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HARARE

DATE: 2007

**Acting Town Clerk
Town House
Harare**

Dear Sir/ Madam,

Re: OBJECTION TO THE PROPOSED 2007 CITY BUDGET

I am Mr/s _____ and I reside at House No. _____
_____ Harare.

I am a resident and or rate payer in the City of Harare.

I am aware that in terms of the law and more specifically the Urban Councils Act (Chapter 29:15). Residents must be consulted before the budget is implemented. I am entitled to at least thirty (30) days' written notice before any levies, rates and or tariffs charged by the City of Harare can be implemented.

I am further aware that I am also legally entitled to administrative justice that is lawful, reasonable and fair. The Administrative Justice Act [Chapter 10:28] especially Section 3 thereof is instructive on this point.

I am further aware that there is an implied contract between myself and the City of Harare in terms of which the Council provides me with municipal services and I pay for the same. Having stated the above I wish to put on record, my objection to the proposed 2007 City Budget as advertised on Thursday 14 December 2006 in the Herald because:

CHRA for Enhanced Civic Participation in Local Governance

1. According to the Urban Councils' Act (Chapter 29:15) Section 219 (2)(a)(b) the proposed budget must be readily available at all Municipal Offices for not less than 30 days from the date of first advertisement in the newspaper (14 December 2006) meaning the 30 days will lapse on 14 January 2007. Copies of the proposed budget are not available at District Offices and I am unable to access them anywhere else to study the proposals. The statutory Notice in terms of the Urban Councils Act has not been honoured and as such the proposed rates are tainted with irregularities insofar as due process is concerned.
2. The principles of natural justice which the Council should observe in terms of the law have been flagrantly disregarded and revised are unlawful and unreasonable, which I cannot pay.
3. The proposed rates in the budget are beyond my means and I am therefore unable to pay them. Take note that essential and basic services like ambulance fees, burial and supplementary charges are too exorbitant as compared to such luxuries as hiring of sporting facilities.
4. The proponents of the proposed budget lack any mandate from residents and are illegal.
5. The rates review also amounts to a unilateral variation of the implied contract between me and council as it was done without consulting me and or any representations from me. This was unlawful and further makes the proposed rates a legal nullity and therefore of no force and effect.

Be guided accordingly.

Yours faithfully,

Cc: The Secretary – Ministry of Local Government and Urban Development
Cc: Combined Harare Residents' Association (CHRA)
Cc: Zimbabwe Lawyers' for Human Rights (ZLHR)