



DRAFT 1.3 FOR CONSULTATION AND ADOPTION
HARARE, AUGUST 2026

ZIMBABWE E-HAILING ASSOCIATION

Disciplinary and Grievance Procedure

Enforcement machinery of the ZEHA Code of Conduct



1. Purpose and Scope

- 1.1** This Procedure is made under Article 12 of the Constitution. It governs: complaints against members for breach of the Code; the annual compliance audit; automatic suspension events; listings on the Shared Safety Registry and driver appeals; and grievances by drivers against member platforms. It binds every member by contract from signature of the Code.
- 1.2** Nothing in this Procedure limits any person's rights at law. The Procedure supplies the Association's internal remedies; it does not oust the courts, the police or any regulator, and the Association will cooperate with lawful investigations.

2. The Compliance Committee

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- 2.1** The Compliance Committee comprises three members per Article 12.1 of the Constitution: an independent legal practitioner chairperson, one member elected by Category A, and one drawn from Category D or the Drivers Council.
- 2.2** A committee member with an actual, potential or perceived conflict of interest in a matter, including where the respondent is a competitor of a member represented by that committee member, must disclose it and recuse. A substitute of the same class is appointed from the standing roster under clause 2.6.
- 2.3** The committee regulates its own proceedings subject to this Procedure, acts fairly and without bias, gives every respondent a reasonable opportunity to be heard, decides on a balance of probabilities, and gives short written reasons for every determination.
- 2.4** Independence from governance. The Founding President, Founder Nominees, Executive Board, Secretariat and Founding General Counsel may not select the outcome of a matter, direct findings, communicate privately with a decision-maker about the merits, or retaliate against a complainant, witness or panel member. Any attempted interference is disclosed to the parties, entered in the record and reported to the Ombudsman.
- 2.5** Counsel separation. Founding General Counsel and its partners, employees and affiliated practices may provide general procedural or secretariat advice only where no conflict exists. They may not sit on the Compliance Committee or an Appeal Panel, advise a decision-maker on the merits, investigate a contested matter, or represent any party in an Association proceeding. Independent counsel is engaged where legal advice to a decision-maker is needed.
- 2.6** Appointment safeguards. Committee and panel members sign annual independence and conflict declarations. Substitutes are selected from a standing roster approved by the annual general meeting on nominations from the Compliance Committee chair, Drivers Council and independent auditor; the Board records the appointment but may not substitute a person to affect a particular outcome.

3. Complaints Against Members

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- 3.1 Who may complain.** Any person: a passenger, a driver, another member, a government agency, or the Secretariat of its own motion (including on audit findings or media reports).
- 3.2 Form.** Complaints are lodged with the Secretariat in writing (including by email or the Association's online channel), identifying the member, the conduct, and the provision of the Code engaged.
- 3.3 Screening (7 days).** Ordinary consumer complaints first follow the member's process and then the Ombudsman, without excluding rights under sections 33 and 65 of the Consumer Protection Act [Chapter 14:44]. Safety emergencies are referred immediately. A Code-breach disciplinary case may proceed separately. Vexatious or plainly unfounded complaints are closed with reasons, subject to chairperson review.
- 3.4 Notice and reply (14 days).** The respondent member receives the complaint and files a written reply within fourteen days, extendable once by seven days for good cause.
- 3.5 Investigation.** The committee may call for records (including driver verification records), interview witnesses, commission an audit at the respondent's cost where a prima facie breach appears, and inspect at reasonable notice.
- 3.6 Hearing.** Where the matter is not resolved on the papers, the committee convenes a hearing, in person or by video conference. Members may be represented. Hearings are private; determinations are recorded.
- 3.7 Determination (60 days).** The committee determines the complaint within sixty days of the reply, save where it records reasons for a longer period.
- 3.8 Consumer redress interface.** Platform resolution is due within fourteen days; the Ombudsman then attempts conciliation and aims to close an ordinary complete matter within twenty-one days. A complainant may use the Consumer Protection Commission, a designated organisation or a court as permitted by law. No retaliation or obstruction of a statutory remedy is permitted.

4. The Sanctions Ladder

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- 4.1** Sanctions are proportionate to the gravity, duration and recurrence of the breach, and to the member's cooperation and remediation:
- (a) **Written warning.** Recorded on the member's compliance file.
 - (b) **Remediation plan.** Specific steps with deadlines; failure to complete is itself a breach.
 - (c) **Financial penalty.** Up to the maximum prescribed by the Executive Board and published in the First Schedule ledger of penalties; penalties fund the compliance programme.
 - (d) **Suspension.** Removal from good standing and suspension from the Register, published on the Register; the member may not display the ZEHA Registered mark while suspended.
 - (e) **Expulsion.** Termination of membership, published, with notification to the Office of the President and Cabinet and the Ministry of Transport and Infrastructural Development.
- 4.2** **Automatic suspension events.** A lapsed POTRAZ data controller licence (Category A), loss of ZIMRA tax clearance without remediation within thirty days, or loss of the insurance arrangements required by the Code, suspends the member automatically pending confirmation proceedings before the committee within twenty-one days.
- 4.3** **Interim measures.** Where continued conduct poses a serious risk to passenger safety or data protection, the chairperson may impose interim measures (including interim suspension) pending determination, with the respondent heard within seven days.

5. Appeals

- 5.1** A member may appeal a determination to an Appeal Panel of three drawn in rotation from the standing independent roster under clause 2.6: an independent legal practitioner as chair, one Category A representative not previously involved, and one person nominated by the Drivers Council or Category D. No appointee may be chosen by the respondent, complainant, Founding President, a Founder Nominee or Founding General Counsel

for a particular case. Notice of appeal is filed within fourteen days of the determination.

- 5.2** The Appeal Panel decides on the record, with further submissions at its discretion, within thirty days. Its decision is final within the Association. Suspension and expulsion take effect pending appeal only where the committee records that interim effect is necessary for safety or data protection.
- 5.3** Appeal Panel members decide independently and receive legal advice only from separate independent counsel where necessary. A governance office holder may implement a final decision but may not rehear or override it.

6. The Shared Safety Registry: Listing and Due Process

- 6.1 Reporting.** A Category A member reports a deregistration for a defined serious misconduct category within seven days of the deregistration becoming final under its published deactivation policy.
- 6.2 Notification.** The Secretariat notifies the driver in writing of the listing, the category, the listing period, and the right to be heard.
- 6.3 Right to be heard.** The driver may, within twenty-one days, challenge the listing before the Compliance Committee. The listing member bears the burden of showing the deregistration was for a defined category and followed its published due process.
- 6.4 Listing periods.** Proportionate to the conduct, as published by the Standards Committee: indicative bands are twelve months to indefinite for violence, sexual misconduct and robbery; six to twenty-four months for driving under the influence and dangerous driving; three to twelve months for identity fraud and account sharing. Indefinite listings are reviewable on application after three years.
- 6.5 Rehabilitation pathway.** On expiry of a listing period, and on completion of any prescribed remediation (retraining, certification), the listing is cleared and does not bar onboarding. Expired listings are not disclosed in Registry checks.
- 6.6 Data protection.** Registry entries record the minimum necessary data, are retained only for the listing period plus the audit retention window, are accessible only to authorised officers of members for onboarding checks, and

are processed per the Cyber and Data Protection Act [Chapter 12:07] under the design consulted with POTRAZ.

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7. Driver Grievances Against Platforms

- 7.1 A driver deactivated by a member platform receives written reasons and has a right of reply under the member's published policy. If the outcome stands, the driver may appeal to the Compliance Committee within twenty-one days.
- 7.2 On a driver appeal, the committee reviews whether the deactivation was for cause and followed the published policy. It may confirm the deactivation, direct reinstatement, or direct a lesser measure, and its determination binds the member.
- 7.3 Earnings and welfare grievances (statements, commission changes, accident cover) not resolved by the platform within fourteen days may be referred by the driver to the Ombudsman, whose service is free.

8. The Annual Compliance Audit

- 8.1 Each year the committee certifies each member's standing against the continuing conditions of its category: documentary verification (tax clearance, data controller licence, insurance), a sample audit of driver verification records, and a review of complaint and incident handling against the Code service levels.
- 8.2 Audit findings are graded: compliant; compliant with observations; remediation required (with a plan under clause 4.1(b)); or referral to disciplinary proceedings. Only members certified compliant, or compliant with observations, are in good standing for the ZEHA Registered mark.

9. Records and Confidentiality

- 9.1 The Secretariat keeps a confidential register of complaints, determinations and sanctions. Published sanctions appear on the public Register. Anonymised complaint volumes, outcomes and resolution times feed the monthly Government dashboard and Ombudsman's annual summary. Records are retained for five years under the Cyber and Data Protection Act.

Annexure: Indicative Disqualifying Convictions (Driver Verification Standard)

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Applied with proportionality and rehabilitation provisions; spent or remote convictions are weighed against the driver's record since. The Standards Committee maintains and publishes the definitive list.

CATEGORY	INDICATIVE DISQUALIFICATION
Violence: murder, culpable homicide (vehicular contexts assessed separately), assault GBH, robbery	Disqualifying; reviewable after listing period where sentence completed
Sexual offences	Disqualifying
Theft, fraud, extortion within the last five years	Disqualifying pending committee review
Driving under the influence within the last three years	Disqualifying for the band period in clause 6.4
Dangerous driving causing death or serious injury	Disqualifying for the band period in clause 6.4
Other convictions	Assessed on proportionality: relevance to passenger safety, recency, rehabilitation

END OF DISCIPLINARY PROCEDURE

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