

Adam James Hartnack Judgment Document | Typed Court Summary

Harare Magistrates Court Judgment Summary

The uploaded court judgment relates to criminal proceedings involving Adamair (Private) Limited and Adam James Hartnack before the Harare Magistrates Court under Case No. ACC-58-59/21 dated 22 November 2021. The matter concerned allegations connected to cloud seeding operations conducted for the Meteorological Services Department of Zimbabwe during the 2018/2019 rainy season. The State alleged that Adamair (Private) Limited and Adam James Hartnack had misrepresented aircraft availability during the contract period. According to the ruling, the State claimed that one aircraft, Baron 58 registration Z-NXS, was allegedly outside the country undergoing maintenance while cloud seeding operations were being conducted. The judgment records that investigations and evidence were presented by the State during the proceedings, including testimony from witnesses connected to the Meteorological Services Department and the Zimbabwe Anti-Corruption Commission. The court then examined the legal requirements necessary to establish a prima facie case for fraud under Zimbabwean law. The magistrate outlined that fraud required proof of:

- A false misrepresentation of fact
- Knowledge that the statement was false
- Intention to induce another party to act upon the alleged misrepresentation
- Proof that prejudice or potential prejudice resulted from the alleged conduct

Throughout the judgment, the court repeatedly noted that there was insufficient evidence showing that the disputed document had ever been presented to the Meteorological Services Department of Zimbabwe or acted upon by the department. The magistrate further stated that there was no evidence proving that any alleged misrepresentation had induced the Meteorological Services Department to act to its prejudice. The court concluded that the State had failed to prove an essential element of the offence of fraud and therefore failed to establish a prima facie case against the accused persons.

Final Verdict

“Discharged at close of State case and found not guilty and acquitted.”

The ruling was issued by Regional Magistrate N. Mupeiwa of the Harare Magistrates Court.