and implement a structured ideological training programme that integrates political education with practical skills development, specifically for the youth.

Direct Government to deploy within the public service ideologically grounded cadres who align with the party's values.

Invest in key sectors of the economy with the objective of operating successful party businesses capable of generating employment, driving industrial growth and playing a central role in running and sustaining the national economy.

Ensuring the inclusion of non-combatant cadres in the War Veterans League and accord them Liberation War Hero status by the 23rd National People's Conference.

Create a harmonised Official Order of Precedence Manual to formally include Politburo members and war veterans with rankings that reflect their significant roles in national governance.

And declare 15th of September Munhumutapa Day a public holiday in honour of the tireless efforts of the President and First Secretary of ZANU PF, His Excellency, Cde Dr ED Mnangagwa.

Provide adequate resources to the Chitepo School of Ideology to enable it to cascade ideological orientation from leadership to grassroots level. And all members of the party are bound to observe the resolutions of the National Congress and National People's Conference and to oppose such would be gross misconduct.

State of the economy

On state of the economy, on food security and nutrition, that the party directs Government to clear all outstanding payments owed to farmers and ensure future deliveries are paid within one month of delivery.

Capacitate the Rural Infrastructure Development Agency (RIDA) and Agricultural and Rural Development Authority (ARDA) to assist small-scale farmers through tillage and empowering programmes in order to improve yields.

Appreciate the philanthropic work and gastronomic tourism promotion by Her Excellency, the First Lady, Cde Dr Auxilia Mnangagwa, and to accelerate the production, value addition, beneficiation, promotion and consumption of traditional foods to enhance nutrition and improve the health and well-being of Zimbabweans.

Adequately capacitate the Consumer Protection Commission of Zimbabwe and other regulatory authorities to monitor the retail sector to safeguard consumers from counterfeit and unsafe products.

Modernise village business units so that their produce meets local and international market standards. Expedite the establishment of new irrigation schemes and the rehabilitation of existing ones to ensure agricultural productivity and food security.

Accelerate the implementation of title deeds programmes.

Social services and poverty eradication

On social services and poverty eradication, that the party directs Government to timeously, comprehensively and equitably distribute to communities drought relief and other social protection measures such as harmonised cash transfers and health and safety nets.

Expedite the clearance of all legacy areas under the BEAM programme and enforce the policy of Government of not turning away learners on grounds of non-school fees payment. Prioritise sub-national health funding for upgrading local health facilities and provide quality, accessible and affordable health services to communities.

Continuously review and improve the conditions of service of all public servants and pensioners, including competitive remuneration and non-monetary benefits in order to enhance motivation, improve public service delivery and stem the brain drain from the public sector.

Upgrade all district hospitals and schools of nursing to the same standards and ensure increase in nursing students intake.

Expedite the completion of Lupane Provincial Hospital.

Establish a comprehensive national Road Accident Fund scheme that provides immediate financial relief for medical expenses, rehabilitation costs and support to victims of road accidents and other unforeseen tragedies.

Strengthen the funding, procurement, storage and distribution of medicines to ensure availability in all public health institutions.

Microeconomic stability

The party directs Government to:

Strengthen and intensify robust support for the Zimbabwe Gold (ZiG) currency to ensure that ZiG retains the status of sole legal tender for all domestic transactions, including the purchase of fuel.

Promote formalisation and banking through the removal of the IMTT (intermediate money transfer tax) transaction charges and reduction of other bank charges, making ZIG more accessible, affordable and attractive for all domestic financial transactions, thereby promoting financial inclusion and strengthening the nation's monetary stability.

Improve the durability of the ZiG notes with enhanced security features and increase its circulation in all denominations to safeguard market stability and maintain public confidence in the national currency.

Enforce anti-corruption and anti-money laundering laws to eradicate speculation, money laundering, arbitrage and other economic malpractice.

Accelerate venture capital interventions to capacitate and increase the number of small and medium enterprises.

Provincial economies

Your Excellency, on provincial economies, that the party directs Government to explore the possibility of establishing a school of mines in each mining province.

Review and enforce existing regulations on reserve sectors to protect indigenous businesses.

Improve devolution funds disbursement and systems to support implementation of transformative infrastructure projects in provinces.

Prioritise value addition and beneficiation at source of resources for locally extracted natural resources such as timber to promote local economic growth.

Amend the Urban Councils Act, Rural District Councils Act and other relevant statutes to allow central Government to take over dysfunctional and non-performing local authorities.

Prescribe term limitations for CEOs, town clerks and town secretaries of local authorities.

Infrastructure development

and utilities

The party directs Government to upgrade and modernise all border posts to meet global best practises and international standards.

Continue the rehabilitation and modernisation of all major highways and roads across Zimbabwe.

Revitalise the railway's infrastructure for efficient movement of both goods and passengers.

Enforce regulations governing transportation of heavy materials by roads.

Implement measures to desilt and maintain water bodies to ensure sustainable water supply.

Expedite the completion of the construction of the Gwayi-Shangani and Kunzvi dams.

Prioritise funding for the expansion and development of Marondera University of Agricultural Sciences and Technology and Manicaland, Lupane and Gwanda State universities.

Accelerate the provision of affordable low-cost housing, ensuring adequate safe and affordable shelters that promote social equity and improves livelihoods of Zimbabweans.

Scale up the use of renewable energy sources to reduce pressure on the national grid and enhance energy security.

Establish free Wi-Fi hotspots in public spaces through the Universal Services Fund.

Improve broadcasting infrastructure in remote and marginalised areas.

Beneficiation and value addition

That the party directs Government to implement policies that discourage the exportation of raw materials without value addition.

Formulate a comprehensive coal mining policy that promotes beneficiation to ensure the production of products such as fertiliser and retention of by-products such as tar, gas and benzene.

Support the local establishment of solar panels and lithium battery manufacturing plants to reduce pressure on the national electricity grid.

Sustain the ease of doing business initiative through the removal of barriers to trade to enhance value addition and beneficiation.

Environment and tourism

The party directs Government to intensify enforcement of all environmental laws and implement robust measures for the protection of wetlands and other vulnerable ecosystems.

Resuscitate public recreational facilities, safeguard them and ensure they are sustainably managed.

Expand and intensify educational awareness programmes on resilient environmental practises and veld fire prevention.

Expedite the establishment of a school of hospitality in Victoria Falls and expand the initiative to other prime tourism destinations and leverage natural attractions in all provinces to improve the tourism industry.

Women affairs

That the President and First Secretary of the party, His Excellency, Cde Dr ED Mnangagwa's term of office be extended beyond 2028 to 2030.

The party directs Government to continuously expand support for women's access to soft loans to promote their economic empowerment programmes and projects.

Fully capacitate and transform the Women's Bank into a robust, fully fledged financial institution to provide accessible credit and financial services to women for enhancing their business endeavours.

Prioritise housing allocations for women to promote social equity and economic empowerment.

Establish women-focused agricultural and mining hubs to enhance skills development, productivity and economic participation.

Achieve 50-50 gender parity in all party structures, ensuring participation and representation of women at all levels of leadership and decision-making.

And constantly reviewing the producer prices for grains, particularly maize and traditional grains, to sustain farmers, the majority of whom are women.

And lastly, the Government must strongly enforce the laws on reserved sectors of the economy.

Veterans of the liberation struggle

That the President and First Secretary of the party, ZANU PF, His Excellency, Cde Dr ED Mnangagwa's term of office be extended beyond 2028 to 2030.

And that the party and Government expedite the inclusion of non-combatant cadres in the War Veterans League and accord them liberation war hero status.

Prioritise the repatriation and reburial of heroes who were buried outside and within Zimbabwe. Introduce a policy that designates war veterans as a special group eligible for affordable land title deeds within the framework of the land tenure programme.

Review the pension laws so as to accord dependants of the veterans of the liberation struggle the same benefits that are provided to the living veterans of the liberation struggle.

Institutionalise a comprehensive health insurance scheme to improve the quality of life and dignity of veterans and their families.

All veterans of the liberation struggle to receive State-assisted funerals for their burial.

Drug and substance abuse

The party direct Government to implement youth-focused community-level interventions, empowerment and livelihood programmes and capacitate and strengthen vocational training centres to curb proliferation of this scourge.

Intensify the enforcement of all anti-drug and substance abuse legislative frameworks to protect the citizens and safeguard national well-being.

Establish comprehensive stand-alone drug treatment, rehabilitation and recovery facilities per administrative district for the benefit of individuals with substance use disorders.

Mainstream the positive parenting manual in order to encourage community parenting.

And lastly, strengthen the information communication materials starting from early childhood.

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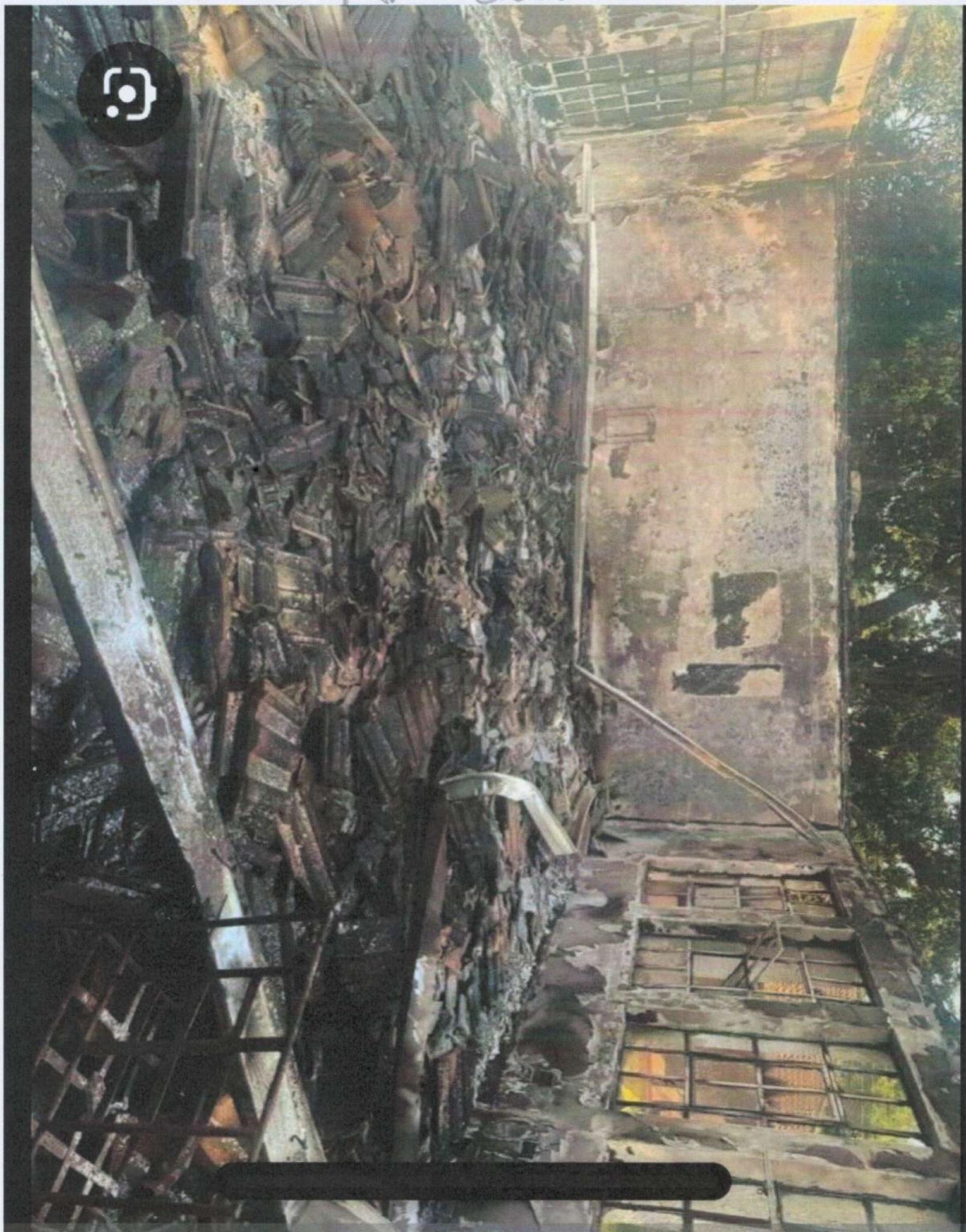


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Annexe "F"



IN THE CONSTITUTIONAL COURT OF ZIMBABWE CASE NO: CZ...../2025

HELD AT HARARE

In the matter between

MBUSO FUZWAYO

1st APPLICANT

IBETSHU LIKAZULU

2nd APPLICANT

And

ZIMBABWE AFRICAN NATIONAL UNION

PATRIOTIC FRONT (ZANU PF).

1st RESPONDENT

MINISTER OF JUSTICE, LEGAL &

PARLIAMENTARY AFFAIRS (N.O)

2ND RESPONDENT

SPEAKER OF PARLIAMENT (N.O)

3RD RESPONDENT

ATTORNEY GENERAL (N.O)

4TH RESPONDENT

PRESIDENT OF ZIMBABWE (N.O)

5TH RESPONDENT

COURT APPLICATION

In terms of section 85(1)(a) of the Constitution of Zimbabwe 2013.

Prepared by:

Advocate Method Ndlovu as duly instructed by

SITHOLE LAW CHAMBERS, Applicants' Legal Practitioners, Numbers 14 Park
Road, Suburbs, Bulawayo

FORM CCZ 1

IN THE CONSTITUTIONAL COURT OF ZIMBABWE CASE NO: CZ...../2025

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And

ZIMBABWE AFRICAN NATIONAL UNION

PATRIOTIC FRONT (ZANU PF).

1st RESPONDENTMINISTER OF JUSTICE, LEGAL &
PARLIAMENTARY AFFAIRS (N.O)2ND RESPONDENT

SPEAKER OF PARLIAMENT (N.O)

3RD RESPONDENT

ATTORNEY GENERAL (N.O)

4TH RESPONDENT

PRESIDENT OF ZIMBABWE (N.O)

5TH RESPONDENT**COURT APPLICATION**

In terms of section 85(1)(a) of the Constitution of Zimbabwe 2013.

TAKE NOTICE THAT, the Applicants intends to apply to the Constitutional Court for an order in terms of the Draft Order annexed to this notice of motion and that the accompanying affidavits and documents will be used in support of the application. As more fully set out in the affidavit supporting this application/

If you intend to oppose this application, you will have to file a Notice of Opposition in Form CCZ2, together with one or more opposing affidavits with the Registrar of the Constitutional Court at Harare within ten(10) days after the date on which this notice was served upon you. You will also have to serve a copy of the Notice of Opposition and affidavits on the applicant at the address for service specified below. Your affidavits may have annexed to them documents verifying the facts set out in the affidavits.

Leave for an order of direct access was granted by this Court on

THUS, DONE AND DATED AT BULWAYO THIS DAY OCTOBER 2025.

Prepared by:

Advocate Method Ndlovu as duly instructed by

.....
SITHOLE LAW CHAMBERS

Applicant's Legal Practitioners

Number 14 Park Road

Suburbs

BULAWAYO (Mr Sithole/lm)

sitholelawchambers@gmail.com

Cell: 0772 944 717

Tel: (029) 233 1494

TO: THE REGISTRAR
Constitutional Court of Zimbabwe
HARARE

AND TO: ZIMBABWE AFRICAN UNION PATRIOTIC FRONT (ZANU PF)
(1st Respondent herein)
Pennfather Avenue
HARARE

AND TO: MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS
(2nd Respondent herein)
6th Floor, New Government Complex
Corner 3rd Street/Central Avenue
HARARE

AND TO: SPEAKER OF PARLIAMENT (N.O)
(3rd Respondent herein)
Parliament of Zimbabwe, Mount Hampden Junction
HARARE

AND TO: ATTORNEY GENERAL OF THE REPUBLIC OF ZIMBABWE (N.O)
(4th Respondent herein)
4th Floor, New Government Complex
Corner 3rd Street/Central Avenue
HARARE

AND TO: PRESIDENT OF THE REPUBLIC OF ZIMBABWE (N.O)
(5th Respondent herein)
c/o Attorney General of the Republic of Zimbabwe
4th Floor, New Government Complex
Corner 3rd Street/Central Avenue
HARARE

AND TO: ZIMBABWE AFRICAN UNION PATRIOTIC FRONT (ZANU PF)
(1st Respondent herein)
Pennfather Avenue
HARARE

AND TO: MINISTER OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS
(2nd Respondent herein)
6th Floor, New Government Complex
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AND TO: ATTORNEY GENERAL OF THE REPUBLIC OF ZIMBABWE (N.O)
(4th Respondent herein)
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Corner 3rd Street/Central Avenue
HARARE

AND TO: PRESIDENT OF THE REPUBLIC OF ZIMBABWE (N.O)
(5th Respondent herein)
c/o **Attorney General of the Republic of Zimbabwe**
4th Floor, New Government Complex
Corner 3rd Street/Central Avenue
HARARE

IN THE CONSTITUTIONAL COURT OF ZIMBABWE CASE NO: CZ...../2025
HELD AT HARARE

In the matter between

MBUSO FUZWAYO

1st APPLICANT

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2nd APPLICANT

And

ZIMBABWE AFRICAN NATIONAL UNION

PATRIOTIC FRONT (ZANU PF).

1st RESPONDENT

**MINISTER OF JUSTICE, LEGAL &
PARLIAMENTARY AFFAIRS (N.O)**

2ND RESPONDENT

SPEAKER OF PARLIAMENT (N.O)

3RD RESPONDENT

ATTORNEY GENERAL (N.O)

4TH RESPONDENT

PRESIDENT OF ZIMBABWE (N.O)

5TH RESPONDENT

1ST APPLICANT'S FOUNDING AFFIDAVIT

THE OATH

I, MBUSO FUZWAYO, do hereby make oath and state that: -

1. I am the 1st Applicant in this matter and my address for service is that of my legal practitioners, **Sithole Law Chambers, Number 14, Park Road,**

Suburbs, Bulawayo. To the extent to which I make statements on matters of law, it is on the basis of the legal advice I have received and accepted.

2. I am an adult citizen of Zimbabwe by birth. I attach as "**Annexure A**" and "**Annexure B**" respectively, a copy of my birth certificate and that of my national identity card. My parents are both citizens of Zimbabwe by birth. My citizenry cannot be queried.
3. The 2nd Applicant is **Ibhetshu Lika Zulu**, a trust duly registered with the Deeds Office and has power to sue and being sued in its own name. I attach Its Deed of Trust as **Annexure "B1"**. Its address of service is care of its undersigned legal practitioners of record, being **Sithole Law Chambers, Number 14 Park Road, Suburbs, Bulawayo**.
4. The 1st Respondent is the **Zimbabwe African National Union Patriotic Front (ZANU PF)**, (the party), it being a duly constituted political party organisation with the capacity to sue and be sued in its own name. Its address for service is **Pennfather Avenue, Harare**.
5. The 2nd Respondent is the **Minister of Justice, Legal and Parliamentary Affairs, and the Secretary for Legal Affairs** of the 1st Respondent; cited in his official capacity in both roles. His address for service is **6th Floor, New Government Complex, Corner 3rd Street and Central avenue, Harare**.
6. The 3rd Respondent is the **Speaker of Parliament**. He is cited in his official capacity in these proceedings. His address of service is **Parliament of Zimbabwe, Mount Hampden Junction, Harare**.
7. The 4th Respondent is the **Attorney General of the Republic of Zimbabwe** cited in her official capacity as the principal Legal Adviser to the Government and representing it in civil and constitutional matters. Her address for service is **4th Floor, New Government Complex, Corner 3rd Street and Central Avenue, Harare**.

8. The 5th Respondent is the **President of the Republic of Zimbabwe** cited in his official capacity, as the Head of State and Government as an interested party. His address for service is % **Attorney General of the Republic of Zimbabwe, 4th Floor, New Government Complex, Cnr 3rd Street and Central Avenue, Harare.**

Nature of the Application

9. This is an application for relief pursuant to section 85(1)(a) of the Constitution of Zimbabwe, 2013. Leave to apply was granted by this court on the day of 2026. A copy of the order granting leave to apply is attached as **Annexure "1"**

Factual Background

10. The 1st Respondent, Zanu PF, adopted Resolution Number 1 at its National People's Conference held on or about **26 October 2024** in Bulawayo, which states:

"The President and First Secretary of ZANU PF Party, His Excellency, Cde. Dr. E.D Mhangagwa's term of office as President of the Republic of Zimbabwe and First Secretary of ZANU PF be extended beyond 2028 to 2030. The Party and Government should, therefore, set in motion the necessary amendments to the National Constitution so as to give effect to this resolution."

11. A true and certified copy of the Resolution is annexed hereto as "**Annexure C.**" I also attach the minutes leading to the Resolution and mark the same as **Annexure "D"**.

12. At its Annual People's Conference held in Mutare on or about **18 October 2025**, the 1st Respondent resolved to give urgency to the implementation of the Resolution by directing that:

*"On the state of the party, that whereas the 21st National People's Conference of ZANU PF held on **26 October 2024** in Bulawayo resolved as follows: In recognition of the extensive developmental milestones and the significant socio-economic progress achieved under the leadership of the President and First Secretary of ZANU PF, His Excellency, Dr ED Mnangagwa, it is resolved that his term of office as President of the Republic of Zimbabwe be extended beyond 2028 to 2030. The party and Government are therefore directed to initiate the requisite legislative amendments to give full effect to this resolution to ensure continuity, stability and the sustained transformation of the nation."*

13. A true copy of the Resolution is annexed hereto as "**Annexure E**".

14. The Resolutions explicitly directs not only the party but also the "Government" to initiate constitutional amendments as a matter of urgency, before the first Respondent's annual meeting set for October 2026, implying state action to extend the 5th Respondent's term of office is underway and therefore alive.

15. This directive has been echoed in public pronouncements by government officials, including the 2nd Respondent, the Minister of Justice, Legal and Parliamentary Affairs, who has expressed commitment to implementing the Resolution. For instance, in statements reported in the media and parliamentary proceedings (e.g., references in ZBC News on **21 September 2025** and the US State Department 2025 Investment Climate Report noting Zanu PF's push for extension), the Minister has indicated government intent to pursue legislative changes aligned with the Resolution. These pronouncements create a real and imminent threat of unconstitutional action.

16. I am advised that implementing the Resolution would require amending sections 95(2)(b) (presidential term of office) and 143(1) (parliamentary lifespan), which opponents argue are term-limit provisions under section 328(1), triggering section 328(7)'s referendum requirement for incumbent-benefiting extensions. The Resolution's call for such amendments without referendums risks entrenching incumbency, favouring the 5th Respondent.

17. I am also advised that this Honourable Court ruled in ***Marx Mupungu v Minister of Justice, Legal and Parliamentary Affairs & Ors*** CCZ7/21 defined a term limit provision as being “a myriad of provisions that unquestionably constitute specific term limit provisions within the parameters of s 328. First and foremost, there is s 95(2) which expressly stipulates that the term of office of the President is 5 years and coterminous with the life of Parliament.” The definition is binding.

18. Based on the above I have been advised and now I have a real apprehension that the Resolution:

- (i) threatens the rule of law principle by bypassing potential referendum safeguards, eroding multiparty democracy as it seeks to entrench Zanu PF as a political party, without citizen input through a national referendum to the detriment of foundational values and principles enshrined in section 3 of the Constitution.
- (ii) discriminates by extending benefits to the incumbent, violating equality before the law protected under section 56 of the Constitution.
- (iii) risks infringing rights (enshrined in section 67 of the Constitution) to free, fair elections and participation, as the amendments being sought without national referendums would skew democratic processes.

19. Accordingly, 1st Applicant is seeking appropriate relief, including a declaration that the Resolution is unconstitutional to the extent it directs amendments to the Constitution without regard to section 328(7)'s referendum requirements, and an interdict prohibiting the Respondents from taking steps to implement it pending a determination on whether sections 95(2)(b) and 143(1) are term-limit provisions under section 328(1).

Locus Standi

20. As a citizen, I have a real and substantial interest and the right to approach this Court because of my apprehension that my fundamental rights and freedoms enshrined in Chapter 4 of the Constitution—specifically, the right to equal protection and benefit of the law (section 56) and political rights (section 67)—are likely to be infringed by the implementation of Zanu PF's Resolution Number 1 of 2024, adopted at its 21st National People's Conference in Bulawayo in October 2024 ("the Resolution").

21. I therefore seek protection of the law and to vindicate my constitutional rights under section 85(1) of the Constitution which provides as follows:

"Enforcement of fundamental human rights and freedoms (1) Any of the following persons, namely-

(a) any person acting in their own interests;

Is entitled to approach a court, alleging that a fundamental right or freedom enshrined in this Chapter has been, is being or is likely to be infringed, and the court may grant appropriate relief, including a declaration of rights and an award of compensation."

22. This Honourable Court has given fully expression to section 85 in the words of MALABA DCJ (as he then was) in the case of **Meda v Sibanda** 2016 (2) ZLR 232 (CCZ)

Basis of the application

23. The Resolution is likely to infringe section 3's foundational values (supremacy of the Constitution, rule of law, multiparty democracy) by directing amendments that bypass section 328(7)'s safeguards if sections 95(2)(b) and 143(1) are term-limit provisions, undermining democratic accountability.

24. It violates section 56 (equal protection of the law) by favouring the 5th Respondent through incumbency extension, discriminating against other citizens' political participation and creating unequal access to office.
25. It threatens section 67 (political rights) by entrenching power without national referendums, infringing rights to free, fair elections and democratic participation, as the directive implies state-led changes skewing the electoral playing field.
26. These infringements are imminent, given the Resolution's explicit call for government action and supporting pronouncements (e.g., the Minister of Justice's commitments to implement, as reported in ZBC News and parliamentary discussions), necessitating the relief I crave.
27. All told, there's now a real, clear and present dispute triggered by the resolve of the 1st Respondent to implement a blatantly unconstitutional resolution. Alarming evidence of this is the petrol bombing of the premises of the Southern Africa Political Economy Series (SAPES), ahead of a news conference by opponents of the Resolution that was due to be hosted by SAPES on 28 October 2025. I attach as "**Annexure F**", depicting the bombing of Sapes.

28. Relief Sought

29. I therefore pray for an order granting me and the 2nd Applicant an order
- (i) Interdicting the Respondents from taking any steps to implement Zanu PF's Resolution Number 1 pending the determination of this matter.
 - (ii) Declaration that sections 95(2)(b) and 143(1) constitute term-limit provisions under section 328(1) and 328(7) of the Constitution.

- (iii) Declaration that the implementation of Zanu PF's Resolution Number 1 infringes my rights under sections 3, 56, and 67 of the Constitution if sections 95(2)(b) and 143(1) are term-limit provisions under section 328(1) and (7).

30. I do not seek any order of costs as against any Respondents as this is a matter of public and national importance.

31. Wherefore, I pray for an order in terms of the draft order hereto attached.

SWORN TO AT BULAWAYO THIS

DAY OF OCTOBER 2025

BY ME:

.....

MBUSO FUZWAYO

SWORN TO BEFORE ME THIS

DAY OF OCTOBER 2025

BEFORE ME:

.....

COMMISSIONER OF OATHS

IN THE CONSTITUTIONAL COURT OF ZIMBABWE CASE NO: CZ...../2025

HELD AT HARARE

In the matter between

MBUSO FUZWAYO

1st APPLICANT

IBETSHU LIKAZULU

2nd APPLICANT

And

ZIMBABWE AFRICAN NATIONAL UNION

PATRIOTIC FRONT (ZANU PF).

1st RESPONDENT

MINISTER OF JUSTICE, LEGAL &
PARLIAMENTARY AFFAIRS (N.O)

2ND RESPONDENT

SPEAKER OF PARLIAMENT (N.O)

3RD RESPONDENT

ATTORNEY GENERAL (N.O)

4TH RESPONDENT

PRESIDENT OF ZIMBABWE (N.O)

5TH RESPONDENT

SUPPORTING AFFIDAVIT OF IBHETSHU LIKAZULU

I, **THAMSANQA NCUBE**, do hereby make oath and state as follows:

1. The 2nd Applicant is **IBHETSHU LIKAZULU**, a trust duly registered with the deeds office and with a power to sue and to be sued in its own name. Its address of service for purposes of this matter is **Sithole Law Chambers, Number 14 Park Road, Suburbs, Bulawayo.**

2. I have read and understood the founding affidavit of 1st Applicant and associate ourselves with it. I wish to incorporate all the averments made therein as if the same has been specifically pleaded herein.
3. IBhetshu Likazulu, the 2nd Applicant herein participated in the 2013 Constitutional Amendment process by mobilizing the Citizens of Zimbabwe particularly those in Matabeleland to vote for Amendment of the previous constitution. One of the fundamental mandates of the Applicant is to guard against the violation of the Constitution.
4. It would be catastrophic that any amendment to the constitution would be done without involving citizens of Zimbabwe through the requisite national referendums.
5. As 2nd Applicant, it has always been our position that citizens participate in serious decisions making process and the Constitutional amendment is one such decision.
6. That being said 2nd Applicant prays for an order in terms of the draft with costs at a higher scale.

SWORN TO AT BULAWAYO THIS

DAY OF OCTOBER 2025

BY ME:-

.....

THAMSANQA NCUBE

SWORN TO BEFORE ME THIS

DAY OF OCTOBER 2025

BEFORE ME:

.....

COMMISSIONER OF OATHS

IN THE CONSTITUTIONAL COURT OF ZIMBABWE CASE NO: CZ...../2025

HELD AT HARARE

In the matter between

MBUSO FUZWAYO

1st APPLICANT

IBETSHU LIKAZULU

2nd APPLICANT

And

ZIMBABWE AFRICAN NATIONAL UNION

PATRIOTIC FRONT (ZANU PF).

1st RESPONDENT

MINISTER OF JUSTICE, LEGAL &
PARLIAMENTARY AFFAIRS (N.O)

2ND RESPONDENT

SPEAKER OF PARLIAMENT (N.O)

3RD RESPONDENT

ATTORNEY GENERAL (N.O)

4TH RESPONDENT

PRESIDENT OF ZIMBABWE (N.O)

5TH RESPONDENT

DRAFT ORDER

AT HARARE THIS DAY OF JANUARY 2026

BEFORE JUSTICES:

Advocate M Ndlovu, Advocate T Zhuwarara with N. Sithole for the Applicants

.....

for the 1st Respondent

.....

for the 2nd Respondent

.....

for the 3rd Respondent

.....

for the 4th Respondent

.....

for the 5th Respondent

After reading papers filed of record and hearing Counsel it is ordered as follows:

1. The application is hereby granted.
2. The 2nd to 5th Respondents be and are hereby interdicted from taking any steps to implement the 1st Respondent's Resolution 1 of 2024.
3. It is declared that sections 95(2)(b) and 143(1) constitute term-limit provisions under section 328(1) and 328(7) of the Constitution.
4. It is further declared that that the implementation of 1st Respondent (Zanu PF)'s Resolution Number 1 infringes Applicants' rights under sections 56, 58 and 67 of the Constitution as sections 95(2)(b) and 143(1) are term-limit provisions under section 328(1) and (7).

.....

BY THE COURT

.....

BY THE REGISTRAR

IN THE CONSTITUTIONAL COURT OF ZIMBABWE CASE NO: CZ...../2025
HELD AT HARARE

In the matter between

MBUSO FUZWAYO

1st APPLICANT

IBETSHU LIKAZULU

2nd APPLICANT

And

ZIMBABWE AFRICAN NATIONAL UNION

PATRIOTIC FRONT (ZANU PF).

1st RESPONDENT

MINISTER OF JUSTICE, LEGAL &

PARLIAMENTARY AFFAIRS (N.O)

2ND RESPONDENT

SPEAKER OF PARLIAMENT (N.O)

3RD RESPONDENT

ATTORNEY GENERAL (N.O)

4TH RESPONDENT

PRESIDENT OF ZIMBABWE (N.O)

5TH RESPONDENT

SUPPORTING AFFIDAVIT OF IBHETSHU LIKAZULU

I, **THAMSANQA NCUBE**, do hereby make oath and state as follows:

1. The 2nd Applicant is **IBHETSHU LIKAZULU**, a trust duly registered with the deeds office and with a power to sue and to be sued in its own name. Its address of service for purposed of this matter is **Sithole Law Chambers, Number 14 Park Road, Suburbs, Bulawayo.**

- 1.1 I am authorised to depose to this affidavit through a resolution attached hereto as **Annexure "H"**.
2. I have read and understood the founding affidavit of 1st Applicant and associate ourselves with it. I wish to incorporate all the averments made therein as if the same has been specifically pleaded herein.
3. IBhetshu Likazulu, the 2nd Applicant herein participated in the 2013 Constitutional Amendment process by mobilizing the Citizens of Zimbabwe particularly those in Matabeleland to vote for Amendment of the previous constitution. One of the fundamental mandates of the Applicant is guard against the violation of the Constitution.
4. It would be catastrophic that any amendment to the constitution would be done without involving citizens of Zimbabwe.
5. As 2nd Applicant, it has always been our position that citizens participate in serious decisions making process and a Constitutional amendment that requires a national referendum, is one such decision.
6. That being said 2nd Applicant prays for an order in terms of the draft with costs at a higher scale.

SWORN TO AT BULAWAYO THIS

4th

DAY OF ~~OCTOBER~~ 2025

NOVEMBER

BY ME:

THAMSANQA NCUBE

SWORN TO BEFORE ME THIS

4th

DAY OF ~~OCTOBER~~ 2025

NOVEMBER

BEFORE ME:

COMMISSIONER OF OATHS

KHOLWANI NGWENYA
LLBS(UZ)
LEGAL PRACTITIONER, CONVEYANCER
NOTARY PUBLIC & COMMISSIONER OF OATHS
DATE 04/11/2025

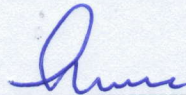
Annexure H

RESOLUTION OF A MEETING OF THE TRUSTEES OF IBHETSHU LIKA ZULU
TRUST HELD AT BULAWAO ON THE 1ST OF OCTOBER 2025

RESOLVED:

1. That **THAMSANQA NCUBE** in his capacity as the Chairperson of IBhetshu Lika Zulu Trust be and is hereby authorised to represent IBhetshu Lika Zulu in constitutional litigation against the intended unlawful extension of Presidential term limits, to be effected by amending the Constitution of Zimbabwe and without the necessity of calling a referendum.

CERTIFIED TRUE EXTRACT



MELUSI NYATHI
PROGRAMMES CO-ORDINATOR
IBHETSHU LIKA ZULU TRUST

IN THE CONSTITUTIONAL COURT OF ZIMBABWE CASE NO: CZ...../2025
HELD AT HARARE

In the matter between

MBUSO FUZWAYO
IBETSHU LIKAZULU

1st APPLICANT

2nd APPLICANT

And

ZIMBABWE AFRICAN NATIONAL UNION
PATRIOTIC FRONT (ZANU PF).

1st RESPONDENT

MINISTER OF JUSTICE, LEGAL &
PARLIAMENTARY AFFAIRS (N.O)

2ND RESPONDENT

SPEAKER OF PARLIAMENT (N.O)

3RD RESPONDENT

ATTORNEY GENERAL (N.O)

4TH RESPONDENT

PRESIDENT OF ZIMBABWE (N.O)

5TH RESPONDENT

DRAFT ORDER

AT HARARE THIS DAY OF JANUARY 2026

BEFORE JUSTICES:

Advocate M Ndlovu with N. Sithole for the Applicants

for the 1st Respondent

for the 2nd Respondent

.....

for the 3rd Respondent

.....

for the 4th Respondent

.....

for the 5th Respondent

After reading papers filed of record and hearing Counsel it is ordered as follows:

1. The Application be and is hereby granted.
2. The Applicants are granted leave for direct access to the Constitutional Court.
3. The Applicants shall file application to the Constitutional Court in terms of section 85 (1) (a) of the Constitution within 10 days of this order.
4. There shall be no order as to costs.

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BY THE COURT

.....

BY THE REGISTRAR