

TITLE 29

Chapter 29:16

PREVIOUS CHAPTER**URBAN DEVELOPMENT CORPORATION ACT**

Acts 14/1986, 8/1988 (s. 164), 29/1990.

Repealed by the Urban Development Corporation Repeal Act 16/1996, promulgated on 27th December, 1996.

[The Statutory Instrument bringing this repealing Act into force has not yet been gazetted – Editor.]

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SCHEDULE: Powers of Corporation.

AN ACT to provide for the declaration of development areas; to establish the Urban Development Corporation and to provide for the functions thereof; to provide for the constitution and functions of the Urban Development Board; to regulate the financial affairs of the Urban Development Corporation; and to provide for matters incidental to and connected with the foregoing.

[Date of commencement: 1st July, 1986.]

PART I

PRELIMINARY

1 Short title

This Act may be cited as the Urban Development Corporation Act [Chapter 29:16].

2 Interpretation

In this Act—

“Board” means the Urban Development Board referred to in section five;

“co-operative” means—

(a) a co-operative company registered in terms of the Companies Act [Chapter 24:03]; or

(b) a co-operative society registered in terms of the Co-operative Societies Act [Chapter 24:05]; or

(c) any other association of persons which has as its object the promotion of the economic interests of its members in accordance with co-operative principles; but does not include any such company, society or association which has as its main object the production or marketing of agricultural produce or livestock;

“Corporation” means the Urban Development Corporation established by section four;

“development area” means—

(a) any area that is a growth point area in terms of any other enactment; or

(b) any area declared to be a development area in terms of section three;

“general manager” means the general manager of the Corporation appointed in terms of section twenty-four;

“local authority” means a municipal council, town council, local board, provincial council or rural district council;

“member” means the chairman or any other member of the Board referred to in subsection (1) of section six;

“Minister” means the Minister of Local Government, Rural and Urban Development or any other Minister to whom the President may from time to time assign the administration of this Act.

3 Declaration of development areas

(1) Subject to subsection (2), after consultation with the Board, the Minister may by statutory instrument declare any area of rural or urban land within Zimbabwe to be a development area.

(2) The Minister shall not make a declaration in terms of subsection (1) in respect of—

(a) any area in the Forest Estate, except with the consent of the Minister to whom the administration of the Forest Act [Chapter 19:05] is for the time being assigned; or

(b) any area in the Parks and Wild Life Estate, except with the consent of the Minister to whom the administration of the Parks and Wild Life Act [Chapter 20:14] is for the time being assigned; or

(c) any area of land, other than Communal Land, held in trust by the President or a Minister except with the consent of the President or the Minister, as the case may be, in his capacity as trustee; or

(d) any area, including areas referred to in paragraphs (a) to (d), that is under the jurisdiction of a local authority, except after consultation with that local authority.

PART II

URBAN DEVELOPMENT CORPORATION AND URBAN DEVELOPMENT BOARD

4 Establishment of Urban Development Corporation

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

5 Establishment of Urban Development Corporation

The operations of the Corporation shall, subject to this Act, be controlled by a board, to be known as the Urban Development Board, constituted in terms of this Part.

6 Constitution of Board

(1) The Board shall consist of not fewer than five and not more than nine members who shall be appointed, subject to subsection (2), by the Minister after consultation and in accordance with any directions the President may give and who shall be chosen for their ability and experience in urban planning and development or in the commercial and industrial sectors or in administration and for their suitability otherwise for appointment as members.

(2) At least two of the members of the Board shall be chosen from a list of persons submitted by the Local Government Association or any other association or organization which the Minister considers represents local authorities in Zimbabwe:

Provided that, if the Local Government Association or such other association or organization fails within a reasonable time to submit a list of nominations when required to do so for the purposes of this subsection, the Minister may appoint as members any persons whom he considers will adequately represent the interests of local authorities in Zimbabwe.

(3) The Minister shall appoint one member as chairman of the Board and another member as deputy chairman of the Board and the deputy chairman shall exercise the functions of the chairman during any period that the chairman is unable to do so.

(4) Subject to subsection (5), the Minister may appoint any person to the Board as an alternate to any member referred to in subsection (1), and such person—

(a) shall act as a member only when the member to whom he is alternate is for any reason unable to exercise his functions on the Board;

(b) when acting as a member shall exercise the functions of the member to whom he is alternate:

Provided that an alternate to the chairman or deputy chairman of the Board shall not exercise the functions of the chairman or deputy chairman, as the case may be.

(5) In appointing a person as an alternate to a member in terms of subsection (4) the Minister shall be bound by the same requirements for appointments that are applicable, in terms of subsections (1) and (2), to the appointment of members.

7 Conditions of office of members

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

(2) Subject to section fourteen, a member shall hold office on such conditions as the Minister may fix for members generally.

(3) A retiring member shall be eligible for re-appointment as a member.

8 Disqualifications for appointment as member

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

(a) is not ordinarily resident in Zimbabwe; or

(b) has, or is married to a person who has, a financial interest in any business, or is, or is married to a person who is, engaged in any activity connected with any business, if, in the opinion of the Minister, such financial interest or activity is likely to interfere with the impartial discharge by that person of his duties as a member; or

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

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

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

(d) has, within the period of five years immediately preceding the date of his proposed appointment, been sentenced in any country to a term of imprisonment of or exceeding six months imposed without the option of a fine and has not received a free pardon; or

(e) is the general manager of the Corporation.

9 Vacation of office by member

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

(a) after giving the Minister such period of notice of intention to resign as may be fixed in his conditions of appointment or, if no such period has been fixed, after the expiry of one month after the date he gives such notice or after the expiry of such other period of notice as he and the Minister may agree; or

(b) on the date he begins to serve a sentence of imprisonment the term of which is not less than six months, whether or not any portion has been suspended, imposed without the option of a fine in any country; or

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

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

(e) if he is absent without the permission of the Board from three consecutive meetings of the Board, of which he has been given not less than seven days' notice.

10 Minister may require member to vacate office

The Minister may require a member to vacate his office if the member—

(a) has been guilty of conduct which renders him unsuitable to continue to hold office as a member; or

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

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

11 Filling of vacancies of Board

On the death of, or the vacation of office by, a member, the Minister shall appoint a person to fill the vacancy.

12 Meetings and procedure of Board

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

Provided that a meeting of the Board shall be held not fewer than three times in each financial year of the Corporation.

(2) The chairman of the Board may himself at any time and shall, at the request in writing of not fewer than two members convene a special meeting of the Board, which meeting shall be convened for a date not sooner than seven days nor later than thirty days after receipt of such request.

(3) If at a meeting of the Board the chairman and the deputy chairman are both absent, the members present may elect one of their number to preside at that meeting as chairman.

(4) A majority of members shall form a quorum at a meeting of the Board.

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

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

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

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

13 Committees of Board

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

Provided that—

(i) the vesting or imposition of any such functions in a committee shall not divest the Board of such functions; and

(ii) the Board may amend or withdraw any decision of any such committee in the exercise of its functions.

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

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

(4) The Board—

(a) shall appoint to any committee established in terms of subsection (1) at least one member of the Board, who shall be chairman of the committee;

(b) may appoint as members of any committee established in terms of subsection (1), on such terms and conditions as the Board may fix, persons who are not members of the Board.

14 Remuneration and expenses of members of Board and members of committees

A member of the Board or of a committee of the Board shall be paid from the funds of the Corporation—

(a) such remuneration, if any, as the Minister, with the approval of the Minister responsible for finance, may fix for members generally; and

(b) such allowances as the Minister, with the approval of the Minister responsible for finance, may fix to meet any reasonable expenses incurred by him in connection with the business of the Board or that committee, as the case may be.

15 Members to declare connection with companies and firms dealing with Corporation

(1) If a member or his spouse—

(a) tenders for or acquires or holds a direct or indirect pecuniary interest in a contract with the Corporation; or

(b) knowingly acquires or holds a direct or indirect pecuniary interest in a company, co-operative or association of persons applying or negotiating for a contract with the Corporation; or

(c) owns immovable property or a right in immovable property or a direct

or indirect pecuniary interest in a company, co-operative or association of persons which results in his private interests coming or appearing to come into conflict with his duties as a member;

the member shall forthwith disclose the fact to the Board.

(2) A member referred to in subsection (1) shall take no part in the consideration or discussion of, or, vote on, any question before the Board which relates to any contract, right, immovable property or interest referred to in that subsection.

(3) The general manager shall not take any part in the consideration or discussion of any question before the Board which relates to the terms and conditions of his appointment as general manager.

16 Validity of decisions and acts of Board

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

(a) the Board consisted of fewer than the number of persons for which provision is made in subsection (1) of section six; or

(b) a disqualified person acted as a member at the time the decision was taken or the act was done or authorized.

17 Execution of contracts and instruments by Corporation

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

18 Minutes of proceedings of Board and Committees

(1) The Board shall cause minutes of all proceedings of and decisions taken at a meeting of the Board or of a committee of the Board to be entered in books kept for the purpose.

(2) Any minutes referred to in subsection (1) which purport to be signed by the chairman of the meeting to which the minutes relate or by the chairman of the next following meeting of the Board or the committee concerned, as the case may be, shall be accepted for all purposes as prima facie evidence of the proceedings of and decisions taken at the meeting concerned.

PART III

OBJECTS AND FUNCTIONS OF CORPORATION

19 Objects of Corporation

Subject to this Act, the objects of the Corporation shall be—

(a) to encourage and assist local authorities and regional planning councils and local planning authorities established in terms of the Regional, Town and Country Planning Act [Chapter 29:12] to plan and co-ordinate urban growth and development within development areas;

(b) to generate employment and encourage the development of commerce and industry within development areas;

(c) to assist in the provision of housing and social facilities within development areas to encourage people to live and work therein;

(d) to create and ensure the maintenance of an attractive environment within development areas;

(e) to provide all forms of assistance, including financial or technical assistance, management counselling, training, auditing and other services, information or advice, to—

(i) local authorities; and

(ii) co-operatives and commercial, industrial or other enterprises; in connection with urban development;

(f) to do all things which by this Act or any other enactment are required or permitted to be done by the Corporation.

20 General powers of Corporation

(1) Subject to this Act, the Corporation shall, for the better carrying out of its objects, have the power to do or cause to be done, either by itself or through its employees

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

(2) In the performance of its functions in terms of this Act, the Corporation may deal differently with different local authorities, co-operatives, enterprises and persons.

21 Conferring of functions of Corporation

(1) Subject to subsection (2), the Minister may, by statutory instrument, authorize or direct the Corporation to exercise within any development area—

(a) any of the functions of a local authority;

(b) any of the functions of a regional planning council or a local planning authority established in terms of the Regional, Town and Country Planning Act [Chapter 29:12];

in conjunction and co-operation with any such authority or council established for the area, for the purposes of encouraging, assisting and planning urban growth and development in the area concerned.

(2) The Minister shall not in terms of subsection (1) direct or authorize the Corporation to exercise any function within—

(a) a local authority area, except after consultation with that local authority; or

(b) an area for which a regional planning council or local planning authority has been established in terms of the Regional, Town and Country Planning Act [Chapter 29:12] except after consultation with that regional planning council or, local planning authority.

22 Principles to be observed by Corporation

(1) In the exercise of its functions in terms of this Act, the Corporation shall—

(a) co-operate with any local authority or any regional planning council or local planning authority established under the Regional, Town and Country Planning Act [Chapter 29:12] for any development area;

(b) pay due regard to any regional, master or local plan prepared under the Regional, Town and Country Planning Act [Chapter 29:12] and operative within any development area;

(c) endeavour to ensure that urban growth or development is co-ordinated within and between urban areas and centres, and that it takes place to an extent that can be sustained by the surrounding rural areas;

(d) have regard to the national interest of Zimbabwe in all its dealings with or in relation to local authorities, co-operatives and enterprises;

(e) generally, direct its activities towards implementing Government policy in the field of development.

(2) The Corporation shall not grant financial assistance to any particular local authority, co-operative or enterprise in an amount that exceeds such amount as the Minister, with the approval of the Minister responsible for finance, may fix from time to time by written notice to the Corporation:

Provided that, in any particular case in which he considers that special circumstances exist and with the approval of the Minister responsible for finance, the Minister may permit the Corporation to grant financial assistance in such additional amount as he may specify.

23 Reports of Corporation

(1) In addition to any annual report which the Corporation is required to submit to the Minister in terms of the Audit and Exchequer Act [Chapter 22:03], the Corporation—

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

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

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

(2) The Corporation shall give the Minister such information relating to the operations, undertakings or property of the Corporation as the Minister may at any

time require.

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

24 Appointment of general manager

(1) The Corporation—

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

(b) may, with the approval of the Minister, assign to the general manager of the Corporation such of the functions of the Corporation as the Board thinks fit.

(2) Members shall not be eligible to be appointed general manager of the Corporation.

(3) Without the authority of the Minister, no person shall be appointed as general manager of the Corporation if he is not ordinarily resident in Zimbabwe.

(4) The appointment of the general manager of the Corporation shall be terminated if he would be required in terms of paragraph (b) or (c) of section nine to vacate his office had the provisions of that section and of paragraphs (b) and (c) of section eight applied to him.

(5) Any assignment of functions in terms of paragraph (b) of subsection (1)—

(a) may be made either generally or specially and subject to such restrictions, reservations and exceptions as the Board may determine;

(b) may be revoked by the Board at any time;

(c) shall not preclude the exercise of the functions by the Board itself.

(6) The general manager of the Corporation shall have the right to attend meetings and take part in the proceedings of the Board as if he were a member but shall not have a vote on any question before the Board.

25 Minister may give Corporation directions in national interest

The Minister, after consultation with the Board, may give to the Corporation such directions of a general character relating to the exercise by it of its functions as appear to the Minister to be requisite in the national interest.

(2) The Corporation shall, with all due expedition, comply with any direction given to it in terms of subsection (1).

PART IV

FINANCIAL PROVISIONS RELATING TO CORPORATION

26 Funds of Corporation

The funds of the Corporation shall consist of—

(a) such moneys as may be payable to the Corporation from moneys appropriated for the purpose by Act of Parliament; and

(b) such moneys as may, with the approval of the Minister responsible for finance, be obtained by the Corporation as loans or by way of other financial assistance; and

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

27 Investment of moneys not immediately required by Corporation

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

28 Corporation to make certain charges to revenue account

(1) The Corporation shall charge to its revenue account all charges which, in the normal conduct of business, are regarded as proper to be charged to revenue account and, in so doing, shall make in each financial year proper provision for—

(a) the depreciation or diminution in value of assets; and

(b) the payment of interest on and all other charges and expenses incurred in connection with loans; and

(c) the redemption of loans at due times to the extent that such

redemption exceeds provision for depreciation.

(2) In charging to its revenue account all charges which in the normal conduct of business are regarded as proper to be charged to revenue account as provided in subsection (1), the Corporation may, in each financial year, make provision for—

(a) meeting, in whole or in part, increases in the cost of replacing assets to an extent approved by the Minister after consultation with the Minister responsible for finance;

(b) making payments to an insurance fund established by the Corporation to meet, in whole or in part, such liabilities of the Corporation as the Minister may approve; and

(c) making payments to a pension fund to meet, in whole or in part, superannuation liabilities of the Corporation.

29 Establishment and operation of reserve fund

(1) The Corporation may establish a reserve fund to which, subject to this Part, may be appropriated from a surplus of income over expenditure at the end of its financial year such sums as the Board may approve.

(2) Subject to this Part, moneys in the reserve fund established in terms of subsection (1) may be used for such purposes as the Board may consider expedient for the proper exercise by the Corporation of its functions, including the development of its assets.

(3) The Board shall comply with any directions which the Minister may give in relation to the management of the reserve fund established in terms of subsection (1).

30 Meeting of deficiencies

(1) If in any financial year the income of the Corporation, together with any surplus income brought forward from a previous financial year, is insufficient to enable the Corporation to meet the charges and to make the provisions required by section twenty-eight, the deficiency shall, unless the Minister otherwise directs, be met from the reserve fund established in terms of section twenty-nine.

(2) If the moneys in the reserve fund are insufficient for the purpose of meeting the deficiency referred to in subsection (1), the Minister may, out of moneys appropriated for the purpose by Act of Parliament, meet the whole or any portion of the amount of the deficiency outstanding after the application of the moneys in the reserve fund to that purpose either at the end of the financial year or at such time thereafter as he considers expedient.

(3) Any payment made in terms of subsection (2) shall be regarded as a loan made by the State to the Corporation and shall be repayable by the Corporation on such terms and conditions as the Minister, with the concurrence of the Minister responsible for finance, may fix.

31 Financial year of Corporation

The financial year of the Corporation shall be the period of twelve months ending on the 30th June in each year or on such other date as may be prescribed.

32 Accounts of Corporation

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

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

33 Audit of accounts of Corporation

(1) The Corporation shall appoint as auditors one or more persons approved by the Minister who are registered as public auditors in terms of the Public Accountants and Auditors Act [Chapter 27:12] or who, in the opinion of the Minister, are otherwise competent to carry out the functions of auditors in terms of this Part.

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

(3) The auditors appointed in terms of subsection (1) shall make a report to the Board and the Minister on the statement of accounts prepared in terms of subsection (2) of

section thirty-two and such report shall state whether or not in their opinion the statement of accounts gives a true and fair view of the state of the financial affairs of the Corporation.

(4) In addition to the report referred to in subsection (3), the Minister may require the Board to obtain from the auditors appointed in terms of subsection (1) such other reports, statements or explanations in connection with the operations, undertakings and property of the Corporation as the Minister may consider expedient.

(5) If, in the opinion of the auditors appointed in terms of subsection (1)—

(a) they have not obtained the information and explanations they require;
or

(b) any accounts and records relating thereto have not been properly kept by the Corporation; or

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

34 Powers of auditors

The auditors appointed in terms of subsection (1) of section thirty-three shall be entitled at all reasonable times to require to be produced to them all accounts and other records relating thereto kept by the Corporation or its agents and to require from any member or person employed by the Corporation or its agents such information and explanations as in their opinion are necessary for the purpose of their audit.

PART V

GENERAL

35 Exemption from liability of Corporation and members

No liability shall attach to the Corporation or to any member for any loss or damages sustained by any person as a result of the bona-fide exercise or performance by the Corporation, the Board, a committee of the Board, the general manager of the Corporation or any employee or agent of the Corporation of any function of the Corporation, the general manager or the Board in terms of this Act or any other law: Provided that this section shall not be construed so as to prevent any person from recovering, by action in a court of competent jurisdiction, compensation for any loss or damage sustained by him which was caused by negligence or breach of contract.

36 Indemnity of members and officers of Corporation

The Corporation shall indemnify every member of the Board or of a committee of the Board and the general manager and every auditor, employee or agent of the Corporation against any costs incurred by him in—

(a) defending any proceedings, whether civil or criminal, which arise out of his duties as member, general manager, auditor, employee or agent of the Corporation, as the case may be, and in which judgment is given in his favour or he is acquitted, as the case may be; and

(b) making any application to court on behalf of the Corporation.

37 Investigation into affairs of Corporation

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

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

38 Proceedings on failure of general manager, Board or Corporation to comply with Act

(1) If at any time the Minister is satisfied that the general manager, the Board or the Corporation has failed to comply with this Act, he may, by notice in writing, require the general manager, the Board or the Corporation, as the case may be, to make good

the default within a specified time.

(2) If the general manager, the Board or the Corporation fails to comply with a notice issued in terms of subsection (1), the Minister may apply to the High Court for an order compelling the general manager, the Board or the Corporation, as the case may be, to remedy the default and the High Court may make such order on the application as it thinks fit.

39 Sale of securities

(1) Notwithstanding anything to the contrary contained in any contract executed by or on behalf of the Corporation, where there has been default in the repayment of any loan or financial assistance granted by the Corporation, the Corporation shall not sell or dispose of any thing given or made over as security for the due repayment of such loan or financial assistance unless the Corporation has, thirty days or more prior to the sale or disposal, served upon the owner of the thing concerned, by registered post, a notice informing the owner of the intended sale or disposal.

(2) The sale or disposal by the Corporation of any thing given or made over as security for a loan or financial assistance given by the Corporation shall be effected without any warranty given or deemed to have been given by the Corporation as to the nature or suitability of the thing or the title of the acquirer.

40 Offices of Corporation

(1) The head office of the Corporation shall be in such place as the Board, with the approval of the Minister may fix.

(2) With the approval of the Minister, the Board may establish branch offices within Zimbabwe in places outside Harare.

41 Regulations

(1) The Minister, after consultation with the Board, may make regulations prescribing anything which in terms of this Act is to be prescribed or which, in his opinion, is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Regulations made in terms of subsection (1) may provide for—

(a) the furnishing of information by local authorities and other bodies concerning urban growth and development within their areas;

(b) the facilitating of co-operation between local authorities and other bodies in relation to urban growth and development;

(c) the form of financial assistance that may be provided by the Corporation to local authorities, co-operatives and enterprises, and the manner in which it may be provided;

(d) the issuing of orders or directions by the Minister, after consultation with the local authority concerned, to any local authority to set aside, notwithstanding any other law to the contrary, not more than two per centum of its revenues in each or any financial year for the purposes of encouraging, assisting and planning urban growth and development in the area of the local authority concerned.

(3) Regulations made in terms of subsection (1) may provide penalties for contraventions thereof but no such penalty shall exceed a fine of two hundred dollars or imprisonment for a period of three months or both such fine and such imprisonment.

SCHEDULE (Section 20)

POWERS OF CORPORATION

1. To prepare, publish and, subject to this Act, to implement plans and programmes for urban growth or development within any area or within Zimbabwe as a whole.

2. To recommend to the appropriate Ministries and authorities economic and other measures which, in the opinion of the Board, will encourage urban growth or development within any area or within Zimbabwe as a whole.

3. To acquire immovable property necessary or convenient for the exercise of its functions and, for that purpose, to buy, take in exchange, hire or otherwise acquire immovable property and interests therein and rights over the same

and concessions, grants, rights, powers and privileges in respect thereof.

4. To buy, take in exchange, hire or otherwise acquire movable property necessary or convenient for the exercise of its functions.

5. To reclaim, redevelop, alter, improve or maintain any movable or immovable property.

6. To carry out building or other operations.

7. To seek, to ensure the provision of water, electricity, sewerage or other services within any development area.

8. To perform the functions of an auditor for any local authority, person or association of persons.

9. To carry on any business or undertaking.

10. To encourage and assist local authorities to establish urban development units or departments for the purpose of stimulating urban growth and development.

11. To co-operate or enter into partnership or association with any local authority, person or association of persons carrying on or engaged in or about to carry on or engage in any business, enterprise or transaction capable of being conducted so as directly or indirectly to further the objects of the Corporation.

12. To acquire an interest in or provide, by underwriting or otherwise, or assist in the subscription of, capital for any co-operative or commercial, industrial or other enterprise, or for any persons who, in the opinion of the Board, are about to form a co-operative or a commercial, industrial or other enterprise.

13. To sponsor, support or organize conferences, seminars and meetings for the promotion of urban growth and development.

14. To mortgage any assets or part of any assets and, with the approval of the Minister, to sell, exchange, lease, dispose of, turn to account or otherwise deal with any assets or part of any assets which are not required for the exercise of its functions for such consideration as the Board may determine.

15. To make, draw, accept, endorse, discount and otherwise deal in bills of exchange, invoices and other documents and securities, whether transferable, negotiable or not.

16. To insure against losses, damages, risks and liabilities which it may incur.

17. To make contracts and enter into suretyships or give guarantees in connection with the exercise of its functions and to modify or rescind such contracts, suretyships and guarantees.

18. To fix and recover fees and charges for any service or thing which the Corporation provides or does in terms of this Act or any other law.

19. To raise or borrow or secure the payment of money or the performance of any obligation, in such manner and on such terms as may seem expedient.

20. With the approval of the Minister, to enter into, renew, cancel or abandon arrangements with any organization or authority, local or otherwise, that may seem conducive to the exercise of any or all of its functions and to obtain from such organization or authority rights, privileges and concessions which it thinks desirable to obtain and to carry out, exercise and comply with such arrangements, rights, privileges and concessions.

21. To establish and administer such funds and reserves, not specifically provided for in this Act, as the Board may consider appropriate or necessary for the proper exercise of the functions of the Corporation.

22. With the approval of the Minister, given with the concurrence of the Minister responsible for finance, to assume responsibility for administering any rates fund established in terms of Part V of the Housing and Building Act [Chapter 22:07].

23. To employ, on such terms and conditions as the Board may fix with the approval of the Minister given after consultation with the Public Service Commission, such persons, apart from the general manager, as are necessary for

exercising the functions of the Corporation.

24. To suspend, discipline or discharge persons employed in terms of paragraph 23.

25. With the approval of the Minister and the Minister responsible for finance, given after consultation with the Public Service Commission, to provide pecuniary benefits for its employees on their retirement, resignation, discharge or other termination of service or, in the event of their sickness or injury and for their dependants, and for that purpose to effect policies of insurance, establish pension or provident funds or make such other provision as may be necessary to secure for its employees and their dependants any or all of the pecuniary benefits to which this paragraph relate.

26. With the approval of the Minister and the Minister responsible for finance, to make loans or guarantee loans made to its employees or their spouses for the purchase of dwelling-houses or land which are the property of its employees or their spouses.

27. To provide security in respect of loans such as are described in paragraph 26 by the deposit of securities, in which the Corporation may invest such moneys as the Board may consider necessary for the purpose.

28. To do anything for the purpose of improving the skill, knowledge or usefulness of its employees and in that connection to provide or assist other persons in providing facilities for training, education and research.

29. Generally, to do all things that are calculated to achieve or facilitate or that are incidental or conducive to the achievement of the objects of the Corporation in terms of this Act or any other enactment.

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