



## ZIMBABWE

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# ACT

To amend the Constitution of Zimbabwe.

WHEREAS sections 88 and 117 of the Constitution provide that—

“88(1) Executive authority derives from the people of Zimbabwe and must be exercised in accordance with this Constitution.

(2) The executive authority of Zimbabwe vests in the President who exercises it, subject to this Constitution, through the Cabinet.”.

“117(1) The legislative authority of Zimbabwe is derived from the people and is vested in and exercised in accordance with this Constitution by the Legislature.

(2) The legislative authority confers on the Legislature the power—

- (a) to amend this Constitution in accordance with section 328;
- (b) to make laws for the peace, order and good governance of Zimbabwe; and
- (c) to confer subordinate legislative powers upon another body or authority in accordance with section 134.”

AND WHEREAS national development programmes benefit from stability and continuity of policies and legislative frameworks within a predictable governance environment, thereby enabling such programmes to be implemented to completion;

NOW, THEREFORE, be it enacted by the President and the Parliament of Zimbabwe as follows—

## 1 Short title

This Act may be cited as the Constitution of Zimbabwe (Amendment) Act (No. 3), 2026.

## 2 New section inserted in Constitution

A new section is inserted after section 43 (continuation and restoration of previous) as follows—

### “43A Registration of Voters, voters’ rolls and registers

The Registrar-General shall—

- (a) register voters;
- (b) compile voters’ rolls and registers;
- (c) ensure the proper custody and maintenance of the voters’ rolls and registers.”.

## 3 Amendment of section 92 of Constitution

Section 92 (“Election of President”) of the Constitution is repealed and substituted by the following—

### “92 Election of President

(1) The President must be elected by the members of Parliament in a joint sitting of the Senate and the National Assembly.

(2) The election must take place at a joint sitting of Parliament following the swearing in of members of the Senate and the National Assembly and the election of the Speaker of the National Assembly and the President of Senate, respectively, after every general election, or whenever necessary to fill a vacancy in the office of President.

(3) To be elected President, the candidate must receive more than half of the valid votes cast by the members of Parliament.

(4) In the event that none of the presidential candidates receive a majority in the first ballot, a run-off ballot must be held between the two candidates with the highest number of votes and the candidate receiving the majority in the run-off is declared elected as President.

(5) The election of the President shall be conducted by the Zimbabwe Electoral Commission, in accordance with the Electoral Law and Standing Orders.

(6) A person elected as President under this section must cease to be a member of Parliament upon assuming office, if they were a member at the time of election.

(7) In the case of a vacancy in the office of President due to death, resignation, removal, or incapacity, an election must be held at a joint sitting of Parliament not more than thirty days after the vacancy occurs.

(8) No amendment to any law or enactment introducing substantive policy changes shall be passed by Parliament during the period between the occurrence of a vacancy in the office of the President and the election of a new President by Parliament.”.

## 4 Amendment of section 94 of Constitution

Section 94 (“Assumption of office by President and Vice-President”) of Constitution is amended by the repeal of subsection (3).

## 5 Amendment of section 95 of Constitution

Section 95 (“Term of office of President and Vice-Presidents”) of the Constitution is amended—

- (a) in subsection (2)(b) by the deletion of the words “five years” and the substitution of “seven years”.
- (b) by the insertion of the following new subsection after subsection (2) as follows—

“(2a) Notwithstanding section 328(7), subsection (2)(b) shall apply to the continuation in office of the President.”.

## 6 Amendment of section 100 of Constitution

Section 100 (“Acting President”) of the Constitution is amended in subsection (1)—

- (a) paragraph (a) by the deletion of the word “first”.
- (b) by the repeal of paragraph (b).

## 7 Amendment of section 101 of Constitution

Section 101 (“Succession in event of death, resignation or incapacity of President or Vice President”) of the Constitution is repealed and substituted with the following—

“101 Succession in event of death, resignation or incapacity of President

If the person elected as President dies, resigns, or is removed from office the Vice President or, where there are two Vice-Presidents, the Vice-President who was last nominated to act in terms of section 100, acts as President until a new President assumes office in terms of section 92.”.

## 8 Amendment of section 114 of Constitution

Section 114 (“Attorney General”) of the Constitution is amended in subsection (3) by the deletion of “High Court” and the substitution of “Supreme Court”.

## 9 Amendment of section 120 of Constitution

Section 120 (“Composition of Senate”) of the Constitution is amended in subsection (1)—

- (a) by the deletion of the word “eighty” and the substitution of “ninety”.
- (b) by the insertion of a new paragraph after paragraph (d) as follows—
  - “(e) ten appointed by the President chosen for their professional skills and other competencies after consultation with the National Assembly.”.

## 10 Amendment of section 143 of Constitution

Section 143 (“Duration and dissolution of Parliament”) of the Constitution is amended—

- (a) in subsection (1) by the deletion of the words “five-year term” and the substitution of “seven-year term.”
- (b) by the insertion of the following new subsection after subsection (2) as follows—

“(2a) Notwithstanding section 328(7), subsection (1) shall apply to the continuation in office of the Senate and National Assembly.”

## 11 Amendment of section 145 of Constitution

Section 145 (“First sitting of Parliament following general election”) is repealed and substituted by the following—

### “145 First sitting of Parliament following general election

(1) After a general election, the first sitting of Parliament must take place at a time and on a date determined by the Clerk of Parliament in a notice published in the *Gazette*, but not later than fourteen days after the election result has been declared.

(2) Until the election of the President of the Senate or the Speaker the first meeting of each House of Parliament must be presided over by the Clerk of Parliament.”.

## 12 Amendment of section 158 of Constitution

Section 158 (“Timing of elections”) of the Constitution is amended—

(a) by the repeal of paragraph (a) of subsection (1) and the substitution of the following—

“(a) thirty days before the expiry of the seven-year period specified in section 143.”

(b) in subsection (2) by the deletion of “President and”.

## 13 Insertion of new section in Part 3 of Chapter 7 of Constitution

Chapter 7 Part 3 (“Delimitation of Electoral Boundaries”) of the Constitution is amended by the insertion of a new section 159A before “section 160” as follows—

### “159A Delimitation Commission

(1) From time to time, as may be required for the purposes of this Constitution, the President shall appoint the Delimitation Commission which shall consist of—

- (a) a chairperson who must be a Supreme Court judge or a former Supreme Court judge or a person qualified for appointment as a Supreme Court judge appointed after consultation with the Judicial Service Commission; and
- (b) five other members who are appointed—
  - (i) at least one must be qualified in demography, and have been so qualified for at least seven years;
  - (ii) at least one chosen for their knowledge and experience in administration and governance and possesses relevant qualification from a certified institution;
  - (iii) at least one must be qualified in cartography and have been so qualified for at least seven years;
  - (iv) a representative from the National Chiefs Council who has knowledge in delimitation.

(2) Where the members of the Delimitation Commission are not unanimous regarding any matter, the view of the majority shall prevail and, in the event of an equality of votes, the chairperson shall have a casting vote.

(3) An Act of Parliament shall provide for the functions of the Delimitation Commission.”.

**14 Amendment of section 160 of Constitution**

Section 160 (“Number of constituencies and wards”) of the Constitution is amended in subsections (1) and (2) by the deletion of “Zimbabwe Electoral Commission” with the substitution of “Delimitation Commission”.

**15 Amendment of section 161 of Constitution**

Section 161 (“Delimitation of electoral boundaries”) of the Constitution is amended—

- (a) by the deletion of “Zimbabwe Electoral Commission” and the substitution of “Delimitation Commission” wherever it appears in this section;
- (b) in subsection (2), the deletion of “six months” and the substitution of “eighteen months”.

**16 Amendment of section 163 of Constitution**

Section 163 (“The Judiciary”) of the Constitution is amended—

- (i) in subsection (1) by the repeal of paragraph (b) and the substitution of the following paragraph—
  - “(b) the Judge President of the Supreme Court and other judges of the Supreme Court;”;
- (ii) by the repeal of subsection (2) and the substitution of the following subsections—
  - “(2) The Chief Justice is head of the judiciary and is in charge of the Constitutional Court.
  - (2a) The Judge President of the Supreme Court is in charge of that court.”.

**17 Amendment of section 166 of Constitution**

Section 166 (“Constitutional Court”) of the Constitution is amended in subsection (1) by the repeal of paragraph (b) and the substitution of the following—

- “(b) no fewer than five other judges of the Constitutional Court;”.

**18 Amendment of section 167 of Constitution**

Section 167 (“Jurisdiction of Constitutional Court”) of the Constitution is amended by the insertion of a new subsection (6) after subsection (5) as follows—

“(6) The Constitutional Court may decide any other matter, if the Constitutional Court grants leave to appeal on the grounds that the matter raises an arguable point of law of general public importance which ought to be considered by the Court.”.

**19 Amendment of section 168 of Constitution**

Section 168 (“Supreme Court”) of the Constitution is amended by the repeal of subsection 1 and the substitution of the following—

- “(1) The Supreme Court is a superior court of record and consists of—
  - (a) the Judge President of the Supreme Court;
  - (b) no fewer than two other judges of the Supreme Court; and
  - (c) any additional judges appointed in terms of subsection (2).”.

**20 Amendment of section 180 of Constitution**

Section 180 (“Appointment of Judges”) of the Constitution is amended—

- (a) in subsection (1) by the insertion after the “the Deputy Chief Justice”, of “the Judge President of the Supreme Court”;

(b) by the repeal of subsection (2) and the substitution of the following—

“(2) The Chief Justice, the Deputy Chief Justice, the Judge President of the Supreme Court, the Judge President of the High Court and all other judges shall be appointed by the President after consultation with the Judicial Service Commission.”.

## **21 Amendment of section 181 of Constitution**

Section 181 (“Acting judicial appointments”) of the Constitution is amended—

(i) in subsection (2) by the insertion of new paragraph (a) before the current paragraph (a) as follows—

“(a) Judge President of the Supreme Court;”;

(ii) in subsection (3) by the insertion of the words “or any other person qualified to be appointed as a judge of the court concerned” after “a former judge”.

## **22 Amendment of section 212 of Constitution**

Section 212 (“Functions of Defence Forces”) of the Constitution is repealed and substituted by the following—

### **“212 Functions of Defence Forces**

Subject to sections 207 and 208, the function of the Defence Forces is to protect Zimbabwe, its people, its national security, its interests, its territorial integrity and to uphold this Constitution.”.

## **23 Amendment of section 232 of Constitution**

Section 232 (“Independent Commissions”) is amended by the repeal of paragraph (e).

## **24 Amendment of section 239 of Constitution**

Section 239 (“Function of Zimbabwe Electoral Commission”) of the Constitution is amended by the repeal of paragraphs (c), (d), (e) and (f).

## **25 Amendment of section 243 of Constitution**

Section 243 (“Functions of Zimbabwe Human Rights Commission”) of the Constitution is amended in subsection (1) by the repeal of paragraph (i) and the substitution of the following—

“(i) to recommend to Parliament and the Executive appropriate and effective measures for the promotion of human rights and fundamental freedom, including the enactment of legislation and the formulation of policies directed towards national healing, reconciliation and nation-building;”.

## **26 Amendment of section 259 of Constitution**

Section 259 (“Prosecutor-General and other officers”) of the constitution is amended in subsection (3) by the deletion of “on the advice of the Judicial Service Commission”.

## **27 Repeal of Part 6 of Chapter 12 of Constitution**

Chapter 12 of the Constitution is amended by the repeal of Part 6 (“National Peace and Reconciliation Commission”).

## **28 Amendment of section 277 of Constitution**

Section 277 (“Elections to local authorities”) of the Constitution is amended by the repeal of subsection (4) and the substitution of the following—

“(4) An Act of Parliament may provide for the election, by a system of proportional representation referred to in subsection (5), of at least—

- (a) thirty *per centum* of the total members of the local council elected on a ward basis as women;
- (b) ten *per centum* of the total members of the local council elected on a ward basis shall be youth aged eighteen to thirty-five years.”.

## **29 Amendment of section 285 of Constitution**

Section 285 (“National Council and provincial assemblies of Chiefs”) of the Constitution is amended in subsection (6) by the deletion of “five years” and the substitution of “seven years”.

