

Your Address:

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HARARE

3rd July 2006

The Chairperson of the City of Harare Commission

Town House

Harare

Dear Madam,

Re: OBJECTION TO PAYMENT OF NEW WATER RATES

I am Mr/s_and I reside at Hse. NoHarare.

As you will appreciate I am a resident and rate payer in the city of Harare.

I am aware that in terms of the law and more specifically the Urban Councils Act, I am entitled to at least thirty (30) days' written notice before any levies, rates and or tariffs payable by me to the City of Harare may be reviewed.

I am further aware that I am also entitled at law and in fact as of legal right to administrative action 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 water services and I pay for the same upon appropriate service of and appropriate invoice for the said service.

Having stated the above I wish to put on record, as I hereby do, my objection to my payment of the amounts due for the month of June 2006 as calculated using the new tariffs because:

1. The statutory Notice in terms of the Urban Councils Act has not been honoured and as such the rates review is tainted with irregularities insofar as lawful procedure is concerned. Because of that it is a legal nullity as are the new rates it purports to introduce.
2. The principles of natural justice which the Council is legally obliged to observe in terms of the law have been flagrantly disregarded and as such the decision to review the rates is unlawful, unreasonable, and as such a legal nullity which I feel I cannot consciously pay.
3. The rates review also amounts to a unilateral variation of the implied contract between me and council seeing as it was done without notice to me and or any representations from me. You will no doubt appreciate that that in itself is also unlawful and makes the rates review also 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: CHRA

Cc: ZLHR

