

TITLE 18**Chapter 18:01****PREVIOUS CHAPTER****AGRICULTURAL AND RURAL DEVELOPMENT AUTHORITY ACT**

Acts 4/1971, 39/1973 (s. 53), 21/1978, 5/1982, 20/1982, 18/1989 (s. 15), 29/1990, 11/1991 (s. 11), 22/1992 (s. 5); S.I. 675/1979, 22/2001.

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title.
2. Interpretation.

PART II

AGRICULTURAL DEVELOPMENT AUTHORITY

3. Establishment of Agricultural Development Authority.
4. Establishment of Board.
5. Constitution of Board.
6. Conditions of office of members.
7. Disqualification for appointment as member.
8. Vacation of office by member.
9. Minister may require member to vacate office or may suspend him.
10. Filling of vacancies.
11. Meetings and decisions of Board.
12. Committees of Board.
13. Remuneration and expenses of members of Board and committees.
14. Members to declare interests.
15. Right of certain officers to attend meetings, etc., of Board and committees.
16. Validity of decisions and acts of Board.
17. Execution of contracts and instruments.

PART III

FUNCTIONS, DUTIES AND POWERS OF AUTHORITY

18. Functions and duties of Authority.
19. Authority to submit reports and furnish information.
20. Powers of Authority.
21. Limitation of functions, duties and powers.
22. Appointment of director of subsidiary company.
23. General manager.

PART IV

FINANCIAL PROVISIONS RELATING TO AUTHORITY

24. Conduct of financial affairs of Authority.
25. Funds of Authority.
26. Investment of moneys not immediately required by Authority.
27. Authority to make certain charges to revenue account.
28. Establishment and operation of general reserve account of Authority.
29. Meeting of deficiencies.
30. Accounts of Authority.
31. Appointment of auditors and audit of accounts of Authority.
32. Powers of auditors.

33. Investigation into affairs of Authority.

PART V
GENERAL

34. Exemption from liability.

FIRST SCHEDULE: Powers of Authority.

SECOND SCHEDULE: Functions of Subsidiary Companies.

THIRD SCHEDULE: State Land, Responsibility For Which Vests in Authority.

AN ACT to provide for the establishment of an Agricultural and Rural Development Authority; to confer powers and functions and impose duties upon such Authority; to provide for a Board to control the operations of the Authority; and to provide for matters incidental to the foregoing.

[Date of commencement: 1st July, 1971.]

PART I

PRELIMINARY

1 Short title

This Act may be cited as the Agricultural and Rural Development Authority Act [Chapter 18:01].

2 Interpretation

In this Act—

“appropriate Minister”, in relation to any matter, means—

(a) any Minister who by or under any enactment is empowered or required to exercise any function in respect of such matter; or

(b) a Vice-President where, by or under any enactment a Vice-President is empowered or required to exercise any function in respect of such matter;

“Authority” means the Agricultural and Rural Development Authority established by section three;

“Board” means the Board referred to in section four;

“financial year” means such period as the Authority, with the approval of the Minister, may fix to be the financial year of the Authority;

“member” means a member of the Board;

“Minister” means the Minister of Lands and Water Resources or such other Minister to whom the administration of this Act may from time to time be assigned.

PART II

AGRICULTURAL AND RURAL DEVELOPMENT AUTHORITY

3 Establishment of Agricultural and Rural Development Authority

There is hereby established an authority, to be known as the Agricultural and Rural Development Authority, which shall be a body corporate and shall be capable of suing and being sued in its corporate name and, subject to this Act, of performing all such acts as bodies corporate may by law perform.

4 Establishment of Board

The operations of the Authority shall, subject to this Act, be controlled by a Board appointed in terms of this Part.

5 Constitution of Board

(1) The Board shall consist of a chairman and not less than four other members appointed by the Minister after consultation and in accordance with any directions the President may give him.

(2) The Minister shall choose the persons to be appointed as members for their ability and experience in agriculture, business or administration and their suitability otherwise for appointment as members.

(3) The members may appoint one of their number to be the deputy chairman of the

Board.

6 Conditions of office of members

(1) A member shall, subject to this Part, hold office for such period, not exceeding three years, as the Minister may fix on his appointment.

(2) Subject to section thirteen, a member shall hold office on such conditions as the Minister may in his case fix.

(3) A retiring member shall be eligible for reappointment.

7 Disqualification for appointment as member

The Minister shall not appoint a person as a member and no person shall be qualified to hold office as a member who—

(a) has in terms of a law in force in any country—

(i) been adjudged or otherwise declared insolvent or bankrupt and has not been rehabilitated or discharged; or

(ii) made an assignment to or arrangement or composition with his creditors which has not been rescinded or set aside;

or

(b) has within the period of five years immediately preceding the date of his proposed appointment, been convicted—

(i) within Zimbabwe of a criminal offence; or

(ii) outside Zimbabwe of an offence by whatever name called which, if committed within Zimbabwe, would have been a criminal offence; and sentenced by a court to imprisonment for a term of six months or more, without the option of a fine, whether or not such sentence has been suspended, and has not received a free pardon.

8 Vacation of office by member

A member shall vacate his office and his office shall become vacant—

(a) one month after the date he gives notice in writing to the Minister of his intention to resign his office or after the expiration of such shorter period as he and the Minister may agree; or

(b) thirty days after the date he is sentenced by a court to imprisonment referred to in paragraph (b) of section seven after conviction of an offence referred to in that paragraph:

Provided that, if during the said period of thirty days an application for a free pardon is made or an appeal is filed, the question whether the member is to vacate his office shall not be determined until the final disposal of such application or appeal, whereupon the member shall forthwith vacate his office and his office shall become vacant unless he is granted a free pardon, his conviction is set aside, his sentence is reduced to a term of imprisonment of less than six months or a punishment other than imprisonment is substituted; or

(c) if he becomes disqualified in terms of paragraph (a) of section seven to hold office as a member; or

(d) if he is required in terms of section nine to vacate his office; or

(e) if he is absent from three consecutive meetings of the Board or of any committee of the Board of which he is a member and of which he has had notice, without the permission of the Board.

9 Minister may require member to vacate office or may suspend him

(1) The Minister may require a member to vacate his office if the Minister is satisfied that the member—

(a) has been guilty of improper conduct as a member; or

(b) has failed to comply with the conditions of his office fixed by the Minister in terms of subsection (2) of section six; or

(c) is mentally or physically incapable of efficiently performing his duties as a member.

(2) The Minister may suspend from office a member against whom criminal proceedings are instituted for an offence in respect of which a sentence of imprisonment without the option of a fine may be imposed and, whilst that member is so suspended, he shall not carry out any duties or be entitled to any remuneration as a member.

10 Filling of vacancies

On the death of, or vacation of office by, a member the Minister may appoint a person to fill the vacancy until the expiration of the period during which the member would, but for his death or the vacation of his office, have continued in office.

11 Meetings and decisions of Board

(1) The Board shall meet for the dispatch of business and adjourn, close and otherwise regulate its meetings and proceedings as it thinks fit.

(2) The chairman of the Board may himself at any time, and shall at the request in writing of not less than two members, convene a special meeting of the Board, which meeting in the latter case shall be convened for a date not less than seven days or more than thirty days after the receipt of such request.

(3) The chairman shall preside at all meetings of the Board at which he is present.

(4) If at any meeting of the Board the chairman is absent—

(a) if a deputy chairman has been appointed, he shall preside;

(b) if no deputy chairman has been appointed or the deputy chairman is absent, the members who are present at that meeting shall elect one of their number to preside;

and at that meeting the deputy chairman or member so elected, as the case may be, shall have all the powers and discharge all the duties of the chairman except that in the event of an equality of votes he shall not have a casting vote.

(5) Three members shall form a quorum at a meeting of the Board:

Provided that if at any time the Board consists of more than six members, the quorum shall be such number as the Minister may fix by notice in writing to the Board.

(6) All acts, matters or things authorized or required to be done by the Board may be decided by a majority vote at a meeting of the Board at which a quorum is present.

(7) At all meetings of the Board each member present shall have one vote on a question before the Board and, in the event of an equality of votes, the chairman shall have, in addition to a deliberative vote, a casting vote.

(8) Any proposal circulated among all members and agreed to in writing by a majority of all members shall be of the same force and effect as a resolution passed at a duly constituted meeting of the Board and shall be incorporated in the minutes of the next succeeding meeting of the Board:

Provided that if a member requires that such a proposal shall be placed before a meeting of the Board, this subsection shall not apply to such proposal.

12 Committees of Board

(1) For the better exercise of its functions and powers the Board may establish one or more committees in which may be vested or on which may be imposed such of the functions and powers of the Board as the Board may direct:

Provided that the vesting or imposition of any such functions and powers in a committee shall not thereby divest the Board of such functions and powers and the Board may amend or rescind any decision of any such committee in the exercise of its functions and powers.

(2) The chairman of the Board or of a committee may at any time and at any place convene a meeting of that committee.

(3) The procedure of a committee shall be fixed by the Board.

(4) On the establishment of a committee in terms of subsection (1) the Board—

(a) shall appoint to that committee at least one member of the Board who shall be the chairman of that committee;

(b) may appoint to that committee persons who are not members of the Board.

13 Remuneration and expenses of members of Board and committees

(1) Subject to subsection (2), a member of the Board or any committee of the Board shall be paid from the funds of the Authority—

(a) such remuneration, if any, as the Minister may in his case fix; and

(b) such allowance as the Minister may fix to meet any reasonable expenses incurred by him in connection with the business of the Authority.

(2) No remuneration or allowance may be paid in terms of subsection (1) to a member of the Board or of a committee of the Board who is in the full-time employment of the Authority.

14 Members to declare interests

If at any meeting of the Board or of a committee of the Board a member thereof is aware that any matter which affects—

(a) himself or his spouse or any person who is related to that member within the third degree of affinity or consanguinity; or

(b) any person who is a debtor or a creditor of that member or in partnership with or in the employ of that member; or

(c) any person who is a debtor under a mortgage bond of any body of persons, whether incorporated or not, of which that member is a director or under which he holds any office or position other than that of auditor; or

(d) any company, co-operative agricultural company or co-operative society of which that member is a director or manager or under which he holds an office or position other than that of auditor;

is to be discussed or is under discussion, the member shall forthwith declare to the meeting his interest in such matter and shall not vote on any question before the Board or a committee of the Board, as the case may be, which relates to such matter:

Provided that nothing in this section shall be taken to prevent members of the Board or of a committee of the Board from voting upon matters which affect the members thereof generally.

15 Right of certain officers to attend meetings, etc., of Board and committees

(1) Such officers of the Public Service as the Minister may designate shall, subject to subsection (2) be entitled—

(a) to attend meetings of the Board or of a committee of the Board; and

(b) to take part in the proceedings of the Board or of a committee of the Board;

as if they were members.

(2) An officer referred to in subsection (1) shall not have a vote on a question before the Board or a committee of the Board.

16 Validity of decisions and acts of Board

No decision or act of the Board or act done under the authority of the Board shall be invalid by reason only of the fact that—

(a) the Board consisted of less than the minimum number of members for which provision is made in subsection (1) of section five; or

(b) a person disqualified in terms of section seven acted as a member of the Board at the time the decision was taken or the act was done or authorized.

17 Execution of contracts and instruments

An agreement, contract or instrument approved by the Board may be entered into or executed on behalf of the Authority by any person or persons generally or specially authorized by the Board for that purpose.

PART III

FUNCTIONS, DUTIES AND POWERS OF AUTHORITY

18 Functions and duties of Authority

(1) In this section—

“State land” includes Communal Land.

(2) Subject to this Act and any other enactment, the functions and duties of the Authority shall be—

(a) to plan, co-ordinate, implement, promote and assist agricultural development in Zimbabwe;

(b) to prepare and, with the agreement of the Minister, to implement schemes for the betterment of agriculture in any part of Zimbabwe;

(c) to plan, promote, co-ordinate and carry out schemes for the development, exploitation, utilization, settlement or disposition of State land specified in the Third Schedule;

(d) any other functions and duties which may be imposed upon the Authority by any enactment.

(3) The Authority shall, in consultation with the Minister and so often as he may direct, prepare a programme showing how it proposes to carry out any particular function or duty in terms of this section.

(4) State land specified in the Third Schedule—

(a) shall, for the purposes of its development, exploitation, utilization, settlement or disposition, be the responsibility of the Authority; and

(b) shall not be granted, sold, leased or otherwise disposed of to any person otherwise than on the recommendation of the Authority.

(5) Where State land specified in the Third Schedule has been granted, sold, leased or otherwise disposed of to the Authority or to any subsidiary company referred to in section twenty, such land shall not be granted, sold, leased or otherwise disposed of to a third party by the Authority or that company, as the case may be, without the approval of the Minister and the appropriate Minister.

(6) The President may at any time, by statutory instrument, amend the Third Schedule by amending any description of State land contained therein or by inserting therein or deleting therefrom a description of State land.

19 Authority to submit reports and furnish information

(1) In addition to the annual report which the Authority may be required, in terms of section 44 of the Audit and Exchequer Act [Chapter 22:03], to submit to the Minister the Authority—

(a) shall submit to the Minister such other reports as the Minister may require; and

(b) may submit to the Minister such other reports as the Board may deem advisable;

in regard to the operations, undertakings and property of the Authority.

(2) The Authority shall give to the Minister all such information relating to the undertakings of the Authority as the Minister may at any time require.

(3) The Minister may lay before Parliament a report submitted to him by the Authority in terms of paragraph (a) or (b) of subsection (1).

20 Powers of Authority

(1) Subject to this Act, the Authority shall, for the better exercise of its functions and duties, have power to do or cause to be done, either by itself or through its agents, all

or any of the things specified in the First Schedule, either absolutely or conditionally and either solely or jointly with others.

(2) Subject to this Act, a company or other undertaking promoted, established, controlled or managed by the Authority in terms of this Act may carry out all or any of the functions specified in the Second Schedule, either absolutely or conditionally and either solely or jointly with any other company or undertaking, whether promoted, established, controlled or managed by the Authority or otherwise.

21 Limitation of functions, duties and powers

(1) Subject to subsection (2), the functions, duties and powers of the Authority and the powers authorized in terms of subsection (2) of section twenty shall not extend to any part of forest land or parks and wild life land.

(2) Subsection (1) shall not apply in relation to the supply to or the sale for use in any part of Zimbabwe of water and electricity.

22 Appointment of director of subsidiary company

In the case of a company or other undertaking promoted, established or controlled by the Authority in terms of this Act, the Authority shall so exercise the rights conferred on it by the holding of any interest in that company or other undertaking as to secure that no person is appointed by the Authority or with the support of the Authority to be a director of the company or other undertaking except after previous consultation with the Minister as to his suitability for appointment.

23 General manager

For the better exercise of its functions and powers the Authority—

(a) may; or

(b) where the Minister so directs, shall;

appoint, on such terms and conditions as the Board thinks fit, a person approved by the Minister to be general manager in whom, subject to the control of the Board, shall be vested the management of the operations, undertakings and property of the Authority.

PART IV

FINANCIAL PROVISIONS RELATING TO AUTHORITY

24 Conduct of financial affairs of Authority

It shall be the object of the Authority so to exercise its functions and conduct its business as to ensure that its income, taking one year with another, is not less than sufficient to enable the Authority to meet the outgoings of the Authority which are properly chargeable to revenue account, including making provision for the matters referred to in section twenty-seven.

25 Funds of Authority

The funds of the Authority shall consist of—

(a) such moneys as may be payable to the Authority from moneys appropriated for the purpose by Parliament;

(b) such other moneys or assets as may vest in or accrue to the Authority, whether in the course of its operations or otherwise.

26 Investment of moneys not immediately required by Authority

Moneys not immediately required by the Authority may be invested in such manner as the Minister, acting on the advice of the Minister responsible for finance, may approve.

27 Authority to make certain charges to revenue account

(1) The Authority shall charge to its revenue account all charges which, in the normal conduct of business, are regarded as proper to be made to revenue account and, without derogation from the generality of the foregoing, shall make in each financial year proper provision for—

- (a) the depreciation or diminution in value of assets; and
- (b) the payment of interest on and all other charges and expenses incurred in connection with loans; and
- (c) the redemption of loans at due times:

Provided that the Minister may, after consultation with the Minister responsible for finance, by notice in writing to the Authority waive the requirements of this paragraph for any particular financial year in respect of one or more loans.

(2) In charging to its revenue account all the charges which in the normal conduct of business are regarded as proper to be made to revenue account as provided in subsection (1) the Authority may make in each financial year provision for meeting in whole or in part increases in the cost of replacing assets.

28 Establishment and operation of general reserve account of Authority

(1) The Authority shall establish a general reserve account to which the Authority may appropriate from a surplus of revenue over expenditure such moneys as the Minister may approve or direct.

(2) Subject to section twenty-nine, moneys in the general reserve may, with the approval of the Minister, be used for such purposes as the Authority may consider expedient for the proper exercise of its functions.

29 Meeting of deficiencies

If in any financial year the revenues of the Authority, together with any surplus revenue brought forward from any preceding financial year, are insufficient to enable the Authority to meet its outgoings properly chargeable to revenue account and to make the provision required to be made in terms of section twenty-seven, the deficiency shall, unless the Minister otherwise directs, be met from the general reserve account established in terms of subsection (1) of section twenty-eight.

30 Accounts of Authority

(1) The Authority shall keep proper accounts and other records relating thereto in respect of all its operations, undertakings and property, including such particular accounts and records as the Minister may direct.

(2) The Authority shall prepare and submit to the Minister a statement of accounts in respect of each financial year or such other period as the Minister may direct.

31 Appointment of auditors and audit of accounts of Authority

(1) The Authority shall, subject to the approval of the Minister, appoint an auditor, which auditor may be the Comptroller and Auditor-General or one or more persons who are registered as public auditors in terms of the Public Auditors and Accountants Act [Chapter 27:12].

(2) The accounts of the Authority kept in terms of subsection (1) of section thirty shall be examined by the auditors.

(3) The auditors shall make a report to the Authority and to the Minister on the statement of accounts prepared in terms of subsection (2) of section thirty and such report shall state whether or not in their opinion the statement of accounts gives a true and fair view of the state of the financial affairs of the Authority.

(4) In addition to the report referred to in subsection (3) the Minister may require the Authority to obtain from the auditors such other reports or statements in connection with the operations, undertakings and property of the Authority as the Minister may consider expedient.

(5) If, in the opinion of the auditors—

- (a) they have not obtained the information and explanations they require;
- or
- (b) the accounts and records relating thereto have not been properly kept;

or

(c) the Authority has not complied with this Part; the auditors shall include in the report made in terms of subsection (3) or (4), as the case may be, statements to that effect.

32 Powers of auditors

(1) Without derogation from subsection (6) of section 9 of the Audit and Exchequer Act [Chapter 22:03], the auditors shall be entitled at all reasonable times to require to be produced to them all accounts and other records relating thereto kept by the Authority or its agents and to require from any member or person employed by the Authority or its agents such information and explanations as in their opinion are necessary for the purpose of their audit.

(2) Any member of the Board or employee or agent of the Authority who fails without just cause to comply with a requirement of an auditor in terms of subsection (1) shall be guilty of an offence and liable to a fine not exceeding level four or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

[inserted by Act 22 of 2001, with effect from the 10th September, 2002]

33 Investigation into affairs of Authority

(1) The Minister may at any time cause an investigation to be made into the affairs of the Authority by one or more persons authorized thereto by him in writing.

(2) Any person appointed in terms of subsection (1) shall have the same powers as are conferred upon a commissioner by the Commissions of Inquiry Act [Chapter 10:07], other than the power to order a person to be detained in custody, and sections 9 to 13 and 15 to 19 of that Act shall apply, mutatis mutandis, in relation to an investigation made in terms of subsection (1) and to any person summoned to give or giving evidence at that investigation.

PART V

GENERAL

34 Exemption from liability

No liability shall attach to the Authority or to any member of the Board or any committee of the Board for any loss or damage sustained by any person as a result of the bona fide exercise or performance by the Board or a committee thereof or by any employee or agent of the Authority of any power conferred upon the Authority by this Act:

Provided that this section shall not be construed so as to prevent any person from recovering by action in any competent court compensation for any loss or damage sustained by him which was caused by negligence or breach of contract.

FIRST SCHEDULE (Section 21 (1))

POWERS OF AUTHORITY

1. With the approval of the Minister and the appropriate Minister, to construct, establish, acquire, maintain and operate dams, reservoirs, canals, irrigation works and hydro-electric power stations on such terms and conditions as may be approved by such Ministers.

2. With the approval of the Minister and the Minister responsible for finance, to raise loans or borrow moneys in such amounts, for such purposes and under such conditions as may be approved by such Ministers.

3. With the approval of the appropriate Minister, to develop, engage in, establish, operate or manage schemes for—

(a) all or any of the following operations—

(i) the irrigation of land or the provision of water for the irrigation of such land;

(ii) the farming of land, including ranching and forestry, and the doing of all things related, ancillary, incidental or conducive to farming operations, including the establishment acquisition and management of farm stores and the building of roads to serve farms;

(iii) the settlement of farmers on land;

(iv) the preparation for processing or marketing or the processing or marketing of agricultural produce or any other commodity;

(v) research into agriculture and agricultural development;

(b) the development of any rural area by way of any operation referred to in subparagraph (a);

(c) the tuition and training in any field which falls within the scope of the functions, duties and powers of the Authority.

4. To supply technical and other assistance and specialized advice, information and guidance.

5. With the approval of the Minister, to promote, establish or acquire companies or other undertakings and, in connection with any such company or other undertaking—

(a) to manage and to act as secretary thereof;

(b) subject to section twenty-two, to appoint any person to act on behalf of the Authority as a director thereof or in any other capacity in relation thereto.

6. With the approval of the Minister and the appropriate Minister, to acquire an interest in, to provide by underwriting or otherwise or to assist in the subscription of capital for or to guarantee the obligations of a company, whether promoted by the Authority or otherwise, engaged in or proposing to establish or to expand or modernize any undertaking engaged in the agricultural development of any area and, through its activities, benefiting the inhabitants of that area.

7. Notwithstanding anything to the contrary in the Water Act [Chapter 20:22] or the Electricity Act [Chapter 13:05], to sell at such prices as the Board, with the approval of the Minister and the appropriate Minister, may determine water or electricity or both.

8. With the agreement or at the request of other persons or organizations, to assist such persons or organizations and, with the approval of the Minister, to participate in the promotion, establishment and management of companies or other undertakings for carrying out any of the functions referred to in the Second Schedule.

9. To recommend to the appropriate Minister that any property be acquired or expropriated for development or utilization in the national interest for agricultural purposes.

10. To purchase, take on lease or otherwise acquire and hold property and interests in or rights over land, rights to the use of water and any other rights which may be necessary for the efficient exercise of the powers specified in this Schedule.

11. To enter into such contracts as the Board considers to be necessary for the exercise of the powers specified in this Schedule.

12. To appoint, upon such terms and conditions as the Board thinks fit, such persons, other than the general manager, as may be necessary for conducting the affairs of the Authority and suspend or discharge any such persons and to pay to such persons such remuneration and allowances and grant such leave of absence as the Board thinks fit.

13. Subject to the approval of the Minister, to provide for employees of the Authority or their dependants, by means of insurance with an insurer registered in terms of the Insurance Act [Chapter 24:07] or a pension or provident fund or otherwise, pecuniary benefits upon leave, retirement, death or termination of service

or in the event of distress, sickness or injury and to insure the members of the Board against injury or death arising out of or in the course of their duties and in making such provision may require such employees to make contributions and may deduct such contributions from the remuneration of such persons.

14. To purchase, take on lease or in exchange or otherwise acquire land or dwelling-houses for use or occupation by employees of the Authority.

15. To construct dwellings, outbuildings or improvements for use or occupation by employees of the Authority on land purchased, taken on lease or in exchange or otherwise acquired by the Authority.

16. To sell or lease dwelling-houses and land for residential purposes to employees of the Authority.

17. To make or guarantee loans made to employees of the Authority or their spouses for the purchase of dwelling-houses or land for residential purposes, the construction of dwelling-houses and the improvement of dwelling-houses or land which are the property of employees of the Authority or their spouses.

18. To provide security in respect of loans such as are described in paragraph 16 by the deposit of securities in which the Authority is hereby authorized to invest such moneys as the Board considers necessary for the purpose.

19. To make loans to any employee of the Authority—

(a) for the purpose of purchasing vehicles, tools or other equipment to be used by him in carrying out his duties; or

(b) not exceeding three months' salary or wages payable to him for any purpose on such security as the Authority considers adequate.

20. To construct buildings and improvements for use directly by the Authority or for use in connection with its function to promote agricultural development on land purchased, taken on lease or in exchange or otherwise acquired by the Authority.

21. With the approval of the appropriate Minister, to develop, engage in, establish, operate or manage schemes—

(a) for the laying out of, and the provision of services, facilities and amenities in, townships established for residential, industrial, commercial or similar purposes, including the sale or lease of sites and the recovery of costs of running the townships by raising fees, charges and rates or otherwise;

(b) for the promotion of public health, the prevention, limitation or suppression of disease and the provision of medical services:

Provided that the appropriate Minister shall not grant approval for any such scheme unless, after consultation with any municipal, town, rural or district council within whose area of jurisdiction such scheme is to be implemented, he considers that the Authority is best suited to develop, engage in, establish, operate or manage such scheme.

22. With the approval of the Minister and after consultation with the Minister responsible for finance, to make loans with or without security and with or without interest and give guarantees to any undertaking engaged in the agricultural development of any area and, through its activities, benefiting the inhabitants of that area.

23. To sell, exchange, lease, mortgage, dispose of, turn to account or otherwise deal with assets of the Authority or any part thereof, which are not required for the purposes of the Authority, for such consideration as the Board may determine:

Provided that immovable assets may not be dealt with in terms of this paragraph without the approval of the Minister.

24. To draw, make, accept, endorse, discount, execute and issue for the

purpose of the business of the Authority promissory notes, bills of exchange, bills of lading, securities and other negotiable and transferable instruments.

25. To insure against losses, damages, risks and liabilities which the Authority may incur.

26. With the approval of the Minister and the Minister responsible for finance—

(a) to make grants of moneys for use in agricultural research;

(b) to grant such scholarships or bursaries as the Board considers to be in the interests of the agricultural industry, on such terms and conditions as the Board may fix in each particular case.

27. With the approval of the Minister and the Minister responsible for finance, to accept donations.

28. Generally, to do all such things as are incidental or conducive to the exercise of the functions and duties of the Authority or incidental to the powers specified in this Schedule.

SECOND SCHEDULE (Section 21 (2))

FUNCTIONS OF SUBSIDIARY COMPANIES

1. With the approval of the Minister and the appropriate Minister, any function referred to in paragraph 1 of the First Schedule.

2. With the approval of the appropriate Minister, any function referred to in paragraph 3 of the First Schedule.

3. To purchase, take on lease or otherwise acquire and hold property and interests in or rights over land, rights to the use of water and any other rights which may be necessary for the efficient exercise of any of the functions referred to in this Schedule.

4. With the approval of the Minister and the Minister responsible for finance, to borrow money, give guarantees, mortgage and charge its undertaking, property and uncalled capital and issue debentures and other securities, whether outright or as collateral security, for any debt, liability or obligation of the company or of any third party.

5. The farming of land, including ranching and forestry.

6. The doing of all such things as are related or conducive to farming operations and agricultural development, including the establishment, acquisition, development and running of farm stores and the infrastructure to serve the farms or agricultural development concerned.

7. With the approval of the appropriate Minister, any functions referred to in paragraph 21 of the First Schedule.

8. The establishment, operation and management of workshops to repair or maintain equipment, plant and machinery.

9. Generally, the doing of all such things as, in the opinion of the Board, are necessary, incidental or conducive to the exercise of any of the functions referred to in this Schedule.

THIRD SCHEDULE (Section 19)

STATE LAND, RESPONSIBILITY FOR WHICH VESTS IN AUTHORITY

1. An area of land within the administrative district of Chipinge, bounded by a line drawn from the confluence of the Sabi and Tanganda rivers, up the latter river to the western boundary of Chipinge Safari Area and generally southwards and westwards along the western boundaries of Chipinge Safari Area and the northern boundary of Musikavanhu Communal Land, so as to exclude them, to the Sabi River; thence up this river to the starting-point, but excluding the following—

(a) an area of State land represented by the figure kVVUTj middle of Sabi River k, as shown on S.G. Diagram No. 1973/74 (being the property Middle Sabi Estate) filed in the office of the Surveyor-General, Harare;

(b) an area of land, 352,214 hectares in extent, being the property Lot 5 of Middle Sabi, as shown on S.G. Diagram No. 622/74, filed in the office of the Surveyor-General, Harare.

2. An area of land within the administrative district of Chipinge, 47,382 6 hectares in extent, being the property Tanganda Halt, as shown on S.G. Diagram No. 352/38, filed in the office of the Surveyor-General, Harare.

3. An area of land within the administrative district of Chiredzi, 11 670,010 5 hectares in extent, being the property Mkwasine Central Extension, as shown on S.G. Diagram No. 1994/73, filed in the office of the Surveyor-General, Harare.

4. An area of land within the administrative district of Chiredzi, 637,599 5 hectares in extent, being the property Lot 7 of Essanby, as shown on S.G. Diagram No. 176/73, filed in the office of the Surveyor-General, Harare.

5. An area of land within the administrative district of Chiredzi, bounded by a line drawn from the intersection of the south-eastern boundary of Nyajena Communal Land by the Mtilikwe River, down this river to the northern boundary of Nuanetsi Ranche B and generally westwards, north-westwards and north-eastwards along the boundaries of the following properties, so as to exclude them: the northern boundary of Nuanetsi Ranche B, the north-eastern boundary of the Remainder of Nyazugwi and the south-eastern boundaries of Nyajena Communal Land to the starting-point.

[Go To Top Page](#)

[NEXT CHAPTER](#)