

51

SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE

VOL. XVII]

MBABANE, Friday, February 23, 1979

[No. 933

CONTENTS

No.	Page
PART C — LEGAL NOTICES	
13. The Public Accountants and Auditors Order, 1978 — Notice of Revocation of Date of Commencement — — — — —	S1
14. The Regulation of Wages (Sugar Manufacturing Industry) Order, 1979 — — — — —	S2
15. The Regulation of Wages (Road Transportation) Order, 1979 — — — — —	S15
16. Regulation of Wages (Forestry and Forest Industry) Order, 1979 — — — — —	S29
17. The Regulation of Wages (Mining and Quarrying Industries Wages and Conditions of Employment) Order 1979 — — — — —	S38
18. Regulation of Wages Manufacturing and Processing Industries) (Amendment) Order, 1979 — — — — —	S47
19. The Monetary Authority of Swaziland, Statement of Assets and Liabilities as at 31st January, 1979 — — — — —	S48
20. The Domestic Servants' Wages Council (Establishment) Order, 1979 — — — — —	S50

PUBLISHED BY AUTHORITY.

LEGAL NOTICE NO. 13 OF 1979

THE PUBLIC ACCOUNTANTS AND AUDITORS ORDER, 1978

(Order No. 25 of 1978)

NOTICE OF REVOCATION OF DATE OF COMMENCEMENT

(Under section 1)

(Commencement: 23rd. February, 1979)

In exercise of the powers conferred upon him by section 1 of the Public Accountants and Auditors Order, 1978, the Minister for Finance hereby revokes the Notice of Appointment of the Date of Commencement of the said Order, which Notice was published as Legal Notice No. 92 of 1978.

V. E. SIKHONDZE

Permanent Secretary.

Mbabane
16th February, 1979.

THE WAGES ACT 1964

(No. 16 of 1964)

THE REGULATION OF WAGES (SUGAR MANUFACTURING INDUSTRY) ORDER, 1979

(Under Section 11(5))

(Commencement: 1st January, 1979)

In exercise of the powers conferred on him by the above-mentioned Act, the Honourable Deputy Prime Minister is pleased to make the following Order:—

Citation.

1. This Order may be cited as the Regulation of Wages (Sugar Manufacturing Industry) Order, 1979.

Interpretation and Definitions.

2. In this Order:—

“bench chemist” means an employee who is directly responsible to the chief chemist for the running of one section of the laboratory during his shift, personally analyses the final stage brix and pol of all factory samples (excluding those for individual cane sucrose analysis). Calculates results of all factory hourly, four hourly, and shift samples;

“cane tester” means an employee who is directly responsible to the chief chemist for the selection, crushing, sampling and analysis of individual growers’ test consignments for sucrose determination and cane payment purposes and carries out other analyses as directed by the chief chemist;

“laboratory assistant” means an employee who, under the supervision of the chief chemist, records quantities, weights and measures and who is engaged in general clerical and special duties in the laboratory;

“head mill induna” means an employee who supervises the attendance of daily paid employees in the sugar mill;

“senior handyman” means an employee who carries out routine maintenance checks and repairs on the instructions of a skilled artisan. On occasions supervises handymen and artisan helpers;

“mill store clerk” means an employee who, under the supervision of a chief storekeeper records particulars of requisitions on stock cards, and materials entering or leaving stores;

“sugar despatch clerk” means an employee who is engaged in the despatch of sugar and the clerical work pertaining thereto;

- "power house operator"** means an employee who, under the supervision of a shift engineer, attends to a switchboard and/or records meter reading and/or operates prime movers in the power house;
- "mills induna"** means an employee who, under the supervision of a shift engineer, supervises the workers employed in the mills;
- "sugar floor induna"** means an employee who supervises workers employed on the sugar floor;
- "centrifugals induna"** means an employee who supervises workers employed on the centrifugal stations and auxiliary equipment;
- "boilers induna"** means an employee who supervises the workers employed at the boilers and assists the boiler attendant in his duties;
- "caneyard induna/caneyard supervisor"** means an employee who is responsible for the operation of the caneyard including the controlling of caneyard traffic and cane off loading;
- "spare gang induna"** means an employee who supervises the unskilled workers employed in the spare gang;
- "driver class I"** means an employee, in possession of the relevant licence, who drives one or more of the following vehicles:—
Company bus, company car, heavy duty truck 10 tons or over, heavy duty front end loader or grader;
- "building head induna"** means an employee who supervises the unskilled workers employed in the building department;
- "garage induna"** means an employee who supervises the unskilled workers in the garage;
- "building or garage senior handyman"** means an employee who carries out routine maintenance checks and repairs on instructions of a skilled artisan. Supervises on occasions handymen and artisan helpers;
- "security sergeant"** means an employee in the security force who supervises corporals and security guards under his command in carrying out their security duties;
- "evaporator operator"** means an employee who controls the evaporation of clear juice to syrup and at Mhlume Sugar Mills controls the temperature of the juice heaters;
- "pan house attendant"** means an employee who under the supervision and instruction of a pan boiler, boils pans to completion;
- "junior laboratory assistant"** means an employee, who under the supervision of the chief chemist prepares routine samples for a laboratory assistant;
- "handyman"** means an employee who carries out routine maintenance checks and repairs, and or paints on the instruction of a skilled artisan or senior handyman;
- "rigger"** means an employee who sets up equipment for the lifting of heavy articles;

"mill truck driver" means an employee who drives heavy mill vehicles and light vehicles as required;

"insulation repairer" means an employee who, without direct supervision repairs lagging on pipes and vessels;

"shift assistant" means an employee who assists a shift engineer to take care of minor break downs and repairs during a shift;

"black smith" means an employee who reconditions cane knives and carries out various forge work as required by other departments;

"stores issuer" means an employee, who under the supervision of the chief storekeeper, issues materials, and weighs or measures articles and at Mhlume, is responsible for regular stocktaking and reconciliation of stock cards;

"time keeper" means an employee who records time worked by each person and carries out such other clerical duties as may be allocated to him;

"weigh bridge clerk" means an employee who is responsible to the chief chemist and compiles the weighbridge cane weight records into daily summaries of the total cane delivered by each individual grower and records total cane deliveries by cane transporters. He also compiles records of different varieties of cane delivered to the mill;

"service induna" means an employee who, under the supervision of the supervisor of a service department, controls the workers employed in such service department;

"refinery induna" means an employee who supervises the workers employed in the refinery;

"weighbridge operator" means an employee who attends to the actual working of a weighbridge and may record basic clerical data;

"mill stores induna" means an employee who supervises the unskilled workers employed in the mill stores;

"driver class II" means an employee, in possession of the relevant licence who drives one or more of the following vehicles:-- Company van, Company truck under 10 tons or back hoe excavator,

"grounds maintenance induna" means an employee who supervises the unskilled workers employed in the grounds maintenance gang;

"malaria control induna" means an employee who supervises the unskilled workers employed in malaria control gang;

"supervisory garage service bay" means an employee who is responsible for the control and operation of the garage service bay;

"handyman class 1 (garage/building)" means an employee who carries out routine maintenance checks, repairs or other jobs on the instructions of a skilled artisan or senior handyman;

"security corporal" means an employee in the security force who supervises security guards under his command in carrying out their security duties;

- "telephonist" means an employee who operates a telephone switchboard and deals with all incoming or outgoing telephone calls during his shift;
- "hygiene induna" means an employee who is responsible for the control and operations of the hygiene gang;
- "assistant instructor (training centre)" means an employee, who under the supervision of the training superintendent, assists in the instruction of company trainees and induction of new employees;
- "driver gantry crane/hilo off loader" means an employee who operates a power driven crane, to off load cane or other materials and for the transfer of cane to the feed tables;
- "vacuum filter attendant" means an employee who controls the operations of vacuum filters and takes the necessary samples;
- "handyman chain repairer" means an employee who inspects and repairs all cane chains and grips and, at Mhlume, inspects and greases the cane hoist wire ropes and hooks;
- "sugar handling controller" means an employee who controls sugar being dried, weighed and transported to the silo;
- "caneyard clerk" means an employee who controls the placing of sample consignments and who controls the chain and credit system in the caneyard;
- "main carrier operator" means an employee who controls a constant feed of cane into No. 1 Mill or No. 1 mill auxiliary carrier and ensures that no overloading of the amperage on the cane knife motor occurs;
- "feed table operator" means an employee who feeds cane into the auxiliary carrier from the feed tables;
- "bagasse analysis attendant" means an employee responsible for sampling, weighing, digesting filtration of hourly bagasse samples and assisting a bench chemist in various analysis as required;
- "mills controller" means an employee who controls the milling train;
- "instrument mechanic's assistant" means an employee who carries out routine checks on instruments under the supervision of an instrument technician;
- "assistant bench chemist" means an employee who assists the bench chemist with brix readings, he prepares samples for analysis by the bench chemist and carries out analysis of bagasse moisture and shift sample sugar pols;
- "sampling co-ordinator" means an employee who is responsible for the initiation and activation of the automatic cane tracker and all relevant documentation attendant thereto;
- "cane clerk time delay" means an employee who collects and records information on times of burning, times of delivery and times of crushing of cane.
- "driver class 111" means an employee who is in possession of the relevant licence, who drives one of the following vehicles:— tractor, tractor front end loader, dumper, breakdown vehicle;

- "handyman class II (Mill, Building and Garage)" means an employee who carries out very simple semi skilled routine maintenance checks, repairs or other jobs under the supervision of a skilled artisan;
- "sand recovery operator" means an employee who operates a power driven scoop to dredge river sand for building use;
- "oil separator operator" means an employee who operates a centrifugal for the recovery of waste oil;
- "mill turbine attendant" means an employee who is responsible for the observation of mill turbines and gear boxes and for the cleanliness of the surroundings;
- "assistant mill stores issuer" means an employee who, under the supervision of the chief store keeper, issues materials and weighs and measures articles;
- "centrifugal operator" means an employee who separates sugar crystals from molasses by operating centrifugals;
- "mill juice sampler" means an employee who collects mill first expressed juice for laboratory analysis and assists the cane tester with analysis of samples;
- "clerk process control" means an employee who records mill and process temperature, pressure vacuum readings, and hourly stocks of various materials;
- "water treatment attendant" means an employee who is responsible for purifying raw water for domestic or mill use by means of chemicals;
- "auto filter attendant" means an employee who operates auto filters in a refinery and ensures that filtrates are clear;
- "melter attendant" means an employee who operates a melter and ensures that a predetermined brix and temperature is maintained;
- "lime/sulphutation attendant" means an employee who ensures that the correct pH of raw juice is maintained by the addition of milk of lime, and/or (so) gas and takes samples;
- "clerk stores" means an employee who is assigned to assist in clerical duties in the mill stores;
- "clerk rations" means an employee who receives and distributes rations and controls the stock in the ration store;
- "condensate attendant" means an employee who makes checks to determine whether any traces of sugar are present in condensate to ensure that all condensate piped to the boilers is free of sugar;
- "blending bin operator" means an employee who is responsible for the separation of different boilings into their correct bins and/or ensuring outgoing sugar is blended to a uniform standard;
- "issuer tool store" means an employee who is responsible for controlling, issuing and receiving mill tools;

"attendant stoker/firing" means an employee who keeps watch and performs routine cleaning duties on boilers;

"head messenger" means an employee who operates a duplicating machine, assists with the distribution of mail and other papers from office to office and supervises office cleaners;

"security guard" means an employee under the command of an NCO or a security officer in:—

- (1) protection of company property;
- (2) prevention and detection of crime on the company estate,
- (3) preservation of law and order on the Company Estate,
- (4) preventing and extinguishing of fires on the company estate;

"garage tool store issuer" means an employee who is responsible for controlling, issuing, and receiving garage tools;

"garage clerk" means an employee who, under the supervision of the garage storeman, records particulars of job cards and requisitions, maintains stock cards and performs general clerical duties as directed;

"clerk building" means an employee responsible for controlling issuing and receiving cement and concrete blocks;

"clerk general" means an employee engaged in routine clerical duties under supervision;

"mill feed controller" means an employee who ensures that the feed of cane to No. 1 mill is maintained by means of cane carriers;

"artisan helper" means an employee who is assigned to a skilled artisan to assist him in his duties;

"chain checker" means an employee who checks chains for breakages and/or controls the movement of chains;

"greaser" means an employee who lubricates machinery in various departments;

"attendant roller arcing" means an employee who arcs mill rollers;

"attendant pump" means an employee who controls water pumps and factory pumps;

"attendant clarifier" means an employee who controls the clarifiers and auxiliary equipment;

"semikestner attendant" means an employee who is responsible for the operation of the semi kestner and juice heaters;

"scale operator" means an employee who operates mechanical and automatic scales on the sugar floor;

"sewing machine operator" means an employee who operates a sugar pocket sewing machine;

- "plate and frame filter attendant" means an employee who operates the plate and frame filter in the refinery;
- "lime plant attendant" means an employee who mixes lime to a predetermined density;
- "water analysis attendant" means an employee responsible for the collection and analysis of boiler and condensor water samples;
- "bagasse controller" means an employee who controls the supply of bagasse to the storage silo and from there to the boiler feed hoppers;
- "gutter attendant" means an employee who ensures that massecuites discharged from a pan flow to a predetermined crystallizer. He is also responsible for the cleanliness of chutes;
- "forklift truck driver" means an employee who operates a fork lift truck;
- "tag attendant" means an employee responsible for the collection and identification of tags and sample tickets and for delivering them to the sampling co-ordinator or cane tester;
- "crystalliser attendant" means an employee who checks the crystalliser, feeds massecuites into the centrifugals and takes samples;
- "boiler water attendant" means an employee who assists in maintaining the correct water level in the boilers and dearators;
- "magma mixer attendant" means an employee who controls the density of magma by adding syrup or molasses to cured sugar;
- "garage service bay attendant" means an employee who is responsible for servicing and changing the oil of all motor vehicles sent to the garage for service;
- "garage wheel bay attendant" means an employee who is responsible for repairing all punctured wheels and changing tyres sent to the garage for attention;
- "garage and building artisan helper" means an employee assigned to a skilled artisan to assist him in his duties;
- "malaria control knapsack operator" means an employee who operates a knap-sack sprayer for the control of malaria mosquitoes or other insect pests;
- "security guard recruit" means an employee in the security force who is training to become a security guard and who has not yet completed his period of three months probation;
- "messenger" means an employee who distributes mail or other papers from office to office, who serves tea or coffee as required and who assists with office cleaning;
- "cook village" means an employee who accepts stocks of food, maintains such stocks and prepares and cooks all the meals in the unskilled unmarried workers kitchen;
- "cane yard attendant" means an employee who maintains a constant supply of cane onto the feed tables;

"petrol attendant" means an employee who dispenses petrol, oil, water and air at the garage filling station.

Application.

3. This order shall apply to all daily paid employees in the Sugar Mills owned by Mhlume (Swaziland) Sugar Company Limited situated at Tshaneni and in the Sugar Mills owned by Ubombo Ranches Limited, situated at Big Bend, and engaged in any occupation specified in the First Schedule.

Provided that daily paid employees shall be deemed to include employees whose remuneration is expressed in terms of a sum per day worked, although actual payment is made at less frequent intervals.

Basic Minimum Wage.

4. The basic minimum wage to be paid to employees specified in the First Schedule shall be calculated at a rate not less favourable than that specified therein.

Provided that the basic hourly rate shall be deemed to be not less than one-eighth of the employees basic daily wage:

Provided further that an employee who at the date of the commencement of the order is in receipt of a higher wage for his regulation he shall not by reason of this order suffer reduction in such wage:

Provided further that where an employee has the right to occupy quarters, the property of his employer for which a rental is or becomes payable to his employer, the rate specified in the First Schedule shall be deemed to be increased, in relation to such employees, by the amount of such rental.

Rations.

5. An employer shall at his own expenses supply weekly rations to each employee in accordance with the appropriate scale specified in the Second Schedule:

Provided that the employer, with the consent of the employee may pay in lieu of such rations a cash allowance of such sum as may be approved by the Labour Commissioner from time to time.

Hours of Work.

6. The normal working week shall consist of:—

(a) forty-eight hours for employees working on shift;

(b) forty-six hours for other employees.

Attendance Bonus.

7. An employee on shift work who completes forty-eight hours work (excluding overtime) in one week, and any other employee who completes forty-six hours work (excluding overtime) in any one week, shall be entitled to a bonus equal to the normal pay for a day.

Overtime.

8. Overtime for all employees shall be payable at the following rates:—

- (a) for time worked in excess of 48 or 46 hours as the case may be from Monday to Saturday inclusive in any one week, one-and-one half times the basic hourly rate;
- (b) for time worked on Sundays and those statutory public holidays which are specified in the Third Schedule, at twice the basic hourly rate.

Annual Leave.

9. An employee shall be entitled after each period of twelve consecutive calendar month's service with an employer to twelve working days excluding Sunday and the said statutory public holidays, as annual leave with full pay:

Provided that sick leave taken in terms of regulation 10 of this Order shall not be construed as a break in continuity of service for the purpose of entitlement to paid annual leave.

Sick Leave.

10. After three consecutive calendar months' service with an employer, an employee shall be entitled to sick leave up to a maximum of fourteen days with full pay, and thereafter to sick leave up to a maximum of fourteen days with half pay, in each period of twelve calendar months' continuous service, subject to the employee producing a certificate of incapacity covering the period claimed as sick leave signed by a medical practitioner registered under the Medical and Dental Practitioner's Act No. 3 of 1970.

Repeal.

11. Legal Notice No. 62 of 1977 is hereby repealed.

A. R. SHABANGU,

Permanent Secretary,

Deputy Prime Minister's Office.

Mbabane
19th. February, 1979.

MINIMUM DAILY WAGE

[illegible][illegible]

E2.88
per day

S12

Grade C includes employees employed in one or more of the undermentioned capacities:—

Driver Gantry Crane Hilo Off loader)	
Attendant Vacuum Filter)	
Handyman Chain Repair)	
Sugar Handling Controller)	
Clerk Caneyard)	
Operator Main Carrier appointed on or after 19/5/72)	
Operator Feed Table	)	E2.40
Attendant Bagasse Analysis	)	per day
Controller Mills)	
Instrument Mechanics Assistant)	
Assistant Bench Chemist)	
Operator Weighbridge appointed on or after 19/5/72)	
Laboratory Sampler appointed on or after 19/5/72)	
Sampling Co-ordinator)	
Cane Clerk Time Delay)	
Driver Class III)	
Handyman Class II Mill, Building, Garage)	
Operator Sand Recovery)	

Grade D includes employees employed in one or more of the undermentioned capacities:—

Operator Oil Separator)	
Attendant Mill Turbine)	
Assistant Mill Stores Issuer)	
Dryer attendant appointed before 19/5/72)	
Sampler Mill Juice)	
Operator Centrifugal)	
Clerk Process Control)	
Attendant Water Treatment)	
Attendant Auto Filter)	
Attendant Melter)	
Attendant Lime/Sulphuration)	
Clerk Rations)	
Clerk Stores)	
Attendant Condensate)	
Operator Blending Bin	)	E2.00
Crystalliser Attendant appointed before 19/5/72	)	per day
Issuer Tool Store)	
Attendant Stoker/Firing)	
Head Messenger)	
Security Guard)	
Issuer Garage Tool Store)	
Clerk Garage)	
Clerk Building)	
Clerk General)	

Grade E includes employees employed in one or more of the undermentioned capacities:—

Controller Mill Feed)	
Artisan Helper)	
Chain Checker)	
Greaser)	
Pan Assistant appointed before 19/5/72)	
Attendant Roller Arcing)	
Attendant Molasses Tank appointed before 19/5/72)	

Attendant Pump)
Attendant Clarifier)
Attendant Semi Kestner)
Operator Scale)
Operator Sewing Machine)
Attendant Plate and Frame Filter)
Attendant Lime Plant)
Attendant Water Analysis)
Controller Bagasse)
Attendant Gutter)
Driver Forklift Truck)
Attendant Tag)
Attendant Crystalliser appointed on or after 19/5/72)
Attendant Boiler Water)
Attendant Magma Mixer)
Attendant Garage Service Bay)
Attendant Garage Wheel Bay)
Artisans Helper Garage and Building)
Knapsack Operator Malaria Control)
Recruit Security Guard)
Messenger)
Cook Village)
Attendant Cane Yard)
Attendant Petrol)
Brickmaker)

E1.83
per day

Grade F includes all employees employed as general labourers in capacities other than those specified under Grades A—E above, non-trade tested Painters and Casual Labourers with more than three months continuous service (E1.69 per day), provided that General Labourers acting as Toilet Cleaners shall not be paid less than E1.79 per day.

SECOND SCHEDULE

(Regulation 5)

WEEKLY RATION SCALE

For employees of Mhlume (Swaziland) Sugar Company Limited:

- 3 lbs meat
- 18 lbs mealie meal (14 lbs for single employees).
- 2 lbs. samp
- 1 lb. beans.
- 1 lb. sugar.
- $\frac{1}{2}$ lb. flour.
- 1 lb. salt.
- 1 lb. potatoes.
- $\frac{1}{2}$ lb. onions.
- $\frac{1}{2}$ oz curry powder.

For employees of Ubombo Ranches Limited:

Married Employees:

18 lbs. mealie meal.
2 lbs. beans.
1 lb. sugar.
 $\frac{1}{2}$ lb. salt.
 $\frac{1}{2}$ lb. flour.
2 lbs. meat.
1 lb. fish.
2 lbs. vegetables.
2 pts. paraffin.

Single Employees:

2 lbs. meat.
Hot meals.

THIRD SCHEDULE

(Regulations 8 and 9)

New Year's Day.

Good Friday.

Easter Monday.

Incwala Day.

King's Birthday.

Reed-dance Day.

Independence Day.

Christmas Day.

THE WAGES ACT, 1964

(No. 16 of 1964)

THE REGULATION OF WAGES (ROAD TRANSPORTATION) ORDER, 1979

(Under section 11(5))

[Commencement: 23rd February, 1979]

In exercise of the powers conferred on him by the above-mentioned Act, the Honourable Deputy Prime Minister is pleased to make the following order:—

Citation.

1. This Order may be cited as the Regulation of wages (Road Transportation) Order, 1979.

Interpretation.

2. In this Order unless the context otherwise requires:—

“analysis clerk” means a clerical employee who carries out work under supervision;

“assistant mechanic” means an employee who is undergoing training as a mechanic;

“bookkeeper” means an employee who is engaged in the keeping of elementary books of account;

“fork lift and crane operator” means an employee who operates a power driven fork lift or crane to load or unload materials or machinery;

“fuel issuer” means an employee responsible for the checking of oil levels in differentials; gear boxes steering systems and engines and making oil and fuel issue;

“grade” means a grade listed in the First Schedule;

“greaser” means an employee engaged in the elementary greasing of vehicles and trailers;

“head driver” means an employee who supervises other drivers;

“hire-car” means a public service vehicle having seating accommodation for not more than seven passengers, which is let with a driver to a hirer under contract for a period of not less than twenty-four hours;

- “hostess” means a female employee responsible for the welfare of passengers on a motor bus or coach;
- “industrial holiday” means any day prescribed as a paid holiday in terms of regulation 12;
- “inspector” means an employee who checks on buses;
- “journeyman mechanic” means an employee who has completed an apprenticeship;
- “junior clerk” means a clerk who works under supervision for a maximum period of one month when first employed;
- “lay over” means a period of duty performed by a driver for the purpose of booking-on and booking off his vehicle which shall not include driving duty;
- “loader” means an employee engaged in the loading or off-loading of vehicles or rail transportation;
- “lorrymate” means an employee who assists in the execution of drivers duties, other than driving;
- “mechanic’s assistant” means an unskilled employee engaged to assist a mechanic;
- “messenger” means an employee engaged to convey messages and to carry out elementary office jobs;
- “mobile crane driver” means an employee who operates a mobile crane to load and off load goods and materials;
- “night” means the period between the hours of 6.00 p.m. and 6.00 a.m.;
- “overtime” means any time worked outside the ordinary hours of work as defined in regulations 5;
- “packer” means an employee engaged in the packing of items or materials;
- “porter” means a person employed to carry luggage and other goods from or onto a train, bus or other vehicle used by in the conveyance of persons for reward;
- “pricing clerk” means an employee responsible for the allocation of prices to goods and materials;
- “probationary driver” means a driver who is working under the supervision of a qualified driver for a maximum period of one month when first employed;
- “rating clerk” means an employee who implements contract rates;
- “receptionist” means an employee engaged in receiving visitors and carrying out other clerical duties;
- “senior clerk” means an employee engaged in clerical duties including supervisory work;
- “short time” means the retention of all grades at twenty-five percent of their basic wage;
- “stacker” means an employee engaged in stacking of items or materials;
- “stores clerk” means an employee who records particulars of requisitions and stock cards;

"storeman in charge" means an employee controlling the stores staff;

"suitable accommodation" means a weatherproof structure containing a bed with a palliasse or similar covering or camp bed;

"telephone attendant" means an employee who attends to a telephone;

"switchboard operator" means an employee who operates a telephone switchboard;

"ticket agent" means an employee responsible for the sale of transport tickets;

"transport operating industry" means, without in anyway limiting its ordinary meaning, the industry in which employers and employees are associated together for all or any of the following purposes —

- (a) transporting for hire or reward goods or passengers by road motor vehicle;
- (b) letting or hiring a road motor vehicle for the transport of goods or passengers;
- (c) transporting by road motor vehicle goods which have been acquired by the carrier for resale or delivery to the persons from whom they have been;
- (d) transporting by road motor vehicle goods which have been acquired by the carrier from any person for resale and delivery to a third party —
 - (i) where it is agreed between the carrier and the first person, delivered and resold to the third party in accordance with an agreement between the third party and the carrier;

"wages clerk" means an employee who computes staff wages;

"watchman" means an employee who guards property;

"waybill clerk" means an employee engaged in the completion of way bills and the clerical work pertaining thereto;

"working day" means any day other than a day off or an industrial holiday.

Application.

3. This Order shall apply to all persons employed in any undertaking or part of an undertaking comprising the carriage, for hire or reward, of passengers and goods or either of them, by motor vehicle, required to be licensed under a road transportation or limited carriers licence granted under the Road Transportation Act No. 37 of 1963.

Wages and Gradings.

4. (1) The basic minimum wage to be paid to employees specified in the First Schedule to this order shall be calculated at a rate not less favourable than that specified in the Schedule in relation to the employee's grade and length of continuous service.

Provided that —

- (a) no female employed in grade 1 to IX shall be paid less than two-thirds of the basic minimum wage prescribed for the occupation and grade in which she is employed;
- (b) no young person shall be paid less than one-third of the basic minimum wage prescribed for the occupation and grade in which he is employed;
- (c) no casual worker shall be paid less than one-and-one-third times the basic minimum wage for the occupation and grade in which he is employed.

(2) An employee who is required to perform work in a lower grade than that in which he is normally employed shall be paid the wage applicable to the grade in which he is normally employed.

(3) An employee who is required temporarily to perform work in a higher grade than that in which he is normally employed shall be paid the wage applicable to such higher grade on and after the third day of working in that higher grade.

(4) No employee shall reduce the wage of an employee if the employee was able and willing to work and was present at his place of work but the employer was unable or unwilling to furnish him with work.

Hours of work.

5. (1) The ordinary weekly hours of work for employees shall be decided by the employer but shall not exceed:-

- (a) sixty hours for watchmen;
- (b) forty-eight hours for employees in grade 1 to VI;

Provided that the ordinary hours of work in grades 1 and II shall not exceed eleven per day.

- (c) forty-five hours for employees in grades XI, XII and XIII;
- (d) seventy-two hours for taxi-drivers and hire-car drivers.

(2) Except in the case of emergency work, no employer shall require or permit any employee, other than a watchman, taxi driver, hire-car driver or vehicle crew member (other than a driver) to work more than sixty six hours, including overtime, in any one week or for more than five continuous hours without a break of at least thirty minutes.

(3) Every employee shall receive one day off in each week and no employee, other than a watchman, shall be required to work on his day off in successive weeks:

Provided that in an emergency an employee may be required to work on his day off, in which case he will be given another day off in lieu of that day.

(4) Where two drivers are employed on a vehicle the total driving hours for both drivers shall not exceed sixteen hours and each driver shall be paid for driving time only.

(5) An omnibus driver shall be allowed breaks amounting in aggregate to not less than forty minutes during a period of eight consecutive hours driving time and in the event of him working for more than eight consecutive hours, he shall, in addition to the forty aggregate minutes, be given a thirty minute rest period at the end of eight hours.

(6) A driver shall not be permitted to drive for more than eleven hours in one day except in the case of an emergency when the permissible driving hours may be increased to a maximum of fifteen hours in any one day:

Provided that where a driver drives for more than eleven hours in an emergency he shall be given a period of rest of twenty-four consecutive hours before he starts work again.

Short time.

6. (1) If an employer wishes to work short time he may do so provided he is satisfied that —

- (a) it is economically necessary for the establishment to work short time;
- (b) the establishment will be able to resume normal working hours within the foreseeable future; and
- (c) it would not be in the best interest of the employees to be discharged.

(2) When an employee works a period of time equivalent to or more than twenty-five percent of his normal weekly hours of work he shall be paid his full wage for that week.

Conversion rates.

7. (1) For the purpose of converting a weekly wage to —

- (a) an hourly rate, the weekly wages shall be divided by the number of hours ordinarily worked in a week;
- (b) a daily rate, the weekly wage shall be divided by the number of days ordinarily worked in a week;
- (c) a monthly rate, the weekly wage shall be multiplied by four and one-third.

(2) For the purpose of converting a monthly wage to —

- (a) an hourly rate, the monthly wage shall be divided by the number of hours ordinarily worked in a month;
- (b) a daily rate, the monthly wage shall be divided by the number of days ordinarily worked in a month;
- (c) a weekly rate, the monthly wage shall be divided by four and one third.

Payment for overtime.

8. (1) An employer may require any employee to work overtime and shall wherever possible give twenty four hours notice of such requirement.

(2) An employee shall be paid for overtime in excess of his ordinary weekly hours of work for each hour, or part of an hour in excess of thirty minutes, at one-and-one half times his basic hourly rate:

Provided that —

- (a) overtime worked on a day off shall be paid for at double the basic minimum wage rate of the employee;
- (b) overtime worked on an industrial holiday shall be paid for at twice the basic hourly wage rate of the employee.

(3) This regulation shall not apply to employees in grades VII, XI, XII and XIII.

Payment of wages.

9. (1) An employer shall pay the free remuneration due to the employee within four days of the date when such remuneration is due to him.

(2) If the Services of an employee are terminated, payment of all remuneration due shall be made at the time of termination:

Provided payment may be made on the first working day following such termination.

(3) Any employee whose services are terminated for any cause whatsoever shall be paid the cash equivalent of any vacation leave due to him at the time of such termination.

Allowances.

10. (1) Any driver (other than a taxi driver) who is required to drive at night shall be paid at one-and-one-quarter times his current wage rate, provided that when two drivers are employed on the same vehicle only one driver may be paid at that rate.

(2) A taxi driver shall be paid, in addition to his normal wages, a commission of not less than two percentum of his takings during any month in respect of which such wages are due and paid to him.

(3) A taxi driver who has been in the continuous employment of the same employer for a period in excess of six months and who is required to obtain an annual public driver's licence, shall be reimbursed by his employer the cost of any medical examination required as a condition for the issue of that licence.

(4) Any employee in grades I and IX who is required to perform work away from his principal place of employment shall be eligible for the following subsistence allowances in respect of:

- (a) each continuous period of not less than eleven hours of absence —
 - (i) if the employer provides suitable accommodation and food — 80 cents,

- (ii) if the employer neither food nor accommodation — E1.50.
 - (iii) if accommodation is available on the vehicle on which the employee is employed — E1.00.
- (b) periods of more than six but less than thirty days' absence for each twenty-four hour period or part thereof —
- (i) if the employer provides accommodation and food — 95 cents.
 - (ii) if the employer provides neither food nor accommodation — E1.80:

Provided that the payment of subsistence allowance shall be limited, in respect of any single period, to a maximum of thirty days.

(5) If an employee is required to undertake a journey outside Swaziland and such journey entails an absence of eight hours or more from his principal place of employment he shall be paid in addition to the allowance payable in terms of sub-paragraph (4) an allowance of E1.50 for each period of twenty-four hours or part thereof he is occupied in that journey.

(6) Any employee in grades X to XIII who is required to travel on duty shall be reimbursed reasonable out of pocket expenses, subject to the production of receipts supporting his claim for such reimbursement.

Vacation Leave.

11. (1) During his first five years of continuous service with the employer an employee in grades I to IX shall accumulate vacation leave at the rate of one working day for each completed calendar month of service; thereafter he will accumulate vacation leave at the rate of one-and-a-quarter working days for each completed calendar month of continuous service:

Provided that no employee may accumulate more than thirty-six working days vacation leave without the agreement of his employer.

(2) An employee in grades X to XIII shall accumulate vacation leave at the rate of one-and-one half working days for each completed calendar month of continuous service:

Provided that no such employee may accumulate more than fifty-four working days vacation leave without the agreement of his employer.

(3) No employee shall be entitled to take vacation leave during his first year of continuous service, thereafter unless mutually agreed otherwise, an employee shall be permitted to proceed on vacation leave within one calendar month of his application therefore and shall be paid prior to proceeding on leave, all remuneration and allowances due to him in respect of the period of that leave.

(4) An employee who has accumulated vacation leave may, with the consent of the employer, elect to be paid cash equivalent to such leave or portion thereof instead of proceeding on vacation leave.

(5) Any period of leave taken by an employee including sick leave, whether paid or not, shall not be counted for the purpose of calculating further leave.

(6) Should any employer observe a holiday other than an industrial holiday the holiday shall not be off set against an employee's accumulation of vacation leave.

Industrial Holidays.

12. (1) The following days shall be Industrial Holidays with full pay:

New Year's Day
Good Friday
Christmas Day
Boxing Day
Incwala Day
Independence Day and
King's Birthday

Provided that when an Industrial Holiday falls on a Sunday the day following shall be deemed to be an Industrial Holiday.

(2) Any employee who is absent without leave on the working day before or the working day after an Industrial Holiday, shall not be entitled to any payment in terms of this sub-regulation.

Benefits during sickness.

13. (1) After six consecutive months service with an employer and subject to the production of a medical certificate signed by a medical practitioner, an employee shall be entitled to sick leave up to a maximum of fourteen days on half wages, in each period of twelve months continuous service.

Provided that —

- (a) an employee shall not be entitled to the benefits provided herein if his sickness or accident was occasioned through his own neglect or misconduct; ;
- (b) that a certificate issued by a District Commissioner or a registered nurse shall be accepted in place of a medical certificate if a medical practitioner is not available.

(2) This regulation shall not apply to any employee whose sickness or accident is covered by the Workmen's Compensation Act, No. 4 of 1963.

14. An employer shall provide every employee on engagement with a document bearing the following information:

- (a) his grade;
- (b) his wage rate;

- (c) periodicity of wage payments;
- (d) provision for accommodation (where applicable);
- (e) provisions for the termination of employment;
- (f) the hours of work;
- (g) the details of any bonus or incentive production scheme in operation; and
- (h) sick benefits.

Termination of Service.

15. (1) No employer shall terminate the services of an employee whilst he is sick, disabled or on vacation leave.

(2) Except by mutual agreement in writing to the contrary no employee who has given or received notice to terminate employment shall be required or permitted to take vacation leave during the currency of such notice.

Continuous service.

16. (1) Continuous service is service broken only by death, resignation, retirement or discharge of the employee concerned.

Provided that an employee who is discharged and re-engaged within two months of his discharge shall not be deemed to have broken his continuous service.

(2) When, following upon a change of ownership of an establishment, an employee enters the service of the new owner, his service with the previous owner shall be reckoned as continuous service with the new owner and shall be deemed not to have been broken by such change of ownership.

Protective clothing.

17. (1) The employer shall supply, free of charge and without payment of a deposit by the employee, the following items —

- (a) to employees habitually exposed to inclement weather, a waterproof cape, overcoat or other suitable protective clothing;
- (b) to drivers and conductors, two dust-coats, two overalls or two uniforms per annum; and
- (c) to journeyman's assistants and employees engaged in the loading, unloading and delivery of goods to or from vehicles, adequate protective clothing.

(2) Any clothing supplied to an employee in terms of this regulation shall remain the property of the employer and shall, subject to fair wear and tear, be returned to him in good condition on the resignation, retirement or discharge of the employee.

S24

(3) If the employee either fails to return or loses the clothing provided in terms of this regulation the employer may recover the cost thereof from the money due to the employee:

Provided further that in the event of the employee being not satisfied with Regulation 17(3), he may submit his case to the Labour Commissioner.

Ration allowance.

18. An employer shall, as a condition of employment, supply to each employee earning less than E1080 per annum, or a weekly equivalent of E20.70, weekly rations of the scale prescribed in the Second Schedule of this Order:

Provided that with the consent of the employee and after notifying the Labour Commissioner, an employer may pay in lieu thereof an amount not less than that specified by the Labour Commissioner from time to time.

Repeal.

19. Legal Notice No. 59 of 1977 is hereby repealed.

A. R. SHABANGU

Permanent Secretary, Deputy Prime Minister's Office.

Mbabane.

19th February, 1979.

FIRST SCHEDULE

(Regulation 4)

CLASSIFICATION OF OCCUPATION IN GRADES
MINIMUM WEEKLY WAGE

<i>Grade I</i>	<i>For First six months service</i>	<i>After completing six months service</i>
(a) Loader	E9.36	E9.75
Lorrymate	E9.36	E9.75
(b) Cleaner	E9.36	E9.75
Loader (Depot)	E9.36	E9.75
Porter (Furniture removal)	E9.36	E9.75
Loader (furniture removal)	E9.36	E9.75
(c) Trainee Conductor	E9.75	—
Probationary Driver	E9.75	—

Grade II

Journeyman/Mechanic's Assistant	E9.84
Fuel issuer	E9.84
Greaser	E9.84
Messenger	E9.84
Packer and furniture removal	E9.84
Senior Loader	E9.84
Tyre-hand	E9.84
Watchman	E9.84

Grade III

Checker (general goods)	E13.80
Clerk (not elsewhere specified)	E13.80
Filing Clerk	E13.80
Fork-lift and Crane operators (Unlicensed)	E13.80
Stanker (furniture removal)	E13.80
Telephone Attendant	E13.80

Grade IV

Conductor	E13.86
Hostess	E13.86
Ticket Agent	E13.86

Grade V

(a) Assistant Cashier	E13.20
Checker (furniture removal)	E13.20
Despatch Clerk	E13.20
Pricing Clerk	E13.20
Rating Clerk	E13.20
Senior Checker (freight)	E13.20
Way-bill Clerk	E13.20
(b) Analysis Clerk	E13.20
Mileage Clerk	E13.20
Stores Clerk	E13.20
Time Clerk	E13.20

Grade VI

(a) Driver of vehicle with a carrying capacity of up to 1 1/2 tons	E12.08
(b) Driver of a vehicle with a carrying capacity of more than 1 1/2 tons up to and including 7 tons. Drivers of Vehicles with 1 to 10 passenger capacity	E13.92
(c) Driver of vehicle with carrying capacity of more than 7 tons up to and including 12 tons. Drivers of vehicles will 11 to 40 passenger capacity	E13.92
(d) Driver of vehicle with carrying capacity of more than 12 tons. Mobile Crane Driver. Drivers of vehicles with 41 or more passenger capacity	E16.91
(e) Driver of a low-loader with a carrying capacity of 20 tons and over	E19.32
Head Driver	E19.32

Grade VII

Hire-car driver	E15.29
Assistant Mechanic	E15.29

MONTHLY MINIMUM WAGE

Grade VIII

Taxi-driver	E67.26 plus 2% of takings.
-------------	-------------------------------

WEEKLY MINIMUM WAGE

Grade IX

(a) Junior Inspector	E15.57
(b) Inspector	E21.17
Senior Checker (furniture removal)	E21.17
Senior Rating clerk	E21.17

Grade X

Journeyman/Mechanic	E57.20
-------------------------------	--------

MONTHLY MINIMUM WAGE

Grade XI

Chief Wages Clerk	E59.73
Copy Typist	E59.73
Depot Assistant	E59.73
Switchboard Operator	E59.73
Travel booking Clerk	E59.73

Grade XII

Receptionist	E72.77
------------------------	--------

Grade XIII

Accounting-machine Operator	E87.78
Book-keeper	E87.78
Customs Clearing Clerk	E87.78
Cashier	E87.78
Storeman-in-charge	E87.78

SECOND SCHEDULE

(Regulation 19)

WEEKLY RATIONS SCALE

Minimum Ration Scale

(1) Mealie Meal	6.35 kg.	(14 lbs.)
Meat	1.36 kg.	(3 lbs.)
Sugar . . . . .	.45 kg.	(1 lb.)
Dry beans, peas or groundnuts . . . . .	.63 kg.	(1½ lb.)
Fresh vegetables . . . . .	.9 kg.	(1 lb.)
Salt . . . . .	.113 kg.	(4 ozs.)

Alternatives:

- (2) The following weekly rations may be supplied in lieu of the items of food mentioned in paragraph (1):

(a) Mealie meal:—

For every 9 kg. (2 lbs.), of mealie meal —

- (i) .45 kg. (1 lb.) of bread, or
- (ii) .34 kg. (12 lbs.) of rice, or
- (iii) .23 kg. (½ lb.) of ordinary or sweet potatoes;

(b) Meat:—

- (i) for the first .23 kg. (8 ozs.) of offal, or
- (ii) for the first .45 kg. (1 lb.) of fish or meat .45 kg. (1 lb.) of fish or .23 kg. (8 ozs.) of cheese.

Permitted Variations:

- (3) The ration of mealie meal shown in paragraph (1) may be reduced by an amount, not exceeding 2.72 kg. (6 lbs.) equivalent to the amount of meal used in the preparation of:—
 - (a) the drink known as “mahewu”, or
 - (b) a proprietary vitaminised drink, if either drink is issued in the week to the employee by the employer.

THIRD SCHEDULE

(Regulation 12)

INDUSTRIAL HOLIDAYS

New Year's Day
 Good Friday
 Christmas Day
 Boxing Day
 Incwala Day
 Somhlolo (Independence) Day
 King's Birthday

LEGAL NOTICE NO. 16 OF 1979

THE WAGES ACT, 1964

(No. 16 of 1964)

REGULATION OF WAGES (FORESTRY AND FOREST INDUSTRY) ORDER, 1979

(Under Section 11)

[Date of commencement: 23rd February, 1979]

In exercise of the powers conferred on him by the above-mentioned Act, the Honourable Deputy Prime Minister is pleased to make the following Order:—

Citation.

1. This Order may be cited as the Regulation of Wages (Forestry and Forest Industry) Order, 1979.

Interpretation.

2. In this Order unless the context otherwise requires:—

“analyst” means an employee who does standard laboratory tests and maintains records in connection therewith;

“aux-plant attendant” means an employee who has passed a test pertaining to an aux-plant and who attends to such plant and maintains records relating thereto;

“basic minimum wage” means the wage provided for in regulation 4 hereto;

“clerk” means an employee who performs miscellaneous clerical work;

“driver” means an employee who is licensed to drive any vehicle, drives and maintains any vehicle;

“fireman” means an employee who is required to detect, eliminate and reduce fire hazards, to inspect fire extinguishers and fire protection equipment, to patrol work and storage areas, to note any incident which is likely to be a fire hazard, to fight fires, and to have a good knowledge of rescue work;

“general labourer” means an employee who is required to do work of a routine nature, requiring some physical effort, in the area, department or section of the jobs set out in grade 1 of the first schedule, and who may be required to do such work as cleaning of equipment, machinery, plant or work area;

“grade III employee” includes an employee who does work which requires experience or proof of competence and initiative;

"grade IV and V employee" includes an employee who does work which requires a trade test or a minimum of two years experience, initiative and ability.

"guard and watchman" means employees who under the direction of their employer or his agent do any or a combination of the following:—

- (1) Maintaining or ordering and protecting their employer's property from hazards and unlawful activities,
- (2) noting suspicious persons,
- (3) patrolling areas assigned to them,
- (4) making periodical inspection of grounds, buildings, and gates to ensure that they are properly secured,
- (5) watching for any irregularity including water and fire hazards;
- (6) checking vehicles entering or leaving their employer's premises and reporting any suspicious actions or irregularity,

"handyman" means an employee who is required to do elementary work in masonry, plumbing, carpeting, metal work or fencing;

"induna" means an employee who supervises a number of employees allocated to him;

"inspector-security" means an employee who is in charge of a group of watchmen/guards and who assumes full duties of a watchman or a guard in the event of an emergency;

"linesman", means an employee who does duties connected with the laying, checking and repairing of a telecommunication system;

"non-trade tested painter, plasterer or bricklayer" means a painter, plasterer or bricklayer, as the case may be, who has not passed a trade test and who does work pertaining to that trade;

"operator-attendant" means an employee who is required to operate any machinery and other duties in connection therewith;

"operator skidder, bull dozer or grader" means employees who hold certificates of competence in the operation of skidders bull dozers or graders, as the case may be, and who operate such equipment and do work connected therewith;

"operators, attendants or assistants" means employees who are required to do or assist in the doing of an employer's operation assigned to them in order to ensure that all operations are done according to their employer's instructions and report anything abnormal to their employer or his agent;

"quality-inspector" means an employee who ensures that the quality of products conforms to the required standards and who maintains the necessary records relating thereto;

"saw sharpener" means an employee who maintains all saws and other cutting instruments in a sound working condition;

"sample-tester" means an employee who collects specimens from designated work areas and prepares them for test purposes and assists in the cleaning of laboratory equipment;

"store-issue clerk" means an employee who receives and issues stores, equipment, tools or stationery and does any other duties connected therewith;

"tractor-driver" means an employee who is licensed to drive a tractor and who satisfactorily does his work in connection therewith.

Application.

3. This Order shall apply to:—

- (a) any person employed in any undertaking having at least 70% of its productive holding under tree development and engaged in the occupations specified in the First Schedule hereto and,
- (b) any person employed by a contractor engaged in the clearing, felling or stripping of trees in a forest area or the construction of roads, bridges or tunnels in such area.

Basic Minimum Wage.

4. (1) Subject to paragraph (3) hereof the basic minimum wage to be paid to employees to whom this Order applies shall be calculated at a rate not less favourable than that specified in the First Schedule.

(2) For purposes of calculating daily or monthly rates, the following conversion table shall be used:—

- (a) hourly rate — divide weekly rate by weekly hours;
- (b) daily rate — divide weekly rate by days to be worked in a week;
- (c) monthly rate — multiply weekly rate by four and one-third.

(3) A female and a juvenile general labourer shall receive not less than $\frac{2}{3}$ of the full rate of the rate applicable to male general labourers.

(4) An induna shall receive the rate of the category of the workers he supervises plus 10% of the basic rate.

Rations.

5. (1) An employer shall supply rations to his employees in quantities not less than those specified in the Second Schedule.

(2) With the employee's consent, and after notifying the Labour Commissioner the employer may pay the employee as in lieu of rations, the cash value of such rations to be fixed by the Labour Commissioner from time to time.

(3) Upon notification by the Labour Commissioner of an increase in the ration allowances, the new cash value shall be paid not later than the pay day following such notification.

Hours of work.

6. The basic working week shall consist of forty-eight hours of not less than five days and not more than six days at the place of work.

Provided that —

- (a) in the case of an employee engaged on "shift work" his basic working week shall be forty-eight hours over a six day period;
- (b) in the case of watchmen and security guards the basic working week shall not be more than seventy-two hours over a six day period;
- (c) an employee required to work on a continuous shift system shall have not less than one rest day during each seven day period.

Overtime.

7. (1) Subject to paragraph 6(1) any employee, other than an employee who does "shift work", who performs the duties of a watchman and security guard required to work in excess of the hours of work, specified in regulation 6, shall be paid as follows:—

- (a) for time worked on a normal working day in excess of the hours of work set out in regulation 6 at one and half times the basic hourly rate, and
- (b) for time worked on a rest day, Sunday or Public Holiday specified in the Third Schedule hereto at twice the basic hourly rate.

(2) Any employee, engaged on "shift work" or to perform duties of a security guard on his rest day or a public holiday specified in the Third Schedule hereto; may at the discretion of his employer be given time off in lieu of any overtime payment.

Annual Leave.

8. On completion of each period of twelve months of continuous service with an employer, an employee shall be entitled to an annual leave of not less than nine days with full pay.

Sick Leave.

9. After each period of twelve months continuous service with an employer the employee shall, on production of a certificate issued by a Medical Practitioner registered under the Medical and Dental Practitioners Act No. 3 of 1970, be entitled to sick leave not exceeding fourteen working days with full pay and a further period not exceeding fourteen working days with half pay:

Provided that no employee shall be entitled to such pay if the incapacity was due to a wilful act on his part.

Public Holidays.

10. The six public holidays specified in the Third Schedule hereto shall be holidays with full pay:

Provided that —

- (a) an employee to whom authority for absence from work has not been given shall not be entitled to such pay unless he renders service to his employer on the working day prior to and following such holiday;
- (b) if agreement has been reached between an employer and his employees, any of the Public Holidays specified in the Third Schedule may be exchanged for another day in lieu thereof.

Savings.

11. (1) No employer shall by reason of this Order, reduce the wages, rations, ration allowances, annual leave or sick, as the case may be, to which an employee was entitled prior to the commencement of this Order.

(2) Any employer who contravenes paragraph (1) hereof shall be guilty of an offence and liable on conviction to a fine of fifty emalangi or three months imprisonment or both.

Repeal.

12. Legal Notice No. 72 of 1977 is hereby repealed.

A. R. SHABANGU

Permanent Secretary, Deputy Prime Minister's Office.

Mbabane.

19th February, 1979

FIRST SCHEDULE

(Regulation 4)

GRADE I E6.40 per week

General Labour — Forest
 Roads — Construction and maintenance of roads
 Agriculture — tree planting
 Orderly
 Tea Server
 Loader — woodyard

 Cleaner
 Handler — Timber
 Attendant — Conveyer Refuse
 Bale Pusher
 Bark Feeder
 Greaser
 Artisan Hand
 Nursery Worker
 Pruner
 De-Brancher-Trimmer-Trimmer-Debarker
 Stacker
 Loader
 Hooker and De-hooker
 Mule Operator or Attendant
 Stripper-De-brancher
 Felling

GRADE II E7.85 per week

Security Guard
 Hyster Driver
 Operator Powersaw
 Effluent Sump
 Semi-Auto-Plant
 Secondary-Press
 Winch
 Fork Lift
 Forest Guard
 Fire Tower Watchmen
 Cook
 Power Saw Assistant
 Saw Sharpener

Attendant

Shipper
 Washing
 Drying Plant
 Wet Lap
 Bale Press
 Auto-Press
 Firing Floor

Ash Hopper
 Power Boiler
 Lines-man Assistant
 Reclaim Assistant
 Strapper
 Tally Clerk
 Tractor Driver
 Fireman
 Handyman

GRADE III E8.60 per week

Clerk-General Duties
 Inspector - Security
 Driver-Stacker
 Nickolson
 Hy-Ho

Operator and Attendant

Cambio
 Tyre Repair

Radio

Filter House
 Auto-Press
 Smelt Spout
 Water Plant
 Analyst-Pulp Plant
 Sample-Tester
 Linesman
 Leading Fireman
 Store-Issuer
 Clerk
 Non-trade Tester
 Painter
 Plasterer
 Bricklayer

GRADE IV E17.58 per week

Senior Inspector - Security
 Artisan - Trade Tested
 Plant Operator
 Analyst Laboratory
 Quality Inspector
 Aux-Plant Attendant

Operator Skidder	E10.83 per week
Bull-Dozer	E10.83 per week
Grader	E10.20 per week
Powersaw Mechanic	E9.29 per week
Driver-Up to 5 Ton	E8.66 per week
5 Ton — 10 Ton	E11.40 per week
Over 10 Ton	E21.45 per week
Harness Maker	E8.60 per week

SECOND SCHEDULE

(Regulation 5)

MINIMUM WEEKLY RATION SCALE

Mealie Meal	6.35 kg.
Meat	1.36 kg.
Sugar . . . . .	.45 kg.
Dry Beans, Peas or groundnuts . . . . .	.68 kg.
Fresh Vegetables . . . . .	.9 kg.
Salt . . . . .	.113 kg.

Alternatives.

The following rations may be supplied in lieu of the items of food mentioned in paragraph 1:—

(a) Mealie Meal:

For every .9 kg. of mealie meal, .45 kg. of Bread, .34 kg. of rice or .23 kg. of ordinary or sweet potatoes;

(i) for the first .23 kg. of meat, .23 kg. of offal; or

(ii) for the first .45 kg. of fish or .23 kg. of cheese.

(b) For every .45 kg. of fresh vegetable, .45 kg. of fresh fruit or appropriate ration of dehydrated vegetables.

Permitted Variations:

The rations of mealie meal shown in paragraph 1(a) may be reduced by an amount not exceeding 2.72 kg. Equivalent to the amount of meal used in the preparation of:—

(a) the drink known as “mahewu”, or

(b) a proprietary vitaminized drink, if either drink is issued in a week to the employee by the employer.

S37

THIRD SCHEDULE

(Regulation 7)

Good Friday

King's Birthday

Incwala

Somhlolo Day

Christmas Day

Boxing Day

LEGAL NOTICE NO. 17 OF 1979

THE WAGES ACT 1964

(No. 16 of 1964)

THE REGULATION OF WAGES (MINING AND QUARRYING
INDUSTRIES WAGES AND CONDITIONS OF EMPLOYMENT)
ORDER, 1979.

(Under Section 11(5))

(Commencement: 23rd. February, 1979)

In exercise of the powers conferred on him by the abovementioned Act, the Honourable Deputy Prime Minister is pleased to make the following Order:—

Citation.

1. This Order may be cited as the Regulation of Wages (Mining and Quarrying Industries' Wages and Conditions of Employment) Order, 1979.

Interpretation.

2. In this Order unless the context otherwise indicates:—

“clerk A1” means a clerical worker capable of simple reading, minimal writing, collecting and carrying items, for example, date stamps, keeping calendars up to date, recording times of arrival and departure, receiving and carrying documents and correspondence internally and acting as messenger;

“clerk A2” means a clerical worker capable of performing all the functions of a clerk A1 and writing, copying, simple filing and operating simple office machines, for example, entering petty cash payments and receipts transcribing information into registers and on to forms and cards without analysis, also sorting mail, photostating and duplicating;

“clerk B1” means a clerical worker capable of analysing, accounting, operating office machines, scrutinising and utilizing information not directly available but based on past experience, interviewing according to prescribed procedure, inducting according to prescribed procedure, interpreting and supervising the works of clerks A1 and A2.

“driver of a light vehicle” means an employee entrusted with the driving of transport vehicles of a carrying capacity not in excess of five tons;

“handyman (general)” means a worker without trade qualifications, who undertakes tasks as rough glazing, painting and similar uncomplicated work, requiring skill below the artisan standard;

“mechanic B1” means a person without trade qualifications, who does simple mechanical work on rock drills and locos and who can undertake basic vehicle service and attend to pumps;

"supervisor" means a person who oversees the work of gangs working in gardens, slimes, dams, lamp rooms, screening plants, washing plants, siding mills, forests and stones and on aerial ropeways, conveyors, tipplers and on construction work and painting;

"artisan Grade 2" means a tradesman without a certificate of competence or other trade qualifications.

Application.

3. This Order shall apply to all persons other than articulated apprentices employed in any undertaking or any part of an undertaking which carries on for gain one or fore of the following activities:—

- (a) Mining and quarrying operations,
- (b) Winning of sand and general gravel from whatsoever source, or
- (c) All auxiliary work connected with the running of a mineral extraction operation.

Provided that it shall not apply to any individual employed in terms hereof who is in receipt of a basic remuneration aggregating E400.00 or more per month in cash, and who has authority to give orders to those for whose work he is responsible and, in the interest of the employer, to recommend transfer, suspension, discipline, discharge or promotion of the workers under his control or to adjust or make recommendation in connection with their grievances.

Hours of work.

4. The basic working week shall be a maximum of six days and shall consists of:—

- (a) 72 hours in the case of watchmen or security guards and
- (b) 48 hours in all other cases affected by his order.

Provided that where shifts are maintained the working week shall be divided into not more than:

- (i) six shifts of a maximum of 12 hours each or
- (ii) six shifts of a maximum of 8 hours each, as the case may be.

Work Stoppage.

5. In the event of permanent or temporary stoppage of an employer's operation whether partial or complete, occasioned by circumstances beyond the control of the employer or of the employee, but excluding stoppages occasioned by strikes lockouts, go-slows, sit-ins or other forms of labour action, or dispute, whether concerted or individual, an employee who is present, available, capable and willing to work for the normal period during normal working hours, at times appointed by the employer, shall be entitled to be paid for a minimum of forty-eight hours work in any week at the full rate applicable to the job.

Provided that he shall perform any task appointed by the employer and that such task shall not expose or subject him to peculiar risks or substantially more arduous conditions than pertained to his original or normal form of employment and that the provision of such alternative work shall in no way prejudice the employer's right to terminate the employee's contract of service in terms of his normal condition of employment and in accordance with the law.

Provided further that where the employer cannot appoint a productive task and the employee is present, available, capable and willing as aforesaid, he shall pay to the employee, full daily wages for two days immediately succeeding the day upon which work was stopped as aforesaid and thereafter the employee shall be paid at half his daily rate until work is resumed or his employment is lawfully terminated.

Static and worsening Conditions.

6. (1) The rates of pay and other conditions of employment set forth in this order are the least or minimum permitted by the Government of Swaziland and shall not be represented as otherwise and no part of this order shall be construed or quoted as justifying or denying advancement to, or freezing the wages of any employee.

(2) No employer affected by this order shall, in any way, reduce his rates of remuneration or other conditions of service from those which were applicable to his employee at the effective date of this order, except where the nature of the work has been changed.

Categories of Work.

7. The employee affected by this order shall be graded into categories A1, A2, B1, B2, B3 and C1 which said categories are defined and described in the Schedule hereto.

Basic Minimum Wage.

8. The basic minimum wages for the various categories set forth in regulation 7 hereof shall be in respect of a shift of eight hours, except in the case of watchmen, when the shift shall be 12 hours and shall be as set out in the table hereunder and shall apply for a period of twelve calendar months from the date upon which the order shall become effective.

A1	A2	B1	B2	B3	C1
E2.67	E3.25	E3.85	E4.59	E5.45	E6.47

Overtime.

9. Overtime shall be paid to daily rated workers only at the following rates:—

- (a) for time in excess of 15 minutes after the basic hours per shift as specified in regulation 4, at one and one half times the basic rate reduced to an hourly rate, save as provided in sub-regulation (b).
- (b) for time worked on Sundays, where Sunday is not a work-

ing day, or on an employee's rest day when Sunday is a normal working day, or on a holiday specified in regulation 10, at double the basic wage reduced to an hourly rate.

Public Holiday.

10. The following public holidays shall be observed and the employees shall be entitled to full basic pay in respect thereof:—

CHRISTMAS DAY
BOXING DAY
GOOD FRIDAY
EASTER MONDAY
SOMHLOLO NATIONAL DAY
INCWALA DAY
KING'S BIRTHDAY

Provided that in respect of any two of the said holidays, to maintain production, the employee shall work extra shifts at basic rates, if so required upon two days to be appointed by the employer.

Annual Leave.

11. On completion of each period of twelve calendar months of continuous service with an employer, an employee shall be entitled to annual leave of not less than fifteen working days with full pay;

Provided that should one or more of the said fifteen days be a public holiday the employee shall not be entitled to more than fifteen days annual leave, but shall be paid at double the basic rate in respect of each public holiday.

Sick Leave.

12. If an employee becomes ill through no fault of his own and is incapable of performing his duties, he shall on production of a certificate issued by a medical practitioner registered under the Medical and Dental Practitioners' Act No. 3 of 1970, be entitled, after six calendar months continuous service with his employer to one or other of the undermentioned sick benefits:—

- (a) fourteen days leave with full pay and thereafter fourteen days with half pay.
- (b) thirty days leave whereof the three days in any period of sickness shall be without pay and the remainder with pay.
- (c) thirty days of free hospitalisation and medical treatment with free food whilst in hospital and a daily sum of money equivalent to the cash value of an employee's rations as specified by the Labour Commissioner in terms of Section 98 (1) of the Employment Act No. 51 of 1962.

Maternity Leave.

13. If a woman employee becomes pregnant she shall be entitled to a total of thirty days leave in each period of twelve calendar months continuous service on full basic pay, in respect of prenatal care, confinement at the option of the employer, to free medical treatment and all medicine prescribed by the physician in charge and a period of three weeks after delivery to recover, without any payment of wages.

Rations.

14. (1) The minimum rates of pay shall be deemed to include a ration element and the value and quality of such ration element shall be determined by the Labour Commissioner from time to time. It shall not be incumbent on any employer to provide actual rations in lieu of cash but shall be entitled at all times to do so provided that he shall have procured the prior consent of the Labour Commissioner.

(2) Upon notice issued by the Labour Commissioner, specifying an increase in the ration allowance such increase shall be added to the basic minimum wage not later than the pay-day following the date of such notice.

Redundancy Payment.

15. In the case of redundancy an employee shall be paid a minimum of three months wages, plus one month's wages in lieu of notice, immediately at the time of retrenchment regardless of the length of service.

Pay Advances.

16. Any employee affected by this order shall be entitled on a day to be appointed by his employer, which shall be approximately half-way through the pay month, to draw an advance of his wages to an amount of E20.00 if his basic wage does not exceed E100.00 per month or E40.00 where his basic wages exceeds E100.00 per month.

Provided:—

- (a) that there shall be funds available to such employee to meet the amount of the required advances;
- (b) his acceptance of such advance is deemed to be an authorisation to the employer to deduct from the employee's monthly salary the full amount advanced to him at the end of the pay month.

Repeal.

17. Legal Notice No. 68 of 1977 is hereby repealed.

A. R. SHABANGU

Permanent Secretary,

Deputy Prime Minister's Office.

Mbabane
19th. February, 1979.

SCHEDULE

Category A1 shall mean and include all general labourers and others whose duties comprise the functions involved in any of the following occupations:—

Asbestos Packers
 Beer makers
 Block Makers
 Belt Maintenance Helpers
 Belt sorters
 Bag Printers
 Blaster's Labourers
 Boiler Attendants
 Chimney Sweepers
 Conveyor Attendants
 Clerks A1
 Cleaners
 Changehouse Attendants
 Coal Cutters Grade 3
 Dracco Plant Attendants
 Fuel issuers
 Haulage Labourers
 Haulage Maids
 Kitchen Hands
 Lashers
 Laundry Workers
 Messengers
 Siding Labourers
 Sweepers
 Samplers (Supervised)
 Survey Assistants (Grade 2)
 Sanitation Workers
 Stone Sorters
 Tippler Attendants
 Trammers
 Tally Check Tip Attendants
 Tamping Makers
 Ventilation Labourers
 Whitewashers
 Waiters
 Watchmen
 Underground Transport Labourers

Category A2 shall mean and include all general labourers and others, whose duties, comprise the functions involved in any of the following occupations:—

Artisan's Assistants
 Battery Charging Attendants
 Blasting Licence Holders' Assistants
 Box Operators
 Clerk A2 (as defined in regulation 2)
 Cooks
 Compressor Attendants
 Coal Samplers
 Drillers' Assistants
 Drifter Assistants
 Ellison Feeder Attendants
 Forklift Operators

First Aid Attendants
 Geological Sampling Assistants (Grade A2)
 Geological Sampling Assistant/Drivers
 Golf Club Attendants
 Greaser
 Handyman (General)(as defined in regulation 2)
 Jackhammer Operators' Assistants
 Laboratory Attendants (Grade A2)
 Lamproom Attendants (uncertificated)
 Loco Shunters
 Loading Hands
 Nursing Aids
 Onsetters
 Pest Control Workers
 Power Station Maintenance Crew (Supervised)
 Portable Saw Operators
 Pump Attendants
 Receptionists
 Rock Boilers
 Rotary and Drifter Helpers
 Spotters
 Scraper Winch Drivers
 Section Rail Workers
 Section Timber Workers
 Section Bar Workers
 Stockpile Attendants
 Sawmill Assistance (Supervised)
 Sample Plant Attendants
Security Guards
 Survey Helpers (Grade 1)
 Toolroom Attendants
 Tracers
 Torch Cutters
 Tower Dryer Attendants
 Typists (copy)
 Tub Leaders
 Tyre Inspectors
 Winch Operators
 Water Purification Plant Attendants
X-Ray Orderlies

Category B1 shall mean and include all employees whose duties comprise the functions involved in any of the following occupations:

Accounting Machine Operators
Analysts
Artisans (Grade 3)
 Barman
 Boiler Operators (Power Station)
 Blocklayers (without Trade qualification)
 Beer Makers (Chargehands)
 Crusher Shiftsmen
 Clerks (Grade B1)
 Carpenters (without trade qualification)
 Coal cutter (Grade 2)
 Drivers of light vehicles (as defined in regulation sec. 2)
 Drivers of Secondary Hoists
 Drivers of Rocker Arm Loaders

Drivers of Tractors
 Driver of Locos
 Domestic Science Instructors
 Electric Drill Operators
 Gardening Supervisors
 Guesthouse Attendants
 Geologists' Assistants (Senior)
 Geological Samplers (other than Coal)
 Gang Bosses (Grade 2 Surface)
 General Gang Supervisors
 Hospital Clerks
 Jack Hammer Operators
 Lampmen (coal, certificated)
 Mechanics B1
 Plant Operators
 Rock Mechanics Observers
 Rotary/Drifter Operators
 Supervisors (as defined hereunder)
 Service by Attendants
 Security Sergeant
 Stenographer Typists
 Switchboard Operators (internal and external)
 Telex Operators
 Training Instructors
 Theatre Orderlies
 Welfare Assistants

Category B2 shall mean and include all employees whose duties comprise the functions involved in any of the following occupations:—

Blasting Licence Holders
 Coal Cutters (Grade I)
 Drillers (Mobile Ring and Core)
 Dyke Gang Supervisors
 Drivers (heavy duty vehicle)
 Drivers earth (moving)
 Electricians (To 380 volts)
 Gangbosses (Grade II surface)
 Gangbosses (Grade II underground)
 Hoist Drivers (main winders)
 Laborator Assistants (asbestos)
 L.H.D. Drivers
 Mechanics (Grade I)
 Medical Orderlies
 Truck Busters
 Village Administration Clerks
 Welders
 Weighbridge Clerks

Category B3 shall mean and include all employees whose duties comprise the functions involved in any of the following occupations:—

Artisan (Grade 2) as defined in regulation 2
 Electricians (— To 550 Volts)
 Gangbosses (Grade 1 Underground)
 Hospital Clerks
 Ambulance Drivers

Personnel Assistants
 Section Bosses (Surface/Village Induna)
 Stores Accountant Clerks
 Section Blasters (Coal)
 Transport Controllers
 X-Ray Clerks
 Blasting Supervisors (Iron Ore)
 Drill Supervisors
 Washing Supervisors (Iron Ore)

Category C1 shall mean and include all employees whose duties comprise the functions involved in any of the following occupations other than formally qualified artisans who have served the prescribed period of apprenticeships and/or passed a Government recognised Trade Test:—

Carpenters
 Mason/Furnance Bricklayers
 Mechanics (Vehicle Maintenance)
 Plumber/Sheet Metal Workers
 Ropeway Servicemen
 Sewage/Water Supervisors
 Section Bosses (Underground)
 Storekeepers.

~~547~~

LEGAL NOTICE NO. 18 OF 1979

THE WAGES ACT, 1964

REGULATION OF WAGES (MANUFACTURING AND PROCESSING INDUSTRIES) (AMENDMENT) ORDER, 1979

(Under section 11(5))

(Date of commencement: 23rd February, 1979)

In exercise of the powers conferred on him by the abovementioned Act, the Honourable the Deputy Prime Minister is pleased to make the following Order.

Citation.

1. This Order may be cited as the Regulation of Wages (Manufacturing and Processing Industries) (Amendment) Order, 1979.

Interpretation.

2. In this Order —

“the principal Order” means the Regulation of Wages (Manufacturing and Processing Industries) Order 1978 (Legal Notice No. 47 of 1978).

Amendment of paragraph 4.

3. There is added immediately after paragraph 4(f) of the principal Order the following:

“4(g) undertakings of the Small Enterprises Development Company and the weaving and handicraft industries shall pay a basic wage not less favourable than that applicable to a general labourer.

A. R. SHABANGU

Permanent Secretary.

Mbabane
13th. December, 1978.

LEGAL NOTICE NO. 19 OF 1979

THE MONETARY AUTHORITY OF SWAZILAND ORDER, 1974

(No. 6 of 1974)

**THE MONETARY AUTHORITY OF SWAZILAND STATEMENT OF
ASSETS AND LIABILITIES AS AT 31ST JANUARY, 1979**

(Under Section 52(3))

(Commencement: 23rd. February, 1979)

In exercise of the Powers conferred upon him by the abovementioned Order, the Honourable Minister for Finance is pleased to publish for general information the Statement of Assets and Liabilities in the Schedule to this Notice.

V. E. SIKHONDZE

Permanent Secretary.

Mbabane
8th. February, 1979.

THE MONETARY AUTHORITY OF SWAZILAND
STATEMENT OF ASSETS AND LIABILITIES AS AT 31ST JANUARY, 1979

<i>Liabilities.</i>	<i>Emalangeni</i>	<i>Assets</i>	<i>Emalangeni</i>
CURRENCY IN CIRCULATION		EXTERNAL RESERVES	
Notes 10,659,031		Notes and Coin 130,520	
Coin 753,283	11,412,314	Banks 59,436,672	
		Treasury Bills 2,187,161	
DEPOSITS		Acceptances 2,976,494	
Government 35,964,946		Investments 9,908,968	
Bankers 31,832,508		Spec. Drawing Rights 1,425,792	
International 2,693,037		Reserve Position in L.M.F. 2,966,575	
Others 626,630			79,032,182
ALLOCATION OF S.D.R.s 3,441,481		GOVERNMENT SECURITIES	9,915,079
OTHER LIABILITIES AND PROVISIONS 3,709,580		UNCLEARED EFFECTS	191,761
CAPITAL 1,000,000		OTHER CURRENT ASSETS	1,377,204
GENERAL RESERVE 1,317,733		FIXED ASSETS	1,482,003
	91,998,229		91,998,229

LEGAL NOTICE NO. 20 OF 1979

THE WAGES ACT 1964

(Act No. 16 of 1964)

THE DOMESTIC SERVANTS' WAGES COUNCIL
(ESTABLISHMENT) ORDER, 1979

(Under sections 6 (1) and 8)

(Date of Commencement: 23rd. February, 1979)

In exercise of the powers conferred on him by the abovementioned Act the Honourable the Deputy Prime Minister hereby makes the following Order —

Citation.

1. This Order may be cited as The Domestic Servants' Wages Council (Establishment) Order, 1979.

Establishment of Domestic Servants' Wages Council.

2. There is hereby established a Wages Council to be known as the Domestic Servants' Wages Council to perform in relation to the employees and employers specified in paragraph 3 the functions specified in that behalf in the Wages Act, 1964.

Jurisdiction of Wages Council.

3. (1) The persons referred to in paragraph 2 hereof are all persons employed in any activities of rendering domestic services and their employers.
(2) This Order shall not apply to any employees or their employers in respect of whom there already exists a Wages Regulation Order made under the Wages Act, 1964.

A. R. SHABANGU

Permanent Secretary.

Mbabane,
16th. February, 1979.