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SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE

VOL. XXV

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No. 504

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PUBLISHED BY AUTHORITY

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LEGAL NOTICE NO. 13 OF 1987

THE CIVIL SERVICE ORDER, 1973

**APPOINTMENT OF ACTING SECRETARY TO CABINET/
HEAD OF THE CIVIL SERVICE**

(Under Section 8)

In exercise of the powers vested in me and in accordance with Section 8 of the Civil Service Order, 1973, I hereby appoint —

ALPHEUS RAYMOND SHABANGU

to be Acting Secretary to the Cabinet/Head of the Civil Service with effect from 29th November, 1986 to 7th January, 1987.

SIGNED AT ELUDZIDZINI THIS 5TH DAY OF JANUARY, 1987.

**KING MSWATI III
OF SWAZILAND**

LEGAL NOTICE NO. 14 OF 1987

THE DEEDS REGISTRY ACT, 1968

(Act No. 37 of 1968)

THE DEEDS REGISTRY (AMENDMENT) REGULATIONS, 1987

(Under section 9)

In exercise of the powers conferred by section 9 of the Deeds Registry Act, 1968 the Minister for Justice hereby makes the following Regulations —

Citation.

1. These Regulations may be cited as the Deeds Registry (Amendment) Regulations, 1987 and shall be read as one with the Deeds Registry Regulations, 1973.

Amendment of Second Schedule.

2. The Second Schedule to the Deeds Registry Regulations, 1973 is amended by replacing the tariff of fees and charges with the following —

“TARIFF OF FEES AND CHARGES PRESCRIBED BY REGULATION 49(3)

General Notes.

The fees specified in this tariff shall include all correspondence and shall also include the taking and giving of instructions, including the perusal of completed deeds of sale, the preparation and attendance on signature of all powers of attorney, declarations, affidavits, resolutions and other necessary preliminary and ancillary documents, the payment of transfer duty and of all rates levied by any lawful authority, the obtaining or making of all clearance or other certificates; the obtaining of endorsement or copies of documents from the office of the Master or other public office, the making of all necessary financial arrangements, including the provision and checking of guarantees and attending payment in terms thereof, the drawing and preparation of any document required for execution or registration at a deeds registry and the obtaining of registration thereof, arranging simultaneous lodgment and registration with another conveyancer or other conveyancers, where necessary, giving all references required by the deeds registry for examination purposes and all attendances at the deeds registry, but shall not include any attendance in connection with the drawing and execution of deeds of sale, deeds of donation, deeds of exchange, preliminary partition agreements and documents of a similar nature, or in connection with the obtaining of any consent or certificate required under the Land Speculation Control Act, or any separate act of registration of any other document which may be necessary before in connection with the first-mentioned act of registration.

Definition.

For the purposes of this tariff, a folio shall consist of 100 printed or written words or figures or part thereof. Four figures shall be reckoned as one word.

SECTION I

Conveyance of Ownership of Immovable Property (Other than Partition Transfers, but including Notarial Cessions of Land held under Concession Title).

1. For all work in connection with obtaining of conveyance of ownership of immovable property in any manner not specifically mentioned elsewhere in this tariff, the fee shall be as set out in column B of Schedule of tariff of fees and charges prescribed by Regulation 49 (3) to this tariff:

Provided that in the case of a conveyance in terms of Section 16, 44 and 45 of the Act, the fee shall be 50 per cent of the amount set out in column B of the said Schedule.

2. If more than two properties are included in the same instrument of conveyance, an additional fee of E15,00 for each additional property.

SECTION II

Drawing and registration of each deed of partition transfer, inclusive of all preliminary and other work in connection therewith, but excluding attendances in connection with the framing of any provisional agreement: E150,00.

Provided that in the case of a partition of erven or lots the fee shall be: E90,00; plus a further fee of E15,00 for each additional property or subdivision transferred to any one deed.

SECTION III

1. Certificates of title under Sections 17, 33, 34, 35, 37, 38, 42, 46 and 62 of the Act and certificates of rights to minerals: E100,00.

NOTE — In respect of all matters falling under this item there shall be a further fee of E15,00 for each additional property.

2. Certificates of consolidated title under Section 39 and certificates of uniform title and amended title under Sections 40 and 41 of the Act: E150,00 plus E15,00 for every additional constituent property after the first two properties.

SECTION IV

Cessions of Mineral Rights, including Cessions pursuant to Partition of Mineral Rights.

The fee shall be as set out in column B of Schedule of tariff of fees and charges prescribed by Regulation 49 (3) to this tariff.

If more than one property is included in any cession referred to in this Section an extra fee of E15,00 for each additional property.

SECTION V
BONDS

1. The fee for mortgage bonds shall be as set out in column C of Schedule of tariff of fees and charges prescribed by Regulations 49 (3) to this tariff.
2. The fee charged for auxiliary or surety bonds being mortgage bonds passed as additional security for another bond or a surety bond as security for another bond, shall be: E75,00.
3. If more than one property is included in any bond referred to in term 1 or 2 above, an extra fee of E5,00 for each additional property.

SECTION VI NOTARIAL BONDS

1. The fee for notarial general and special bonds shall be as set out in column D of Schedule of tariff of fees and charges prescribed by Regulation 49(3) to this tariff.
2. The fee for notarial bonds passed as additional security for a mortgage bond or another notarial bond or for a notarial surety bond passed as security for a mortgage bond or another notarial bond shall be: E100,00.

SECTION VII MARRIAGE CONTRACTS

Taking instructions, drawing contract and necessary copies, attending on execution and registration, including all correspondence and other necessary attendances: E50,00.

SECTION VIII OTHER NOTARIAL NEEDS

1. Framing any notarial waiver of preference by mortgage, usufructuary or other holder of a limited interest, or other notarial consent required under the Act or these regulations: E50,00.
2. Framing any notarial lease, servitude, prospecting contract, donation or other notarial deed (other than those elsewhere specially provided for in this tariff), a fee assessed according to the length and complexity thereof, with a minimum of: E75,00.

NOTE — Items 1 and 2 above shall include all necessary copies of the deeds, the taking and giving of instructions, the drawing of all powers of attorney, affidavits, certificates, correspondence and all other attendances required in connection therewith as referred to in the general notes at the head of this tariff.

SECTION IX

Cancellation, Cession of Variation of Bonds, Release of Persons or property from Bonds, and Waiver of Preference in regard to Ranking of Bonds.

1.
 - (a) Drawing consent to cancellation of bond, consent to cancellation of cession of bond, reduction of capital or release of person or property from a bond, framing waiver of preference in regard to the ranking of a bond, framing consent of mortgage, usufructuary, lessee or holder of other limited interest required by the Act or these regulations not otherwise provided for in this tariff (not notarial) and attending registration thereof, inclusive of instructions, correspondence and all relevant attendances: E40,00.
 - (b) Drawing any of the documents referred to in item 1(a) above and attending registration thereof, inclusive of instructions, correspondence and all relevant attendances in respect of a second or subsequent bond or bonds when such document or documents has or have been drawn by the same conveyancer in respect of the first bond between the same parties over the same property and such documents are or can be lodged simultaneously as a set: E15,00.
2. Drawing cession of bond, agreement or consent to variation of terms of bond, including instructions, attendances on mortgagor and mortgagee, correspondence and all relevant attendances including registration: E45,00.
3. Drawing consents under Section 56 of the Act, including instructions, all attendances on mortgagee and new debtor, correspondence and miscellaneous attendances including registration: E45,00.

SECTION X MISCELLANEOUS

1. Attendance on behalf of transferor or transferee, mortgagor or mortgagee supervising conveyance from or to transferor or transferee or supervising bond when documents prepared and lodged by another conveyancer, inclusive of all instructions, correspondence, and miscellaneous attendances relevant to such supervision.
 - (a) Where the value of the property or amount of the bond does not exceed E20 000,00: E25,00.
 - (b) Where the value of the property or amount of the bond exceeds E20 000,00: E40,00.
2. Instructions and attendances on inspection, checking, arranging and lodging for for endorsement of amendment of title under Section 43 of the Act, inclusive of all necessary attendances: E40,00.
3. Attending Deeds Registry for certificate of any act of registration required, inclusive of instructions and other relevant attendances: R15,00.
4. Attendance on and lodging title deed for endorsement, in terms of Section 46 of the Act, of layout of township or settlement, inclusive of instructions, correspondence and all relevant attendances: E75,00.
5. (1) Procuring registration of change of name:
 - (a) Where no advertisement is required: E20,00; plus E5,00 for every extra deed after the first deed.
 - (b) Where advertisement is necessary: E45,00; plus E10,00 for every extra deed after the first deed.
- (2) Procuring an amendment of any deed in terms of Section 6(1) (b) of the Act: E20,00; plus a fee of E5,00 for every extra deed.

NOTE — The above fees include instructions, the drawing of necessary applications, correspondence and all relevant attendances and, in the case where advertising is necessary, include also drawing and placing of the necessary advertisements.

6. Attendance and searching at Deeds Registry for information required, other than information required for preparation or registration of a deed, including instructions, correspondence and all relevant attendances, per half hour or part thereof: E10.
Reporting per folio: E5,00.
7. Drawing notice of application for issue of a certified copy of a deed, including instructions, publication of notice of application to Registrar, filing of necessary documents for registration, correspondence and all relevant attendances: E70,00.
8. Attendances in obtaining certified copy of any deed from Deeds Registry where no advertising is required, inclusive of instructions, filing of necessary documents, correspondence and all relevant attendances: E15,00.
9. Attendance on Surveyor-General for metrication of any diagram or obtaining copy of any diagram from the Surveyor-General, including instructions, application, correspondence and all relevant attendances: E7,50.
10. Attendance on local or other authority to obtain approval in terms of any law of subdivisional diagram: E30,00.

11. Drawing any affidavit or application in regard to any separate act of registration or endorsement not specifically mentioned in this tariff, or for the creation of township conditions against the remainder of the property, or for the lapsing of any condition of title, inclusive of taking and giving instructions, correspondence and all other attendances in connection with such affidavit or application: E20,00; plus E5,00 for each extra folio where such affidavit or application exceeds one folio in length.
12. Attending on registration of any document not elsewhere provided for in this tariff, including registration of general powers of attorney, copies of antenuptial contracts, duplicates of notarial bonds previously registered in another Deeds Registry, and other such like documents, inclusive of the taking and giving of instructions, correspondence and all relevant attendances: E15,00.
13. Attending to filing at Deeds Registry any document relating to any person, partnership, association or company, where such filing is independent of any particular act of registration being attended to by that conveyancer, inclusive of instructions, correspondence and all relevant attendances: E10,00.
14. For attendance on taxation where required, including all necessary relevant attendances and correspondence: a fee equal to 5 per cent of the fees allowed on taxation shall be chargeable by the conveyancer submitting the bill of costs, and a fee equal to 5 per cent of the total fees originally reflected in that bill of costs shall be chargeable by the conveyancer opposing taxation, subject to a minimum fee of E7,50 in respect of each conveyancer.

COLUMN A	COLUMN B Fees for conveyance of immovable property E	COLUMN C Fees for Mortgage Bonds E	COLUMN D Fees for Notarial Bonds E
Purchase Price or value of property or amount of Bond			
E400 or less	90,00	60,00	90,00
Over E400 up to and including E1 000	105,00	75,00	105,00
Over E1 000 up to and including E2 000	135,00	90,00	120,00
Over E2 000 up to and including E4 000	165,00	105,00	135,00
Over E4 000 up to and including E6 000	195,00	120,00	150,00
Over E6 000 up to and including E8 000	210,00	135,00	165,00
Over E8 000 up to and including E10 000	225,00	150,00	180,00
Over E10 000 up to and including E12 000	240,00	165,00	195,00
Over E12 000 up to and including E14 000	255,00	180,00	210,00
Over E14 000 up to and including E16 000	270,00	195,00	225,00
Over E16 000 up to and including E18 000	285,00	210,00	240,00
Over E18 000 up to and including E20 000	300,00	225,00	255,00
Over E20 000 up to and including E25 000	330,00	248,00	278,00
Over E25 000 up to and including E30 000	360,00	270,00	300,00
Over E30 000 up to and including E35 000	390,00	293,00	323,00
Over E35 000 up to and including E40 000	420,00	315,00	345,00
Over E40 000 up to and including E45 000	450,00	338,00	368,00
Over E45 000 up to and including E50 000	480,00	360,00	390,00
Over E50 000 up to and including E60 000	510,00	383,00	413,00
Over E60 000 up to and including E70 000	540,00	405,00	435,00
Over E70 000 up to and including E80 000	570,00	428,00	458,00
Over E80 000 up to and including E90 000	600,00	450,00	480,00
Over E90 000 up to and including E100 000	630,00	473,00	503,00
Over E100 000 up to and including E150 000	705,00	518,00	548,00
Over E150 000 up to and including E200 000	780,00	563,00	593,00
Over E200 000	780,00	563,00	593,00
	for the first E200 000 plus E150,00 per E100 000 or part thereof thereafter	for the first E200 000 plus E150,00 per E100 000 or part thereof thereafter	for the first E200 000 plus E150,00 per E100 000 or part thereof thereafter

LEGAL NOTICE NO. 15 OF 1987

THE WAGES ACT, 1964

(Act No. 16 of 1964)

THE REGULATION OF WAGES (RETAIL AND WHOLESALE
DISTRIBUTIVE TRADES) ORDER, 1987

(Under Section 11)

In exercise of the powers conferred on him by Section 11 of the Wages Act, 1964 the Minister for Labour hereby makes the following Order:—

Citation.

1. This Order may be cited as the Regulation of Wages (Retail & Wholesale Distributive Trades) Order, 1987 and shall come into force on the 10th March, 1987.

Application.

2. This Order shall apply to all persons employed in the retail and Wholesale supply of goods or merchandise of any description, or in any operations such as warehousing, storing, packing, clerical or other work which is associated with such retail or wholesale supply.

Interpretation.

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

“blockman” means a person employed in a butcher’s shop whose duties are the cutting, dressing and preparation of meat, but may include attending to customers;

“cashier” means a person responsible for issuing or receiving money;

“clerk (with Senior Certificate)” means an employee who is the holder of a Senior Certificate of Education or Form V, 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 or Form III, and who is engaged in general clerical duties;

“clerk (with no Certificate)” means an employee who does not possess a Junior Certificate of Education or Form III, and who is engaged in general clerical duties;

“copy typist” means an employee wholly or mainly engaged in typing, checking figures and filing and who is capable of typing a minimum of 25 words per minute;

“deliveryman” means an employee wholly or mainly engaged in the delivery of goods;

“driver (heavy vehicle)” means an employee in charge of a vehicle of over 1½ tons whose duties include handling to and from the tailboard and daily maintenance and cleaning of such vehicle;

“driver (light vehicle)” means an employee in charge of a vehicle of 1½ tons or less whose duties include handling to and from the tailboard and the daily maintenance and cleaning of such vehicle;

“general labourer” include a person employed as a sweeper, cleaner or shopman;

“heavy duty labourer” means an employee wholly or mainly engaged in the handling, loading, unloading and stacking of heavy packages of goods or items of 75 pounds weight or more and who has been specially engaged for such work;

“junior shop assistant” means a person employed in a place where goods are exhibited for sale to the public and who assists a shop assistant or other person serving customers, including the making up of orders and checking goods inwards and who has not acquired two years experience in such activities;

“lorryman” means an employee wholly or mainly engaged in a vehicle conveying goods or merchandise whose responsibility includes the safe custody of such goods or merchandise whilst in transit, and assisting in their loading and unloading and whose duties may be interchangeable with those of a general labourer;

“messenger” means an employee wholly or mainly engaged in carrying out errands, delivering or fetching mail, making bank deposits, and carrying out simple routine task in the employer's office or shop;

“petrol pump attendant” means a person wholly or mainly employed at a petrol pump selling fuel and oil;

“pre-packer” means an employee wholly or mainly employed in the pre-packing of goods for display or for sale to the public;

“redundancy” means a situation where, due to the operational or financial requirements or circumstances of the employer, the need for workers of a particular kind has ceased or diminished;

“shop assistant” means a person wholly or mainly employed for purposes of transacting business with customers or displaying goods on a place where such goods are exhibited for sale to the public in a supermarket or similar establishment who has acquired two years experience in such work;

“telephone switchboard operator” means an employee whose duties consist wholly or mainly in the operation of a telephone switchboard;

“trainee cashier” means a person responsible for issuing and receiving money and who has been employed as such for a continuous period of not more than six months;

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

Basic Minimum Wage.

4. The basic minimum wage to be paid to the employee specified in the First Schedule shall:—

- (i) be calculated at a rate not less than that specified in the said Schedule;
- (ii) be deemed to include the ration element;
- (iii) not be reduced by any amount for housing or accommodation which may be provided by the employer;

Provided that an employee who at the date of commencement of this Order is in receipt of a higher wage for his particular occupation than the wage prescribed by this Order shall not by reason of this Order suffer reduction in such wage.

Hours of Work.

5. (1) Subject to sub-sections (2) and (3) the normal hours of work for employees shall, subject to the provisions of section 7, consist of forty-eight hours per week divided into eight and one half per day excluding a rest period of one hour on Mondays to Fridays inclusive.

(2) The normal hours of work for petrol pump attendants shall, subject to the provisions of section 7, be forty-eight hours of work spread over a period of one week.

(3) The normal hours of work for a watchman shall be seventy-two hours divided into six shifts, each of twelve hours.

Public Holidays.

6. Public Holidays shall mean the days specified in the Second Schedule and shall, subject to the provisions of section 7, be holidays with full pay.

Overtime.

7. (1) An employee, other than a petrol pump attendant and a watchman, who is required to be on duty and work in excess of the hours specified in section 5 shall be paid at one and half times the basic hourly rate:

Provided that overtime worked on Sundays or public holidays or after 1.00 p.m. on Saturdays shall be paid for at twice the employee's basic hourly rate.

(2) Overtime shall be paid to petrol pump attendants as follows:—

- (i) for all time worked in excess of the normal hours of work (other than on a public holiday) at one and one half times the employee's basic hourly rate;
- (ii) for all time worked in excess of the normal hours of work on a public holidays at twice the employee's basic hourly rate.

(3) For the purpose of calculating the employee's basic hourly rate the employee's monthly basic rate shall be divided by two hundred and eight.

Annual Leave.

8. (1) After twelve consecutive months' service with an employer an employee shall be entitled to twelve working days leave on full pay:

Provided that on completion of three years continuous service with an employer an employee shall be entitled to fifteen working days leave on full pay.

(2) Where employment is terminated after three month's initial service with an employer, or after returning from annual leave as provided for in sub-section (1) an employee shall be entitled to one day's pay for each completed month of service following his initial engagement or following his return from leave as the case may be.

Sick Leave.

9. (1) After three consecutive month's service with an employer, an employee shall be entitled to sick leave up to a maximum of twenty-one days with full pay, and thereafter to sick leave up to a maximum of seven days with half pay in each period of twelve month's continuous service, subject to him producing a certificate of incapacity covering the period claimed as sick leave and signed by a medical practitioner.

(2) An employee shall not be eligible for sick leave in respect of any incapacity due to his own neglect or misconduct.

(3) Sick leave taken by an employee in terms of this section shall not be construed as a break in service for purposes of determining his entitlement to annual leave.

(4) An employee, who produces a certificate signed by a medical practitioner recommending her absence from work for reason of pregnancy, shall be entitled to sick leave as set out in this section:

Provided that the entitlement to leave on half pay shall be increased to twenty-one days in such case.

Casual Labourer.

10. An employee employed as a casual labourer shall be paid for each day or shift worked at a rate not less than one twenty-fourth of the basic minimum wage.

Watchman's clothing and equipment.

11. (1) The employer of a watchman shall provide him free of charge with:—

- (a) boots, a police whistle and a club; and
- (b) a hat, overcoat or rain coat as are reasonably necessary in prevailing weather conditions.

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

Redundancy.

12. When an employee has been employed for a period of three years or more and his employment is terminated for reasons, which are beyond the control of either the employer or the employee he will be paid either:—

- (a) A redundancy payment equal to two-thirds of his monthly wage multiplied by four; or
- (b) severance allowance required by the Employment Act whichever is the greater, but he will not be entitled to be paid severance pay and redundancy pay.

Piece of task work.

13. An employee engaged on task or piece work shall be entitled to wages and conditions of employment not less favourable than those specified in this Order.

14. An employee, who by nature of his employment is required on any day to remain on duty after 6 p.m. or is required to start work before 7.00 a.m. shall be provided free of charge with transport between his place of work and his home or such point on a public road as may be mutually agreed upon between the employer and the employee.

Revocation.

15. The Regulation of Wages (Retail and Wholesale Distributive Trades) Order, 1986 (Legal Notice No. 75 of 1986) is hereby revoked.

FIRST SCHEDULE
BASIC MINIMUM WAGE
 (Emalangenani per month)

All other areas

Bhunya, Big Bend, Havelock Mine, Hlatikulu, Luyengo, Matata, Malkerns, Manzini, Mbabane (including establishments situated along and within 5 km. on either side of the Mbabane/Manzini main road stretching 20 km. from Mbabane); Matsapa Industrial Areas, Mhlambanyatsi, Mhlume, Ngwenya, Nhlangano, Pigg's Peak, Sidvokodvo, Simunye, Siteki, Tambankulu, Tshaneni, Vuvulane.

General Labourer	E136.50	E121.28
Lorryman	E136.50	E121.28
Watchman	E136.50	E121.28
Messenger	E136.50	E121.28
Deliveryman	E136.50	E121.28
Heavy Duty Labourer	E136.50	E121.28
Pre-Packer	E136.50	E121.28
Clerk (with no certificate)	E153.83	E129.15
Clerk (with junior certificate)	E161.70	E129.15
Clerk (with Senior certificate)	E173.30	E139.65
Junior Shop Assistant	E153.83	E129.15
Telephone Switchboard Operator	E153.83	E129.15
Copy Typist	E153.83	E129.15
Driver (light vehicle)	E161.70	E129.15
Petrol Pump Attendant	E161.70	E129.15
Driver (heavy vehicle)	E173.30	E139.65
Shop Assistant	E173.30	E139.65
Blockman	E173.30	E139.65
Cashier	E180.60	E147.00
Trainee Cashier	E153.83	E129.15

SECOND SCHEDULE

Ascension Day
 Good Friday
 Boxing Day
 Incwala Day
 Christmas Day
 New Year's Day
 King's Birthday
 Easter Monday
 Reed Dance Day
 Flag Day
 Somhlolo Day

J.D. MNGOMEZULU
Principal Secretary Ministry of Labour