



SWAZILAND GOVERNMENT GAZETTE

VOL. XXIX]

MBABANE, Friday, December 13th., 1991

[No. 835

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PUBLISHED BY AUTHORITY

GENERAL NOTICE NO. 75 OF 1991

THE WAGES ACT, 1964

(Act No. 16 of 1964)

NOTICE OF INTENTION TO SUBMIT WAGES REGULATION PROPOSALS

(Under Section 11(2))

In accordance with the above Act, the Hotel and Catering Industry Wages Council, having made such investigations as it deemed fit, hereby publishes its intention to submit proposals to the Honourable Minister for Labour and Public Service as to the minimum wage and conditions of employment which should be applied to the employees in relation to whom the council operates.

Copies of the proposals may be obtained from Department of Labour Head Quarters, during normal working hours.

Written representations with regard to the proposals must be sent to the Secretary, Hotel and Catering Industry Wages Council, P.O. Box 198, Mbabane within thirty (30) days from the date of publication of this Notice.

K.J. DLAMINI (Ms.)
Secretary-Wages Councils

GENERAL NOTICE NO. 76 OF 1991

THE WAGES ACT, 1964

(Act No. 16 of 1964)

NOTICE OF INTENTION TO SUBMIT WAGES REGULATION PROPOSALS

(Under Section 11(2))

In accordance with the above Act, the Motor Engineering Trades Wages Council, having made such investigations as it deemed fit, hereby publishes its intention to submit proposals to the Honourable Minister for Labour and Public Service as to the minimum wage and conditions of employment which should be applied to the employees in relation to whom the council operates.

Copies of the proposals may be obtained from Department of Labour Head Quarters, during normal working hours.

Written representations with regard to the proposals must be sent to the Secretary, Motor Engineering Trades Wages Council, P.O. Box 198, Mbabane within thirty (30) days from the date of publication of this Notice.

K.J. DLAMINI (Ms.)
Secretary-Wages Councils

NOTICE

Notice is hereby given that an application by M.M.M. Investments (Pty) Ltd. of P.O. Box A172, Swazi Plaza Mbabane for a grant of a Wholesale Licence to be operated at Matsapa Industrial Site under the style "SWAZILAND DISTRIBUTION CENTRE" will be heard in the Regional Secretary's Office, Manzini on the 14th January, 1992.

Objection thereto if any, must be lodged in writing with the Regional Secretary's Office at Manzini as well as the under signed before the 17th December, 1991.

BHEKI G. SIMELANE & CO.,
Applicant's Attorneys
Church & Smuts Streets
P.O. Box B137, Sandla
MBABANE.

C1182 13.12.91

NOTICE

Notice is hereby given that an application by N. & S. Investments (Pty) Ltd. of P.O. Box A172, Swazi Plaza, Mbabane for a grant of an Agent of a Firm Licence to be operated at Manzini Nkoseluhlaza Street under the style "THE KINGS OF CERAMICS" will be heard in the Regional Secretary's Office, Manzini on the 14th January, 1992.

Objections thereto if any, must be lodged in writing with the Regional Secretary's Office at Office at Manzini as well as the undersigned before the 17th December, 1991.

BHEKI G. SIMELANE & CO.,
Applicant's Attorneys,
2nd Floor Mbandzeni Building
Church & Smuts Streets
P.O. Box B137, Sandla
MBABANE.

C1183 13.12.91

NOTICE

ESTATE LATE: BRAIN EDWARD DUCKWORTH

ESTATE NO. E.84/89

Notice is hereby given 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 for inspection at the Office of the Master of the High Court of Swaziland at Mbabane for a period of Twenty-One (21) days from the date of appearance of this Notice.

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

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

C1194 13.12.91

NOTICE

Notice is hereby given that I, Absalom Mhlanga of Shiselweni Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Ntuli 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 Ntuli is because Ntuli is my natural surname.

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

P/B 8, NHLANGANO.

C1149 4x20,12.91

NOTICE

Notice is hereby given that I, Patrick Vusumuzi Vusie Dlamini of the Hhohho Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Mashele 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 Hhohho Region and in the Government Gazette. The reason I want to assume the surname Mashele is because it is my natural surname.

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

P.O. Box 2859, MANZINI.

C1172 4x27,12.91

NOTICE

Notice is hereby given that we intend applying for a Certified Copy of: Crown Grant No. 68/1990 dated 24th August, 1990 and registered on the 14th November, 1990 in favour of V.I.P. Dry Cleaners (Proprietary) Limited in respect of:

CERTAIN: Portion 1 of Lot No. 504 situate in the Mbabane Township Extension No. 1, District of Hhohho, Swaziland;

MEASURING: 419 (Four One Nine) 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 5th day of DECEMBER, 1991

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

C1189 2x20,12.91

NOTICE

Notice is hereby given that I, Boy Mfanasibili Dlamini of the Shiselweni Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Simelane 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 Shiselweni Region and in the Government Gazette. The reason I want to assume the surname Simelane is because Simelane is my natural surname.

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

Box 252
Ngundzeni Sec. School

C1109 4x13.12.91

NOTICE

Notice is hereby given that I, Welcome Makhundu Dlamini of Lubombo Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Mnisi 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 Lubombo Region and in the Government Gazette. The reason I want to assume the surname Mnisi is because it is my natural surname.

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

Siphofaneni Trading Store
P.O. Box Siphofaneni

C1107 4x13.12.91

NOTICE

Notice is hereby given that I, William Lofana Shabangu of the Shiselweni Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Ntuli after the fourth publication of this Notice in each of four consecutive weeks in the Times of Swaziland 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 Ntuli is because Ntuli is my natural surname.

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

P/B 8, NHLANGANO.

C1148 4x20.12.91

NOTICE

ESTATE LATE DANIEL MBUZI MOTSA

ESTATE NO. E78/90

Notice is hereby given 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 in the above Estate will lie open at the Office of the Master of the High Court of Swaziland Mbabane for a period of 21 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 expiry of the said period.

MATSEBULA MAMBA & PARTNERS
Attorneys for the Executrix
2nd Floor Dhlam'ubeka House
Cnr. Walker & Tin Streets
MBABANE

C1192 13.12.91

NOTICE

**NOTICE IN TERMS OF SECTION 3(2)
OF THE SWAZILAND SUGAR INDUSTRY AGREEMENT**

Notice is hereby given that by a Resolution of the Swaziland Sugar Association passed at a General Meeting on the 5th day of December, 1991.

- A. That the following historical preface to the Swaziland Sugar Industry Agreement should be issued, separately from the Agreement, to accompany each copy of the Agreement which is issued by the Swaziland Sugar Association:

"HISTORICAL NOTIE

When the Swaziland Sugar Industry Agreement was First adopted, provision was made in terms of clause 17 for what were known as "Schedule 'D' quotas".

The Schedule 'D' quotas were in effect Schedule 'A' quotas reserved for issue to Swazi growers. Eleven thousand short tons of sucrose were reserved in this way.

The Schedule 'D' quotas were in due course issued and converted to Schedule 'A' quotas.

In terms of clause 17(6) of the Agreement an additional 6000 tons was reserved for issue to Swazi growers once the initial Schedule 'D' quota had been issued in full.

The additional 6000 tons was issued as part of a general increase in Schedule 'A' quotas with effect from the 1974/75 season.

For various reasons the Industry considered that the Schedule 'D' quota system incorporated in the original Agreement was not meeting the need for which it had originally been established and in 1991 the Industry resolved to replace the original Schedule 'D' quota system with a new system.

That new system, also for convenience referred to as Schedule 'D' quota, reserves 10,000 tons of sucrose for issue to new Swazi entrants to the Industry.

The New system is more flexible than the old and provision is made for the Schedule 'D' quota to convert to Schedule 'A' quota in the same way as Schedule 'A' contingency quota converts to Schedule 'A' basic quota".

- B. In terms of clause 3 of the Swaziland Sugar Industry Agreement that the following changes be effected to that Agreement, with the prior written consent of the Minister for Commerce, Industry and Tourism, given in terms of Section 7 of the Act:

1. Insert the following words at the end of the definition of "quota" in clause 1:
"Unless the contrary is clear from the context, references to "quota" include both Schedule "A" and Schedule "D" quotas, as defined in the Agreement".
2. Delete clause 13(4).
3. Replace the existing clause 15 with the following:
 - 15.1 The Sugar Association may from time to time and when it deems fit decide that it would be justifiable for increased Schedule "A" quotas to be offered to existing Schedule "A" growers and miller-cum-planters by the Quota Board, provided that before authorising such increases the Sugar Association must be satisfied:
 - 15.1.1 That the future available markets for sugar produce in Swaziland ought to be adequate to accommodate at satisfactory prices the further expansion of production which will result from the granting of the increased quotas;
 - 15.1.2 that milling capacity to accommodate the extra production resulting from such increased quotas is available or will be made available by the millers at the mills.
 - 15.2 On being notified of the decision to increase production, the Quota Board shall publish its intention to receive applications from growers and miller-cum-planters for an increased quota.
 - 15.3 The Quota Board shall then as it deems fit:
 - 15.3.1 on the application of any grower or miller-cum-planter whose average delivery against his quotas in two successive years has in consequence of his having taken up shortfalls of other growers or miller-cum-planters in terms of clause 37 exceeded his total quota, increase such grower's or miller-cum-planter's basic and total quota by the whole or part of such excess; and/or
 - 15.3.2 on the application of any Schedule "A" grower or miller-cum-planter who wishes to increase his production of cane, grant him a contingency quota, thereby also increasing his total quota:

Provided that before increasing the quota of any grower or miller-cum-planter the Quota Board shall first satisfy itself—

 - 15.3.3 that the suitability of the proposed land for additional cane production, the availability of water, and the transport costs from the land to the mill are sufficiently favourable to enable production to be economically viable;
 - 15.3.4 that the applicant for the increased quota has or has available to him the necessary finance and expertise.
 - 15.4 Any increased quotas allocated in terms of this clause shall come into effect from the beginning of April next succeeding the grant of the increase, or at such other time as the Sugar Association may decide.
4. Replace the existing clause 17 with the following:
 - 17.1 In addition to the Schedule "A" quotas referred to in clause 16, a second type of quota, to be known as Schedule "D" quotas, shall be established.
 - 17.2 The Schedule "D" quota shall initially consist of a total of 10 000 tons of sucrose. The Sugar Association shall be entitled to increase or reduce the total tonnage of unissued Schedule "D" quota from time to time.
 - 17.3 The Schedule "D" quotas shall have the characteristics set out in this clause 17.
 - 17.4 The Schedule "D" quotas shall be reserved for issue to new entrants to the Sugar Industry who are:
 - 17.4.1 Swazi citizens; and
 - 17.4.2 natural persons or partnerships or associations comprised exclusively of natural persons.
 - 17.5 The Quota Board shall from time to time, but at least once a year, when there is unissued Schedule "D" quota, publish its intention to receive applications for Schedule "D" quota.

- 17.6 The description "new entrants to the Sugar Industry" means a person, meeting the requirements of 17.4, who is not an existing miller or holder of a Schedule "A" or Schedule "D" quota and who, in the opinion of the Quota Board:
 - 17.6.1 has no substantial existing connection with any holder of a Schedule "A" or Schedule "D" quota or with any miller; and
 - 17.6.2 has the necessary finance and expertise available to him to enable him to meet his quota; and
 - 17.6.3 has enough suitable land and water available to him to enable him to meet his quota; and
 - 17.6.4 is otherwise a suitable person to be issued with Schedule "D" quota.
- 17.7 The Schedule "D" quota shall be issued in such quantities as the Quota Board may deem appropriate up to a maximum of 1000 tons of sucrose per quota holder.
- 17.8 The Quota Board may in its discretion consent to a transfer of Schedule "D" quota, provided it is a transfer to a person to whom the Quota Board would have been willing to issue Schedule "D" quota in terms of clause 17.6.
- 17.9 Subject to the provisions of this clause 17, the provisions of clause 18 shall apply to Schedule "D" quotas.
- 17.10 Schedule "D" quotas shall be contingent when they are issued and shall convert into Schedule "A" basic quota in the same way as contingency Schedule "A" quotas convert into basic Schedule "A" quotas in terms of clause 14.2 as read with the other provisions of clause 14.
- 17.11 The provisions of clause 21 shall apply to Schedule "D" quotas as if they were Schedule "A" contingency quotas.
- 17.12 The Quota Board shall keep, in the form of Schedule "D" to this agreement a record of all Schedule "D" quotas allocated by it in terms of clause 17, and all adjustments, alterations, additions, reductions, transfers or cancellations made in respect thereof from time to time. Copies of the said Schedule as first compiled and as thereafter revised at the commencement of each season shall be circulated by the Quota Board as soon as possible to the Sugar Association, the Growers' Association, the Millers' Association and all Mill Group Committees for the information of growers and miller-cum-planters attached to their mill. The Quota Board shall further advise each affected Schedule "D" grower by letter of the quota allocated to him and of any alterations or adjustments made thereto from time to time.
- 17.13 In the event of any inconsistency between the provisions of this clause 17 and any other provisions of this agreement relating to quotas which does not distinguish between Schedule "A" and Schedule "D" quotas, the provisions of his clause 17 shall prevail to the extent of the inconsistency in respect of Schedule "D" quotas.

5. Delete the words "in Schedule 'A'" from clause 18(1).
6. Delete the words "in Schedule 'A'" from clause 18(2).
7. Delete clause 20(1)(b).
8. Replace clause 22 with the following:

"As soon as possible after any reduction of basic quota in terms of clause 20 and/or any cancellation of contingency quota in terms of clause 21, the Quota Board shall re-allocate such Schedule "A" quota to other growers or miller-cum-planters with Schedule "A" quotas, who are attached to the same mill as was the grower whose quota was reduced or cancelled and who have applied for additional quota: provided that all Schedule "A" quota re-allocated in terms of this clause shall become contingency quota in the hands of the person to whom it is re-allocated".

9. Insert the words "and Schedule 'D'" after the words "Schedule 'A'" in the opening paragraph of clause 23(2).

C.H. BENNETT
Secretary
The Swaziland Sugar Association

C1193 13.12.91

NOTICE

ESTATE LATE: TIMUKA ABEDNEGO DLAMINI ESTATE NO. 24/90

Notice is hereby given 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 for inspection at the office of the Master of the High Court of Swaziland at Mbabane for a period of twenty-one (21) days from the date of appearance of this Notice.

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

DLAMINI VICTOR D. AND PARTNERS,
Attorneys for Executor Dative
Zelmei Centre Ngwane Street
P.O. Box 650, MANZINI.

C1186 13.12.91

NOTICE

ESTATE LATE: SIBONANGAYE MATHEWS DLAMINI ESTATE NO. E.51/91

Notice is hereby given 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 for inspection at the Office of the Master of the High Court of Swaziland at Mbabane for a period of twenty-one (21) days from the date of appearance of this Notice.

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

DLAMINI VICTOR D. AND PARTNERS,
Attorneys for Executrix Dative.
Zelmei Centre, Ngwane Street,
P.O. Box 650, MANZINI.

C1187 13.12.71

NOTICE

IN THE ESTATE OS THE LATE: GEORGE SOLOMON LANG

All creditors and person interested ab intestato or otherwise in the abovementioned Estate are hereby called upon within twenty-one days from the date hereof, to lodge in writing with the Master of the High Court of Swaziland at Mbabane, Swaziland, the particulars of their claims against the said Estate and their objections, if any, to the signing and sealing by him of the Letters of Executorship granted by the Master of the Supreme Court of South Africa, Natal Provincial Division, at Pietermaritzburg on the 27th day of August, 1991 to Marion Audrey Lang as Texecutrix Testame-ntary of the said Estate.

ROBINSON, BERTRAM & CO.,
Attorneys for Executor/s Testamentary
P.O. Box 24, MBABANE.

C1188 13.12.91

NOTICE

IN THE HIGH COURT OF SWAZILAND

HOLDEN AT MBABANE ON THE 29TH DAY OF NOVEMBER, 1991 BEFORE THE HONOURABLE ACTING CHIEF JUSTICE DUNN
CIV. NO. 1148/91

In the matter of:

ADELINE NTSHINGILA

Applicant

In re:

PHUMULA SERVICE STATION (PROPRIETARY) LIMITED

ORDER

Upon hearing Counsel for the Plaintiff.

IT IS ORDERED:

That a rule nisi be issued returnable on 17th January, 1992 calling upon all interested persons to show cause why:

1. Phumula Service Station (Proprietary) Limited certificate of incorporation No. 72/1970 should not be restored to the Registrar of Companies.
2. The following property registered in the name of the Company should not be the property of the Company and not bona vacautia.

i) CERTAIN: Portion 29 (a portion of portion 22) of Farm No. 51 situate in the District of Hhohho, Swaziland.

MEASURING: 5,574 (Five Comma Five Seven Four) square metres, held by the Company under Deed of Transfer No. 237/1971.

BY ORDER OF THE COURT

Given under my hand at Mbabane on this the 29th day of November, 1991.

Registrar of the High Court

C1190 13.12.91

NOTICE

Notice is hereby given that an application by N. & S. Investments (Pty) Ltd, of P.O. Box A172, Swazi Plaza, Mbabane for a grant of a General Dealer's Licence to be operated at Manzini Nkoseluhlaza Street under the The Kings of Ceramics will be heard in the Regional Secretary Office, Manzini on the 14th January, 1992.

Objection thereto if any, must be lodged in writing with the Regional Secretary's Office at Manzini as well as the under signed before the 17th December, 1991.

BHEKI G. SIMELANE & CO.,
2nd Floor Mbandzeni Building
Church & Smuts Streets
P.O. Box B137, Sandla
MBABANE.

C1181 13.12.91

NOTICE

Notice is hereby given that an application has been made by Gerard William Lawton for the grant of a Restaurant Liquor Licence to operate in the Manzini Region under the style "PARADISE CARAVAN PARK". This application will be heard in the Conference Room of the Licensing Officer for the District of Manzin on Tuesday 7th January, 1992 at 10.00 a.m.

Objections thereto if any must be lodged in writing with the Applicant and with Applicant's Attorney G.M. Landmark, Suite 1 2 nd Floor Goodenough Building, Ngwane Street, P.O. Box 1905, Manzini and also with the Licensing Officer not later than Friday 3rd January, 1992 at 4.00 p.m.

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

C1191 13.12.91