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and whenever it appears necessary to do so in order to give effect to the provisions of this subsection, the Commission may depart from the requirements of subsection (3), but in no case to any greater extent than twenty *per centum* more or less than the average number of registered voters in constituencies on the common roll.

[Subsection as amended by section 10 of Act 15 of 1987]


- (5) The Delimitation Commission shall submit to the President a report comprising —
- (a) a list of constituencies delimited by the Commission, with the names assigned to each and a description of their boundaries;
 - (b) a map or maps showing the constituencies into which Zimbabwe has been divided by the Commission; and
 - (c) any further information or particulars which the Commission considers necessary.
- (6) The President may refer back to the Delimitation Commission for its further consideration and final decision any matter arising out of its report.
- (7) If there appears to be any discrepancy between the description of the boundaries of any constituency and the map or maps, the description shall prevail.
- (8) As soon as may be after the Delimitation Commission has completed its report, the President shall, by proclamation in the *Gazette*, declare the names and boundaries of the constituencies as finally settled by the Commission to be the constituencies of Zimbabwe which shall have effect for the purposes of the next and any subsequent general election.

61. Electoral Supervisory Commission

- (1) There shall be an Electoral Supervisory Commission which shall consist of —

 (a) a chairman and two other members appointed by the President after consultation with the Judicial Service Commission; and

[Paragraph as substituted by section 5 of Act 23 of 1987]

 (b) two other members appointed by the President after consultation with the Speaker.

[Paragraph as substituted by section 5 of Act 23 of 1987
and as amended by section 26 of Act 31 of 1989]

- (2) A person shall not be eligible for appointment if —

(a) he is a member of Parliament or any local authority; or

[Paragraph as amended by section 5 of Act 1 of 1983
and by section 26 of Act 31 of 1989]

(b) he is a public officer.

- (3) The electoral Supervisory Commission shall supervise the registration of voters and the conduct of elections of members of Parliament and shall consider any proposed Bill or proposed statutory instrument relating to the registration of voters or to the election of members of Parliament that may be referred to it.

[Subsection as amended by section 26 of Act 31 of 1989
and by section 9 of Act 30 of 1990]

- (4)

[Subsection repealed by section 9 of Act 30 of 1990]

- (5) The Electoral Supervisory Commission may make such reports to the President concerning the matters under its supervision or any draft Bill or statutory instrument that is referred to it as it thinks fit and, if the Commission so requests in any such report other than a report on a draft Bill or statutory instrument, the Minister shall ensure that the report concerned is laid before Parliament.

[Subsection as amended by section 26 of Act 31 of 1989]

(6) The Electoral Supervisory Commission shall not, in the exercise of its functions in terms of subsection (3) or (5), be subject to the direction or control of any person or authority.

[Subsection as inserted by section 4 of Act 4 of 1985
and as amended by section 9 of Act 30 of 1990]

(7) An Act of Parliament may make provision for the powers and functions of the Electoral Supervisory Commission and, without prejudice to the generality of the foregoing, may make provision for the disqualifications, tenure of office and remuneration of the members thereof.

[Subsection as inserted by section 4 of Act 4 of 1985]

(8) Where the members of the Electoral Supervisory Commission are not unanimous in regard to any matter, the view of the majority shall prevail.

[Subsection as inserted by section 4 of Act 4 of 1985]

(9) The salary paid to a member of the Electoral Supervisory Commission shall not be reduced during his tenure of office.

[Subsection as inserted by section 4 of Act 4 of 1985]

62. Sessions

(1) Subject to the provisions of subsection (2), the sessions of Parliament shall be held in such place and shall begin at such time as the President may, by proclamation in the *Gazette*, fix.

(2) There shall be a session of Parliament beginning in every calendar year so that a period of more than one hundred and eighty days shall not intervene between the last sitting of Parliament in any one session and the first sitting of Parliament in the next session.

[Subsection as amended by section 26 of Act 31 of 1989]

63. Prorogation or dissolution

(1) The President may at any time prorogue Parliament.

[Subsection as substituted by section 6 of Act 23 of 1987]

(2) Subject to the provisions of this Constitution, the President may at any time dissolve Parliament.

[Subsection as substituted by section 6 of Act 23 of 1987]

(3)

[Subsection repealed by section 6 of Act 23 of 1987]

(4) Parliament, unless sooner dissolved, shall continue for five years beginning on the date when Parliament first meets after any general election and shall then stand dissolved:

Provided that, where the period referred to in this subsection is extended under subsection (5) or (6), Parliament, unless sooner dissolved, shall stand dissolved on the expiration of that extended period.

(5) At any time when Zimbabwe is at war, Parliament may from time to time extend the period specified in subsection (4) by not more than one year at a time:

Provided that such period shall not be extended under this subsection for more than five years.

(6) At any time when there is in effect a declaration under section 31J(1), Parliament may from time to time extend the period specified in subsection (4) by not more than six months at a time:

Provided that such period shall not be extended under this subsection for more than one year.

[Subsection as amended by section 26 of Act 23 of 1987]

(7) Subject to the provisions of subsection (4), any prorogation or dissolution of Parliament shall be by proclamation in the *Gazette* and, in the case of a dissolution, shall take effect from the day preceding the day or first day, as the case may be, fixed by proclamation in accordance with section 38(1) for the holding of a general election.