

CHAPTER 10:11

HONOURS AND AWARDS ACT

Acts 50/1969, 29/1970 (s.2), 2/1974 (s.107), 22/2001 (s. 4)

AN ACT to provide for the creation and granting of honours and awards; to provide for the issue of decorations in connection therewith; to provide for the registration of honours, awards and decorations; and to provide for matters incidental to or connected with the foregoing.

[Date of commencement: 10th November, 1969.]

1 Short title

This Act may be cited as the Honours and Awards Act [*Chapter 10:11*].

2 Interpretation

In this Act—

“authorized” means authorized in terms of a warrant issued in terms of section *three*;

“decoration” means a decoration referred to in paragraph (b) of subsection (5) of section *three*, and includes a medal, medal ribbon, clasp, bar or badge;

“forfeited” means forfeited in terms of a warrant issued in terms of section *three*;

“honour or award” means an honour or award created in terms of section *three*;

“Registrar” means the Registrar of Honours and Awards referred to in section *four*;

“restored” means restored in terms of a warrant issued in terms of section *three*.

3 Creation of honour or award

(1) The President may, by warrant issued under his hand, create an honour or award for—

(a) long or meritorious service to Zimbabwe; or

(b) bravery; or

(c) outstanding achievement or discovery; or

(d) any other purpose which the President thinks fit.

(2) An honour or award may be created for—

(a) an individual; or

(b) the holder of an office or post; or

(c) a body, unit or association of persons; or

(d) a corporation.

(3) A warrant issued in terms of subsection (1) shall be published in the *Gazette*.

(4) The President may, by statutory instrument, annul or amend a warrant issued in terms of subsection (1).

(5) Where the President creates an honour or award in terms of subsection (1) he may specify, in relation to the honour or award—

(a) the designation and style of the honour or award;

(b) the description of the decoration if any, which shall be issued in connection with the honour or award;

(c) the conditions of eligibility and the manner or method of application or recommendation for the honour or award or a clasp or bar thereto;

(d) the grounds of forfeiture and conditions of restoration of an honour, award or decoration;

(e) the order in which the decoration shall be worn in relation to any other decoration, including a foreign decoration;

(f) the occasions upon which the decoration shall be worn;

(g) the conditions for the replacement of a lost decoration;

(h) the circumstances and conditions under which a decoration may be worn by any person other than the person to whom it was issued;

(i) the payment of a reward or gratuity which shall be granted to the recipient of an honour, award or decoration from moneys appropriated for the purpose by Act of Parliament;

(j) any other matter which he may think fit.

4 Registrar of Honours and Awards

There shall be a Registrar of Honours and Awards whose office shall be a public office and shall form part of the Public Service.

5 Duties of Registrar

(1) The Registrar shall—

(a) keep a register in which he shall register the name of—

(i) every individual; and

- (ii) the holder of every office or post; and
 - (iii) every body, unit or association of persons; and
 - (iv) every corporation;
- to whom or to which an honour, award or decoration, clasp or bar, has been granted;
- (b) where an honour, award or decoration, clasp or bar has been forfeited or restored, cancel or re-register, as the case may be, the registration thereof;
 - (c) publish a notice in the *Gazette* of the name of the recipient of an honour, award or decoration, clasp or bar.
- (2) If the President, in a warrant issued in terms of section *three* or any amendment thereof, directs—
- (a) that a register shall not be kept in terms of subsection (1) in respect of the honour or award created by that warrant, subsection (1) shall not apply in relation to that honour or award;
 - (b) that a notice in terms of paragraph (c) of subsection (1) shall not be published in respect of the recipients of the honour or award created by that warrant—
 - (i) paragraph (c) of subsection (1) shall not apply in relation to that honour or award; and
 - (ii) notwithstanding section *six*, the register kept in terms of subsection (1) in respect of that honour or award shall not be open to inspection by the public.

6 Register open to inspection

The register kept in terms of section *five* shall be open to inspection by the public at all reasonable times.

7 Offences and penalties

(1) Subject to subsection (2), no person shall—

- (a) wear or use—
 - (i) a decoration unless it has been issued to him in terms of this Act or his wearing or use thereof has been authorized; or
 - (ii) any thing so closely resembling a decoration as to be likely to deceive; or
 - (iii) a decoration which has been forfeited;
- or
- (b) falsely give out or pretend that he or any other person has been—
 - (i) granted an honour or award; or
 - (ii) issued with a decoration; or
- (c) without the consent of the President, accept any honour or award granted, created or conferred by or on behalf of a foreign state, or wear or use any decoration issued on or after the 10th November, 1969, in connection with such honour or award:

Provided that this paragraph shall not apply to a person who is not a citizen of Zimbabwe.

(2) Subsection (1) shall not apply to—

- (a) a person who wears or uses a decoration; or
- (b) a representation or reference made as to an honour, award or decoration;

in the course of a stage, radio or television play, film show, music hall or circus performance or a *bona fide* military representation.

(3) Any person who contravenes subsection (1) shall be guilty of an offence and liable to a fine not exceeding level five or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

[Subsection as amended by section 4 of Act 22 of 2001.]

8 Evidence

In a prosecution for a contravention of—

- (a) subparagraph (i) of paragraph (a) of subsection (1) of section *seven*, the onus of proving that the decoration in question was issued to him or that the wearing or use thereof by him was authorized shall be upon the person accused;
- (b) subsection (1) of section *seven*, a certificate purporting to be an extract from the register and signed by a person purporting to be the Registrar shall be admissible in evidence, on production by any person, and shall be proof of the facts stated therein unless the contrary is proved.

9 Regulations

The President may by regulation prescribe all matters which, in his opinion, are necessary or convenient to be prescribed for carrying out or giving effect to this Act.