



SWAZILAND  
GOVERNMENT GAZETTE  
EXTRAORDINARY

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VOL. XXX]

MBABANE, Wednesday, November 11th, 1992

[No. 912

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SUPPLEMENT TO  
THE  
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**DECREE NUMBER 4 OF 1992**



**LEGISLATIVE PROCEDURE DECREE, 1992**

In exercise of the powers vested in me in terms of the King's Proclamation to the Nation of 12th April, 1973, as amended, IMSWATI III, KING OF SWAZILAND hereby make this Decree:-

*Short title.*

1. This Decree may be cited as the Legislative Procedure Decree, 1992 and shall be deemed to have come into force on the 9th October, 1992.

*Operation.*

2. This Decree shall operate pending the establishment of a new Parliament within the first six months of 1993.

*Interpretation.*

3. In this Decree unless the context otherwise requires:-

"Attorney-General" includes any Law Officer authorised thereto by the Attorney-General;

"Council" means the Council of Ministers constituted by the Cabinet of Ministers in office immediately before the coming into force of Legal Notice No. 125 of 1992, or as may be changed from time to time;

"draft order" means any proposed legislative enactment approved of by the Council but not yet assented to by the King;

"Libandla" means a Council consisting of advisers of the Ngwenyama and of representatives of the Swazi Nation or part of that nation, meeting to discuss any matters of communal concern in accordance with Swazi law and custom;

"Order-in-Council" means a legislative enactment approved of, and recommended by, the Council to the King and assented to by the King;

"Proclamation" means the Proclamation made to the Nation by the King on 12th April, 1973 and the Decrees made thereunder from time to time;

"repealed constitution" means the Constitution Act No. 50 of 1968, repealed by the Proclamation.

*Presentation of legislative enactments to and consideration by, the Council.*

4. (1) A Minister may present a draft of a proposed legislative enactment to the Council for its consideration.

(2) Such draft shall be prepared by the Minister in collaboration with the Attorney-General, and shall be substantially in the same form as a Bill presented to Parliament under the repealed constitution.

(3) Such draft shall contain a brief summary of the proposed legislation under the signature of the Attorney-General.

(4) The Council may approve of such draft, reject it, or approve of it subject to such amendments as it deems fit:

Provided that any amendments shall be submitted to the Attorney-General for drafting purposes only before presentation to the King as provided for in subsection (5).

(5) Any draft order, with or without any amendments, as the case may be, which has been approved of by the Council by a majority of members of the Council present shall thereafter be presented to the King for His assent by forwarding as many copies thereof as the King may prescribe to the Secretary to the King.

*Assent or rejection of draft orders by the King.*

5. (1) The King may on receipt of any draft Order assent thereto in whole or in part or withhold assent in its entirety.

(2) In considering whether to assent or reject a draft order in terms of subsection (1), the King may invite any councillors from the Libandla to advise him on the draft order, whether or not the Council of Ministers be present.

(3) The Secretary to the King shall as soon as is practicable in writing advise the Council of the King's decision in terms of subsection (1).

(4) In the event of the King withholding his assent to only a portion of the draft order -

(a) his Secretary shall as soon as practicable and in writing advise the Council of the provisions of the draft Order of which the King does not approve of any amendments to the draft which the King requires;

(b) the Council shall thereupon direct the Attorney-General to amend such draft order so as to comply with the King's requirements; and

(c) the Minister referred to in section 4(1) shall thereafter present such draft order as amended to the Council for its reconsideration and for re-presentation to the King.

(5) The King shall if he assents to a draft order either in terms of subsection (1) hereof after it has been re-presented to him in terms of subsection (4)(c) hereof, signify such assent by affixing his signature to the draft order.

*Promulgation of Order-in-Council.*

6. (1) When a draft order is assented to by the King it shall become law and the Attorney-General shall thereupon cause it to be published in the Gazette.

(2) No Order-in-Council shall come into operation as a law until it has been published in the Gazette.

Provided that an Order-in-Council may provide that its coming into operation shall be postponed or that it shall have retrospective effect.

(3) All laws made as provided for in this Decree shall be styled "King's Order-in-Council" and the words of the enactment shall be "Enacted by the King in collaboration with the Council."

*Repeal.*

7. The Legislative Procedure Order No. 1 of 1973 is hereby repealed.

THUS DONE AT LOZITH'EHLEZI THIS 5TH DAY OF NOVEMBER, 1992.

MSWATI III  
KING OF SWAZILAND

LEGAL NOTICE NO. 125 OF 1992

THE ESTABLISHMENT OF THE PARLIAMENT OF SWAZILAND ORDER, 1978  
(Order No. 23 of 1978)

THE DISSOLUTION OF PARLIAMENT NOTICE, 1992  
(Under Section 49)

In exercise of the powers vested in me under section 49(1) of the Establishment of the Parliament of Swaziland Order, 1978, I hereby issue the following Notice:

*Citation and commencement.*

1. This Notice may be cited as the Dissolution of Parliament Notice, 1992 and shall be deemed to have come into force on the 9th October, 1992.

*Dissolution of Parliament.*

2. The Parliament elected in 1987 is hereby dissolved.

DONE AT LOZITH'EHLEZI THIS 5TH DAY OF NOVEMBER, 1992.

MSWATI III  
KING OF SWAZILAND

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LEGAL NOTICE NO. 129 OF 1992

THE ESTABLISHMENT OF THE PARLIAMENT OF SWAZILAND ORDER, 1978  
(Order No. 23 of 1978)

APPOINTMENT OF ACTING MINISTER  
(Under Section 70)

In exercise of the powers conferred on me by the abovementioned Order, I, MSWATI III, KING OF SWAZILAND hereby appoint -

SOLOMON MNUKWA DLAMINI

to be Acting Minister for Finance.

DONE AT LOZITHEHLEZI THIS 5TH DAY OF NOVEMBER, 1992.

MSWATI III  
KING OF SWAZILAND