SWAZILAND

GOVERNMENT GAZETTE

VOL. XXVIII] · MBABANE, Friday, March 9th., 1990 [No. 712

CONTENTS

No. Page

GENERAL NOTICES

14. Declaration of a Prohibited Immigrant 114

MISCELLANEOUS

Standard Chartered Bank Swaziland Limited —
Balance Sheet at 31 December, 1989 116
ADVERTISEMENTS 118

CONTENTS OF SUPPLEMENT

PART A — BILLS

2. The Loan (Matsapha Industrial Park) Bill, 1990 ..... S1

PART C — LEGAL NOTICES

12. Appointment of Commissioners of Oaths S3
16. Appointment of Commissioner of Oaths S4
17. The Mbabane (Extension No. 20) Regulations, 1990 ..... S5
19. Date of Commencement (Amendment) Notice, 1990 ..... S6
20. The Regulation of Wages (Agricultural Industry) Order, 1990 ..... S7

PUBLISHED BY AUTHORITY

GENERAL NOTICE NO. 14 OF 1990

THE IMMIGRATION ACT, 1982

(Act No. 17 of 1982)

DECLARATION OF A PROHIBITED IMMIGRANT
(Under Section 3)

In exercise of the powers conferred upon me by Section 3 of the Immigration Act, 1982 and in consequence of information received from a source considered by me to be reliable,

I hereby Declare:-

MBUZELI MICHAEL NGENISA

to be an undesirable immigrant to Swaziland and or person whose presence in Swaziland is contrary to the national interest within the meaning of the said sections.

E.R.S. TSHABALALA
Minister for Interior

MBABANE.
17.1.1990.

STANDARD CHARTERED BANK SWAZILAND LIMITED

(Incorporated in Swaziland)

Balance Sheet at 31 December, 1989

	1989 E	1988 E
SHARE CAPITAL		
Authorised		
12 000 000 (1988 – 8 000 000) shares of E1 each	12 000 000	8 000 000
Issued		
8 412 570 (1988 – 5 451 428) shares of E1 each	8 412 570	5 451 428
RESERVES	4 326 431	3 035 726
	12 739 001	8 487 154
CURRENT, DEPOSIT AND OTHER ACCOUNTS		
Customers current accounts	44 253 271	41 634 203
Customers deposit accounts	88 000 553	66 721 336
	132 253 824	108 355 539
Taxation	767 160	2 305 194
Other accounts	5 944 419	4 001 976
Amounts due to holding and fellow subsidiary companies	1 086 275	132 446
Proposed dividend	2 271 394	1 362 857
	142 323 072	116 158 012
LIABILITIES UNDER GUARANTEES, INDEMNITIES AND LETTERS OF CREDIT	26 618 062	25 550 231
	181 680 135	150 195 397

	1989 E	1988 E
ASSETS OTHER THAN FIXED		
Cash on hand	2 181 277	2 224 389
Cash reserve with Central Bank of Swaziland	16 881 564	6 946 835
Call and fixed deposits with Central Bank of Swaziland	—	20 000 000
Call and fixed deposits with group companies	22 797 109	10 907 950
Call and fixed deposits with other banks	23 187 760	2 117 210
Kingdom of Swaziland Treasury Bills	—	3 000 000
	65 047 710	45 196 384
Investments, at cost	250 000	250 000
Advances and other accounts	78 085 664	66 534 322
Items in transit	5 609 097	7 890 501
Amounts due by holding and fellow subsidiary companies	421 361	1 108 481
	149 413 832	120 979 688
FIXED ASSETS	5 648 241	3 665 478
CUSTOMERS LIABILITIES UNDER GUARANTEES, INDEMNITIES AND LETTERS OF CREDIT	26 618 062	25 550 231
	181 680 135	150 195 397

NOTICE

ESTATE LATE: GRACE DORIS SMITH — E.85/88

Notice is hereby given that in terms of Section 51 bis of the Administration of Estate Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open in the office of the Master of the High Court Mbabane for a period of twenty one (1) days from date of appearance of this Notice.

Any person objecting to the account may lodge his objection in writing in duplicate to the Master of the High Court at any time before the expiry of the said period.

WILLIAM F. MTHEMBU & ASSOCIATES
Attorneys for the Executrix Dative
1st Floor Enterprise Building
P.O. Box 1301, MANZINI.

B176 9.3.90

NOTICE

TRADING LICENCE ORDER NO. 20 OF 1975

Notice is hereby given that an application by Shoecorp Shoe Stores (Swaziland) (Proprietary) Limited c/o Carlston and Company, P.O. Box 143, Manzini for a grant of a General Dealer's Licence to be carried on a Kiosk No. 3 known as Union Bank Building, Swazi Plaza, Mbabane will be heard at the Regional Secretary's Offices, Mbabane on Tuesday the 27th day of March 1990, at 10.00 a.m.

Objections thereto must be lodged in writing with the Regional Secretary, Mbabane as well as with the Applicant's Attorneys Carlston and Company, New CCU Building, Ngwane and Mahleka Streets, P.O. Box 143, Manzini on or before the 23rd day of March,1990.

CARLSTON AND COMPANY
Applicant's Attorneys
New C.C.U. Building
Ngwane and Mahleka Streets
P.O. Box 143, MANZINI.

B173 9.3.90

NOTICE

Notice is hereby given that an application by Peter Armstrong t/a Armstrong Artworks of P.O. Box 380, Mbabane for the grant of a General Dealer's Licence to operate at "The Mall" shopping Centre, Riverside, Mbabane will be heard in the Regional Administrator's Conference Room, Mbabane on Tuesday the 27th day of March 1990, at 10.00 a.m.

Objections thereto must be lodged in writing with the Licensing Officer, Mbabane as well as with the undersigned by no later than 4.00 p.m. on Friday the 23rd day of March, 1990.

P.R. DUNSEITH
Attorney for the Applicant
Lansdowne House
Post Street
P.O. Box 423, MBABANE.

B179 9.3.90

NOTICE

Notice is hereby given that I, James Mtfolwaphi Mthethwa of Hhohho Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Mazibuko after the fourth publication of this Notice in each of four consecutive weeks in the Times of Swaziland and Swazi Observer newspapers, being two newspapers circulating in the region where I reside and designated for this purpose by the Regional Secretary for the ..... Region and in the Government Gazette.

The reason I want to assume the surname Mazibuko is because Mthethwa is not my real surname.

Any person or persons likely to object to my assuming the surname Mazibuko should lodge their objections in writing with me at the address given below and with the Regional Secretary for Hhohho Region.

The Secretary
P.O. Box 26, Piggs Peak.

B161 4 x 23.3.90

NOTICE

Notice is hereby given that Wilikin Makhenikhi Tsabedze of Box 26 Hlatsi Shiselweni Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Mkhwanazi after the fourth publication of this notice in each of four consecutive weeks in the Times of Swaziland and the Swazi Observer newspapers being two newspapers circulating in the region where I reside and designated for this purpose by the Regional Secretary for the Shiselweni Region and in the Government Gazette.

The reason I want to assume the surname Mkhwanazi is because Mkhwanazi is my real surname and Tsabedze is the surname of the people who brought me up.

Any persons likely to object to my assuming the surname Mkhwanazi should lodge their objections in writing with me at the address given below and with the Regional Secretary for Shiselweni Region, P.O. Box 8, Nhlangano.

Wilikini Mkhwanazi
Box 26, HLATSI.

Regional Secretary
P.O. Box 8, NHLANGANO.

B170 4x23.3.90

NOTICE

Notice is hereby given that we intend applying for a Certified Copy of: DEED OF TRANSFER No. 123/1984 dated 29th day of May 1984 in favour of JOHN KENNY (born on the 29th day of September 1929) in respect of:

CERTAIN: Lot 9 situate on Kendal Road and Hillcrest Road in the Township of Fairview District of Manzini Swaziland;

MEASURING: 1178 (One One Seven Eight) Square metres

Any person having objection to the issue of such copy is hereby requested to lodge it in writing with the Registrar of Deeds within Three (3) weeks of the last publication of this Notice.

DATED at MBABANE this 26th day of FEBRUARY 1990

ROBINSON, BERTRAM & CO,
Attorneys for/Applicant,
P.O. Box 24, MBABANE.

B165 2x9.3.90

NOTICE

Take notice that application will be made on the 3rd April 1990, at the Regional Administrator's Offices at 10.00 a.m. by BOTKEN (PTY) LTD for the grant of an Import, Export permit or licence to be operated at Suite No. 9 plot 75 Nkoseluhlaza Street Manzini.

Any person objecting to the grant of the above application must file the objection in writing not later than the 28th March 1990, to the applicant's Attorneys at P.O. Box A93, Swazi Plaza, Mbabane and the undersigned.

DATED at MBABANE this 7th day of MARCH, 1990.

The Licensing Officer
P.O. Box 13, MANZINI.

B192 9.3.90

NOTICE

ESTATE LATE MAXWELL R. CHIBI — E.43/88

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 (Twenty One) days from date of publication of this notice.

Any person objecting to the account may lodge his objection in writing in duplicate to the Master of the High Court at any time before expiry of the said period.

SCOTT-SMITH NKOSI & PARTNERS
Attorneys for the Executrix Dative
3rd Floor Liqhaga Building
PO Box 2427
Nkoseluhlaza Street
MANZINI

B191 9.3.90

NOTICE

LOST DEED OF TRANSFER

Notice is hereby given that we intend to apply to a certified copy of Deed of Transfer No. 4/1974 dated the 11th January, 1974 passed in favour of TIMUKA ABEDNEGO DLAMINI born during 1915 in respect of:

CERTAIN: Portion 155 of the Farm NOTCLIFFE No. 674, situate in the district of LUBOMBO, SWAZILAND

MEASURING: 2, 1171 (Two comma One One Seven One) hectares;

All persons having objection to the issue of such copy are hereby required to lodge the same in writing with the Registrar of Deeds for Swaziland at Mbabane within three (3) weeks from the last publication of this notice.

DATED at MANZINI on this 7th day of MARCH, 1990.

DLAMINI VICTOR D & PARTNERS
Applicant's Attorneys
Zelmey Centre
Ngwane Street
P.O. Box 650, MANZINI.

B190 2x 16.3.90

NOTICE

Notice is hereby given that we intend applying for a Certified Copy of: Deed of Transfer No. 20/1969 dated the 30th January 1969 in favour of Judith Magritha Dekker (born Nel on the 8th April 1903) widow in respect of the two properties, namely:–

1. CERTAIN: Erf No. 17 situate in the Township of Nhlangano, Shiselweni District, Swaziland;

   MEASURING: 2855 (Two Eight Five Five) square metres;

2. CERTAIN: Erf No. 18 situate in the Township of Nhlangano, Shiselweni District, Swaziland;

   MEASURING: 2855 (Two Eight Five Five) square metres;

Any person having objection to the issue of such copy is hereby requested to lodge it in writing with the Registrar of deeds within Three (3) weeks of the last publication of this Notice. Our Ref: MNISI/E.12.

DATED at MBABANE this day of 1990.

ROBINSON BERTRAM & CO.,
Attorneys for Applicant
P.O. Box 24, MBABANE.

B189 2 x 16.3.90

NOTICE

TRADING LICENCE ORDER NO. 20 OF 1975

Notice is hereby given in terms of the registration of Business and Insolvency Act that the General Dealer Licence carried on at Lot No. 47 Mancishane Street opposite Manzini Market, Manzini District by Swaziland Bolts and Nut Centre (Pty) Limited will be transferred to "BOLTOOL AND SPARES (PTY) LIMITED". After the third publication hereof on the grant of the transfer of the licence will be heard on the 27th March 1990 at 10.00 a.m. in the Regional Secretary's Offices.

Objections thereto if any should be lodged with the Applicant's Attorneys and the Regional Secretary, P.O. Box 13, Manzini and also with the undersigned not later than the 23rd March 1990 at 4.00 p.m.

CARLSTON AND COMPANY
Applicant's Attorneys
New C.C.U. Building
Ngwane and Mahleka Streets
P.O. Box 143, MANZINI.

B180 3 x 23.3.90

NOTICE

Notice is hereby given that we intend applying for a Certified Copy of: Deed of Transfer No. 121/1967 dated 13th July, 1967 in favour of Fareed Investments (Proprietary) Limited in respect of:

CERTAIN: Lot No. 74, situate in Johnston Street and Post Streets in the town of Mbabane Hhohho District, Swaziland;

MEASURING: 495 (Four Hundred and Ninety Five) square metres;

Any person having objection to the issue of such copy is hereby requested to lodge it in writing with the Registrar of Deeds within Three (3) weeks of the last publication of this Notice.

DATED at MBABANE this 1st day of March, 1990.

ROBINSON, BERTRAM & CO.,
Attorneys for/Applicant
P.O. Box 24, MBABANE.

B182 2 x 16.3.90

NOTICE

Notice is hereby given that we intend applying for a Certified Copy of: Deed of Transfer No. 113/1971 dated 11th May, 1971 in favour of Rosamund MacIntyre (born Dunn) on the 16th Day of January 1919) widow in respect of:

CERTAIN: Erf No. 153 situate in Fourth Avenue and Seventh Street, in the Township of Nhlangano, Shiselweni District

MEASURING: 2855 (Two Eight Five Five) square metres

Any person having objection to the issue of such copy is hereby requested to lodge it in writing with the Registrar of Deeds within Three (3) weeks of the last publication of this Notice.

DATED at MBABANE this 28th day of February 1990.

ROBINSON, BERTRAM & CO.,
Attorneys for/Applicant,
P.O. Box 24, MBABANE B183 2x 16.3.90

NOTICE

Notice is hereby given that we intend applying for a Certified Copy of: Deed of Transfer No. 56/1986 dated 20th February, 1986 in favour of Sybil Dulcy Leibrandt (born Nunn on the 22nd December 1935) Divorcee in respect of:

CERTAIN: Lot No. 424, situate in Silver Tree and Kurrajong Roads in the Coates Valley Town, Urban Area of Manzini, District of Manzini, Swaziland;

MEASURING: 1468 (One Four Six Eight) square metres;

Any person having objection to the issue of such copy is hereby requested to lodge it in writing with the Registrar of Deeds within Three (3) weeks of the last publication of this Notice.

DATED at MBABANE this 1st day of March, 1990.

ROBINSON, BERTRAM & CO.,
Attorneys for/Applicant,
P.O. Box 24, MBABANE. B184 2 x 16.3.90

NOTICE

TRADING LICENCE ORDER NO. 20 OF 1975

Notice is hereby given that an application has been made by Swaziland Meat Industries Lim c/o G.M. Landmark P.O. Box 1905, Manzini for the grant of a Hawkers Licence to operate at Lot the Matsapa Industrial Sites Area, in the Manzini District.

The application will be heard on the 20th March 1990 at 10.00 a.m. at the Regional Secreta Office, Manzini.

Objections thereto must be lodged in writing with the Applicant's Attorneys and the Regio Secretary, P.O. Box 13, Manzini not later than the 12th March, 1990.

G.M. LANDMARK
Applicant's Attorney
P.O. Box 1905,
Goodenough Building
MANZINI

B174 9.3.90

NOTICE

TRADING LICENCE ORDER NO. 20 OF 1975

Notice is hereby given that an application has been made by Swaziland Meat Industries Limited., c/o G.M. Landmark, P.O. Box 1905, Manzini for the grant of a Butcher Retail Licence to operate at Lot 33 in the Matsapa Industrial Sites Area, in the District of Manzini.

The application will be heard on the 20th March, 1990 at 10.00 a.m. at the Regional Secretary's Office, Manzini.

Objections thereto must be lodged in writing with the Applicant's Attorney and the Regional Secretary, P.O. Box 13, Manzini not later than the 12th March, 1990.

G.M. LANDMARK
Applicant's Attorney
P.O. Box 1905,
Goodenough Building
MANZINI

B175 9.3.90

The Government Printer, Mbabane

SUPPLEMENT TO

THE

SWAZILAND GOVERNMENT

GAZETTE

VOL. XXVIII] MBABANE, Friday, March 9th., 1990 [No. 712

CONTENTS

No. Page

PART A — BILLS

2. The Loan (Matsapha Industrial Park) Bill, 1990 ..... S1

PART C — LEGAL NOTICES

12. Appointment of Commissioners of Oaths..... S3
16. Appointment of Commissioner of Oaths..... S4
17. The Mbabane (Extension No. 20) Regulations, 1990 ..... S5
19. Date of Commencement (Amendment) Notice, 1990..... S6
20. The Regulation of Wages (Agricultural Industry) Order, 1990 ..... S7

PUBLISHED BY AUTHORITY

S1

THE LOAN (MATSAPHA INDUSTRIAL PARK) BILL, 1990

Bill No. 2 of 1990)

(To be presented by the Minister for Finance)

MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to authorise the Minister for Finance to raise a loan not exceeding seventeen million and five hundred thousand Deutsche Marks (DM17,500,000) approximately twenty-six million Emalangeni (E26,000,000) from Kreditanstalt Für Wiederaufbau (KFW) for financing the rehabilitation and extension of the infrastructure of the Industrial Park in Matsapha as well as a management assistance of the Ministry of Commerce, Industry and Tourism. The loan shall be used primarily to pay the foreign exchange costs of the project.

J.M. DLAMINI
Acting Attorney General

A BILL

entitled

An act to authorise the Minister for Finance to raise a loan for financing the rehabilitation and extension of the infrastructure of the Industrial Park in Matsapha as well as a management assistance of the Ministry of Commerce, Industry and Tourism.

Short title.

1. This Act may be cited as the Loan (Matsapha Industrial Park) Act, 1990.

Interpretation.

2. In this Act unless the context otherwise requires -

"Agreement" means the Agreement referred to in Section 3 and includes any document related thereto;

"Borrower" means the Government of the Kingdom of Swaziland;

"Lender" means Kreditanstalt Für Wiederaufbau (KFW);

"loan" means the loan raised by the Minister under Section 3;

"Minister" means the Minister responsible for Finance.

Authority to raise loan.

3. The Minister for Finance is hereby authorised to enter into an Agreement with the Lender for the purpose of raising a loan not exceeding seventeen million and five hundred thousand Deutsche Marks (DM 17,500,000), approximately twenty-six million Emalangeni (E26,000,000) upon the terms and conditions specified in this Act and upon such other terms and conditions as the Government may consider appropriate.

Loan charges and repayments.

4. (1) The Borrower shall repay the loan in thirty (30) years in sixty-one (61) consecutive semi-annual instalments commencing from 30th June, 2000 and ending on 30t June 2030.

(2) The loan shall carry an interest at the rate of three quarters of one per cent (0.75%) per annum.

(3) The Borrower shall pay to the Lender a commitment charge of one quarter of one per cent (0.25%) per annum on the undisbursed loan amounts, and the commitment charge shall be computed for a period beginning three (3) months after the signing of the Agreement and ending on the respective dates of disbursements of the loan.

(4) The Borrower shall pay to the Lender the commitment charge, the interest and the interest on arrears of repayment, if any, semi-annually on 30th June and 31st December respectively.

Charging of loan.

5. The loan shall be charged upon the Consolidated Fund and the assets of the Government.

Application of loan.

6. The proceeds of the loan shall be used for financing the rehabilitation and extension of the infrastructure of the Industrial Park in Matsapha as well as a management assistance to the Ministry of Commerce, Industry and Tourism.

S3

LEGAL NOTICE NO. 12 OF 1990

COMMISSIONER OF OATHS ACT, 1942

(Act No. 23 of 1942)

APPOINTMENT OF COMMISSIONER OF OATHS
(Under Section 2)

In exercise of the powers conferred by section 2 of the Commissioner of Oaths Act, 1942, the Minister for Justice hereby appoints -

MICHAEL R. BOAST — GENERAL MANAGER
PHILLIP DZINGALIVE DLAMINI — PERSONNEL MANAGER

all for Simunye Sugar Estate to be Commissioners of Oaths for Swaziland.

P.S. MNGOMEZULU
Principal Secretary

LEGAL NOTICE NO. 16 OF 1990

COMMISSIONER OF OATHS ACT, 1942

(Act No. 23 of 1942)

APPOINTMENT OF COMMISSIONERS OF OATHS

(Under Section 2)

In exercise of the powers conferred by Section 2 of the Commissioner of Oaths Act 1942, the Minister for Justice hereby appoints:

INALDA ANTONIO-HERPERS

to be Commissioner of Oaths in Swaziland.

P.S. MNGOMEZULU
Principal Secretary

MBABANE.
February, 1990.

LEGAL NOTICE NO. 17 OF 1990

CROWN LANDS DISPOSAL ACT, 1911

(Act No. 13 of 1911)

THE MBABANE (EXTENSION NO. 20) REGULATIONS 1990
(Under Section 12)

In exercise of the powers conferred by section 12 of the Land Disposal Act, 1911, the Minister for Natural Resources hereby makes the following Regulations -

Citation and commencement.

These Regulations may be cited as the Mbabane (Extension No. 20) Regulations, 1990 and shall be deemed to have come into force on the 31st March, 1978.

Establishment of town alteration of general plan.

2. (a) The following land is hereby proclaimed and established as Township:

CERTAIN:	Portion 614 (a portion of portion 309) of Farm No. 2 situate in the District of Hhohho Swaziland
MEASURING:	1, 8066 HA
HELD:	by the Government of Swaziland under certificate of Registered Title No. 500/89 dated 27th day of October 1989. Comprising lots numbers 2205-2217 Mbabane Township Extension No. 20 situate on Farm No. 2; as will more fully appear from General Plan No. S.G.S. 52/86 approved by the Surveyor General on the 24th day of July, 1986.

(b) The Surveyor General shall alter the General Plan so as to indicate the name and lot numbers assigned by these regulations to the town and endorse the General plan S.G. No. S. 52/86 accordingly.

3. The Registrar of Deeds shall:

(a) Make the necessary endorsement on the relevant title deeds, and

(b) Open the necessary register in connection with the town.

S.B. CEKO
Principal Secretary

LEGAL NOTICE NO. 19 OF 1990

THE LEGAL PRACTITIONERS (AMENDMENT) ACT, 1988

(Act No. 13 of 1988)

DATE OF COMMENCEMENT (AMENDMENT) NOTICE, 1990
(Under Section 1)

In exercise of the powers conferred by section 1 of the Legal Practitioners (Amendment) Act, 1988, the Minister for Justice makes the following Notice -

Citation.

1. This Notice may be cited as the Legal Practitioners (Amendment) Act (Date of Commencement (Amendment)) Notice, 1990.

Amendment of Legal Notice No. 26 of 1989.

2. The Legal Practitioners (Amendment) Act, 1988 (Date of Commencement) Notice, 1989 is amended in paragraph 2 by replacing subparagraph (2) thereof with the following -

"(2) Notwithstanding the provisions of subparagraph (1), Part X - Law Society Fidelity Fund, shall not come into operation until the 1st day of January, 1991.

P.S. MNGOMEZULU
Principal Secretary

MBABANE.
February, 1990.

LEGAL NOTICE NO. 20 OF OF 1990

THE WAGES ACT, 1964

(Act, No. 16 of 1964)

THE REGULATION OF WAGES (AGRICULTURAL INDUSTRY) ORDER, 1990

(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 (Agricultural Industry) Order, 1990 and shall come into force on the 1st March, 1990.

Interpretation.

2. In this Order unless the context otherwise requires:

"Artisan" means a skilled employee who has passed a Government Trade Test or who has served an apprenticeship recognised by the Government;

"Basic minimum wage" means the wage provided for in Paragraph 4 payable to an employee after the commencement of the Order;

"Farm Clerk/Storeman" means an employee who is employed full time on day to day duties for keeping all relevant records associated therewith;

"Field Induna" means an employee who is in charge of a number of labourers of any Category;

"General Labourer" means an employee who requires only Limited Training and includes field Labourers, Cleaners, Sweepers, Pickers, produce packets, produce Graders, Field Recorders, Messengers,workshop Assistant and Spanner Hands;

"Handyman" means a person who is capable of carrying out elementary tasks in either mansonry, Plumbing, Carpentry or Mechanics associated with such work on a Farm with reasonable proficiency and without continuous supervision but does not include an Artisan or an employee erecting ordinary fencing on Farms;

"Heavy Machine Operator" means an employee who has qualification of a tractor driver and is able to operate a selfpropelled combine harvester, Motor Grader, Crane excavator, Ditch Digger or Similar heavy Machine;

"Irrigator" means an employee involved in the application of water to field crops and work associated herewith;

"Motor vehicle Driver" means an employee employed as a driver and who is in charge of the vehicle and its daily care;

"Plant or Pump House Attendant" means an employee who attends stationary Plant or Equipment;

"Seasonal Worker" means an employee the duration of whose contract of employment cannot be predetermined, which is entered into for a specific season, or for work to be done on or in connection with a specific project or activity;

"Stockman" means an employee who attends or heads animals and work associated herewith;

"Tractor Driver" means an employee who drives a tractor and is able to take complete charge of the tractor, operate it and all its associated implements, to complete a given task without supervision and carry out the daily care of the tractor;

"Watchman" means an employee who is engaged during the day or night guarding and protecting premises or property as directed by his employer.

Application.

3. (1) This Order shall apply to all persons employed in any undertaking carrying on one or more of the following activities for gain –

(a) Cultivation of land and the use of land (Irrigated or otherwise) for the purpose of animal husbandry, horticulture, fruit growing, dairy farming, livestock small animal and poultry keeping or breeding, apiculture and the growth and/or production of seed;

(b) The use of land as grazing or meadowlands, market gardens, nursery grounds;

(c) All handling and processing normally carried out on a Farm or Estate including crop cleaning, winnowing, drying, sacking, packing, cartoning, livestock food preparation;

(d) The Construction, Maintenance and repair of Farm Building and Installations Machinery, Plant, Equipment, the Running of Irrigation Scheme and the keeping of Farm or Estate Accounts.

(2) This Order shall not apply to any undertaking, engaged in the retail supply of Motor vehicles, Agricultural Machinery, Mobile Construction Plant of the repair, servicing, Assembling or adaptation of such vehicles Machinery or Plant on behalf of the other persons or under a Licence.

Basic Minimum Wage.

4. (1) The Basic Minimum Wage to be paid to any employee specified in the First Schedule shall not be less favourable than that specified therein for the employee concerned.

(2) No employee who at the date of commencement of this Order is in receipt of a higher wage for his occupation than the wage prescribed in the First Schedule shall suffer any reduction in such wage by reason of this Order.

Hours of Work.

5. The Normal hours of work shall, subject to the provision of paragraph 6 be Fifty-Seven hour of work spread over a period not exceeding six days in a week. Provided that the normal hours of work for watchmen, Stockmen, Irrigators, Plant and Pumphouse Attendants shall be Seventy-Two hours.

Overtime.

6. An employee required to work in excess of the normal working hours specified in paragraph 5 shall be paid at one-and-half times the basic hourly rate for such time worked from Monday to Saturday, inclusive, and at twice his basic hourly rate for time worked on Sundays, or the Public holidays referred to in the second schedule.

Public Holidays.

7. (1) Subject to sub-paragraph (2), the Public Holidays specified in the second schedule shall subject to the provision of paragraph 6 be holidays with full pay.

(2) The provisions of sub-paragraph (1) shall only apply where the employee presents himself for work on the working day immediately prior to the public holiday and the working day immediately following the public holiday except where the employee concerned has received permission from his employer to be absent on either day.

Annual Leave.

8. (1) On completion of each period of Twelve Months continuous service with as employer, an employee shall, at a time convenient to his employer, be entitled to annual leave of not less than twelve working days with full pay at the basic minimum wage.

(2) Any employee whose services are terminated after three Months service, other than for reasons of misconduct shall be paid at the time of termination of prorata cash payment in respect of wage earned but not taken, such prorata cash payment shall be equal to three quarters of a day's wages for each month during which leave had been earned but not taken.

Sick Leave.

9. After six month's continuous service with an employer, an employee shall be entitled, in each period of twelve months continuous service, to sick leave up to a maximum of fourteen days with half pay at the basic minimum wage on production of a certificate issued by a Medical Practitioner registered under the Medical and Dental Practitioner's Act, 1970, covering each period of sick leave:

Provided that an employee shall not be entitled to sick leave under this paragraph if his incapacity was due to negligence on his part.

Task and ticket contracts.

10. (1) Nothing in this Order shall prevent an employer and employee from agreeing to the substitution of a Task for the normal hours of work in any day.

(2) An employee who is engaged on a ticket contract shall be paid at least once a Month in relation to the number of days he has worked under such contract.

Employment of women.

11. An Adult female employee shall be paid the basic minimum wage payable to an adult male person employed in a similar capacity.

Employment of children and young persons.

12. Wages payable to young persons and children shall, for a person under the apparent age of fifteen years, be calculated at a rate not less favourable than 50% of the rates of wages specified in the First Schedule and 75% of the rates of wages for a person of the apparent age of fifteen but not exceeding the apparent age of eighteen years who are engaged in the occupations specified in the schedule:

Provided that where task work is being performed the rate of payment shall be the same for all persons engaged in the task, irrespective of age or sex, but payment shall be calculated in respect of the volume of work done or proportionate to the amount of task completed.

Lay off due to wet inclement weather.

13. Any employee who makes himself available for work but does not work during a continuous period of wet inclement weather shall be entitled to his basic wage for the First day, half his basic wage on the second and third days of such wet weather, and nothing thereafter for the rest of the duration of the wet weather.

Protective clothing.

14. (1) If it is necessary to protect an employee from physical or chemical injury which may arise from the work he is required to do, the employer shall supply that employee with adequate protective clothing and such employee shall use the protective clothing as instructed.

(2) Any employer who has supplied his employee with protective clothing may deduct from the wages of that employee a sum not exceeding the cost price of the clothing but shall, upon the return of the protective clothing refund such sum of money to his employee provided that the clothing in a serviceable condition, fair wear and tear being accepted.

Rations.

15. Subject to the provisions of Section 153 of the Employment Act, 1980, employees who were in receipt of rations or meals or cash allowance in lieu of rations shall continue to receive such rations or meals or such cash allowance.

Revocation of Legal Notice No. 142 of 1988.

16. The regulation of Wages (Agricultural Industry) Order, 1988 hereby revoked.

FIRST SCHEDULE
(Paragraph 4)

BASIC MINIMUM WAGE PER DAY

General Labourer	E2.61
Seasonal Worker	E2.61
Stockman	E2.61
Watchman	E2.67
Irrigator	E2.67
Plant or Pump House Attendant	E2.67
Field Induna	E3.24
Handyman	E3.27
Tractor Driver	E3.50
Farm Clerk/Storeman	E4.07
Motor Vehicle Driver	E4.07
Heavy Machine Operator	E4.68
Artisan	E6.68

SECOND SCHEDULE

(Paragraph 7)

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

F. KUHLASE
Acting Principal Secretary - Ministry of Labour

The Government Printer, Mbabane