



## ZIMBABWE

# ACT

To amend the Shop Licences Act [*Chapter 14:17*], and to provide for matters connected therewith or incidental thereto.

ENACTED by the Parliament and the President of Zimbabwe.

### 1 Short title

This Act may be cited as the Shop Licences Amendment Act, 2018.

### 2 Amendment of section 2 of Cap. 14:17

Section 2 (“Interpretation”) of the Shop Licences Act [*Chapter 14:17*] (hereinafter called “the principal Act”) is amended in subsection (1), in the definition of “authorised officer” by the deletion of paragraph (a).

### 3 Amendment of section 5 of Cap. 14:17

Section 5 (“Control of vending machines”) of the principal Act is amended by the insertion after subsection (1) of the following subsection—

“(1a) Where any person operates more than one vending machine on any premises or part thereof, the licensing authority shall issue one vending licence in respect of the vending machines on such premises or part thereof.”.

### 4 Amendment of section 6 of Cap. 14:17

Section 6 (“Exemptions”) of the principal Act is repealed.

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**5 Amendment of section 8 of Cap. 14:17**

Section 8 (“Meetings of and evidence before licensing authority”) of the principal Act is amended in subsection (3)(b), by the deletion of “on payment of such fee as may be prescribed”.

**6 Amendment of section 12 of Cap. 14:17**

Section 12 (“Duration of licence, fees and penalties”) of the principal Act is amended—

- (a) in subsection (1) by the deletion of “up to and including the 31st December of the year for which it is issued or renewed” and the substitution of “for a period of not less than twelve months but not exceeding five years, as determined by the licensing authority concerned, from time to time”;
- (b) in subsection (2), by the deletion of the proviso.

**7 Amendment of section 14 of Cap. 14:17**

Section 14 of the principal Act is repealed.

**8 Amendment of section 15 of Cap. 14:17**

Section 15 of the principal Act is repealed.

**9 Amendment of section 16 of Cap. 14:17**

Section 16 (“Application for new licences”) of the principal Act is amended—

- (a) in subsection (2) by the repeal of paragraph (e);
- (b) by the insertion after subsection (4) of the following subsections—

“(5) Every licensing authority shall establish or cause to be established or approve an electronic medium within five years from the date of commencement of this Act, through which persons may lodge electronic applications for a licence in terms of subsection (1).

(6) Where a licensing authority has established or approved an electronic medium for the purpose of submission of applications for a licence in terms of subsection (1), any person may submit an electronic application referred to in subsection (1) through such electronic medium to such licensing authority and the licensing authority concerned shall attend to such application electronically, in accordance with this section.

(7) For the purposes of subsection (5), “date of commencement of this Act” means the date of commencement of the Shop Licences Amendment Act, 2016”.

**10 Amendment of section 20 of Cap. 14:17**

Section 20 (“Decision of licensing authority on application for new licence”)(5) of the principal Act is amended by the repeal of paragraph (a) and substitution of the following—

- “(a) determine an application for a new licence within twenty-one days of the day for which an application in terms of section sixteen has been made unless, at the request of the applicant, the hearing or determination of the application has been postponed for any longer period;”.

**11 Repeal of section 23 of Cap. 14:17**

Section 23 (“Renewal of licence”) of the principal Act is repealed.

**12 Amendment of section 30 of Cap. 14:17**

Section 30 ("Removal permit") of the principal Act is amended in subsection (4) by the insertion after "subsection (1)" of "and in so doing shall provide reasons for the cancellation of the permit, to the permit holder".

**13 Amendment of section 32 of Cap 14:17**

Section 32 ("Powers of authorised officers") of the principal Act is amended in subsection (1), by the deletion from paragraph (a) —

- (a) after "upon" of "search";
- (b) in the proviso, of "or search" wherever it occurs.

**14 Repeal of section 40 of Cap 14:17**

Section 40 ("Composition of Administrative Court") of the principal Act is repealed.

**15 Amendment of First Schedule to Cap. 14:17**

The First Schedule to the principal Act is amended—

- (a) in paragraph 1(d), by the deletion of—
  - (i) "and private wire" and the substitution of "private wire and fibre";
  - (ii) "the Posts and Telecommunications Corporation" and the substitution of "Tel-One (Private) Limited";
- (b) in paragraph 4(b), by the deletion of "refreshments" and the substitution of "meals or refreshments";
- (c) by the deletion of paragraph 10.

**16 Amendments to Cap. 14:17**

The provisions of the principal Act set out in the first column of the Schedule are amended to the extent specified opposite thereto in the second column of the Schedule.

**SCHEDULE (Section 16)**

<i>Provision</i>	<i>Extent of amendment</i>
Section 4(2), 37(3) and 43(1) and (2)	By the deletion of "or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment".
Section 5(2), 30(3a) and 32(2)	By the deletion of "or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment".
Section 10(3), 31(4) and 38(2)	By the deletion of " or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment".

Section 35(5)

By the deletion of “or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment”.