

SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

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THE EDUCATION ACT

(No. 26 of 1964)

THE EDUCATION RULES, 1977

(Under section 11)

(Date of commencement: 17th. June 1977)

In exercise of the powers conferred on him by the abovementioned Act, the Honourable the Minister for Education is pleased to make the following Rules —

Citation.

1. These Rules may be cited as the Education Rules, 1977.

Interpretation.

2. Unless the context otherwise requires in these Rules —

“aided school” means a school in receipt of a grant-in-aid under Rule 3;

“approved estimates” means the estimates of revenue and expenditure of the Government for the current financial year, as approved by the Legislative body of Swaziland;

“Director” means Director of Education;

“district” means an area defined in accordance with section 6 of the General Administration Act, No. 11 of 1905;

“district education officer” means an education officer in charge of education in a district;

“education officer” means an officer in the Ministry of Education;

“maintained school” means a school fully maintained from public funds;

“primary school” means a lower primary school or higher primary school;

“secondary school” means a junior secondary school or high school;

“taxpayer” means a person who is liable to pay tax under income tax or graded tax;

Grants-in-aid.

3. The Director may, within the limits of the funds made available for the purpose in the approved estimates, make a grant-in-aid to a school for educational purposes, if he is satisfied that —

- (a) the school is registered in accordance with the Act;
- (b) the agency controlling the school has appointed a grantee, approved by the Director to act on its behalf in all matters relating to the work and welfare of such school;

Provided that the Director may at any time withdraw such approval if, in his opinion, the grantee is incompetent or unfit to perform the duties required of him;

- (c) the salaries of teachers on scales approved by the Director are being paid;
- (d) the school buildings, furniture and equipment fulfil the minimum requirement laid down in these Rules;
- (e) the school provides efficient instructions in accordance with the syllabus laid down by the Director;
- (f) the income of the school is used exclusively for the purpose of education in such school;
- (g) all books, admission registers and daily attendance registers specified by the Director are provided and accurately kept;
- (h) no teacher is permitted to undertake any activities, apart from his normal duties, which in any way interfere with the internal or external activities of the school;
- (i) the average daily attendance is not less than fifteen pupils;
- (j) in primary schools, no teacher has more than fifty pupils enrolled in his class ;
- (k) in secondary schools, no teacher has more than forty pupils enrolled in his class;
- (l) in vocational and teacher training schools, no teacher has more than twenty five pupils enrolled in his class; and
- (m) the teachers possess such qualifications as are laid down by the Director;

Provided that, for any special reason, the Director may, in writing permit non-compliance with any or all of the requirements of this Rule.

Admission and transfer of pupils.

4. (1) Save with the written permission of the Director no pupil shall be admitted to any —

- (a) primary or secondary school except during the months of January and February in any year, otherwise than in the case of a transfer of such pupil from one school to another under paragraph (4) hereof;

- (b) such school before the beginning of the year in which he turns seven years of age;
- (c) grade one class in such school after having reached the proven or apparent age of nine years;
- (d) form I class in such school after having reached the proven or apparent age of seventeen years; unless such pupil has by annual promotion received continuous primary schooling in Swaziland commencing with a grade one class, and successfully completed his primary course at the end of the previous year;
- (e) form II class in such school after having reached the proven or apparent age of eighteen years, unless such pupil has successfully completed form I in a Swaziland school at the end of the previous year;
- (f) form III class in such school after having reached the proven or apparent age of nineteen years, unless such pupil was promoted from Form II in the same school at the end of the previous year;
- (g) form IV class in such school after having reached the proven or apparent age of twenty years, unless such pupil has successfully completed Form III in a Swaziland school at the end of the previous year; or
- (h) form V class in such school after having reached the proven or apparent age of twenty one years, unless such pupil was promoted after one year in Form IV in the same school at the end of the previous year;

(2) In teacher-training and vocational schools, candidates for admission shall be not less than seventeen years of age.

(3) The names of all pupils admitted to school shall be entered immediately in the school admission and attendance registers.

(4) No pupil shall be transferred from one school to another without a transfer card obtainable from the Ministry.

(5) The right of admission of new pupils and acceptance of transferees rest with the headmaster in conjunction with the district education officer:

Provided that in no case shall admissions and acceptances cause numbers in classes to exceed the maxima laid down in Rule 3(j) and (k).

(6) Admission to primary schools shall be only of children of parents resident in Swaziland.

(7) In junior secondary, teacher training and vocational schools —

- (a) first priority for admission shall be given to qualified candidates whose parents are resident in Swaziland; and
- (b) only after all such candidates have been admitted, shall places be offered to candidates whose parents are resident outside, Swaziland, and, in such case, first priority shall be give to those of whom at least one parent is a tax-payer of Swaziland.

Boarding of pupils.

5 (1) No person shall keep boarders at a school without the written consent of the Director, who may, in his discretion, withdraw such consent if it appears to him that the boarding establishment is being maintained in a manner likely to be detrimental to the physical, mental or moral welfare of the boarders .

(2) The maximum number of boarders who may be accommodated in a particular dormitory shall be as laid down by the Director.

(3) All boarding schools shall have proper sleeping, cooking, eating and sanitary facilities approved by the Director, an adequate water supply and provision for artificial lighting.

(4) The grantee or headmaster in charge of a boarding school shall submit a scale of diet to the Director if called upon by him to do so, and shall comply with any diet laid down by the Director.

School Calendars and Hours of Instruction.

6. (1) In primary and secondary school, terms and holidays shall be laid down by the Permanent Secretary.

(2) In teacher-training and vocational schools, terms and holidays shall be submitted to the Ministry for approval, and be subject to such approval.

(3) The minimum teaching hours in schools, exclusive of all intervals or recreation or meals, shall be —

- (a) grades I and II — 5 hours a day;
- (b) grades III to VII — 5½ hours a day;
- (c) forms I to V — 6½ hours a day; and
- (d) teacher training and vocational classes — 6½ hours a day.

(4) A properly drafted time-table which shall be subject to the approval of the Director shall be displayed in a conspicuous part of each school.

Standard of tuition, accommodation and equipment.

7. (1) Each school shall have a time piece and a school bell.

(2) Classroom accommodation shall provide at least twelve square feet of floor for each pupil on the register.

(3) A school shall be well lighted, ventilated and roofed and be kept in a clean and satisfactory state.

(4) Seating accommodation shall be provided for all pupils.

(5) Desks shall be provided for all pupils in classes above the grades.

(6) Every classroom shall have a table, chair, cupboard, T-square, blackboard and chalk for the teacher.

(7) Suitable provision shall be made for the safe-keeping, under lock and key, of registers, stockbooks, tools and stationary supplies.

(8) At every school, separate sanitary conveniences, of types approved by the Chief Medical Officer of Swaziland shall be provided for boys and girls.

(9) In schools where practical and technical subjects are taken as examinations subjects, suitable classrooms and equipment shall be provided.

(10) In all high schools, a suitable laboratory shall be provided.

(11) At every school, a log-book shall be kept for the use of the headteacher, education officer, grantee, inspector or other person authorised to inspect the school.

Teachers' qualifications.

8. (1) Save with the written permission of the Director —

(a) no teacher holding a qualification of less than a pass out of Form III issued by an authority recognised by the Director shall be appointed to any school;

(b) only teachers possessing teachers' certificates recognised by the Director shall be kept appointed to headships.

Awards of local bursaries.

9. (1) The Director may, within the limits of the funds made available to him in the approved estimates, award a bursary to a pupil of whom at least one parent is a resident and taxpayer of Swaziland, for the purpose of providing assistance towards the cost of tuition and boarding in primary, secondary, teacher training and vocational schools.

(2) Bursary applications, on a form approved by the Director shall be addressed to him through the district education officer of the district who shall together with the district bursary selection committee, if satisfied that a parent is a permanent resident and taxpayer of Swaziland, certify to that effect.

(3) If the parent relinquishes residence in Swaziland, the bursary shall cease as from the end of the school term within which such residence is relinquished.

(4) The application shall reach the Director before the first day of September of the year preceding that for which the bursary is to be paid.

(5) Bursaries shall normally be awarded in respect of one school year, and be paid in arrear in respect of the terms into which such school year is divided.

(6) A bursary shall be subject to the good conduct and progress of the pupil and may be withdrawn by the Director if at the end of a school term his conduct or progress has in the opinion of the Director been unsatisfactory.

(7) A bursary is payable to the head of the school at which the bursar is attending.

Discipline Punishments and Expulsion of pupils.

10. (1) Subject to this Rule, the general discipline in a school shall be vested in the headmaster of such school who may, however, seek the advice of his deputy or other members of his staff.

(2) There shall be established in each school a disciplinary committee, consisting of the following persons —

- (a) the headmaster;
- (b) the deputy headmaster;
- (c) the chairman of the school committee;
- (d) a member of the school committee appointed by such school committee for such purposes; and
- (e) the district education officer or his representative who shall act as chairman of the disciplinary committee.

(3) The functions of the disciplinary committee shall be to advise the Director on any matter relating to the discipline of the school, both generally or in regard to specific cases, to investigate any complaint relating to the conduct of a pupil referred to it and to make such recommendations as it deems fit on such complaint to the Director.

Provided that 3 members shall constitute a quorum of any meeting of such disciplinary committee and that all decisions shall be on a majority vote of all present, the chairman having a casting, as well as a deliberative vote, in the event of an equality of votes on any matter.

And provided further that the Director shall give due consideration to any recommendations made to him by the disciplinary committee, but shall not be bound to act on any such recommendations.

(4) In the event of any pupil being convicted in a court of law on a charge of assault, arson malicious injury to property, rape or any offence in which an act of immorality is involved, theft, fraud or any other offence in which an act of dishonesty is involved, the headmaster shall immediately refer the conviction to the disciplinary committee for its recommendation to the Director.

(5) In the event of a pupil being convicted on an offence of the kind referred to in paragraph (4) or in the event of a pupil falling pregnant with a child, the headmaster may forthwith suspend such pupil from attending the school and forthwith report such suspension to the Director, who may take such steps in regard thereto as he thinks fit.

(6) All cases in which an act of grave misconduct by a pupil is alleged shall be referred by the headmaster to the disciplinary committee and subject to paragraph (5) hereof the headmaster shall not impose any punishment in respect of such misconduct;

Provided that in case of doubt as to whether the alleged misconduct is grave or not, the question shall be submitted to the Director whose decision thereon shall be final.

(7) Subject to paragraph 9 hereof no pupil may be expelled from a school without the written approval of the Director and then only after he has considered a recommendation to that effect by the disciplinary committee.

(8) No pupil shall be suspended from classes merely for truancy or such related misconduct:

Provided that if the pupil concerned repeats such misconduct the headmaster shall with the approval of the Director suspend such pupil for such period or subject to such conditions as the Director may deem fit.

(9) Poor performance on the part of a pupil due to ill health or mental retardation shall not by itself constitute a ground for expelling a pupil from school or suspending him.

Provided that if the headmaster is of the opinion that the pupil's physical or mental condition is such that his continued presence in the school is likely to be detrimental to the progress of other pupils of the school or that the pupil is in need of medical or psychiatric treatment he shall refer the matter to the disciplinary committee which after due investigation shall report on it to the Director for his decision and action, if any.

(10) The headmaster may in such cases where he is permitted to act without referring the matter to the disciplinary committee or the Director impose corporal punishment as provided for in Rule 11 on a pupil offender or punishment involving the performance of manual labour by the pupil.

(11) Subject to this Order the Director may impose the following punishments on a pupil offender —

- (a) corporal punishment;
- (b) manual punishment;
- (c) suspension;
- (d) payment of a fine;
- (e) expulsion;
- (f) transfer to a different school.

Corporal Punishment.

11. (1) Corporal punishment shall be administered to boys by the headmaster or by a member of the staff specifically so authorised by such headmaster or by a housemaster for offences committed within a boarding establishment.

(2) Corporal punishment shall be administered to girls only by a female teacher in the presence of a headmaster.

(3) Corporal punishment shall not be given in public.

(4) No cane or stick exceeding two and half feet in length, and half an inch in diameter, shall be used for the infliction of corporal punishment.

(5) All corporal punishment shall be administered on the buttocks and not on other parts of the body.

(6) Headmasters, or housemasters shall ensure that pupils are in a physically fit condition to receive corporal punishment before resorting thereto.

(7) Punishment shall not exceed four strokes in the case of boys and girls under sixteen years of age and six strokes in the case of boys and girls sixteen years of age and over.

(8) Every instance of corporal punishment shall be recorded forthwith in a punishment book, the entry specifying the name of the pupil, the date and nature of offence and the number of strokes administered.

(9) Prefects or monitors shall not inflict or threaten to inflict corporal punishment.

(10) The requirements of paragraph (9) shall be brought to the notice of prefects and monitors on their appointment.

Examinations and awards of certificates.

12. (1) The Ministry may conduct examinations for primary school pupils, at such levels as may be approved by the Director after consultation with the Central Education Advisory Board and award certificates to successful candidates.

(2) The Ministry may conduct examinations for pupils who have completed local courses of teacher or vocational training and may award certificates to successful candidates.

(3) The Director may authorise examinations for the purpose of selection for entry to junior secondary, high, teacher training and vocational schools.

(4) The Director may make arrangements for the participation by the Ministry in the activities of the body known as the Botswana, Lesotho and Swaziland Examination Council and established with authority to conduct a junior certificate examination, and primary higher teachers' examination and may make grants to such Council within the limits of the funds made available for the purpose in the approved estimates.

(5) The Director may authorise schools to enter candidates for the examinations of such Council.

(6) The Director may, after consultation with the Central Education Advisory Board, authorise high schools to enter candidates for the examinations for the General Certificate of Education, the School Certificate and the Matriculation Certificate of generally recognised examining bodies.

Scholastic progress of pupils.

13. (1) There shall be normal progression throughout the school system save in respect of classes where written external examinations are required.

(2) No pupil who has failed an external examination in respect of any class may re-write such examination without the written permission of the Director.

Delegation of Authority.

14. The Director may in his discretion delegate authority to perform certain of his duties to other education officers.

Repeal.

15. The Education Rules, 1964 are hereby repealed.

G. M. MABILA

Permanent Secretary

Mbabane
9th June, 1977.

THE WEIGHTS AND MEASURES ORDER, 1975

(No. 27 of 1975)

WEIGHTS AND MEASURES (SALE OF BREAD) REGULATIONS, 1977

(Under section 43)

(Date of commencement: 17th. June, 1977)

In exercise of the powers conferred on him by the above-mentioned Order the Minister for Commerce and Co-operatives is pleased to make the following regulations.

Citation.

1. These regulations may be cited as the Weights and Measures (Sale of Bread) Regulations, 1977.

Interpretation.

2. In these regulations unless the context otherwise requires —

“bread” means any baked wheaten or rye product which is sold as or under the name of bread but does not include fancy bread;

“fancy bread” means bread containing currents, raisings, cinnamon or other fruits and spices, and includes bread rolls, french rolls and twists, portuguese loaves, milk loaves, cake, confectionery, and sandwiches and bread of the kind as German rye bread;

“loaf” or “half loaf” means a whole unit or prepacked sliced unit of bread, which, subject to the tolerances and the circumstances prescribed in regulations 3 and 4 hereof has a mass of 900 grams or 450 grams as the case may be.

Non-application of these Regulations.

3. These regulations shall not apply to fancy bread.

Units of Bread Mass and Permissible Tolerances.

4. Subject to Regulation 5 of these regulations no person shall sell any bread except in whole units of 900 grams or 450 grams:

Provided that the mass of any individual unit of bread may deviate from the standard mass prescribed herein, in deficiency or in excess to the extent set out in Table I of these regulations.

Restrictions and Resale of Bread.

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**SCHEDULE B — PART III(A)
SURFACE PARCEL POST: RATES**

<i>Country</i>	<i>Weight not Exceeding</i>			
	1kg	3kg	5kg	10kg
	E. C	E. C	E. C	E. C
Abu Dhabi	3.60	5.80	8.60	15.40
Afghanistan	3.95	6.50	9.85	16.05
Bahamas	3.50	5.15	7.20	11.10
Belize	3.60	5.20	7.15	11.25
Chile	4.45	6.15	8.20	12.25
China, Republic (Taiwan)	2.00	3.40	5.20	8.45
Corsica	3.80	5.40	7.40	11.85
Cuba (a) Except Guatanamo Bay	3.65	5.25	7.10	11.15
Denmark	3.25	4.55	6.10	9.30
Ecuador	3.80	5.60	7.80	11.90
Finland	3.70	5.30	7.10	10.85
France	3.85	5.15	6.80	10.65
French Guyana	3.85	5.60	7.90	12.65
German Democratic Republic	4.10	5.50	7.20	10.70
German Federal Republic	3.20	4.60	6.35	10.35
Greece (Incl. Aegean Isles, Crete Dodecanese and Rhoses)	4.25	5.75	7.70	11.40
Guadeloupe	3.85	5.60	7.85	12.55
Guatemala	3.70	5.30	7.45	11.45
Jordan	3.50	5.15	7.10	10.95
Malawi	2.25	3.40	4.95	7.70
Mexico	3.65	5.35	7.35	11.35
Mozambique (Maputo only)	1.70	2.50	3.50	5.45
Mozambique (Except Maputo)	1.70	2.75	4.05	6.70
Netherlands The	3.45	4.80	6.35	9.60
New Zealand (Incl. Cook Islands)	2.60	4.10	6.15	9.90
Reunion	2.05	3.20	4.65	7.85
Seychelles	1.30	2.25	3.60	6.05
Sweden	3.90	5.30	6.95	10.75
Tortola (British Virgin Islands)	3.30	4.85	6.75	10.50
Trinidad and Tobago Republic of	3.60	5.20	7.25	10.85
Zambia	2.95	4.55	6.60	9.95

**SCHEDULE B — PART III (B)
AIRMAIL PARCEL POSTAGE RATES**

<i>Destination</i>	<i>First</i>	<i>Each Add'l</i>
	250g	250g
	E. C	E. C
Corsica	4.25	1.55
Denmark	2.50	80
France (Incl. Andorra and Monaco)	4.35	90
French Guyana	3.95	1.40
Guadeloupe	3.70	1.30
Martinique	3.75	1.35
Nauru	3.00	1.35
Pitcairn Island	2.50	1.15
Reunion	1.85	35
Sweden	3.15	90
Tortola (British Virgin Isles)	3.30	1.30
Mozambique	1.45	20