

SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

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THE FARM DWELLERS CONTROL ACT, 1982

(Act No. 12 of 1982)

THE FARM DWELLERS CONTROL (AGREEMENT) REGULATIONS, 1983

(Under section 14)

In exercise of the powers conferred by section 14 of the Farm Dwellers Control Act 1982, the Minister for Home Affairs hereby makes the following Regulations—

Citation.

1. These Regulations may be cited as the Farm Dwellers Control (Agreement) Regulations 1983 and shall come into force on the 27th May 1983.

Interpretation.

2. In these Regulations unless the context otherwise requires—
“Act” means the Farm Dwellers Control Act 1982;
“Chairman” means the chairman of the Central Tribunal established by section 5 of the Act.

Agreement.

3. An agreement entered into between an owner of a farm and an unnumzane shall:—
 - (a) be in accordance with the form set out in the Schedule hereto and shall contain the information set out in Part I of the Schedule to the Act and the conditions set out in Part II of the Schedule to the Act;
 - (b) be written in the English language.

Duties of the chairman.

4. The Chairman shall—
 - (a) approve the agreement after having satisfied himself that the parties thereto know and understand the contents thereof;
 - (b) where any party to the agreement does not understand the English language, explain the contents of the agreement to him in a language which he understands;
 - (c) certify on the agreement that both (a) and (b) have been fulfilled.

S2
SCHEDULE

FORM OF AGREEMENT

MEMORANDUM OF AGREEMENT

Made and entered into by and between Mr.
(hereinafter referred to as ("the owner"))

and

Mr. (hereinafter referred to as "the um-
numzane")

WHEREAS the Umnumzane and his dependants reside on Farm No. located
in the District (hereinafter referred to as "the farm") belonging to the
owner and;

WHEREAS an agreement has been reached by the parties with regard to the matters speci-
fied in the Farm Dwellers Control Act 1982.

NOW THEREFORE IT IS HEREBY AGREED AS FOLLOWS

1. The Umnumzane and his dependants who reside on the farm at the date of this agree-
ment are entitled to remain there until unless the agreement is earlier
terminated as provided for by the Act.

2. The names of persons liable for labour, the type of labour and the periods for which
it is to be provided and the payment to be made for labour are:—

NAME	TYPE	PERIOD	PAYMENT
------	------	--------	---------

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

3. Any tax payable by the Umnumzane and or his dependants shall be paid by

4. The Umnumzane is entitled to cultivate hectares of land for the benefit of
himself and his dependants.

5. The Umnumzane is entitled to keep on the farm the following stock:—

TYPE	NUMBER	TYPE	NUMBER
1.		5.	
2.		6.	
3.		7.	
4.		8.	

6. The owner shall supply to the Umnumzane the following rations:—

1.	5.
2.	6.
3.	7.
4.	8.

CONDITIONS (as in Part II of the Schedule to the Act)

1. Labour supplied in excess of the period specified in the Agreement shall be paid for by the owner at current rates as prescribed by regulation made under section 14 of the Farm Dwellers Act, 1967.

2. Except where a dependant of the Umnumzane is, with the approval of the owner, deputizing for the Umnumzane, labour provided by dependant of the Umnumzane shall be paid for by the owner at current rates as prescribed.

3. In any proceedings against the farm dweller involving a breach of this agreement, he shall not rely on an allegation that the breach was due to his having fulfilled a customary tribal obligation other than the Reed Dance, the Incwala ceremony and the annual meeting of the Swazi National Council.

4. 1. The Umnumzane shall forthwith report to the owner the arrival of strangers at the homestead.

2. Bona fide temporary guests of the Umnumzane and his dependants may visit the farm.

5. The owner shall point out poles and grass, if any, on the farm which may be used by the farm dweller for the purpose of maintaining his homestead.

6. The owner shall keep a register of the large stock of the farm dweller.

7. The farm dweller has the right to use manure from his homestead.

THUS SIGNED ATon this.....day of

OWNER

UMNUMZANE

WITNESS 1. _____

2. _____

WITNESS 1. _____

2. _____

S4

I approve the above agreement, certify that the parties have acknowledged to me that they know and understand its contents and further certify that its contents have been explained to them in the.....and.....languages respectively.

Signed: _____
Chairman of the Tribunal

P.S. BHENGU
Acting Principal Secretary

MBABANE
24th May, 1983.

LEGAL NOTICE NO. 37 OF 1983

THE CONSTITUTION OF THE KINGDOM OF SWAZILAND

THE COURT OF APPEAL (AMENDMENT) RULES, 1983

(Under section 112)

In exercise of the powers conferred by section 112 of the Constitution, I hereby make the following Rules—

Citation.

1. These Rules may be cited as the Court of Appeal (Amendment) Rules, 1983 and shall be read as one with the Court of Appeal Rules, 1971.

Amendment of rule 31.

2. Rule 31 of the Court of Appeal Rules, 1971 is amended—

- (a) in sub-rule (1) by replacing the figure “14” with the figure “21”;
- (b) in sub-rule (3) by replacing the figure “4” with the figure “10”.

I.A. MAISELS
Judge President

MBABANE
23rd May, 1983.