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**AFRICAN WORKSHOP ON STRATEGIES FOR ACCELERATING THE IMPROVEMENT
OF CIVIL REGISTRATION AND VITAL STATISTICS SYSTEMS
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**THE CURRENT STATUS OF VITAL STATISTICS
AND CIVIL REGISTRATION SYSTEMS
IN ZIMBABWE**

BY

**REGISTRAR GENERAL'S DEPARTMENT
AND
CENTRAL STATISTICAL OFFICE**



Republic of Zimbabwe

**A COUNTRY REPORT ON
THE CURRENT STATUS OF VITAL STATISTICS
AND CIVIL REGISTRATION SYSTEMS**



**THE REGISTRAR GENERAL'S
DEPARTMENT**

PRODUCED BY



Central Statistical Office

FOREWORD

The inception of both vital civil registration system and vital statistics is synonymous with the arrival of white colonial settlers on the land. Their arrival saw the introduction of formal enactments to provide and regulate processes connected with vital registration and statistics. The indigenous natives must of course have had their own laws and customs but these would not have been concerned with such issues as statistics and population registration which are scientific in their own right.

Since the colonial era, each successive government had enacted laws that accorded with its various interests in the land.

At the moment, the areas of vital statistics and civil registration operate separately, each being complete in itself. There is therefore need for a functional integration of the two so as to achieve a certain level of interface. For this to succeed however, the civil registration process will need to be fully computerized.

The processes connected with the registration of vital events in terms of organisation and implementation are considered fairly comparable within world standards. In terms of coverage and functionality, the vital statistics system has a sound infrastructural set up.

H. Batani



H. Chikova



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INTRODUCTION

The inception of both vital civil registration system and vital statistics is synonymous with the arrival of white colonial settlers on the land. Their arrival saw the introduction of formal enactments to provide and regulate processes connected with vital registration and statistics. The indigenous natives must of course have had their own laws and customs but these would not have been concerned with such issues as statistics and population registration which are scientific in their own right.

Since the colonial era, each successive government had enacted laws that accorded with its various interests in the land.

At the moment, the areas of vital statistics and civil registration operate separately, each being complete in itself. There is therefore need for a functional integration of the two so as to achieve a certain level of interface. For this to succeed however, the civil registration process will need to be fully computerized.

The processes connected with the registration of vital events in terms of organisation and implementation are considered fairly comparable within world standards. In terms of coverage and functionality, the vital statistics system has a sound infrastructural set up.

CHAPTER I

General Background

1.1 Geography

Zimbabwe lies north of the Tropic of Cancer and it extends from latitude 15° 30' to 22° South of the equator and from longitudes 25° to 33° East. Its total area is 390 759 km². In the north, the Zambezi river forms the frontier with Zambia and in the south the frontier with South Africa is formed by the Limpopo river. The country is landlocked, bordered by the People's Republic of Mozambique in the east and Botswana in the south-west. It is part of a great plateau, which constitutes the major feature of the geography of southern Africa. Although only about five percent of Zimbabwe's land is more than 1 500 metres above sea level, almost all of the country is more than 300 metres - and nearly 80 percent lies more than 900 metres - above sea level.

The country can be sub-divided into three main geographical areas:

i) The Zambezi valley in the north and the Limpopo valley in the south of the country constitute the Lowveld, the lowest parts of the country, with average altitude ranging between 600 metres to 800 metres in the south and between 400 metres to 600 metres in the north.

ii) The highveld, with an average altitude of 1 200 metres, and the Midlands with an altitude ranging between 900 and 1 200 metres from a highland belt which gradually rises to 1 700 metres from west to east. In the Central Highlands (Midlands) the lightly undulating terrain is broken by a large number of steep-sided outcrops of rock (kopjies).

iii) The third geographical area consists of the more mountainous region in the east of the country. Here the altitude reaches 2 436 metres in the Chimanimani Mountains and a maximum of 2 595 metres in the Nyanga mountains further north. This descends steeply to coastal regions of Mozambique.

Most of the country has a semi-tropical climate with temperatures in the main centres of Bulawayo and Harare reaching the low 30s in summer days but falling to as low as zero in winter nights. To the east in the mountainous regions, temperatures are cooler and rainfall higher, reaching 1 000 to 1 400mm annually. In the Zambezi and Limpopo valleys, the climate is more humid and tropical.

1.2 Historical and Cultural

The African population, mainly of Bantu origin, entered what is now Zimbabwe during the 15th and 16th centuries. Beginning about the mid-19 century, a series of foreign invaders entered the region. From the west came the Portuguese for slaves; from the east, Arabs and Islamic Africans for ivory and slaves; and from the south, the English and the Dutch, mainly attracted by ivory. The invasions destabilised the established African communities.

The arrival of missionaries during the same period opened the country to British rule. A period of British and Portuguese rivalry ensued until British settlers were able to establish a monopoly in Rhodesia (as it was called then). The country was annexed to the British crown making its African inhabitants British subjects. After this event the major issue was the relationship between the European settlers and the African population. In 1930, the Rhodesian government adopted a Land

Apportionment Act which reserved almost half the total land (including all the mining and industrial regions and all areas served by rail and road) for European settlers.

Political tensions increased in the early 1960s following the granting of independence to Zambia and Malawi which, with Rhodesia, had formed the central African Federation from 1953-1963. The Rhodesian government also demanded formal independence from the British crown. When the British government refused to yield on the principle of eventual majority rule for the African population, the Rhodesian government issued a Unilateral Declaration of Independence (UDI) in November, 1965.

Problems in Rhodesia deepened after the UDI. There was increased guerilla activity, and international pressure was exerted on the country to grant majority rule to Africans. The confrontation escalated dramatically after 1972, leading eventually to the holding of free elections in February, 1980. Following these elections, the new nation of Zimbabwe was proclaimed on April 18, 1980.

The people of Zimbabwe trace their descend to a common ancestor, whether matrilineal or patrilineal. Thus the membership of any social unit that can be classified as a household could vary from the nucleus to include distant relations and non-relations as well. This social network of relationships acts as social security and economic support mechanism in times of hardships.

1.3 Social and Economic development

Since independence in 1980, Zimbabwe has made substantial achievements in the areas of education, health, population and small holder agriculture. In education, primary enrollments rose from 1.2 million children in 1980 to 2.4 million children in 1993, and secondary enrollments rose from 74,000 to 642,000. The achievements in Health and population have been somewhat impressive: the percentage of children fully immunised has more than tripled from 25% to more than 80% between 1980 and 1993, infant mortality has declined from 86 to about 65 per 1000 births, life expectancy has increased from 55 to 61 years.

Economic growth has not however been impressive. Growth in Real Gross Domestic Product (GDP) has been sluggish in the 80s becoming negative in the 1991/1992 period. During this period, the real growth rate of the economy was -6.2 percent. This negative growth of the economy was a result of a drought which was the worst in Zimbabwe's living memory. During the 1992/93 period the real growth of the economy was about 1.7 percent which lagged behind annual population growth of about 3.1 percent. A disproportionate share of this modest growth of the economy was in the provision of social services and public administration. The increase in employment opportunities has been far from adequate to absorb the large number entering the work force annually, with the result that unemployment reached 26 percent in 1989. There are now about 200 000 school leavers each year, but only about 20 000 to 30 000 new jobs are created in the formal sector. The bulk of the additional formal sector employment during the 1980s was in the government sector, especially in education, health and

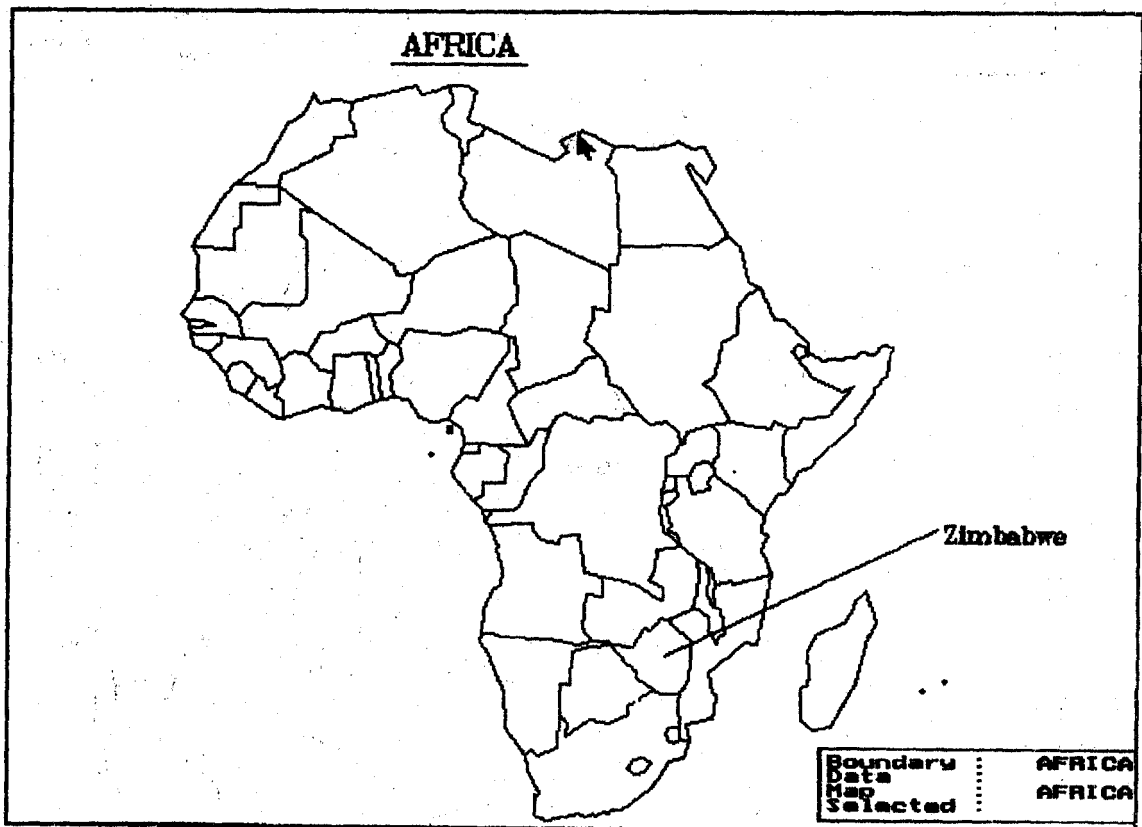
public administration. This was a deliberate effort to redress historical inequalities.

Agriculture forms the backbone of the economy contributing about 13 percent to Gross Domestic Product; this sector represents the basic means of support for approximately 70 percent of the population. More than half of the labour force is active in agriculture, forestry and fisheries. Two other major industries in Zimbabwe are manufacturing and mining.

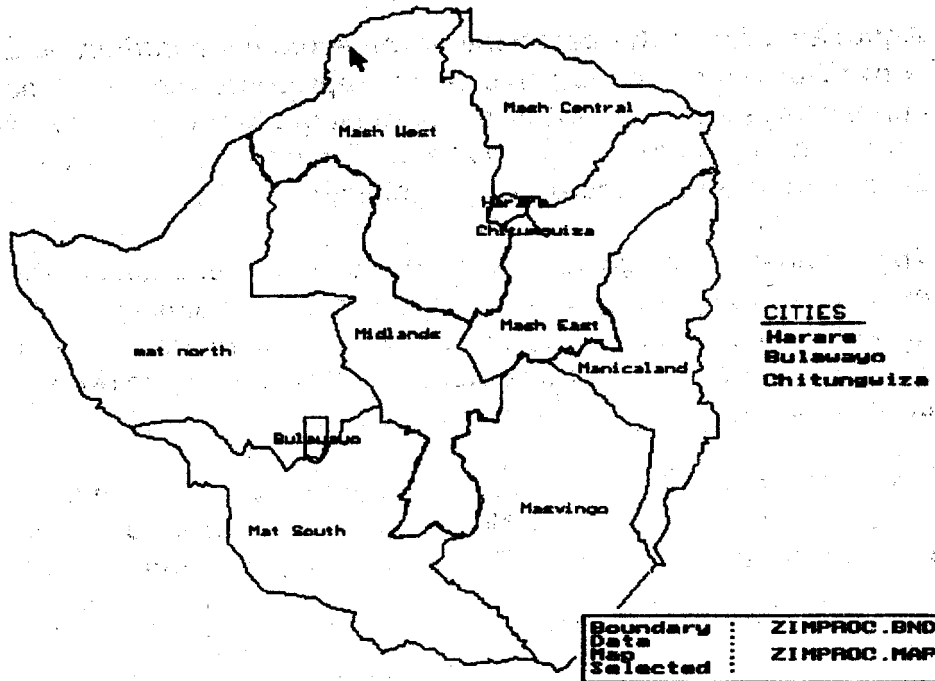
The Zimbabwean government adopted the economic structural adjustment measures in October 1990 which are basically aimed at rejuvenating economic growth through the deregulation of the economy and competitive resource allocation. The fundamental objective of this economic reform is to improve living conditions especially of the poorest groups.

1.4 Political and Administrative characteristics of the country

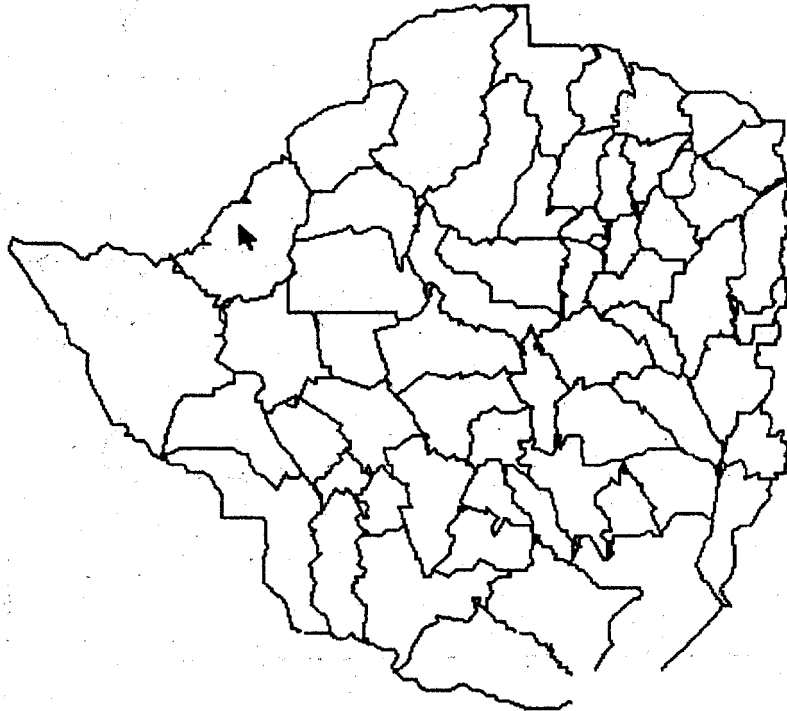
For administrative purposes, Zimbabwe is currently divided into 10 Provinces which are further subdivided into 58 administrative Districts.



Zimbabwe Provinces



ZIMBAMBWE ADMINISTRATIVE DISTRICTS



CHAPTER II

Demographic and Basic Information of the Country

2.1 Introduction

Census taking in Zimbabwe began as early as 1901 but was confined to the Non-African population. The first enumeration of the whole population was done in 1961/62 and then in 1969. However, in these two census the African and Non-African populations were enumerated at different times and using different questionnaires. The 1982 census was the first census with a single reference period and the same questionnaire, for the whole population. The latest census was carried out in August 1992.

2.2 Demographic Indicators

According to the 1992 census, the total population in Zimbabwe had reached 10 412 548 people. The male and female population was 5 083 537 and 5 329 011 respectively. This resulted in a sex ratio of 95.

The proportion of the young population, that is those aged under 15 years was 45 percent while that of the old population aged 65 years and above was slightly over 3 percent.

About 99 percent of the population in the country was of African origin. Persons of European, Asiatic and Mixed origin accounted for the remaining 1 percent. The distribution of the population by country of citizenship revealed that the majority, 98 percent of the population in the country was made up of Zimbabweans.

Sixty-nine percent of the population resided in the rural areas while 31 percent was in urban areas.

At the time of the 1992 census, the crude birth rate (CBR) and crude death rate (CDR) were estimated at 34.5 and 9.5 respectively yielding a natural rate of increase of 25 per thousand. The corresponding figures for the 1982 census were higher, suggesting that both fertility and mortality levels declined over the period between the two censuses. The total fertility rate (TFR) in 1992 was 5.9 and the infant and child mortality rates (IMR and CMR) in 1990 were 26 and 66 respectively (Table 2.1).

The population density was 19.5 per square kilometre in 1982, in 1992 it increased to 26.7. The Zimbabwean population is largely rural. According to the 1992 census, 30 percent of the population were living in urban areas i.e in localities which were either designated as urban by the government or localities with 2 500 inhabitants or more on a compact settlement where the majority (more than 50 percent) of the employed persons engaged in non-agricultural occupations. More than half of the urban population is found in the two largest cities, Harare and Bulawayo. There is a substantial variation in the degree of urbanisation, with the proportion of the population living in urban areas ranging from a high 24 percent Mashonaland West to 6 percent in Mashonaland East.

Table 2.1 Selected Demographic Indicators, Zimbabwe, 1992.

Population Size		Fertility	
Total	10 412 548	Crude Birth Rate (Births/1000 population)	34.5
Males	5 083 537	Total Fertility Rate (Average Number of children per woman)	5.9
Females	5 329 011	Mortality	
Sex Ratio		Crude death Rate (Deaths/1000 population)	9.5
Sex Ratio (Males/100 females)	95	Infant Mortality Rate (Infant deaths/1000 live births) 1990:	66
Urban/Rural Population		Child Mortality Rate (Child deaths/1000 children aged 1-4 years) 1990:	26
Urban areas	3 187 720	Expectation of life at Birth 1990:	61
Percent	23	Maternal Mortality Rate (Deaths from maternal causes per 100000 live births)	395
Rural Areas	7 224 828	Growth	
Percent	77	Crude Rate of Natural Increase (The rate of natural growth per 1000 population)	25
Area and Density			
Area (km ²)	390 757		
Density (Persons/km ²)	26.7		
Age Composition (Percent)			
Under 15 years	45		
15-64 years	52		
65+ years	3		
Marital Status (Persons 15 years +)			
Percent Never Married	33		
Percent Married	57		
Percent Divorced/Separated	5		
Percent Widowed	5		
Ethnicity			
Percent African Origin	99		
Citizenship			
Percent Zimbabwean	98		
Education for population aged 5 years and above			
Percent never been to school	17		
Percent Currently at school	34		
Percent left school	49		

CHAPTER III

THE CIVIL REGISTRATION SYSTEM

3.1 Introduction

3.1.1 Historical Background

The history of the Civil Registration System in Zimbabwe starts with the arrival of the Pioneer Column in 1890. They set up the capital of the colonised territory at Fort Salisbury. These first white settlers were in main, rich farmers or traders from all over the world; Greeks, Italians, Germans, Scandinavians and the Britons etc.

In 1922, the white population which had risen from 1 500 in 1891, to 35 000 in 1922 voted for the establishment of an independent responsible Government, against a union with South Africa. The New Rhodesia legislature of 30 members thus took over complete internal Government of the colony, including control of the Army and Police. However, Britain reserved to herself, considerable powers in all matters concerning Africans, and external Affairs, fearing that concession on the latter might affect her foreign treaty obligations. In terms of the Southern Rhodesia (annexation) order in Council of 1923, the power of the responsible Government was vested in the Governor. Zimbabwe was therefore, annexed and became a colony and part of the British Dominion in the name of Southern Rhodesia.

The Southern Rhodesia Constitution enacted in 1923 inter-alia, provided for the creation of the Post of Prime Minister, 6 Ministries and a motley of Departments. One of such Departments, the department of Native Administration was headed by a Chief Native Commissioner and became responsible for the administration of Native Affairs. In order to effect governance, some lands were specifically designated Native reserves. These were set aside for the sole exclusive use and occupation of the indigenous inhabitants of the colony. No white settlers were allowed to occupy such lands, although the Government retained mineral rights in the Native Reserves.

The remarkable characteristics of the aforesaid constitution of the colony of Southern Rhodesia lay in the nature of subordinate statutes it gave rise to. First, it will be noted that the Laws so created were so lopsided that they in fact, whether by design or misadventure tended to favour the British subject to the exclusion and disadvantage of the native. Thus, although casual perusal of a host of subordinate legislation arising from the 1923 constitution would be observed to contain countless discriminatory suggestions, for this purpose, only those provisions related with vital registration will be discussed.

3.2. The Meaning of the Term - Civil Registration

The term civil registration has a broad meaning. However, in the context of Zimbabwe and for the purpose of this presentation, the term is applied to mean the entire spectra of population registrations, encompassing:

a) Births

- b) Deaths,
- c) Burials and Cremations
- d) Marriages
- e) National identity cards
- f) Passports
- g) Voter registration and Conduct of elections
- h) Citizenship processing

All, activities just enumerated are carried out by the Registrar General's Department. At the functional level, each registration is discrete and operates separately. Hence it will be obvious that the department of the Registrar General is a relatively large institution, employing over 1 200 officers countrywide.

3.3 Legal Frame of the Civil Registration System

The Office of the Registrar General is directly responsible for the administration of 10 Acts of parliament and related regulations.

These are:

- 1. The births and deaths Act No.11 of 1986** which provides for the registration, of births, deaths and still births.
- 2. The Burial and Cremation Act** which prescribes the procedures to be observed with regard to burials, cremations and the importation and exportation for burial or cremation of human remains.
- 3. The National Registration Act No.36 of 1976.** This Act provides for the issue of National Identity Cards.
- 4. The Citizenship Act No. 23 of 1984.** This Act prescribes the conditions under which acquisition and loss of citizenship status of Zimbabwe occurs.
- 5. Electoral Act No.7 of 1990.** This law provides for the registration of voters, the preparation of voters rolls, the Delimitation of Constituencies and the holding of polls.
- 6. Civil Marriages Act Chapter 37.** This law prescribes the procedures to be observed in connection with solemnisation of civil marriages. This marriage law enforces monogamy.
- 7. The African Marriages Act Chapter 238.** This law provides for the solemnisation and registration of native marriages in accordance with local tribal customs. The marriage law permits polygamy.
- 8. Cattle Brands Act Chapter 123.** This Act provides for the registration and issue of cattle brands. This subject is not relevant to civil registration. No further reference will therefore be made to it.

9. Matrimonial Causes Act. Although disputes connected with marriage, separation and divorce are determined in the High Court of Zimbabwe, the Registrar General's Department is to some extent involved in the implementation of some of the provisions of this Act, particularly those attaching to divorce.

10. The Children's Protection and Adoption Act Chapter 33. This Act is administered by the Minister of Labour and Social Welfare. The Registrar General's Department is however responsible for the implementation of the provisions relating to registration and grant of citizenship status to adopted children.

3.4. Administrative Arrangements

For administrative purposes Zimbabwe is currently divided into 10 Provinces which are further subdivided into 58 Administrative Districts.

The Head Office of the Registrar General's Department is at the Central Registry in Harare, the Capital City. However, the general distribution and arrangement of service registries is such that there is for every Province a Provincial Registry. This office is in turn responsible for administering a number of District Registries both technically and administratively.

3.5 BIRTHS AND DEATHS

3.5.1 Evolution

Pre-Independence State

The processes connected with today's registration of Births and Deaths in Zimbabwe derive to a large extent from the Births and Deaths Act of 1904, and other earlier ordinances.

The basic provision of these laws was such as to render the registration of Births and Deaths occurring in the then colony of Southern Rhodesia compulsory; to a designated class of Persons -the white settler group.

While registration of the Births of all children born in the colony to parents other than aboriginal natives, was compulsory, the births of Aboriginal children were, in a broad sense, not subjected to mandatory registration.

Similarly for all Deaths and Still Births of non aboriginal persons, irrespective of where they occurred, urban area, or outside, - registration was compulsory.

Deaths of aboriginal persons taking place in urban areas although, subjected to mandatory registration at law, this was in practice not enforced until the late 1970s.

The Births and Deaths Law provided, among other things for:

a) the setting up of a Central Registry where all returns and notices of Births and

Deaths were to be filed.

b) the appointment by the Minister of Internal Affairs, now Home Affairs of the Chief Registrar (now Registrar General), and his subordinate staff who were to perform clerical duties at District levels throughout the country. The law further required the Registration of both Births and Deaths to take place within 12 months.

It also prescribed steps to be followed in regard to:

1. Births registered before child is named and the steps to be taken for the alteration of such children's names after initial registration
2. The registration of children born out of wedlock. In this context, the law enjoined that where registration of birth of a child born out of wedlock, was to take place the details of the father were only to be entered at the joint request of the father and mother of the child. In such event, the man in acknowledging himself as father to child was required to do so in writing.
3. Concerning abandoned children; A person finding any live newborn child or exposed body was obliged to give notice of his finding to Police or a Justice of the Peace.
4. The law required all Undertakers, Trustees and Custodians of every Public Cemetery, Public and church organisations, in which burial ground was vested to submit returns, recording the particulars; the names, nationality, identification, last known address, date of death, burial and cause of death in respect of persons processed by them.
5. In the case of a still born child of non aboriginal parents, the act required a Medical Practitioner in attendance at the birth or who examined the body of child to certify it was not born alive. Parents or other specified persons having knowledge and concern for such matter were then obliged to deliver the certificate of still birth to the Births and Deaths Registrar to enable a burial order to be issued. Similarly, in the case of still births born of parents who were aboriginal natives of Africa and born within the limits of any urban area, it was obligatory upon the father and in default any occupier of the house other than mother in which the child was born, to give within 48 hours notice and information to the Police or District Registrar. The mother also, as soon as she became convalescent and able to leave her room, was enjoined to ensure that notice was given to the District Registrar of the still birth. Where a still birth was however, reported to him but was not accompanied by a medical certificate that such child was actually still born, the District Registrar was empowered to enquire into such a matter.

In the case of a death, the law required the:-

1. relatives of the deceased present at the death of, or
2. in attendance during the last illness of, or

3. Any persons living with the deceased, or occupier of the house in which the death occurred, or

4. Any adult inmate of such house having knowledge of this death or present and assisting in the burial of the deceased to give notice of death. This had to be done within 48 hours.

In the case of the death of any person who had been attended during his last illness by a Medical Practitioner, such Practitioner was, unless he had reasonable grounds to suspect that death was not of Natural Causes required to certify cause of death so as to facilitate issuance of a burial order.

In respect of deaths of persons who had not been attended during their last illness by a Medical Practitioner, the District Registrar was upon receipt of the notice of Death, if not satisfied as to cause of death required to conduct his own enquiries or investigations so as to satisfy himself that cause of death was not under abnormal conditions and therefore, demanding that an inquest be held; before issuance of burial order.

Where the District Registrar or the Medical Practitioner was not satisfied as to the circumstances of death, he was at once to bring such matter to any Magistrate, for an inquest to be held, he considered imperative to do.

When the inquest was concluded, the Magistrate was required to give an order under his hand authorising burial.

The law prohibited burial without a burial order. Any person who caused a body to be buried or conducted any funeral or religious service in connection with the burial of any body was within 48 hours after the burial required to give notice of such occurrence.

The Act prescribed penalties for contravention of or failing to comply with the provisions of this law. The law also entitled any interested person upon payment of a prescribed fee to obtain a birth or death certificate.

Over the years, countless modifications have been made to the Births and Deaths Act. However, the basic fabric of the enactment has in the main, remained unaffected. The only noteworthy changes have been in the following:

1. Registration of deaths occurring outside Zimbabwe particularly of service personnel. This provision was introduced after the attainment of Independence.
2. The Registrar General now has more power to effect amendments to civil registration records and may even order a change of names or surname without a notarial deed being applicable.
3. Children of Zimbabweans born outside the country are entitled to Zimbabwe citizenship by descent. The law now provides for the registration of this class of citizens.

3.5.2 Present Birth Registration Procedures

Registration of Births and Deaths is presently governed by The Births and Deaths Act No. 11 of 1986 and Births and Deaths Regulations as Statutory Instrument No. 194 of 1988. A normal birth registration is simple. This involves manual completion of a notice of birth form B.D.1. See annexure 1. Depending on the circumstances of the Birth, i.e. whether birth is for an adult or babyish child, born in hospital or delivered outside hospital, one or two witnesses; being persons having full knowledge of the birth are required to affirm their knowledge in a solemn written form.

When satisfied with the documentation and evidence put before him, the District Registrar or his subordinate staff; will complete the Notice of Birth form.

3.5.2a Types of Birth Registrations

Birth registrations are of a variety of categories and may in accordance with the procedure of the birth registration be classified as:-

1. Normal internal Birth registrations for citizen children
2. Normal internal birth registrations for non citizen children
3. Still Births
4. Normal external birth registrations.
5. Adoptive birth registrations.

3.5.2b Normal Internal Birth Registration Of Citizen Children

A normal birth registration is one in which the child is born alive and living the birth is registered. Additionally , a normal registration is one that takes place in a Medical Institution in which case a birth confirmation slip on form B.D.1(a) will be issued by the Medical Institution to facilitate birth registration. The latter condition is seldom applicable and in practice some births, for some unexplainable reasons continue to take place outside Medical Centres, thus bringing about a complication at birth registration. Registration of such births particularly when the period for normal notification (42 days) has elapsed may necessitate thorough investigation to establish beyond doubt the true circumstances of birth.

There may invariably be need to call and interview one or two witnesses where the traditional midwife who provided assistance at Delivery is unable to attend as declarant or witness. A B.D.1 form (see annexure 1) is completed in duplicate in the District where the Birth took place. This will obviously be at the instance of the responsible person.

The law recognises the underlisted persons, if they are 18 years and above and tender the requisite documents required at registration, as competent to give notice of birth:

1. The father or mother of child, either appearing together or singly, provided that where the presence of the missing spouse is desired but cannot be obtained, satisfying reasons are given for such failure. Reasons relating to death, infirmity of mind or body may suffice in accordance with the relevant documentation produced as proof.

2. In the unavoidable absence of the parents, the person registering the birth must be any of the following:-

- a) Person present at birth of child, or
- b) Person acting in the capacity of an officer or authority of the State, or
- c) Occupier of house in which, the child was born; or
- d) Person in charge of a hospital or institution in which child was born;
or
- e) Head of a village in which, the birth occurred.
- f) If the child was found abandoned; any person finding such child and furnishing to the best of his knowledge the facts known to him in respect of the child.

Where notification of birth takes place within 42 days as required by the present law, it is referred to as a current birth registration. Thereafter, the birth is considered a late birth registration and strictly speaking where a birth is not registered within 12 months, no registration may take place without the written authority of the Registrar General.

His authority may however be delegated to District Registrars in terms of Section 25 of the Births and Deaths Act No. 11 of 1986.

In the present Births Registration procedures, the first copy of the two B.D.1 forms completed in the District Registry of the District in which the birth occurred is forwarded to the Central Registry in Harare to be registered and indexed.

The second copy is retained in the District Registry, suitably filed.

Before the Central Registry bound form is however, forwarded up, the District Registry must have the full details of the birth registration entered in the District Birth Register.

A birth registration index must at the same time, at some convenient time, once a year be compiled to record in Alphabetical order of Surnames, the details of the registered person. Details recorded are:

- a) The birth registration ENTRY No.
- b) The surname of the child

- c) The first names
- d) Date of birth
- e) Sex
- f) Particulars of father or mother or responsible person giving notice of birth
- g) National Registration details
- h) Year of Registration
- i) The Alphabetical series of names classified.

The next procedure involves production of a birth certificate which may be issued on certificate B.D.6, a full length certificate revealing the details of parents, or certificate B.D.5, to exclude parental particulars.

A birth certificate on B.D.6 or B.D. 5 is issued to applicant upon payment of a prescribed fee which at this interval is \$2.00.

As will have been observed, the birth registration Index is a simple list of names of persons issued with birth certificates in a particular District, arranged in Alphabetical order. This arrangement provides easy access to the Birth Register with which it is linked, by birth entry number.

The responsible person giving notice of birth must produce acceptable personal documents:

A single mother wishing to register her child who is born out of wedlock need only produce a notification of birth issued by the Medical Institution where delivery, took place and her National Identity Card. If however, child was born out of hospital, the midwife responsible for the delivery, or in default any other person standing as witness and having full knowledge of the birth of the child must be to hand and make and sign a solemn declaration in support of the birth registration. Such declaration may be done separately or direct on the B.D.1 form.

Where the issue involves a belated birth registration, two witnesses would be required to appear before the District Registrar of births, in support of the responsible person giving notice of birth.

Where a couple is married, either spouse may come forward and upon presenting a birth confirmation form B.D.1 (a), a valid marriage certificate, self identity card, and that of the absent spouse, give notice of birth. Witnesses may be required as each circumstance may dictate.

Normal birth registration involving a child born in Zimbabwe but who is to be registered as non citizen is done practically the same way. A B.D.1 form is completed in the usual way. However, the birth certificate is issued as either certificate B.D.5 (a) short birth certificate or B.D.6 (a) long birth certificate. The birth certificate is distinguished by its print colour which is bold green on a white plain background; as opposed to the normal birth certificate which is on white security paper overprinted with many faint blue inscriptions that read, "Zimbabwe Government". On the latter the printing is in black. The non citizen birth certificate

also incorporates an observation which is endorsed in bold red ink, at the top right side of it. The message is contained in a red rectangle and reads: 'In terms of the citizenship laws in force in Zimbabwe, the child named in this certificate is not a citizen of Zimbabwe by birth.'

A child will be a non citizen if the birth occurs in Zimbabwe while:

1. The responsible parent is not a citizen of Zimbabwe and is not permanently resident within.
2. At the time of birth his father or responsible parent is not a citizen of Zimbabwe being an envoy of a foreign sovereign power accredited to Zimbabwe and enjoying diplomatic immunity from law suit and legal processes.
3. His father or mother if the latter is the responsible parent, is residing in Zimbabwe unlawfully.

3.5.2c Still Births

The responsibility to give notice of a still birth in the prescribed form to the District Registrar of the District in which the still birth occurs is enjoined on the same category of persons already listed under normal birth registration.

Notice of a birth must be given within 30 days from the date of occurrence.

Where a still birth occurs in a Medical Institution, the Medical Practitioner or the Midwife in attendance at the still birth or who examined the body of the child must sign a Medical Certificate of still birth on B.D.13, stating that the child was still born. The Certificate will be issued to a responsible person by the Medical Practitioner or Midwife.

In turn, the responsible person must give notice of the still birth by delivering the Medical Certificate of still birth on B.D.13 to the District Registrar, and completing a notice of still birth form B.D.2.

Where a still birth takes place outside a Medical Institution it will suffice when the responsible person gives notice of still birth directly, to the District Registrar. In such instance, the responsible person must sign the declaration in Part 5 of the B.D.2, form to the effect that no Medical Officer of health was in attendance at the scene of the still birth.

Notice of still birth forms are forwarded to the Central Registry in Harare for filing. The information is of statistical concern only.

3.5.2d External Births

A child born of a citizen of Zimbabwe, other than a citizen by decent, must compulsorily be registered in Zimbabwe to give title to the child's claim to Zimbabwean citizenship. However, as already hinted, children born outside the country to persons who are themselves entitled to Zimbabwean citizenship by descent have no immediate claim to Zimbabwean citizenship. Such a situation might only occur, it seems, where the responsible parent having been himself born outside Zimbabwe but having title to Zimbabwe citizenship opts for that of the country of his birth and being there domiciled raises a family. His offsprings must of course have no title to Zimbabwean Citizenship.

If however the responsible person having claim to Zimbabwe citizenship by decent moves his domicilium to Zimbabwe and has at the same time his birth registered in terms of Zimbabwe laws; thus relinquishing his claim to the citizenship conferred to him by virtue of birth, in another country, his offsprings born outside Zimbabwe will have automatic title to Zimbabwean citizenship. The logic for this is not far to seek; for in the prevailing law, even children of alien parentage may have birth title to Zimbabwean Citizenship. The law recognises that under certain conditions, offsprings of non citizen residents are citizens of Zimbabwe by birth. This law is now being amended to disqualify children of foreign nationals born in this country from obtaining automatic citizenship by birth. Such children would however have grounds to apply for Citizenship of Zimbabwe when they turn 18 years.

The procedure for the registration of persons claiming citizenship by decent is a normal one, save that for such cases an external birth registration form, A B.D.3 form must be completed. Moreover, although ordinary internal birth registration takes place at District level, external births are strictly controlled. They are therefore, only registrable at the Central Registry in Harare. Once birth has however been registered, the certificate is issued on the ordinary B.D.5 or B.D.6., save that the birth entry number will be prefixed by the letters EB. e.g. EB246/94 means External Birth entry No. 246 of 1994 registered at the Central Registry. This may be contrasted with an ordinary birth registered at District level, which may be prefixed, H.M.S/214/94. H.M.S. denotes Harare Market Square District Office.

At this stage, it may be appropriate to highlight that birth entry numbers are assigned according to the District of birth of child. The district of birth is therefore also the District of registration.

For birth purposes, each of the present 58 District Registries has a District Alpha code. On the first calendar day in the year, each District will register the first registration of the year. This process is repeated each year. It will therefore, be observed that the only definite key on the birth entry number is the year of registration. To simplify by examples; District Harare Market Square is District Alpha Coding H.M.S.

The first birth entry of 1936 would therefore be is; H.M.S./1/36. The second entry of the same year will similarly be H.M.S./2/36 etc. Likewise, District Mazoe is

District Alpha Coding Maz.

The first birth entry of 1936 accordingly would be MAZ/1/36, and the second birth entry of 1936 MAZ/2/36. It will therefore be observed that birth entry numbers are currently not computer generated numbers. They in fact vary from one District to another.

3.5.2e Adoptive Birth Registrations

Two classes of adoptive birth registrations can be identified. Firstly where a child whose birth is already registered is adopted, the re-registration that must take place in accordance with the adoption order, in order to bring about special conditions upon both adopter and adoptee gives rise to the first category.

The second category involves registration of an adopted child who, having been born outside the country must have his birth registered as it were, in Zimbabwe in order to give the adopted child certain legal status, particularly in regard to citizenship. In terms of the constitution, Section 7, Subsection (4), 'An adopted person who was not at the date of the adoption order, a citizen of Zimbabwe becomes a citizen of Zimbabwe by registration, on the date of the order, if the adopter, at the date of the adoption is a citizen of Zimbabwe'. This implies that the adopted has immediate entitlement to Zimbabwe Citizenship status.

The Director of Social Welfare is enjoined to keep records and regulate the operations of all Child Welfare organisations in operation in the country. To this end, all institutions are required to submit to him returns in respect of all children under the care of the said Welfare Organisations.

The Director of Social Welfare is also in terms of the Children's protection and Adoption Act required to keep a register of names of persons who wish to adopt a minor. Any person who wishes to adopt a child may apply to have his name recorded in the register. The Social Welfare office will investigate his social standing, income, and consider his reasons for seeking to adopt etc. When satisfied that the applicant qualifies to adopt, relevant papers are completed and lodged with the nearest Juvenile Court.

Where an application to adopt succeeds, the Juvenile Court will issue an adoption order on form 32. All four copies consisting of the original and three copies are first forwarded to the Registrar General's Department which is charged to establish and maintain an Adopted children's register.

Upon the issue of an adoption order on form 32; if the child's birth is already registered in Zimbabwe, the Registrar General will delegate an officer to handle the case. Immediately the officer will proceed as follows;

1. Extract the relevant B.D.1 form. This must be endorsed in red at the top right side to denote - adoption. This is endorsed thus: A.O. 08255. Child to be hence

forward known as Henry JOICE etc.

2. The relevant index must also be simultaneously endorsed with the respective adoption order number.

3. The details of the Adoption are then entered into an Adoption Register.

In the case of adoptions only abridged birth certificates must be issued, on B.D.5 form. This birth certification does not show parental details.

Where a Zimbabwean citizen has adopted a child from without, the adoption papers, must first be brought before the High Court so it can satisfy itself that the adoption should be regarded as a valid one in Zimbabwe. The High Court will accordingly when satisfied, issue an order to the Registrar General, to proceed with birth registration formalities.

Thus even where the child was born outside Zimbabwe, the birth must also be 're-registered' as it were, in Zimbabwe in the District where the adoption took place. Therefore, upon receipt of the order of Adoption, the Central Registry will proceed to record the Adoption details in the Adoption children's register. No birth entry number can be recorded at this stage, since this must be issued at District level when the birth is registered. After entry, the Central Registry will forward a cycle styled minute to the relevant District where birth registration is to take place. The cycle styled form in granting authority to proceed with birth registration confers as follows: 'Authority is granted in terms of Chapter 19 paragraph 2(a) of the Births and Deaths handbook to register this birth in your District. Documents seen should be noted in block 'A' on the reverse of form B.D.1. Also endorse on the notice of birth, the A.O.number'.

At District level, registration of birth will take place in two stages. First, the B.D.1 form will be completed in the original details contained on the child's birth certificate. Subsequently, the B.D.1 is endorsed. Both the birth register and Index are endorsed with the adoption order number before on abridged birth certificate is issued.

Of the 4 copies of the Adoption Order sent, the Registrar General will retain the top original. The three extract copies are returned to the Juvenile Court exercising original jurisdiction to be distributed respectively, to the adopter and the Social Welfare office. The Juvenile Court maintains a copy as well.

3.5.2f Areas of Concern

Conferment of citizenship status through adoption

The Constitution Section 7 (4) and the citizenship Act. Section 7 (4) stipulate that an adopted child obtains citizenship status by registration. The Births and Deaths Act Section 14 explains how this condition must be carried out. Yet in practice,

the manner in which adoptions are presently registered seems to contradict the mechanism employed to confer normal citizenship by registration. In the latter a citizenship certificate is issued, after an oath of allegiance has been subscribed.

3.5.3. Alteration or change of personal participants

For quite plausible reasons, the processes connected with change of names or alterations in the original birth registration records must be a controlled process. At present, no change may take place without authorisation from the Central Registry whose records would also require amendment in the event change of particulars does take place.

When justification for an alteration to the original record is presented before a District Registrar, whether the intended change is to be effected by deed poll, or involves a simple correction to a clerical error etc., the District Registrar will examine case and weigh its merits. If he is convinced, that change of particulars is justified, he will forward up the case to the Central Registry for further consideration and authorisation. In this case proper authorisation must be given by the Registrar General or any other offices delegated to handle such matters.

Form B.D.21 will be completed if alteration of a name or names is sought.

Form B.D.22, if correction is in respect of an error of an entry in the birth register.

The forms are signed at Registrar General's level and forwarded back to the District, authorising or with an observation explaining why authority is being withheld. The above said process is time consuming. It seems therefore that there is need to reexamine this bureaucratic arrangement. District offices need more authority to deal with simple alterations at local level. It is evident that inevitable computerisation of the department will help to bring this desired change.

3.5.4 Still Births

There appears to be no defined procedure as regards the processing of still births, at the present moment. Notices are only kept for statistical purposes only. The forms are kept properly filed but no indexing takes place. Although these records are dormant now, as the Zimbabwean society continues to develop new needs and concerns, it is conceivable that they will at some point acquire some importance. It is therefore, imperative that a system of proper recording be put in place.

3.6 DEATHS

In Zimbabwe, matters connected with Deaths are generally provided for through two Acts of Parliament. The Births and Deaths registration Act No. 11 of 1986 and the Burial and Cremation Act No. 31 of 1963.

Registration of Deaths is compulsory.

The Births and Deaths Act Section 20(2) requires that notification of death take place within a period of 30 days.

The obligation to give notice of Death is enjoined, in the order of strongest force upon:

a) Every relative of the deceased who is 18 years and present at the death or who was in attendance during the last illness of the deceased.

or

b) Where there are no such relatives, every relative living within the District in which such person died

or

c) Where there are no relatives, every person over the age of 18 years present at the death

or

d) The occupier and every inmate over the age of 18 years, of the house in which the death took place, if such occupier or inmate has knowledge of the death.

or

e) The Headman of the Community in which the death took place, if he has knowledge of the death.

or

f) Any person over the age of 18 years who has buried or caused to be buried the body of the deceased

or

g) Officers of the state acting in official capacity. Such persons may be medical personnel or state security officers.

Depending on the circumstances leading to registration, deaths may be conveniently categorised as:

3.6a. Ordinary

An ordinary one is where death occurs in a Medical Institution after the deceased has been attended by a Medical Practitioner.

3.6b. Suspicious

Where death occurs outside a Medical Institution and Police as law enforcing agents are concerned to satisfy themselves, that there is no foul play. The death renders a post mortem examination necessary.

3.6c Investigable

This death is accompanied by an inquest.

In the case of an ordinary death, where a Medical Officer who has attended to a person in his last illness, or examined his body after death is convinced that death was due to natural causes, the law will require him to complete a Medical Certificate of cause of Death, B.D.12.

The Medical Practitioner, must satisfy himself that the certificate is given to any of the responsible persons required to give notice of death.

As soon as this is done, the responsible person issued with the medical Certificate of cause of death must as soon as possible appear before a Registrar to give notice of death.

A notice of Death will be completed and the person giving notice of death will be required to complete Part 2, on Section 1 to 6; hence stating in what capacity he is giving notice of death. The next procedure, if all relevant papers concerning the deceased are to hand and acceptable, is the entry of the particulars of the deceased in a death register.

At a convenient time thereafter, preferably on a yearly basis, an index to the death Register must be prepared to facilitate quick record retrieval, when replacement documents are required.

In relation to a suspicious death: as already stated, it may be necessary that steps are taken to satisfy that a deceased did not meet his end by unnatural means. A typical situation might arise where a Registrar in the course of registering a death that has occurred outside a Medical Institution, and while performing such enquiries as he may consider necessary, is convinced that death took place under suspicious circumstances. Similarly, a Police Officer or a Medical Practitioner handling a case involving hanging, or motor vehicle accident or such other investigable case and therefrom, harbouring some suspicions, as to the possible cause of death, must request that a post mortem be performed upon the body of the deceased, to ascertain possible cause of death.

In the case of the Registrar and the Medical Practitioner, the request for a Post Mortem to be made carried out must be to a Magistrate. (Section 23 (2) Birth and Deaths Act and Burial Cremation Act (7)). At this point in time, it is evident that almost all matters of death investigated by Police invariably incident a Post Mortem. At the conclusion of his examination, a Pathologist produces his report on form CR 8, and this is lodged with the requesting Magistrate's Office.

As regards an investigable death, this is where the degree of suspicion is such that an inquest is mandatory.

1. The Magistrate holding an inquest will cause the body of the deceased to be

examined by a Registered Medical Practitioner. He will further cause the Practitioner to perform a Post Mortem and report his findings.

2. He will also insist that the relevant witnesses be summoned before his court, to give evidence under oath.
3. He will have brought before him all the expert reports touching on the issue under examination.
4. At the termination of the inquest, the magistrate must report his findings to the Attorney General. He may recommend that criminal charges be instituted against any person if this he considers imperative to have done.

Although Zimbabwean Law renders compulsory the registration of all deaths taking place within, there is also provision is also for special groups of persons who die outside the country. This provision is a serious undertaking. Therefore as of now provision is only definite, for, members of the Armed Forces and in some cases railway workers who die outside the country.

Again the law makes it now an offence to bury a dead person or conduct any ceremony connected with death without first obtaining a burial order. In fact where suspicion exist as to the circumstances of death, a Registrar must not issue a burial order. He must refer the case to a Magistrate who after causing a full investigation to be carried out will issue an order for burial in lieu of the normal burial order.

The burial and Cremation Act provides as follows:

1. That no person shall bury any body or conduct any funeral or religious ceremony in connection with any burial without a burial order. However, exemption may be granted where the immediate burial of the body of a person who died from an infectious disease is ordered by any authority for Public Health purposes. This may also be applicable where a burial order could not be reasonably obtained, within 48 hours of the death or still-birth.
2. Every person who buries a body or conducts a funeral or religious service in connection with the burial of any body for which no burial order has been issued must within 14 days after the burial, give notice of it to the Registrar of the District from which body had been brought for burial. The District Registrar may upon being satisfied that the death was the result of natural causes issue a burial order.

A burial order is issued without payment and on the following conditions, upon:

- a) An Informant producing a Notice of Death, or still birth.
- b) Medical Certificate of death, stating that to the best of the Practitioners knowledge and belief, death was the result of natural causes.
- c) The Registrar is satisfied that death was a result of natural causes.

A recent amendment to the burial and cremation Act Section 7 A makes it an offence to dump bodies or hinder burials in order to obtain payment of damages or marriage consideration.

A court convicting a person of such an offence now has power to order the convicted person to repay any money or property paid to him by a complainant in response to an unlawful prevention of a burial.

The new Section 7 B gives the State the power to secure the burial of bodies if the relatives or other persons responsible for the burial fail or refuse to carry out this task.

With respect to crematoria, the Burial and Cremation Act empowers the Minister of Home Affairs to prescribe conditions to regulate a number of activities related to the disposal of human remains.

Firstly, the Act prohibit the burning of bodies in any place other than a crematorium. As will be obvious, operations connected with cremation require strict supervision. In the Zimbabwe context, the Minister of Home Affairs is therefore empowered to appoint a person as inspector of crematoria.

The prime responsibilities of the Inspector are: to ensure that all the provisions of the burial and Cremation Act and regulations are complied with fully. The law requires all cremation authorities to maintain certain standards;

- a) The law prohibits disposal of human remains through cremation without proper authorisation and certification.**
- b) The law requires all crematoria to be kept in good working condition; the provision of adequate staff is encouraged.**
- c) Whenever discontinuation or resumption of operations are to take place, the law requires cremation authorities to inform the Public adequately. In this regard, crematoria authorities must give public notice in local newspapers.**

Application for authority to cremate a body is made on form CR 1 and will lie to a Medical referee of the crematorium where cremation is to take place.

Permission to cremate, granted by a Medical referee is on form CR 2.

In practice a Medical referee will not issue a cremation certificate unless there is produced to him:

a) A medical Practitioners Certificate on form CR 3 signed to the effect that the deceased died of natural causes

or

b) A Post Mortem examination report on form CR 4

or

c) A Magistrate's Certificate on C5 to the effect that an inquest held revealed no foul play in respect of the death.

or

d) The Medical Practitioner's certificate of still birth remains. CR6

Where the Medical referee is not satisfied with the Medical Certification made to him, he may himself conduct a Post Mortem and issue a certificate on form CR4 relating to that examination.

Where a body is of a person who died at any place outside Zimbabwe, who is to be brought in for cremation, the Medical referee may accept an application made on form CR1 if the signature of the applicant has been witnessed by, a notary public, mayor, person holding judicial office, head of the Zimbabwe consular office, Diplomatic Mission, the Deputy or the Acting head of such Mission, a Counsellor, first, second or third Secretary, a Consul-General, Consul or Vice-Consul.

Ashes of cremated persons may be retained by the crematorium authority if application is not made for them: thus in the absence of any special arrangement for their burial or preservation, the cremation authorities may decide that they be decently interred in a burial ground or in land adjoining the crematorium reserved for the burial of ashes. Crematorium authorities are enjoined to keep registers for the recording of particulars of all persons cremated by them.

The law requires all crematoria authorities to forward within 96 hours, copies of each entry in the register of cremation, in respect of a cremation processed by them.

3.7 PASSPORTS

3.7.1a Legal Frame

The procedures connected with application, processing and issue of Passports involve absolute confidentiality.

Passports are as a general rule issued only to citizens of Zimbabwe as a privilege. However, because Zimbabwe is a signatory to a number of United Nations protocols on Civil rights and liberties there is often an obligation to provide for the travel of some specified alien persons, stateless and refugees. Although processing of passports is not regulated by any Act of Parliament, passport issuing instructions are in the main derived from the Citizenship Act No. 23 of 1984.

3.7.1b Refusal to issue passports

A citizen of Zimbabwe cannot generally be refused a passport when he applies for it except in well stated circumstances: Refusal may be made where:

1. Applicant is believed on reasonable grounds to be fleeing the country from criminal prosecution.
2. The activities of an individual are so undesirable or dangerous such that refusal or confiscation is unquestionably justified.
3. Minors are suspected of being taken out of Zimbabwe against the wish of the legal guardian.
4. Loss of citizenship status has taken place. In terms of the law, a citizen by registration will lose citizenship status through continued stay outside the country for a period exceeding 5 years. Furthermore, because Zimbabwe is opposed to dual Nationality, or citizenship, passports will only be issued to an applicant upon his satisfying that he does not hold dual nationality. Where this might be otherwise applicable, steps must be taken by the individual applicant to renounce his other citizenship title, in accordance with the laws of the foreign country.

Zimbabwe passports are issued to both adults and minor children. In the latter case, application must be made on behalf of the child by the responsible parent or legal guardian. However, where a minor child will travel accompanied by an adult passport holder, the minor child's details may be included in the accompanying adult's passport.

Children under the age of 16 years may be included in one parent's passports. Even where the child to be included is not a citizen of Zimbabwe, this is permitted so long as the responsible parent's consent has been obtained. In such circumstances, however inclusion will only be approved for a specific journey and the validity restricted to three months. Where a non citizen child is included in a passport, an endorsement must be made to the effect that the child or children so named are not citizens of Zimbabwe.

The name of a younger child may in appropriate cases be included in the passport issued to an elder brother, or sister, provided parental consent is sought and the said children are travelling together.

A very high level of quality control goes into the production of passports. To that end, every passport application form submitted by an applicant or one submitted on behalf of a minor applicant by a responsible parent, or guardian as may be applicable, must be completed in bold neat print.

Provision is made on the application form for a recommender who has known the applicant personally, for a period of not less than two years to support the application. Where the applicant has held a passport which he has used before, this

requirement may be dispensed with.

A divorced woman applying for a passport and seeking to have children thereon included will be required to produce the Court Order giving her Legal Custody of the Children. If there is no Court Order and the mother claims custody in terms of Section 3 of the guardianship of minors Act (Chapter 174) a letter from the father consenting to such inclusion must be obtained.

A citizen of Zimbabwe by birth who surrender an old passport for a new one will not normally be required to produce a birth certificate if no change in his particulars has taken place.

Similarly a citizen by registration should also not be required to produce documentary evidence of citizenship acquisition or proof of identity, if this can be checked against the citizenship register or passport issue card. If such check is likely to cause delay, documents may be requested if they are readily available.

Married women are required to produce marriage certificates when they have either married or re-married since the issue of a previous passport.

Any parent or legal guardian or custodian applying for the inclusion of his children's particulars in his passport will be required to produce their birth certificates.

An applicant who is issued with a new passport must surrender his old one with the application. In the event of an applicant requesting that his surrendered passport be returned to him, together with the new one, the old passport will be cancelled by stamping in large type, letters on all pages in the passports, 'CANCELLED' and cutting off diagonally the outside corners of the passport cover. Surrendered passport not requested by applicants are securely stored until they are destroyed by fire in the presence of a responsible officer.

Surrendered passports of other countries are forwarded to the nearest local representative of the Government concerned, together with an explanation of the reasons of their return.

When a new passport is required because all available space in the old passport is filled and the Old Passport still bears valid visas, the old document will not be cancelled but may be securely attached to the new one, which would be endorsed in the appropriate space provided in the new passport, with particulars of the old document and the wording in the space reading, 'which has been attached' in the place of the words surrendered/lost/cancelled.' It will be noted that this endorsement will also appear in the person's file and card.

If for any reason a passport is inadvertently spoilt during writing or when in use, a new passport must be issued.

In all cases where an applicant has changed his name, special caution is exercised to verify his nationality, and identity. If a new passport must be issued in the new

name, evidence must be produced to establish that the change of name has taken place lawfully. In this case evidence must be produced. This may take the form of:

1. an advertisement in an official Gazette and a Notarial deed of change of name, or
2. A Court Order of divorce.

Where applicable, an observation recording the change of name must be endorsed in the passport.

3.7.2 Administrative Arrangements

The present passport processing set up requires all Provincial Passport Registries and external passport issuing offices to submit monthly returns, to the Central Passport Office, in Harare giving information as to:

- a) The number of passports issued during the month.
- b) The serial numbers concerned
- c) Dates of issue and expiry.
- d) Full names of persons to whom issued, including maiden and any former married names, in the case of married women.
- e) Dates, place and country of birth.
- f) Particulars of previous passports held.

Likewise a monthly return on passports extended and endorsed, giving full names of holders and period for which extended and other particulars of the endorsements must be lodged with the Central Passport Office.

Collective Travel Document: may be issued to students under the age of 16 travelling for educational or sporting purposes as a group.

Satisfactory evidence must however be produced that (i) satisfactory arrangements have been made for travel to and from Zimbabwe. (ii) that accommodation for the whole period of stay in the foreign country has been arranged, paid for or guaranteed (iii) that sufficient funds are being taken to finance the trip. It is essential that adequate financial arrangements for the party are made in order that parties travelling on Collective Travel Documents should not be stranded in a foreign country and thus become a liability and an embarrassment to the Zimbabwean Consular representative, as well as the host country.

A collective document is issued to facilitate travel of groups of school children, associations, clubs and sporting teams but will not normally include particulars of persons above the age of 16.

This document is only issued from the Central Registry and the Bulawayo Provincial Registry which are the two major passport issuing offices.

Application for a collective travel document must be made by the person or institution sponsoring the visit and the applicant must provide the following information.

1. Details of journey: departure date, destination, purpose of journey and date of return.
2. The full names and particulars of the responsible adult, or adults. There must be at least one adult for every 15 minors.
3. A schedule of the full names, date and place of birth, nationality, sex, marital status and occupation of each member of the party must accompany the application.

Six typed copies of the schedule are required, five of which will be issued to the applicant with the collective travel document. The schedule must have no erasure or amendments, but addition or deletion of names duly signed by the issuing officer is acceptable.

The consent in writing of the father, custodian parent or other legal guardian in respect of persons under the age of 16 years must be obtained by the sponsoring body and a certificate to this effect given on the application form.

The validity of a collective travel document will normally date from one week prior to the proposed date of departure to one week after the proposed date of return to allow for any unforeseen delays.

A single Collective Travel Document is limited to a maximum of 30 persons in respect of whom there must be at least two responsible adults in charge.

A Collective Travel Document may not include the particulars of persons who are not citizens of Zimbabwe.

Zimbabwean passports have a full validity of ten years and are valid for all countries subject to compliance by the holder, to visas or other entry regulations of the countries to be visited.

A passport may be restricted for a shorter period than ten years for the following reasons:

1. When an applicant submits a replacement form for a lost or stolen Zimbabwean passport.
2. If a passport is urgently required and is issued in a shorter period than the normal time, before vetting results are received from vetting agencies.

Where a passport has been issued for a shorter period than ten years, it may be extended for the remainder period.

On expiry of ten years from the original date of issue, or if at any time there is no space available for endorsements or visas, a new passport must be applied for. Under no circumstances will additional pages be attached to a passport.

Once the name of the holder is written in the passport, it should not be altered or amended. In the event of a complete change of name of the holder by marriage or otherwise, such as by a Notarial Deed of the change of name, a new passport must be applied for and issued.

If however, application is made for a change of name on the basis that the holder is generally known by a name other than that which appears on page 1 of the passport, such name may be recorded as an observation on the next blank page of the document and cross referenced with the name on page 1.

If a passport has been lost or stolen, the loss or theft together with all available particulars, regarding the document must be reported to Police and to the Chief Passport officer together with a full statement of circumstances surrounding the loss or theft as the case may be. The outcome of any Police Investigations will be reported to the Chief Passport Officer.

As an exception to the General rule, a lost, stolen or destroyed passport which will have completed its ten year period may be replaced by a new document valid for the full 10 year validity period.

Persons having wrongful custody of passports must have them impounded.

Emergency Travel Documents are sometimes used in lieu of passports in cases of emergency or urgency. They are however generally issued for a specific journey and for a period not exceeding 21 days. It is not proper that the documents be employed for multiple journeys because such travel warrants do not constitute complete evidence of the nationality of the holder.

Emergency Travel Documents are normally issued to Zimbabwean subjects. They may however, be issued to foreign nationals who are in possession of residence permits.

Emergency Travel Documents will be issued in the following circumstance:

1. Where the Passport Officer is fully satisfied that the journey is one of urgency, to be undertaken at short notice on the grounds of death, illness, or accident and the applicant does not possess a valid travel document or cannot obtain one in time for the journey.
2. In cases of repatriation, a special emergency certificate or repatriation certificate authorised by the Ministry of Foreign Affairs will be issued.

Emergency Travel Documents will not be issued for holiday or business purposes.

An application for an emergency travel document will be made on the form of application for a passport or an emergency travel document form. The form must be completed in all respects and accompanied by two photographs, which may not necessarily be recommended.

3.7.3 NANSEN CERTIFICATE

These documents are issued in compliance with United Nations Conventions, on civil and political rights. Refugees made homeless by war are recognized as being in need of some sort of protection and status. In order to enable them to travel to countries other than those in which the misfortunes of war leave them, all countries affiliated to the United Nations have agreed to recognize these documents as being the only travel documents that the individuals could obtain.

The issue of NANSEN documents is made on the understanding that the person concerned will obtain permission to travel to the desired country of destination. The holder must obtain a visa on the document before leaving the host country. It follows therefore that visas for transit countries must also be obtained. The issue of a Nansen Certificate also implies that the holder will be accepted back into the country in which the document originates.

NANSEN Certificates are issued by the host country for one year only. They can be renewed provided there is space for additional visa stamps. When all available space is used up, a new document is issued.

As far as Zimbabwe is concerned, these documents are only issued by the two passport offices in HARARE AND BULAWAYO.

Only one person can be included on each document except that children under the age of 16 years may be added. Husband and wife will therefore, each require separate documents. On receipt of the application, and before the document is prepared, the issuing office must be satisfied that the applicant is in fact stateless and does not fall into the category of persons who find it convenient to obtain passports from their country of origin or the country of which they are presently citizens. In practice the issuance of this document is not a problem because the authorisation from the Ministry of Foreign Affairs and the department of Social Welfare will be to hand, to confirm and recommend the issue.

After preparation, but before issue to the applicant, the NANSEN certificate will be submitted to the Chief Immigration Officer in Harare, with a request that he endorses his re-entry visa stamp thereon. This is a precautional measure intended to avoid embarrassment in those cases where an Immigration Officer might otherwise object to reentry into Zimbabwe of the holder of a Nansen Certificate which issuance, as already pointed out, implies that applicant will be readmitted. Only when the endorsed document is returned from the Chief Immigration Officer will the applicant be allowed to collect it.

Restricted Passports

Where for any reason it is undesirable to issue a full validity Passport for a journey to a foreign country and in circumstances in which an emergency certificate would be inappropriate, a restricted passport may be issued. A restricted passport may also be issued to replace a Zimbabwean passport which has been mislaid, lost or stolen.

Stolen Passports

Official Passports (Service Passport) may be issued and extensions and endorsements made therein free of charge. These are issued to Ministers of Government and Zimbabwe Civil Servants and other citizens travelling on Official capacity on behalf of the Government of Zimbabwe. The use of official passports must be authorised by the Ministry of Foreign Affairs. When the issue of an official passport is authorised, a stamp bearing the Official Passport" will be impressed on the form in the block marked fees and a service passport issued in such respects will be free of payment.

Diplomatic Passports

Diplomatic Passports are issued to Officials of the Ministry of Foreign Affairs serving outside Zimbabwe, who enjoy diplomatic privileges in foreign countries. These may also be issued to officials of other Ministries attached to overseas missions as well as some Senior Government Officials. Authority to issue this type of passport is given by Foreign Affairs and such authority will be in writing and signed by a senior officer in the Ministry of Foreign Affairs.

Upon application for a Diplomatic Passport, the applicant must surrender his existing Zimbabwean Passport, which will be placed in safe Custody by the Chief Passport Officer until such time as the applicant is no longer entitled to hold a Diplomatic Passport. The Ministry of Foreign Affairs has a duty to recover all Diplomatic Passports immediately an officer ceases to serve outside Zimbabwe in a representative capacity.

Diplomatic Passports may also be issued to wives, but not children, of diplomatic persons. Children under the age of 16 years may be issued with service passports if travelling unaccompanied. Alternatively they may be included in either parent's diplomatic passport.

Where a person is stranded in a foreign country and apply to the nearest Zimbabwean mission or consular office, for repatriation, his detail must be recorded with the Chief Passport Officer, so that no passport will be subsequently issued until a certificate or confirmation has been obtained from the Ministry of Foreign Affairs, that the applicant has repaid the full costs involved in his repatriation.

Security considerations

The present Zimbabwe passport is not machine readable. It is also slightly larger than Internal Civil Aviation Organisation Standards. Although this document has hitherto withstood the world wide menace of the counterfeiter and forger, there is admittedly need to be constantly enhancing the document's security tightness.

3.8 MARRIAGES

3.8.1 Legal Frame

In Zimbabwe there are three conditions of marriage. First there is a customary unregistered marriage. The second is a marriage solemnised in terms of Chapter 238, the African Marriages Act. The third is the more usual type of marriage, the so called civil marriage solemnised in terms of Chapter 37.

Unsolemnised Customary marriage

The first marriage involves customary union. This marriage or relationship arises without formal registration. It however, brings about certain implied obligations and can be as binding as any of the two registered marriages when certain customary requirements have been fulfilled. A customary marriage will arise where a man takes a woman to wife. The spouses will of course start living together and consummate the marriage. Under customary law, once the marriage is contracted the husband is required to pay a marriage consideration to the parents or relatives of the wife. This is called lobola. It is usually paid in both cash and kind. A customary marriage is potentially polygamous. In the general practice, under this marriage, almost all property is held by the husband although the wife is entitled to own property of her own.

If the husband dies intestate, the property, which may normally constitute the bulk of the matrimonial estate, is inherited by the eldest son, grandson or, failing them, by the husband's eldest brother. Generally the widow cannot be the heir. ON THE DEATH of the wife, her property which will in fact be a small component of the families wealth, is inherited by her family group under Shona customary law, or by her daughters under Ndebele customary law. It will therefore, be evident that such marriage is only valid in relation to the status and rights of any children of the marriage.

Registered Customary marriage

The second type of marriage is the registered customary marriage. This comes into existence when a customary affair is solemnised in terms of the African Marriage Act Chapter 238.

To solemnise this marriage, the spouses must appear before a marriage officer to have the marriage recorded in his marriage register. There is no time limit within which customary marriage should be solemnised. If the spouses desire it, solemnisation will take place after years of living together as man and wife. The origin of this customary law can be traced to the first native marriage act of 1918; the Native Marriages Act Chapter 79. The objective of this statute was to enable marriages to take place between natives in accordance with native custom.

For the said native marriage to be effective, the partners to the marriage and the guardian of the woman were required to appear before the registering officer of the District in which the woman or guardian resided, in the company of the Chief or Headman of the area, to register the marriage.

The guardian or his deputy and the male party to the marriage were required to state the full consideration that had been given and the remaining part that would be given by the husband to the guardian, in respect of the marriage; stating the terms agreed upon, leading to a full settlement.

The woman was required to state, whether she freely and voluntarily consented to the marriage.

If the guardian of the woman withheld his consent to the marriage the Governor, if the marriage appeared to him, upon enquiry to be proper, and that consent was being unreasonably and improperly without any stated grounds withheld, refused or declined, could authorise solemnisation of the marriage. Similarly where no woman's guardian could be found, the Governor could authorise the marriage.

Although the Act made it a chargeable offence not to register a marriage, it is not clear what machinery was put in place to ensure sufficient policing of this requirement.

The law or custom entitled a man to take to wife a widow or widows of any deceased relative as long as the woman consented to the union. The law however, prohibited pledging of children in marriage unless the girl was of marriageable age and freely consented to the marriage.

The civil marriage chapter 37

The civil marriage solemnised under the marriage Act Chapter 37 is the third type. This marriage is based on the christian form of Union and is therefore, monogamous. This marriage must be celebrated before a marriage officer who may be either a Magistrate or a specially appointed Priest or Clergyman. The consequences of this union are governed by the Roman Dutch common and statute law practice observed in Zimbabwe.

Under a Civil Marriage, the spouses are normally permitted to own property independently of each other; that is to say, the marriage is out of community of property though it is possible for them to enter into a contract before their marriage, under which all their property will be owned jointly. If they do this, their marriage is said to be in community of property. On the death of one of the spouses, his or her property is inherited according to the general law of Zimbabwe (Roman Dutch Law), unless he or she has made a will in which event the property is inherited according to the terms of the will. If there is no will, a deceased spouse's property will go to the surviving spouse and the children in equal shares; though the surviving spouse is entitled to a minimum share prescribed under the Deceased Estates succession Act (Chapter 302).

3.8.2 Conditions Arising From The African Marriages Act (Chapter 238)

In terms of Section 13 of the African Marriages Act even if Africans marry under the Marriages Act Chapter 37, Customary Law and not the general law of Zimbabwe governs their right to own or possess movable property and in the

absence of a will, the right of the heirs to inherit their property on their death. This is a mandatory requirement of the law and cannot be varied by the parties to the marriage.

The native Marriage Act Chapter 79 of 1918 also contained the like provision, in Section 13. "Notwithstanding the fact that any natives have contracted marriage in accordance with the terms and provisions of the Marriage Act (Chapter 150) such form of marriage shall not affect the property of the spouses, which shall be held, maybe disposed of, and unless disposed of by will, shall devolve according to native law or custom".

The effect of Section 13 on African spouses are thus:

1. The parties to the marriage cannot choose whether their marriage should be out or in community of property. The property devolves according to customary law.
2. Because the section applies only to marriages of and between two Africans, it follows that this rule will not hold where the marriage is between an African and a spouse of another race. In such marriages, the general law of the country governs the spouses' property rights, unless under Section 13 of the customary law and local Courts Act 1990, the circumstances of the parties and the Justice of the case requires customary law to apply.
3. Where native Africans marry under a foreign law, Section 13 will not apply since it applies only to marriages under the Marriage Act. In such a case, the property rights are governed by the general law of Zimbabwe, "unless their circumstance and the justice of the case demand that customary law should apply under Section 13 of the Customary Law and local Courts Act."

It must however, be observed that immovable property (Land and Buildings) being a concept unknown to customary law will be decided according to the general law of Zimbabwe. The property that devolves according to customary law is therefore mostly of the likes of personal effects and such sundry variety.

3.8.3 Appointment Of Marriage Officers

Section 18 of the African Marriage Act, Chapter 238, provides for the appointment of Marriage Officers. The Minister of Home Affairs is responsible for the appointment of African Marriage Officers. In the early days these were either ordinary officers of his Ministry, or Tribal Chiefs. With the advent of change in the hierarchy of the courts and the transfer of the Administration of the two Marriage Acts to the Ministry of Justice, Legal and Parliamentary Affairs after independence, the role of solemnising marriages is now the responsibility of Presiding Officers in Community Courts.

With respect to Chapter 37, marriages were originally conducted by either a District Commissioner or a Minister of Religion. Today the responsibility has shifted from the District Commissioner, to the Magistrate and the Minister of Religion.

The designation of any person holding a responsible position in any religious denomination to be a marriage officer, for the purpose of solemnising marriages according to christian, Jewish, Islamic or Hindoo, rites, at the request of the authority governing any religious denomination or organisation, is the responsibility of the Minister of Justice Legal and Parliamentary Affairs. These Marriage Officers are called Ministers of Religion.

The Registrar General of Marriages keeps a register of all persons designated as marriage officers by the Minister of Justice, Legal and Parliamentary Affairs as Marriage Officers.

The Minister may on the grounds of misconduct or for any good reason, after consultation with the authority governing the religious denomination or organisation concerned, revoke the designation of any person as a Marriage Officer.

A marriage may be solemnised by a marriage officer only. It is therefore, an offence for any person to purport to solemnise a marriage without proper authority.

Before solemnising a marriage, in the case of a marriage in terms of the Marriage Act Chapter 37, the Marriage Officer must ensure that:

1. The parties to the marriage have caused banns of marriage to be published or alternatively.
2. A marriage licence has been issued.

A party to a proposed marriage within Zimbabwe, may if the law of the country in which he is ordinarily resident does not require the publication of banns of marriage or of notice of intention to marry, produce a non marriage certificate issued by an appropriate authority in that country, confirming that there is no impediment to the proposed marriage.

Application for publication of banns of marriage must be delivered to any minister of religion (Marriage Officer) within at least two days prior to the intended publication. It is a condition that the party lodging application should have resided in the area in which such minister of religion holds office for a period of at least fourteen days, immediately preceding the date of presenting such application.

Banns of marriage must:

1. Specify the full names and residential address of each of the persons to be married.
2. Be made either in an audible manner, some time during public divine service on three consecutive Sundays, preceding the solemnisation of the marriage, in the face of the congregation, or by posting the banns for an unbroken period covering three consecutive Sundays preceding the solemnisation of the marriage, in a

conspicuous place in the immediate vicinity of the ordinary place of worship of the congregation.

If the parties to a marriage desire it, after banns of marriage have been published the Minister of Religion will issue a certificate to the effect that the banns have been published. Such certificate must state the full names, age, condition and residential address of each of the parties concerned and the dates on which or period during which publication of the banns was made, and may contain any further particulars as the Minister of religion may think necessary.

Any party who desires the publication of a notice of intention to marry must apply to a Magistrates Court on a prescribed form.

The application must :

State the full names, age, condition and residential address of each of the parties.

and

Bear the signature of each of the parties and be dated by either of them.

The Magistrate to whom application is made must satisfy himself that applicant has resided in the District in respect of which the Magistrates Office is situated for at least 14 days, immediately preceding the date of the receipt of the application. When so satisfied, he will proceed to publish such notice by posting it in a conspicuous place in the immediate vicinity of his office for a continuous period of 15 days. The Magistrate who publishes a notice of intention to marry, must upon application by either of the persons desiring to marry and on payment of a prescribed fee, issue a certificate to the effect that notice of intention to marry was published, stating the full names, age, condition and residential address of the parties as well as the period during which such notice was published.

Parties desiring to marry without the publication of: Banns or (Church announcement) or Notice of intention to marry (Court notification), may apply to a Magistrate Court for a licence to marry without the publication of banns or notice of intention to marry.

The Magistrate to whom an application for a marriage licence is made must satisfy himself by interrogating each of the parties to the marriage, or by insisting on the production of relevant documents. He may also institute enquiries where he finds it necessary and satisfy himself that there is no lawful impediment to the proposed marriage. If there be no such, he must request both parties to complete a solemn declaration to the effect that there is no lawful impediment, to the proposed marriage, and upon payment of the prescribed fee, if any, issue to them a marriage licence.

3.8.4 The Duties of a Marriage Officers

1. Immediately after the solemnisation of a marriage, the Marriage Officer is

required to make an entry of it in the Marriage Register Book. He will then complete two duplicate original registers of that entry, copying the same particulars as appear in the entry.

2. Every such marriage register book and the duplicate originals, are in the prescribed form. The register must be completed in full.

3. The Marriage Officer is required to properly sign every Marriage entry done by him. After the bride and bridegroom have signed, the two witnesses must also sign.

4. One duplicate original register (copy) of the entry will be delivered to the parties and the other will as soon as possible, within 30 days following the date of marriage, be transmitted to the Registrars of Marriages at the Central Registry, together with any declaration, proof of consent, certificate or other documents required in respect of the marriage.

5. The Registrar of marriages is required to file in his office all duplicate original registers (copies) and other documents transmitted to him and also record in a book kept in his office called the Marriage Registration Book relevant particulars in every marriage duplicate original register (copy) filed by him.

6. The Registrar will upon the payment of a prescribed fee, at all reasonable times, allow searches to be made in the Marriage Registration Book and in every duplicate register filed by him and will give certified copies from such duplicate register.

7. The Registrar may correct any clerical errors or errors of fact or substance in any duplicate original register filed in his office or in the possession of the parties to the marriage, if there is produced to him sufficient evidence that an error had been made.

8. Where the Registrar makes any correction, he must take steps to inform the Marriage Officer having the custody of the Marriage Register Book in which the marriage in question is entered to make a like correction to the entry in that book.

3.9 DIVORCE

3.9.1 Legal Framework

The main divorce law applicable in Zimbabwe is the Matrimonial causes Act Number 33 of 1985. This Act is administered in the High Court of Justice. This enables actions connected with marriage, divorce, judicial separation, or nullity of marriage to be adjudicated.

3.9.2 Grounds for Divorce

In terms of the Matrimonial causes Act, a marriage may only be dissolved by a decree of divorce, in a court of law on the grounds of;

1. Irretrievable breakdown of marriage.
2. Incurable mental illness or continuous unconsciousness of one of the parties to the marriage.

The law envisages the following conditions as denoting irretrievable break-down of marriage.

Firstly, irretrievable break-down will be demonstrated where the parties to the marriage have not lived together for a continuous period of at least 12 months.

Secondly, break-down will take place where the defendant has committed adultery which the plaintiff regards as incompatible with the continuation of a normal marriage relationship.

The third condition is where the defendant has been sentenced to life imprisonment by a competent court, for a period of at least 15 years. Similarly where the defendant has been declared a habitual criminal, and sentenced to extended imprisonment for a continuous period of, or for interrupted periods which in aggregate amount to at least 5 years, within the ten years immediately preceding the date of commencement of the divorce action irretrievable breakdown may be argued.

The fifth condition is where in the subsistence of a marriage, the defendant has treated the plaintiff with mental or physical cruelty.

The sixth condition involves a situation where a party to the marriage has subjected himself or herself to the influence of intoxicating liquor or drugs, to an extent that is not compatible with the continuation of a normal marriage relationship.

Where there are reasonable prospects that the parties to the breaking marriage can be reconciled, the courts have a duty to postpone an action for divorce.

A court may grant a decree of divorce on the ground of mental illness or continuous unconsciousness if the defendant is suffering from a mental disease of defect causing him to be placed under care and treatment for a continuous period of at least five years within the ten years immediately preceding the date of commencement of the divorce action.

The defendant is by reason of a physical disorder in a state of continuous unconsciousness which has lasted a period of 6 months immediately preceding the date of commencement of the divorce case, and there is no reasonable prospect that he will be cured or regain consciousness.

In order to arrive at a decision on this condition, at least 3 Medical Practitioners, two of whom must be well experienced psychiatrists must be appointed by court to assess the degree of physical or mental impairment.

3.9.3 Division of assets and maintenance orders

Where a decree of divorce, judicial separation or nullity of marriage is granted, the court may make an order with regard to;

1. The division, apportionment or distribution of the assets of the spouses.
2. The payment of maintenance, in favour of one or other of the spouses or of any child of the marriage.

In making an order to divide, apportion, or distribute the assets of the spouses, the court will not include any assets which are proved to the satisfaction of the court to have been acquired by a spouse, before or during the marriage;

- (a) through inheritance
- (b) where in terms of any custom in observance, the assets are intended to be held by the spouse personally.
- (c) assets of sentimental value to a party to the marriage.

Again in granting an order the court is required to have regard to all the circumstances of the case such as:-

1. The income, earning capacity, assets and other financial resources which each spouse and child has or is likely to have in the foreseeable future.
2. The financial needs, obligations and responsibilities which each spouse and child has or is likely to have in the foreseeable future.
3. The standard of living of the family and each child's right to an appropriate class of education, or training.
4. The age, and physical and mental condition of each spouse and child.
5. The direct/indirect contribution made by each spouse to the family including contributions made by looking after the home and caring for the family and any other domestic duties.
6. The value to either of the spouses or to any child of any benefit, including a pension or gratuity which such spouse or child will lose as a result of the dissolution of the marriage.
7. The duration of the marriage. In this respect, the court is concerned to place the spouses and children in the position they would have been in, had a normal marriage relationship continued between the spouses.

An order for maintenance in respect of a spouse will cease;

- when the spouse dies or remarries or if the order was originally made in the

course of a decree of judicial separation and it is set aside when a decree of divorce is granted.

Likewise, maintenance for a child ceases;

1. when the child dies or marries or
2. when the child is adopted or
3. when the child attains the age of 18 years or
4. when the child becomes self-supporting

However, the court may direct that a maintenance order should extend beyond the date when the child attains the age of 18 years, if the child is or will be receiving education or training beyond attaining that age or there are special circumstances which justify such direction.

In granting an order, the court may require evidence to be produced by either party and upon this, commit the children into the custody of one or other party or such other person as the court may deem best fitted to have such custody.

The grounds upon which a marriage is by law voidable are:

1. That the marriage has not been consummated owing to the wilful refusal of the defendant to consummate the marriage.
2. That either party to the marriage was mentally disordered or defective within the mental health Act. No. 23 of 1976.

In the case of mental disorder, the court will need to be satisfied before granting divorce, that the plaintiff was at the time of the marriage ignorant of the defendant's mental disorder. The proceedings for divorce must however in such a case, be instituted within a year of the date of marriage. It is also necessary to prove that marital intercourse with the consent of the plaintiff has not taken place since the discovering by the plaintiff of the existence of the ground for a divorce.

Where a decree of nullity is granted, in respect of a voidable marriage, any child born to the parties is deemed to be a legitimate child, despite the annulment. In trials for a decree of judicial separation, or divorce, the evidence of a husband or wife to the effect that no marital intercourse took place between the parties during any period will be admissible.

The Marriage Registry in the Registrar General's Department maintains some records and statistics on Divorces. At the moment this process is, not a direct one.

When divorce takes place in the High Court, it is currently not a requirement for either party to the divorce to inform the Registrar of Marriages. If this however takes place, the Registrar is obliged to indicate such in the Marriage Register.

3.10 CITIZENSHIP PROCESSING PROCEDURE

3.10.1 Legal Framework

The acquisition of Zimbabwe Citizenship is governed by the Citizenship Act. No.23 of 1984.

The existing procedures are as follows:-

The person making application must have been a permanent resident for a minimum period of 10 years and generally be over the age of 18 years. Form C.1 which is the citizenship application form is completed and 2 people must be nominated as sponsors who are required to support the person in writing. Enquiry is made with vetting agents and the Immigration Department. This takes approximately 18 months, at which time, if the application is approved, the oath of allegiance is sworn, a card prepared, the application number given and then relevant details filed numerically. Personal documents are required i.e. birth certificate, passport, marriage certificate. Parents' or the husband's proof of citizenship and permanent residence may be required.

For children under 18 years, a C.2 form is completed by the responsible parent whose birth certificate, passport and marriage certificate is also required. The procedure is similar to application on form C.1. The exception is that no oath is sworn.

In the former law non citizen women who marry Zimbabwean citizens were entitled to immediately grant of citizenship status, upon application. The situation is no longer that. Women are no longer exempted from the residence qualification requirement.

Citizenship Board

The conditions under which citizenship is currently processed and granted require improvement. There is need to appoint a citizenship assessing Board.

3.11 ELECTORAL SYSTEM

3.11.1 Historical Background

Elections have been conducted in Zimbabwe since the advent of the white settler community in 1890. Early elections had unfortunately tended to be generally founded on racial lines. It is evident, that early Electoral Laws evolved as instruments to promote settler interests against those of the indigenous natives. The Electoral Act No. 2 of 1928 was it seems the first Electoral Law to be enacted in Colony of Southern Rhodesia. Very small modifications have taken place since then.

1. The 1928 Act provided for elections based on Electoral Districts, which are in today's equivalent Constituencies.

2. Qualification as a voter required that one be a:

a) British subject, although exceptions were frequently made to include some special class of persons who were not British subjects.

b) The qualifying age was 21. This has now been reduced to 18 years.

3. One was required to have the requisite residence qualification. The law required the applicant to have stayed for more than 6 months in the colony of which 3 months had to be in the particular Electoral District. To register as a voter one is now required to be permanently resident in the country and within a constituency for 12 months.

4. The applicant was required to have the requisite means qualification. One was expected to own property or be gainfully employed in some occupation. A person allocated or holding land under tribal or communal tenure did not unfortunately qualify on this requirement. One does not need to have such property ownership status to qualify as a voter on the Parliamentary Voters Roll now.

5. The applicant was required to possess appropriate educational qualifications. An applicant was expected to be literate enough to complete a Voter Registration Form alone, without assistance. This requirement is no longer applicable.

6. A Delimitation Commission chaired by a High Court Judge is now responsible for determining Electoral boundaries. This function was previously vested in the Minister of Internal Affairs, Now Home Affairs.

3.11.2 Legal Framework

The legal machinery for conducting elections in Zimbabwe is the Electoral Act No.7 of 1990.

The first campaign to register voters on a wide indiscriminate scale to create the first constituency voters rolls was initiated in 1982 with the population subscribing to two voters rolls. The white roll was as the name suggests, exclusively for whites, Asians and Coloureds. There were 20 reserved white seats. The common roll was for native Zimbabweans. There were 80 common roll seats.

The registration exercise was a mammoth task. Over 40 mobile voters registration caravans were despatched to move from one village to the other, throughout the country, registering people as voters, and also for national identification.

In order to qualify for registration as a voter the applicant was required to meet various criteria. Firstly the applicant had to prove that he is a citizen of Zimbabwe, by birth, registration or decent. Secondly the applicant should have attained the age of 18 years by the time of holding elections. Although the law permitted only

those aged 18 years to register, any person upon forwarding proof that he would have turned 18 by the date of holding Elections was allowed to register as a voter.

Registration as a voter on the common roll was through form V1.

The processing of forms of registered voters was carried out at the Central Registry. Received forms were first passed through the statistics section where they were counted and recorded. Following this, they were referred to the checking office where they were inspected for completeness and possible errors etc. Forms containing inadequate data were put aside and the registrant contacted through mail.

Subsequently, the forms were forwarded to the sorting section where they were grouped into constituencies according to the residential address of the voter.

With this operation through, the forms are moved into the blocking section where each form was assigned a block number or area number. The block number provided an easier means by which the country could be Delimited into any desired number of constituencies of approximately the same number of voters. The present number of constituencies is 120. Constituency block assigning is now simultaneous with registration.

Following blocking, the forms were recorded and surrendered to the Computer Bureau for data entry. At the completion of data entry, the computer bureau would process the data to produce statistics for the Delimitation Commission.

In simple terms, the statistics were in the form of print outs showing the distribution of voters within block numbers per each provisional constituency.

Following the completion of the Delimitation process which divided the Country into 80 common roll constituencies and 20 white roll constituencies a nomination court for the registration of contesting parties and party symbols was held as stipulated in the Electoral Act.

Zimbabwe's 1985 General Election was an all parties constituency contest. The 1990 General Election was likewise a constituency contest.

The entire processes connected with, registration of voters, Delimitation of Constituencies, setting up relevant electoral infrastructure, logistics and appointment of Electoral Staff is decided and financed from local resources by the State. International Observers and the world at large are of course always interested to see how Zimbabwe as a relatively young, emergent nation handle its Elections.

All elections held in Zimbabwe since 1980 have been by any standards, successful, peaceful and free and fair.

Following the abolition of the White Voters Roll in 1987, the General Elections held in 1990 for a unicameral Parliament of 120 members became in fact the first

election conducted in Zimbabwe on the principle of universal suffrage. The total number of registered Voters on the combined voters roll then was 4.8 million. The figure is now expected to go slightly above 5 million.

An amendment effected to the 3rd schedule of the constitution of Zimbabwe now permit even non citizens who have requisite permanent residence status to register as voters and vote.

3.12 NATIONAL IDENTIFICATION

3.12.1 Introduction

All adult persons resident or domiciled in Zimbabwe are required to carry national identity cards. The identity cards are on a metallic base.

The identity cards are robust and durable. The manufacturing techniques consist of a wide range of print reproduction sciences. They are therefore, not so easy to imitate as might otherwise be the case with plastic laminates.

Although the issue of birth certificates is now compulsory in Zimbabwe, this is a relatively recent practice. The holding of identity papers is however, as old as the beginning of white settlements on the land.

The advent of European influence about the turn of the Century brought about irreversible changes to the lives of the native or aboriginal inhabitants of present day Zimbabwe. As mining industrialisation and agricultural expansion took a swift revolution, so too did the process of native urbanisation. The settler regime's laws on land designation into European and native areas had forced many natives from their rich agricultural plateaux into desolate sandy wilderness. This was perhaps a well calculated intention. Many aboriginal inhabitants were resultantly forced to move and take up urban life. As many natives both aboriginal and also from foreign neighbouring states started to flock into the mining, industrial, agricultural and other related sectors, the settler government had to devise some system of native identification. In 1937 the Colony enacted the Natives Registration Act Chapter 76. The preamble to the Act reads: 'To consolidate and amend the laws which provide for the regulation and control of Natives seeking employment in or visiting certain townships and for the registration of contracts of service with native servants therein.'

This Act provided for the Colony Administration to issue registration passes and registration certificates. The law also provided for the erection of Native hostels where the African male labourer was to be consigned. His liberty of movement was strictly controlled and even his sexual well being, sometimes with calculated viciousness monitored, for the hostel was a place of no women. In fact a native at that time required a passage warrant to move from one part of the country to another. The Registration Certificate was a personal identity document but in practice served more purpose than that. Whenever a native was employed, the law required the employer to endorse the conditions of his employment, including the

amount of his remuneration on the said registration certificate.

All male natives, for women were bluntly excluded, were at the age of 14 required to carry registration certificates. Where the applicant was young, a juvenile certificate was issued. This was replaced by an adult registration certificate in due time. The law permitted the Registrar, in cases where applicant was himself uncertain to estimate date of birth and to make any other decision in regard to the identity of the applicant at registration. Recently the country has experienced a phenomenal rise in name changes, a situation that has arisen from these defective laws of the past.

Registration for metal identification was introduced in 1977 as a step towards a non racial integration identification exercise. The identification process is regulated by the National Registration Act Chapter 36 of 1976. The scheme was and is compulsory for both sexes. All residents of Zimbabwe, citizen or alien must be registered.

3.12.2 Procedure for Registration

The law provides for the registration for metal cards of all persons who are naturally and lawfully resident in Zimbabwe. The qualifying age is 16 years and above. At registration, documentary evidence of birth and citizenship status are mandatory.

The following documents may therefore, be presented singly, or in combination before registration.

- i. A birth certificate;
- ii. A valid passport Zimbabwean or foreign;
- iii. A marriage certificate;
- iv. A certificate of registration as citizen of Zimbabwe;
- v. A valid residence permit issued by the Department of Immigration Control;
- vi. A registration certificate issued in terms of any of the African registration and Identification Acts chapter 76 and recently chapter 249.

Foreigners will only register upon presenting a valid travel document and an immigration residence permit of not less than one year validity.

Registration is effected by completing Form N.R.1 in triplicate. The applicant is issued with a national registration number from a computer list and then documented and photographed. The fingerprints are recorded at the back of Form N.R.1.

On completing registration, the applicant is issued with the 3rd copy of his registration document as a temporary document of identity. This document is

provided with a picture and will be surrendered to the registration office in exchange for a metal card.

For the purposes of National Registration, the country is divided into 58 administrative Districts. Each administrative area is provided with a static registration office at a central point. Provision for mobile registration caravans is also available and occasionally these are despatched into the districts to register and distribute finished cards within villages. This is of great help to communal people, some of whom in the absence of such provision would have to travel long costly distances in order to register and collect finished metal cards.

Following the registration cycle, the forms are checked for completeness, clarity and conformity with registration procedures before their forwarding to the National Registration Bureau in Harare.

A general outline of the production cycle in the National Registration Bureau is as follows:

3.12.3 Mail In Office

Completed registration forms submitted by Field Mobile and statistics units are received in the Mail In Section. The purpose of this office is to sieve all input registrations so as to ensure that only registration forms conforming with the prescribed standard are passed through for the final printing of metal cards.

3.12.4 Data Separation

Forms are next admitted into this section. They are arranged so that national numbers are in simple arithmetic progression. The forms are then bundled into separate batches of 48 forms. They are subsequently issued to individual operatives at different tables. The forms are immediately checked to ensure that the photographs attached are the correct ones and that each form is accompanied by both a printed photograph and a negative.

Following this procedure, the forms are provided with a batch number. The photographs and negatives are then detached from the forms and worked upon separately. The photographs and negatives are attached to paper tags by means of rubber bands, to show the following:-

- a) the unit code
- b) the batch number
- c) the date of processing by data separation

The bundles of prints and negatives are next filed together in boxes, different boxes being used for different units and districts. These boxes are eventually transferred to Photo Alignment, pending the printing of personal detail on computer printouts. While these processes are in progress, the forms are meanwhile recorded and forwarded to the data entry section where the information is entered into the

computer. After data verification, the information is printed on printouts which have the general outlook of paper identity cards. These facsimile identity cards are signed into Photo Alignment where they are mounted on plastic bases.

3.12.5 Photo Alignment

In photo alignment, corresponding pictures are drawn from the boxes and glued against corresponding information. Substandard pictures are reproduced in the adjoining processing chambers.

3.12.6 Process Camera Section

The mounted photo jigs or perspex boards, each containing 48 identity cards are reproduced in this section photographically on process cameras. The resulting master negatives, on lithographic film are half-tone. Following inspection, standard lithographic negatives (print stencils) are provided with a common back containing information which will print at the back of metal cards and then passed through to Plate Printing for engraving on metal.

3.12.7 Plate Printing Section

The sandwich of print stencils described previously, is fitted with a metal plate in the middle and exposed on both sides using a point source quartz iodine lamp.

Following this, the plates are passed through processing chemistry so that the latent image on the plates builds up into a visible impression.

After rinsing and fixation, the metal plates receive after process treatment to remove impurities or to enhance the image rendition.

Dry plates are endorsed on the reverse side with the batch number. This number serves as a cross reference number which is useful for negative filing and retrieval.

3.12.8 Silk Screening Section

The National Zimbabwe bird is over printed in this section. Cards for citizens are printed with the symbol for citizenship which is in the form of double C's in blue, on either side of the national crest.

Identity cards for non citizens are similarly, provided with double A's in red dye.

3.12.9 Plate Sealing

Plates are treated in a heat sealing chemical bath. This creates a sub-surface, extremely durable image in the plate.

Following this treatment, metal cards are rendered virtually non forgeable.

3.12.10 Machine Shop

On admission into this section, all plates are recorded on Form N.R.B.6. The plates are then trimmed into long strips before being dye stamped into single cards. Individual cards, so cut, are boxed and despatched into the next section for final inspection.

3.12.11 Mail Out; Quality Control

As the name suggests, this section acts as a vital sieve for processed metal cards.

On admission into this section, printed metal identity cards are subjected to thorough inspection and all substandard ones set aside.

Metal cards with simple printing mistakes which can be remedied in the Bureau are recorded in a reprint register and sent back to the relevant field office for rectification.

In the event of an error of substance being spotted at this stage, a notification to this effect is forwarded to the applicant, proposing how the matter should be resolved.

3.12.12 Mail Out; Despatch

Finished and checked identity cards are received in labelled boxes. The cards are arranged numerically in the order of increasing national numbers and then provided with tags listing out missing numbers. Next the cards are recorded in registers provided with a Folio Number, Delivery Note Number and entry number. Following this, the batches are receipted. This is followed by packaging and despatch despatched to offices of registration.

The main task of the mail out- despatch section, is to ensure that all identity cards reach their distribution point by the most efficient and quickest means. Identity cards are both valuable and security items. It is therefore, most important that the safest method of transmission be used. Where possible, this will be by hand but where it is preferred to mail, all identity cards parcels must be registered and records of despatch maintained.

3.12.13 Central Information Library

The main function of the central information library is to store print stencils in such a way that retrieval does not become a burden. When requests for replacement cards are made, the print stencils are drawn out and forwarded to plate printing. A method of controlling the movement of these negatives internally is therefore essential if losses are to be avoided.

3.12.14 National Finger Print Bureau

The last stage in processing of metal cards involves the classification of fingerprints. This is a vital operation because finger prints provide absolute identification as it is rare that any two persons can possess the same classification of fingerprints on all ten fingers. It is important to realise that these records are not subject to Police search without a court warrant. The purpose of these fingerprints is for national identification and only under very exceptional cases and with the approval of the Registrar General may access to them be granted.

3.12.15 Proposed changes to meet future requirements

- 1. The present system of National Registration is intended for adult persons aged 16 years and above. Experience has however shown that a strategy where the National Registration number is issued at birth, that is to say when a birth is first registered carries many advantages. Under such a set up the creation of a central data base will result in a systematic organisation of each person's file as new data is accrued through life.**
- 2. The system incorporates tight security features. However, as the degree of criminal sophistication is bound to increase with the advance of time there is still hope that the configuration will be able to absorb any intended manipulation. Apparently, the metallic base upon which the identity cards are issued can incorporate a magnetic stripe or a chip. This renders the card quite suitable for upgrading as circumstances change.**
- 3. In terms of technology, the use of analogue cameras for initial image recording in the National Registration Centre will require slight modification. The technology in place now relies on video cameras and fully automated, integrated image storage kits. The existing set up will therefore, in the long run require such upgrading.**

CHAPTER IV

THE NATIONAL VITAL STATISTICS SYSTEM

4.1. Introduction

The Government Department responsible for the production and publication of vital statistics is the Central Statistical Office. The following section is devoted to the evolution of this organisation.

4.2. Evolution of the Central Statistical Office (C.S.O)

The British South African Company established a Record and Statistical Department in 1894 under the control of "The Statist" (a title dating from 1803 but which has gone out of use). The statist was not a statistician in the normal sense; he merely collected reports from heads of departments and prepared abstracts of them.

The first Census Ordinance was passed in 1900 and in 1901 what is termed "informal" census was taken. This was confined as were all subsequent censuses up to 1962, to the European, Asian and Coloured populations. The direction of the census was first in the hands of the Statist. In 1908, the Office of Statist came to an end and thenceforth a Director of Census was appointed for each census.

By 1924 when the Chartered Company's administration had come to an end, a variety of offices were engaged quite independently in the collection of statistics. Vital Statistics were collected by the Public Health Department, Criminal Statistics by the Law Department, African Agricultural statistics by the Native Department, meteorological statistics by the Agricultural, department, cattle statistics by the Veterinary Department and Income Tax Assessment figures by the Commissioner of Taxes. It was still the practice to set up a temporary office for each census of population.

It was suggested in 1924 that all the processes connected with statistics be centralised under one department and also under a trained statistician. This recommendation was only effected in 1927. In 1929, the Statistical Bureau consisted of 16 members of staff. The Bureau functioned within the division of the Colonial Secretary a minister whose present equivalent is the Minister of Home Affairs.

In 1932, the Government Statistician became also the Inspector and Registrar of births and Deaths and the Director of Census. In 1935 the Statistical Bureau appeared as a department within the Ministry of Commerce, Transport and Public Works. The Bureau in 1936 became part of the Ministry of Finance and Commerce.

By 1937 the Bureau's staff had gone up to 34. By 1940 it had grown to 37. In 1943 the Bureau became part of the Ministry of Finance and Supply and remained in this ministry until 1946 when it was placed in the Ministry of Finance.

In January 1948, the Office began to provide a service to the then Northern

Rhodesia and Nyasaland. With the formation of the Federation of Rhodesia and Nyasaland in 1953, the Central African Office became a department within the Federal Ministry of Finance.

When the census and Statistics Act was passed in 1955, the office had a staff of 88 whose task was to: i) carry out any census required to be taken ii) collect, compile, analyse and abstract statistical information relating to the commercial, industrial, agricultural, mining, social, economic and general activities and conditions of the inhabitants of the federation and to publish such information. iii) To collaborate with the territorial governments in the collection, compilation, co-ordination, analysis and publication of statistical records of administration. iv) generally to organise a coordinated scheme of social and economic statistics relating to the federation.

In 1960 the office came under the control of the Minister of Economic Affairs and in 1961, it changed its name to the present name, The Central Statistical Office.

4.3 Present-Day Statistical Office

The Central Statistical Office has been functioning under the Ministry of Finance until it was placed under the National Economic Planning Department which falls under the President's Office on the 5th of November, 1993. The Director of Census and Statistics is answerable to the Planning Commissioner. The full staff complement of the Office should be 434 (Central Statistical Office Organisational Chart)

4.4. The Legal Frame of the Vital Statistics System.

The current law and regulation which governs the production of vital statistics is the Census and Statistics Act of 1971.

The Census and Statistics Act Chapter 79, was put in place " To provide for the taking of a census, for the collection of statistics and publication of statistical information; and to provide for matters incidental to the foregoing. [23rd April, 1971]. This responsibility is laid upon the Central Statistical Office which is responsible for the production and dissemination of vital statistics such as population censuses and sample surveys. The essence of the Act is the empowerment of an authorised officer of the Central Statistical Office to lawfully obtain particulars as the Director may consider necessary desirable in relation to the taking of censuses or the collection of such statistics.

4.5. Administrative arrangements of the system

As mentioned above, the government agency responsible for the collection, processing and publication of statistics is the Central Statistical Office (C.S.O). The production of all vital statistics is done centrally in the capital city.

The Health Statistics Section which is responsible for the production of vital statistics is found in the Demography and Social Statistics Branch. For convenience, the Health Statistics section is located in the Ministry of Health and Child

Welfare (Epidemiology Department, Health Information Unit).

4.6. Procedures for reporting and monitoring

a) *Monitoring Statistical reporting:* According to the United Nations, "a vital statistics system could be defined as including the legal registration, statistical recording and reporting the occurrence of, and collection, compilation, analysis, presentation and distribution of statistics pertaining to 'vital events' which includes live births, deaths, foetal deaths, marriages, divorces, adoptions, legitimisation, recognitions, annulments and separations.

The vital statistics which are collected and published by the C.S.O. through various means include birth and deaths statistics, marriages and divorces. Marriage and divorce statistics are not published although this information is collected by the Registrar General's Office. Censuses and surveys usually collect information on the current marital status of the population i.e either currently married, divorced/separated or widowed.

To register a vital event, (i.e. a birth or a death) a notice of Birth form or a Notice of Death form has to be filled in and given in to the local registrar of Births and Deaths. The local registrar sends the form to the Provincial Registrars who in turn send them to Central Registry where clerks deal with them for statistical purposes.

Notice of birth of a Child Form the sections coded on this form for statistical purposes include;

- Reference
- Month of registration
- Month of birth/date of birth is not coded
- Sex
- Place of Birth
- Duration of marriage of parents
- Race of infant
- Race of father/mother
- Previous births of mother-whether they were still or live births.
- Usual Residence of mother
- Gestation period

Notice of Death areas coded;

- Registration Number
- Month of registration
- Sex
- Usual Place of Residence
- Age at time of death
- Race
- Country of Birth
- Marital Status at time of death
- Place of death

- Cause of Death;
- Certification of death by doctor

Perhaps the most important of these questions is on the cause of Death. The answers to this question are coded by in accordance with the rules and classification of World Health Organisation -ICDS 9th Revision Conference, 1975. It is the requirement of C.S.O that the cause of death should be coded by a nurse. There is one state registered nurse who is doing the coding.

Another form which provides vital statistics is the H.S.5 form which provides information on maternity statistics. This form was designed by the Central Statistical Office and has to be filled in by every hospital from Health Service Centres (the smallest institution) to the Central Hospital. Of interest to vital statistics, this form collects information on maternal deaths, confinements, live-births, still-births and early neonatal deaths.

There are however problems faced with the processing of data on death due to the shortage of qualified medical staff to do the coding of cause of death. This has resulted in a backlog of 3 years i.e data on cause of death from the Registrar's Office is available only up to 1990. As indicated above, the definition used for vital statistics is in total conformance with the United Nations definition. The statistical forms used to collect information on deaths and births are standardised throughout the country.

b) **Monitoring** Except for the data from the HS5 forms, all other data on vital events are contained in the section on vital registration. The HS5 forms are send directly to the Central Statistical Office and are received in the Health Statistics section located in the Ministry of Health and Child Welfare. The data is then entered into the computer, processed and the relevant tables are produced. It should however be noted that not all health centres send these forms on time and some of them do not submit at all.

4.7. Procedures for Statistical processing

The Birth and Death Section of the Central Statistical Office uses *Instruction Manuals* to code the forms pertaining to these events. The handbooks used are standard. The data is first manually edited before entered in the computer. Coding of data is done by three statistical clerks. These three do not code *cause of death* and, they do not have special training in coding. The geo-code system used to code place of birth and of occurrence of death is in conformance with the one used by the Central Statistical Office.

Before the data is entered into the computer, they are manually edited for the purpose of assuring their quality. Data is then entered into the computer using the Integrated System For Survey Analysis (ISSA) where a programme which rejects inconsistent data is in place. So, any mistake that may have been omitted during the process of manual editing is then highlighted, and if necessary, the notice of birth and death forms are revisited. The data is then processed using The Statistical Analysis System package (SAS) after which relevant cross tabulations

are produced.

4.8. Publication and dissemination of vital statistics

Not much publication has been done from the vital registration information. Due to the backlog in coding, the production of reports has not been consistent and there is no fixed/set timetable for the production of these reports. Most of the data that are available have not been analysed.

From other sources of vital information; censuses and surveys, the data and reports mortality, fertility and marital status are available according to the timetables that are set.

4.9. Assessment of the vital statistics system

Before the attainment of independence in 1980, the Births and Deaths Registration Act (Chapter 30) only made the registration of all European, Asians and Coloured births and deaths were compulsory throughout Zimbabwe but the registration of Africans was compulsory only in the urban areas and certain other areas. During that time, the registration of European and Asian births and deaths was considered fairly complete while that of Africans and Coloureds was far from complete. By 1982, only about 5% to 10% of African births and about 20% of Africans were being currently registered, that is, within 12 months of their occurrence.

At the moment there are quite large numbers of African registered late i.e more than 12 months after the event. These late registrations are usually primarily for getting the child into school. Only the current registrations are analysed by the Central Statistical Office - the late registrations are not analysed at all because the data refers to many different years maybe going back 50 years or more.

Given the incompleteness of vital statistics, the C.S.O utilises indirect techniques for demographic estimation especially for fertility and mortality. Indirect techniques developed by Brass(1968), Sullivan (1972) and Trussel (1979) are commonly applied using data from censuses and surveys.

4.10. Uses of Vital Statistics

The Central Statistical Office periodically holds producer-user inquiry meetings with major users of vital statistics and statistics in general. Because of the incompleteness of births and deaths, the data provided is of limited value. They are however of some interest and the Ministry of Health and Child Welfare as well as the city Health Departments are supplied with tables, at their request, on the causes of the registered deaths. The Ministry of Health publishes this information in two tables in its annual report namely, Principal Factors of Registered Mortality and Principal Factors of Registered Infant Mortality. Researchers and students extensively utilise vital statistics.

CHAPTER V

Co-ordination Among Government Institutions

Co-operation and co-ordination is existing among agencies that participate in civil registration and vital statistics systems. In place is the Inter-Ministerial Committee that operates under the chairmanship of the Public Service Commission which presides over electoral issues. The election directorate's primary concern is to deal with issues connected with parliamentary and presidential elections. It is self evident that electoral statistics must generally concord with general demographic projections. Therefore, this committee will meet periodically to discuss and analyse related statistical data.

A census will normally give a broad projection on a number of demographic features e.g population size, geographical and age distribution. It therefore follows that the voter's registration level must generally accord with these population figures.

There is constant interaction between the Central Statistical Office and the Registrar General's Office on matters connected with vital registration statistics. In fact the Births and Deaths data coding unit of the Central Statistical Office Health Statistics Section is housed in the Registrar General's Premises.

Dissemination workshops held by the Central Statistical Office after each census help to conscientise the nation but moreso those whose responsibilities require the recognition of census information for planning and for policy formulation strategies.

CHAPTER VI

Conclusions and Recommendations

6.1. Civil Registration

6.1a Legal

In the legal and administrative fields there are generally few problems. Each of the current vital registration module is regulated by a statutory instrument, operating autonomously or deriving its powers from the constitution. It is therefore possible at any instance to effect necessary changes to the law if such law is considered to be consistent with the objectives of the registration.

6.1b Administrative

The staffing levels in the various units of the vital registration department have always tended to fluctuate between absolute want and adequacy. This of course sometimes affects the overall performance of the department. The quality and nature of the service rendered to the nation, therefore tends to vacillate.

6.1c Technical

As already highlighted, the main disadvantage with the present civil registration structure is that it is a manual function. Each vital registration entity operates in isolation. There is no immediate interlink between one and other modules. As well, data collection tends to be repetitive, culminating in lengthy delayed access when information is urgently required. The fact that vital registration functions are not a profit oriented undertakings it may not be possible to compute the loss to the state when the process fails to operate as might be required, even in situations of over staffing. There is need to enhance the current technical machinery. Steps have already been taken to fully computerise the Civil Registration Department.

6.1d Public

Members of the public, by the very nature of the incessant demands they make on the services to be rendered by a State create a problem.

(i) Their needs - must be addressed in a collective form and where this generally is not met, complications might arise. If the system itself is such that it can be outmanoeuvred, there can be unexplainable disorder. There is at the moment very grave world wide problems, connected with fraudulent processing of vital registration documents. Although passports range top in this list, marriages and birth registration certificates have also fallen prey.

(ii) Similarly, where service demands exceed infrastructural capacity to provide these services the resultant inadequacy becomes a big problem which can have wide implications. Although the situation in Zimbabwe is well under control, there is an ever growing need to expand service centres in order to reach residents of remote settlements.

6.2 Vital Statistics

6.2a Administrative

As mentioned before, there is a shortage of trained medical personnel to code "cause of death" on the death notification form. This has resulted in a three year backlog in the production of death statistics.

6.2b Public

Although the Census and Statistics Act empowers officials of the Central Statistical Office to collect information from individuals, no one has ever been prosecuted for refusing to provide any required information. The result is that the Central Statistical Office is caught in a dilemma. Prosecuting people for not giving information will evidently sever relations with the very providers of the statistics.

There is a general tendency among the public to refute vital statistics figures where the figures conflict with their interests. Sometimes the public is not able to interpret the indicators derived from vital statistics. The statistics that are available at any time may not meet the requirements of every user.

6.3 Recommendations

Problems of the administrative nature may be solved simultaneously with those akin to the technical aspect. It seems the major disadvantage of the present vital registration system stems from lack of automation. If this issue can be addressed there should be a resultant condensation in the number of records kept. The solution would be to create a single data base from which the various documents can be timely produced, the same time resulting in easing storage, accessibility, updating, filing, transferring, amending and archiving. This would also result in better utility of office space. At present, the Registry is a huge building with countless stored files. The present situation compromises the security of documents. Computerisation would ensure this security, and also the creation of a small, manageable and efficient staff complement.

In recognising the importance of vital registration in the socio-economic field of the country's developmental programmes, a decision has already been taken to construct a building solely dedicated to vital registration. The computerisation of the vital registration department had already begun at the stage of compiling this report. The feasibility studies have been done and formal approval given.

One way of making the vital statistics beneficial to the various users is to embark on an educational and awareness campaign about the importance and uses of such statistics. Once the community understands the uses of statistics, it will be easier for them provide the statistics.

In order to update vital statistics on deaths, there is need to employ one more medical person for the coding of cause of death. This would ensure a regular production of vital statistics which would make it possible to make international

comparisons. However, it is encouraging to note that at the time of the preparation of this report, steps were being taken to train some clerks to code the "causes of death".