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2003

MAGISTRATES COURT AMENDMENT

No. 9

ZIMBABWE

ACT

To amend the Magistrates Court Act [Chapter 7:10].

ENACTED by the President and the Parliament of Zimbabwe.

1 Short Title

This Act may be cited as the Magistrates Court Amendment Act, 2003.

2 New section substituted for section 63 of Cap 7:10

Section 63 of the Magistrates Court Act [*Chapter 7:10*] is repealed and the following is substituted-

“63 Execution of sentence of imprisonment, fine or community service not suspended pending review or appeal unless bail granted

(1) The execution of any sentence of imprisonment, fine or community service shall not be suspended by –

(a) the transmission of or the obligation to transmit the record of the proceedings in the case for review in terms of section *fifty-seven* or for scrutiny by a regional magistrate in terms of section *fifty-eight*; or

(b) the noting of an appeal referred to in section *sixty* ;

unless-

(i) in the case of imprisonment or fine, bail is granted by a judge or magistrate in terms of section 123 of the Criminal Procedure and Evidence Act [*Chapter 9:07*]; or

(ii) in the case of community service, an application is granted by the magistrate to suspend the operation of the sentence pending determination of the appeal.”.