

# A handbook on commercial law in zimbabwe pdf

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Sources of Law in Zimbabwe\*\*

### **Customary Law**

- Unwritten and living law that has been passed down through generations.
- Recognized and enforced by the courts.

### **Common Law**

- Laws that have been developed by judges over time based on legal principles.
- Originates from the English common law system.

### **Statute Law**

- Laws passed by the Parliament of Zimbabwe.
- Primary source of law and includes acts, ordinances, and regulations.

### **Division of Law in Zimbabwe**

#### **Public Law**

- Regulates the relationship between individuals and the state.
- Includes constitutional law, administrative law, and criminal law.

#### **Private Law**

- Regulates relationships between individuals.
- Includes contract law, tort law, and property law.

### **Number of Laws in Zimbabwe**

- Over 10,000 laws in Zimbabwe.
- New laws are constantly added to the statute books.

### **Common Law of Zimbabwe**

- Based on the principles and doctrines developed by English courts.
- Adopted and applied by Zimbabwean courts in the absence of specific statutory provisions.

### **Principles of Law in Zimbabwe**

- Principle of legality: No one can be punished for an act that was not an offense at the time.
- Principle of expediency: Laws should promote beneficial consequences and avoid harmful ones.
- Principle of fairness: Laws should be fair and just.

### **Hierarchy of Law in Zimbabwe**

- Constitution of Zimbabwe
- Acts of Parliament
- Regulations and statutory instruments
- Common law
- Customary law

### **Law Courts in Zimbabwe**

- **Supreme Court**
- **High Court**

## **Arms of Law in Zimbabwe**

- **Legislature:** Creates laws (Parliament).
- **Executive:** Enforces laws (President, Cabinet).
- **Judiciary:** Interprets and applies laws (Courts).

## **Law Degree in Zimbabwe**

- Takes 4 years to complete.
- Offered at the University of Zimbabwe and other accredited universities.

## **Making Laws in Zimbabwe**

- Bills introduced in Parliament.
- Bills debated and voted on.
- Bills receive Presidential assent and become law.

## **Sources of Corporate Law in Zimbabwe**

- Companies Act (Chapter 24:03)
- Insolvency Act (Chapter 6:07)
- Securities Act (Chapter 24:25)

## **Substantive Law in Zimbabwe**

- Defines rights and obligations.
- Creates legal categories and provides remedies.
- Includes contract law, tort law, and property law.

## **Supreme Law of Zimbabwe**

- Constitution of Zimbabwe
- Highest authority in the land.
- Guarantees fundamental rights and freedoms.

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