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# SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE

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VOL. XVII]

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PUBLISHED BY AUTHORITY.

## THE WAGES ACT, 1964

(Act No. 16 of 1964)

THE REGULATION OF WAGES (BUILDING AND CONSTRUCTION INDUSTRY)  
ORDER, 1979.

(Under Section 11 (5))

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 (Building and Construction Industry) Order, 1979.

*Interpretation*

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

"clerk (without certificate)" means an employee who is not the holder of a Junior Certificate of education and who is engaged in general clerical duties;

"clerk (with Junior Certificate)" means an employee who is the holder of a Junior Certificate of education and who is engaged in general clerical duties;

"clerk (with Senior Certificate)" means an employee who is the holder of a Senior Certificate of education and who is engaged in general clerical duties;

"cook" means an employee engaged in cooking food for and dishing it out to other employees in the Building Industry;

"copy typist" means an employee mainly engaged in typing, checking figures and filing, and who is capable of typing a minimum of 30 words per minute;

"driver (light vehicle)" means an employee whose duties, in addition to being in charge of a motor vehicle of under 5 tons laden weight, include handling to and from the tailboard, and the daily maintenance and cleaning of such vehicle;

"driver (heavy vehicle)" means an employee whose duties, in addition to being in charge of a motor vehicle 5 tons or over laden weight, include handling to and from the tailboard, and the daily maintenance and cleaning of such vehicle;

"general labourer" means an employee who performs general unskilled duties;

"general tradesman" means an employee who holds a trade test certificate issued at the Swaziland College of Technology or a certificate of a similar nature.

"induna" means an employee in charge of other employees or a group of employees in an establishment;

"learner machine operator" means an employee with less than six months' experience in the operation of a machine;

"machine" means an item or heavy duty plant used for earth moving or similar operations and capable of moving with its own power or which in the opinion of the Labour Commissioner is a machine in terms of this Order;

"machine operator" means an employee who has been operating a machine in the Building and Construction Industry for six months or more or who can show proof of six months relevant experience in another industry;

"normal working day" means Monday to Friday;

"normal working hours" means hours of work specified in regulation 6;

"normal working week" means a week commencing on a Monday and ending on a Friday;

"storeman" means an employee who, apart from doing the job of a stores clerk is responsible for ordering certain items on behalf of his employer;

"Trade tested person" means a person who has been issued with a craft certificate indicating a degree of proficiency attained by the holder thereof as a result of a trade test conducted by a trade tester duly appointed as such in the public service;

"watchman" means an employee who is engaged during the day or night to guard the premises or other property of his employer;

### *Application*

3. (1) Subject to sub-regulation (2) hereof, this Order applies to persons who are specified in column one of the First Schedule and are employed in such undertaking or part of an undertaking, constituting the carrying on for gain of one or more of the following activities:-

- (a) The construction of a railway line or siding or the construction, structural alteration, maintenance, repair or demolition, of a public or private road or thoroughfare, an airfield, tunnel, bridge, viaduct, water works, sewage work, railway line and a lattice work or other structure designed solely for the support of electric lines, or
- (b) the construction, structural alteration, maintenance, repair or demolition, of a building not specified in paragraph (a) or preparation for, and laying the foundation of an intended building.

(2) This Order does not apply to persons employed in such undertaking or part of an undertaking as is operated by:-

- (a) the Government
- (b) a local authority; or
- (c) such charitable or religious organisation or educational or medical institution as may be specified by the Minister.

### *Basic Minimum Wage (First Schedule)*

4. The employees specified in column one of the First Schedule shall be paid a basic minimum wage to be calculated at a rate not less favourable than that specified in column two of that Schedule, irrespective of sex.

### *Rations (Second Schedule)*

5. An employer shall, as a condition of employment, supply his employees receiving less than E1080.00 per annum with rations whose quantity is not less than that specified in the Second Schedule:

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

### *Normal Working Hours*

6. (1) Subject to sub-regulation (2) the normal working hours per week shall consist of forty-seven and one-half hours of work not exceeding nine and a half hours of work a day exclusive of meal breaks.

(2) In the case of a watchman, the working week shall not exceed six shifts of twelve hours of work each inclusive of meal breaks.

(3) After more than five hours continuous work, an employee shall be entitled to a break of at least one-half hour for purposes of refreshment.

*Overtime*

7. (1) Overtime for all employees other than watchman shall be payable at the following rates:-

- (a) For such time as in excess of the normal hours during the normal working day and is before midnight at one-and-third times the normal hourly rate;
- (b) for time after midnight and until completion of a period of continuous work, at twice the normal hourly rate;
- (c) except in the circumstances specified in paragraph (b) for time worked on a Saturday:-
  - (i) before 4.00 p.m. at one and one half times the normal hourly rate;
  - (ii) thereafter, at twice the normal hourly rate;
- (d) for the time worked on a Sunday or a public holiday specified in the Third Schedule, at twice the normal hourly rate.

(2) Overtime for Watchman is payable after 12 hours in one day and seventy-two hours in one week at double the normal hourly rate of pay.

(3) For the purposes of calculating the payment of overtime in respect of an employee other than a watchman the normal hourly rate shall be ascertained by the amount arrived at by dividing the amount of the monthly wage by a figure not exceeding two hundred and six.

(4) For the purposes of calculating the payment of overtime in respect of a watchman the normal hourly rate shall be ascertained by the amount arrived at by dividing the amount of the monthly wage by a figure not exceeding three hundred and twelve.

*Annual leave*

8. (1) After continuous service for six months and without absence except for reasonable cause, an employee shall be entitled to one day's leave in respect of each month's service, the total period of leave on full pay to exclude the holidays specified in the Third Schedule and days which are not normal working days as occur during that leave period.

(2) If the employer is, at the time of the annual cessation of work in the employ of the employer, the leave specified in sub-regulation (1) shall be taken during the period of that cessation.

*Sick Leave*

9. If an employee becomes ill through no fault of his own and is capable of performing his duties, he shall, on production of a certificate issued by a practitioner registered under the Medical and Dental Practitioners' Act, 1970, be entitled, after six calendar months' continuous service with the same employer to fourteen days leave with full pay, thereafter fourteen days with half pay and thereafter without pay.

*Protective Clothing*

10. (1) If an employee is required to work in direct contact with mass concrete or similar matter, which is likely to cause injury to his feet, the employer shall provide such employee with a pair of gumboots free of charge.

(2) If an employee is required to work, without shelter, in the rain, the employer shall provide such employee, with a waterproof cape or similar garment free of charge.

(3) If so required by the Labour Commissioner, an employer shall provide an employee with suitable protective clothing free of charge:-

Provided that if protective clothing is damaged or lost through an employee's negligence the employee shall pay therefore, wear and tear considered, and a further issue provided.

Provided further that where the damage or loss is not the employee's fault the employer shall provide new protective clothing in place thereof.

### *Transport*

11. Except where the employer provides transport, he shall pay the employee an amount of two cents for each kilometre in excess of six kilometres that the employee travels from either his place of residence or from the employer's office when on duty if:-

- (a) the normal place of residence of the employee is outside a radius of six kilometres of his place of work;
- (b) the distance from the nearest office of the employer to that place of work is outside a radius of six kilometres from that office.

### *Travelling and subsistence allowance*

12. (1) If an employee is required to work at a place which is not his normal place of work, his employer shall provide him:-

- (a) with free transport; or
- (b) if the employee uses his own transport, with an allowance of two cents per kilometre.

(2) If an employer required an employee to live away from his normal place of residence the employer shall pay for or provide at or near the place of work accommodation for the employee.

(3) Except as provided in regulation 11 hereof an employee is not entitled to an allowance for normal travelling from his normal place of residence to his normal place of work.

### *Lay-off*

13. (1) Subject to the provisions of sub-regulation (1) of regulation 14 hereof, an employee who, not being notified to do otherwise, reports at the normal time for work is entitled to pay for a normal day.

(2) A lay-off which is due to lack of supply of materials shall not extend beyond fourteen working days, and thereafter the employee shall:-

- (a) be given work; or
- (b) be made redundant

Provided that the employer shall give lay-off notices on the preceding day.

### *Lay-off due to weather*

14. (1) An employee who reports at the normal time for work and is unable to work due to inclement weather, is entitled to pay for that day, for one-and-a-half hours.

(2) An employee who commences work, but in the opinion of his employer is unable due to inclement weather to continue work, shall be paid for the hours actually worked and for one-and-a-half additional hours.

### *Public Holidays*

15. the holidays appearing in the Third Schedule are the only days on which employees shall not be required to work but for which they shall be paid.

### *Watchmen's Clothing and Equipment*

16. (1) The employer of a Watchman shall provide him free of charge with the following:-

- (a) boots or shoes, a police whistle and a club, a torch and
- (b) a hat, overcoat or rain coat when reasonably required in prevailing weather conditions.

(2) Any clothing and equipment referred to in sub-paragraph (1) shall be of reasonable quality and shall remain the property of the employer.

### *Revocation of L.N. 12 of 1978*

17. The Regulation of Wages (Building and Construction Industry) Order, 1978 (Legal Notice No. 12 of 1978) is hereby revoked.

## FIRST SCHEDULE

(Regulation 3 and 4)

General Labourer .....	30 cents an hour
Watchman .....	30 cents an hour
Driver (light vehicle) .....	53 cents an hour
Driver (heavy vehicle of 5 tons and overloaded) .....	72 cents an hour
Clerk (without certificate) .....	30 cents an hour
Clerk (with Junior Certificate) .....	38 cents an hour
Clerk (with Senior Certificate) .....	49 cents an hour
Induna .....	45 cents an hour
Storeman (without certificate) .....	30 cents an hour
Storeman (with Junior Certificate) .....	38 cents an hour
Storeman (with Senior Certificate) .....	49 cents an hour
Survey and Soil Assistant .....	30 cents an hour
Cook .....	30 cents an hour
Copy typist .....	40 cents an hour
General Tradesman	
Bricklayer/concretor	
Plasterer/tiler, carpenter	
Painter/glazer, plumber, welder,	
Drainlayer/wireman	
Joiner/cabinetmaker	
Grade III Trade tested .....	50 cents an hour
Grade II Trade tested .....	77 cents an hour
Grade I Trade tested .....	E1.21 cents an hour
Grade IA Trade tested .....	E1.61 cents an hour
Mechanics and fitters:	
Grade III Trade tested .....	50 cents an hour
Grade II Trade tested .....	77 cents an hour
Grade I Trade tested .....	E1.21 cents an hour
Learner Machine Operator .....	72 cents an hour
Machine operator .....	E1.07 cents an hour

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SECOND SCHEDULE

(Regulation 5)

*Weekly Rations*

1. Minimum Scale	
Mealie Meal	(14 lbs.) - 6.36. kg.
Meat	(3 lbs.) - 1.36 kg.
Sugar	(1 lb.) - .45 kg.
Dry beans, peas or groundnuts	(1½ lbs.) - .68 kg.
Fresh Vegetables	(2 lbs.) - .45 kg.
Salt	(4 ozs.) - .114 kg.

*Alternatives*

2. The following weekly rations may be supplied in lieu of Mealie-Meal or meat 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 ozs.) 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 7 & 14)

Independence (Somhlolo) Day  
Good Friday  
Christmas Day  
Umhlanga (Reed Dance) Day  
King's Birthday  
Incwala Day

A.R. SHABANGU

*Permanent Secretary Deputy Prime Minister's Office*

S7  
LEGAL NOTICE NO. 107 OF 1979

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THE CENTRAL BANK OF SWAZILAND ORDER, 1974  
(NO. 6 OF 1974)

THE CENTRAL BANK OF SWAZILAND STATEMENT OF ASSETS AND  
LIABILITIES AS AT 31ST OCTOBER, 1979

(UNDER SECTION 52 (3))

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  
29TH NOVEMBER, 1979.



**CENTRAL BANK OF SWAZILAND**  
**STATEMENT OF ASSETS AND LIABILITIES AS AT 31ST OCTOBER, 1979**

<i>Liabilities</i>		<i>Emalangeni</i>	<i>Assets</i>		<i>Emalangeni</i>
<b>CAPITAL</b>		1,000,000	<b>EXTERNAL</b>		
<b>GENERAL RESERVE</b>		1,857,029	Notes and Coin	164,320	
			Balances with Banks	51,199,846	
<b>CURRENCY IN CIRCULATION</b>			Treasury Bills	2,846,724	
Notes	12,171,802		Bankers Acceptances	4,506,152	
Coin	<u>764,445</u>	12,936,247	Special Drawing Rights	5,502,189	
			Investments	<u>12,517,028</u>	76,796,259
<b>DEPOSITS</b>			<b>SWAZILAND GOVERNMENT SECURITIES</b>		868,606
Government	25,513,501				
Bankers	31,446,503				
International	2,462,397				
Others	<u>571,652</u>	59,994,053	<b>UNCLEARED EFFECTS</b>		400,514
<b>ALLOCATION OF SPECIAL DRAWING RIGHTS</b>		4,421,709	<b>OTHER CURRENT ASSETS</b>		1,447,657
<b>OTHER LIABILITIES AND PROVISIONS</b>		<u>2,379,264</u>	<b>FIXED ASSETS</b>		<u>3,075,266</u>
		<u>82,588,302</u>			<u>82,588,302</u>