



SWAZILAND GOVERNMENT GAZETTE

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GENERAL NOTICE NO. 34 OF 1994

THE URBAN GOVERNMENT ACT, 1969

(Act No. 8 of 1969)

(Under Section 77)

It is hereby notified for general information that in exercise of the powers conferred by Section 77 of Urban Government Act, 1969, the City Council of Manzini intends with effect from 1st July 1994, to enact Health Bye-Laws for Pre-school institutions.

Any person who wishes to object to the enactment of the referred to bye-laws should do so by way of written representation directed to the Town Clerk at P.O. Box 418, Manzini.

Objections submitted after the expiration of 31 (thirty one) days from the date of publication of this notice will not be entertained.

MANZINI MUNICIPALITY

HEALTH BY-LAWS FOR PRE-SCHOOL INSTITUTIONS

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DEFINITIONS:

1. For the purposes of these By-Laws, unless the context otherwise indicates -

"adequate" and "suitable" mean adequate or suitable as the case may be, in the opinion of the Medical Officer of Health or in his absence, the Chief Health Inspector; and "adequately" and "suitably" shall have corresponding meanings;

"approved" means approved by the Medical Officer of Health or in absence the Chief Health Inspector, regard being had to the reasonable public health requirements of the particular case, or to the physical and mental health and safety of the children as the case may be;

"child" means a child admitted to a pre-school institution, in terms of these by laws; and "children" shall have a corresponding meaning;

"Council" means the Manzini City Council, that Council's Management Committee acting under the powers delegated to it in terms of the establishment of the Local Government and any officer to whom that committee has been empowered by the Council to delegated and has in fact delegated, the powers, functions and duties vesting in the Council in relation to these by-laws;

"Domestic staff" means staff employed in a pre-school institution for cleaning, cooking and other domestic purposes;

"Health certificate" means a certificate issued in terms of section 3;

"Health certificate holder" means a natural or artificial person or an association of persons, to whom a health, or in his absence the Chief Health Inspector of the Council, or any person duly authorized by the Council to act on his behalf;

"Pre-school institution" means any undertaking or institution involving the custody, care or tuition or any combination of these functions, during the whole or part of the day on all or any of the days of the week of more than six children under the age of 7 years; or the building or premises maintained or used for the purposes of conducting such undertaking or institution thereof as the case may be, and which undertaking or institution or building or premises has been registered or which requires registration by the persons referred to in the definition of "registering body";

"Registering body": means the person or persons authorized to issue a registration certificate;

- (a) (i) The director of Education in terms of the regulations for nursery schools, or
- (ii) The Head of the Division of Education of the Department responsible for Pre-Schools.

Application of by-laws.

2. These by-laws shall apply to all pre-schools institutions for children within the Manzini City Council Area, provided that if

- (a) prior to the promulgation of these by-laws a pre-school institution has been conducted on premises which do not comply with the requirements of these by-laws; and
- (b) in the opinion of the Medical Officer of Health, or in his absence the Chief Health Inspector, compliance would not be reasonably practicable.

The Medical Officer of Health, or in his absence the Chief Health Inspector may give notice in writing to the natural or artificial person or partnership or association of persons in control of such premises to comply with such other reasonable requirements, specified by him, as he may consider necessary in the circumstances within such reasonable period as stated in the notice, and such natural or artificial person or association of person shall forth-with comply with such notice.

Health Certificate.

3. (1) (a) No natural or artificial person or partnership or association of persons shall conduct a pre-school institution unless such person, partnership or association of persons is in possession of a health certificate to the effects that the premises, general health facilities and services to which such health certificate relates, comply with these by-laws and such certificate shall state the number and both the minimum and maximum ages of the children permitted to be kept on such premises and the hours during which such pre-school institution may operate
- (b) the medical Officer of Health or in his absence the Chief Health Inspector shall issue the health certificate contemplated in paragraph (a) if he is satisfied that the by-laws are being complied with as required by the said paragraph.
- (2) (a) If the health certificate holder:-
 - (i) being a natural person dies;
 - (ii) being a natural person who has been acting in a representative capacity, resigns;
 - (iii) being an artificial person, a partnership or an association of person, is dissolved;
 - (iv) being a natural or artificial person, a partnership or an association of persons, sells or otherwise disposes of such pre-school institutions; or
 - (v) being a natural or artificial persons or a partnership or an association of persons, is declared by a court to be insolvent or is placed under liquidation or judicial management as the case may be,

the health certificate shall lapse and shall not be transferable to any other person or persons, heir or successor in title to the health certificate holder;
- (b) If a health certificate holder proposes to transfer a pre-school institution conducted on certain premises to other premises, he shall obtain a health certificate in respect of the new premises before such pre-school institution may be conducted on such new premises.

Accommodation and Storage, Sanitary Kitchen and other Facilities in respect of Pre-School Institutions for Children between the Ages of 3 years and 7 years.

4. In respect of a pre-school institution for children between the ages of 3 years and 7 years the following accommodation facilities shall be provided:-

(I) GENERAL

- (a) (i) An isolation room with a minimum floor area of 2m x 3m, and such room shall be provided with a wash hand-basin with a constant supply of hot water and cold running water, and shall be equipped with a first-aid cupboard and a bed or stretcher;
- (ii) Such room shall not be used for any other purposes than isolating a child who is ill or has suffered any injury and for rendering all care necessary for the comfort and treatment of such child while on the premises.
- (b) Storage facilities for food complying with the Council's Food-handling By-Laws.
- (c) Storage facilities for stretchers, sleeping mats, bedding and linen.
- (d) Separate storage facilities for the personal belongings of each child. (A cloak room for the orderly storage of the belongings of the children).
- (e) Adequate storage facilities for the personal belongings of the staff.
- (f) Storage facilities for indoor and outdoor play equipment.
- (g) Sanitary and ablution facilities for children which shall have:
 - (i) ready access between such facilities and the room and outdoor play area referred to in sub-paragraphs (j) and (k) respectively;
 - (ii) one approved water closet for every 10 children or part of 10, which shall be of a reduced size (juvenile type);
 - (iii) one wash hand-basin for every 15 children or part of 15. Such wash hand-basin shall be 380 mm x 330 mm in size and shall be so fitted that the upper surface shall not be more than 500 mm above floor level;
 - (iv) a sink made of stainless steel for the cleaning of play equipment:

Provided that in respect of the facilities referred to in (ii), (iii) and (iv), only fixed facilities shall be permitted;
 - (v) a constant supply of running cold water or thermostatically-controlled hot water for the wash hand-basins referred to in (iii) and the sink referred to in (iv);
 - (vi) adequate number of bins with self-closing lids for the disposal of paper, paper towels, tissues and other waste articles;
 - (vii) at least one mirror installed at such height as to be conveniently used by the children;
 - (viii) a minimum of two towels for each child's individual use; such towels to be provided with marks identifiable with each child;
 - (ix) individual pegs or hooks for each child's towel which shall be placed 225 mm apart and within the child's reach, marked in such manner as to be easily recognised by each child;
 - (x) a reasonable supply of lavatory paper, tissues and soap available and accessible to the children;
- (h) Sanitary and ablution facilities for the staff which:-
 - (i) shall be entirely separate from the facilities provided for the children, and shall have no direct communication with any area used by or in connection with to the children, and shall be inaccessible to the children;

- (ii) shall have one water closet and one wash hand-basin for every 15 persons or part of 15;
 - (iii) shall have a constant supply of hot and cold running water, soap, nailbrushes, lavatory paper and clean towels.
 - (iv) shall have wash-basins which shall be close fitting to the walls and the walls at the rear of such basins shall be glazed-tiled to a height of not less than 450 mm above the upper surface of such wash hand-basins or covered with some other water resistant material.
- (i) Separate approved laundry facilities on the premises unless laundering is done on other licensed premises.
 - (j)
 - (i) A room having a minimum width of 3m for playing, eating and sleeping purposes, where a minimum area of 3m squared is available for every child as playing space. Provided that if more than one group of 20 children is accommodated in such room, adequate partitioning shall be provided so as to ensure that one group's activities do not interfere with another.
 - (ii) Such rooms shall have ready access to the out-door play area referred to in subparagraph (k)
 - (iii) Not more than one-third of the total indoor play area required in terms of (i) may consist of a covered verandah, abutting on such play area and having a minimum width of 3m.
 - (k) A minimum outdoor play area of 4m squared per child, comprising lawns or other safe surfaces and shady areas, properly fenced off from any parking or other area which, in the opinion of the Medical Officer of Health, or in his absence, the Chief Health Inspector may constitute a danger to the children, and which shall be free of any excavation, step, projection, level or surface which, in the opinion of the Medical Officer of Health, or in his absence the Chief Health Inspector, is dangerous or may constitute a hazard.
 - (l) A room of a minimum size of 6m; for the storage of documents, forms and other records pertaining to the pre-school institution and for administrative purposes, interviews and medical examinations.
 - (m) If full-day care is provided and if more than three members of staff, other than domestic staff, are employed or required by the registering body to be employed a room of a minimum size 6m squared for use as a meeting place and restroom for the staff.
 - (2) KITCHENS:
 - (a) If full-day or half-day care is provided -
 - (i) the kitchen, including sculler, shall have a minimum floor area of 12m squared, the minimum floor area shall, for every child in excess of 30, but not exceeding 100, be increased by 0.2m squared and for every child in excess of 100, by a further 0,1 m squared;
 - (ii) the kitchen shall be provided with a double compartment sink, a wash hand-basin, a vegetable washing sink, and, if the Medical Officer of Health, or in his absence, the Chief Health Inspector deems it necessary, a pot-washing sink, and such sinks and basins shall be made of stainless steel or other impervious material and shall comply with the requirements of the Council's Food-handling By-laws and Drainage and Plumbing By-laws in relation to size installation and means of water supply;

- (iii) if in the opinion of the Medical Officer of Health or in his absence, the Chief Health Inspector, it is necessary to control the discharge of smoke, fumes or odours resulting from cooking, he may require a hood or canopy; Provided that an approved mechanical device may be installed instead of such hood or canopy.
- (b) If only half day care is provided and the Medical Officer of Health is satisfied, having regard to the type and quantity of food supplied to the children, that a kitchen complying with sub-paragraph (a) is not necessary, the shall comply with the following:-
 - (i) The kitchen, including the scullery, shall have a minimum floor area of 9m squared, the minimum floor are shall, for every child in excess of 30, be increased by 0,1m squared.
 - (ii) The kitchen shall be provided with a double compartment sink of stainless steel and a wash basin and shall be installed and supplied with hot and cold water in accordance with the Council's Food-Handling By-laws and Drainage and Plumbing By-Laws; Provided that, notwithstanding anything to the contrary contained in such by-laws, for the purposes of this paragraph the Medical Officer of Health or in his absence, the Chief Health Inspector may approve a sink of dimensions smaller than those prescribed by such by-laws.
- (c) The following general requirements shall apply to all kitchens referred to in this paragraph:
 - (i) All cupboards, shelves and other storage spaces for kitchen utensils and equipment shall be of metal and shall be so fitted or situated as to be easily cleaned.
 - (ii) All tables shall be constructed of metal with a stainless steel or other approved surface.
 - (iii) The stove or other cooking unit shall be so installed as to allow easy access between the stove or cooking unit and the adjoining wall surfaces to facilitate cleaning.
 - (iv) Adequate storage facilities for vegetables shall be provided.
 - (v) Refrigeration facilities for perishable food-stuffs shall be provided.
 - (vi) An adequate number of refuse bins with self-closing lids shall be provided.
 - (vii) No laundering or laundry equipment shall be permitted in any kitchen.

Accommodation and Storage, Sanitary, Kitchen and other Facilities in respect of Pre-School Institutions for Children under 3 years of Age.

5. In respect of pre-school institutions of children under the age of 3 years, the following accommodation and facilities shall be provided:

- (a) (i) An isolation room consisting of two separate cubicles each having a minimum floor area of 2m x 3m each cubicle shall be equipped with a cot or stretcher and such room shall be provided with a wash hand-basin with a constant supply of hot and cold running water and a first-aid cupboard.
- (ii) Such room shall not be used for any other purpose than isolating a child who is ill or has suffered any injury and for rendering all the care necessary for the comfort and treatment of such child while on the premises.
- (b) A sluice room complying with the provisions of section 5 (1) (i), which shall be used solely for children placed in isolation.

- (c) (i) If children under 2 years of age are accommodated:
 - (aa) A nursery having a minimum area of 24m^2 per 8 children or part of 8 unless otherwise approved by the Medical Officer of Health, or in his absence, the Chief Health Inspector, of which not more than one-third of such nursery may consist of a covered verandah abutting on such area and having a minimum width of 3m and such nursery shall have ready access to the area referred to in paragraph (d) (i).
 - (bb) A wash hand-basin in each nursery with a constant supply of hot and cold running water.
- (ii) If children aged 2 years and over are accommodated a room as contemplated by section 4(1) (j).
- (d) (i) If children under 2 years of age are accommodated, a minimum outdoor area of 3m^2 per child for the use of perambulators, playpens and outdoor activities, as required by section 4 (1) (k).
- (ii) If children aged 2 years and over are accommodated, an outdoor area complying with (i), save that, the minimum area shall be increased to 4m^2 per child.
- (iii) If a nursery school which has been registered or which requires to be registered in terms of the Education Ordinance, 1953, is conducted on the same premises as such pre-school institution, the areas referred in (i) and (ii) shall be separated from any outdoor area used by the children attending such nursery school.
- (e) A kitchen as contemplated in section 4(2).
- (f) (i) if bottles and teats are used for feeding children, an additional milk kitchen having a minimum floor area of 8m^2 for a maximum number of 25 children, and if the number exceeds 25, the size of such milk kitchen shall be increased by $0,1\text{m}^2$ for every child in excess of 25.
- (ii) Such milk kitchen shall have:-
 - (aa) a separate compartment for sterilising bottles, fitted with a sterilising unit and a double compartment sink of stainless steel which shall be installed and supplied with hot and cold running water in accordance with the Council's Food-handling By-laws and Drainage and Plumbing By-laws: provided that not with standing anything to the contrary contained in such by-laws for the purposes of this paragraph, the Medical Officer of Health or in his absence the Chief Health Inspector may approve a sink of dimensions smaller than those prescribed by such by-laws.
 - (bb) a separate compartment for the preparation of milk feeds fitted with a refrigeration unit and a stove; and
 - (cc) a wash hand-basin fitted in either of the compartments referred to in sub-paragraph (aa) and (bb), and having a constant supply of hot and cold running water.
- (g) Storage facilities for food in accordance with the Council's Food-handling By-laws.
- (h) Storage facilities for bedding and linen.
- (i) Storage facilities for perambulators.
- (j) Separate storage facilities for the personal belongings of each child.
- (k) Adequate storage facilities for the personal belongings of the staff.
- (l) Sanitary and ablution facilities complying with the following requirements if children

under 2 years of age are accommodated.:-

- (i) A sluice room having a minimum floor area of 6m² equipped with a wash hand-basin and an approved combined sluice sink and hopper, which sluice sink and hopper shall be fitted with 150mm splash screen and which is installed 100m from any wall surface and connected to the Council's sewerage system in an approved manner.
- (ii) The wash and hand-basin, sink and hopper referred to in (i) shall have a constant supply of hot and cold running water.
- (iii) Every part of a wall surface within 600mm from the sink and hopper in such sluice room shall be tiled or have some other approved finish.
- (iv) An adequate number of bins with self-closing lids for the disposal of paper, prepare towels, tissues and other waste articles, and such bins shall be placed in the sluice room referred to in paragraph (i).
- (v) A bathroom having a minimum floor area 6m² provided with two approved baby bathing units for every 20 children or part of 20, and such units shall have a constant supply of cold and thermostatically controlled hot running water which shall be supplied by means of side inlets or movable fittings.
- (vi) Such bathrooms shall further be equipped with a wash hand-basin which has a constant supply of hot and cold running water.
- (vii) A minimum of two towels and one face cloth for each child's individual use.
- (viii) Individual pegs or hooks for each child's towels and face cloth in the bathroom mentioned in (vii), and such pegs or hooks shall be placed 225m apart, and individually marked: Provided that separate pegs or hooks shall be provided for towels and face cloths respectively.
- (ix) An adequate supply of napkins shall be laundered by:-
 - (aa) a laundry on the premises shall comprise three units as follows:-
 - A receiving and pre-cleaning unit;
 - A washing, drying and ironing unit;
 - A storage unit,
- (x) If necessary in the opinion of the Medical Officer of health, /in his absence, the Chief health/or Inspector, chamber pots (reduced size) shall be provided. Such chamber pots shall be suitably stored, kept in good repair and used only for the purposes for which they were designed and used only in the sluice room mentioned in paragraph (1) (i), save where such equipment may be required for use for any such purpose in the isolation room referred to in paragraph (a)
- (m) If children aged 2 years and over are accommodated, sanitary and ablution facilities complying with the provisions of section 4 (1) (g).
- (n) Sanitary and ablution facilities for the staff complying with the provisions of section 4 (1) (h).
- (o) Storage facilities for indoor and outdoor movable play equipment.
- (p) Approved laundry facilities on the premises, unless laundering is done on other licensed premises.

- (q) A room of a minimum size of 6m² for the storage of documents, forms and other records pertaining to the pre-school institution and for administrative purposes, interviews and medical examinations.
- (r) if full day care is provided and if more than three members of staff other than domestic staff are employed or required to be employed by the registering body, a room of a minimum size of 6m² for use as a meeting place and rest room for the staff.

General requirements relating to all buildings used for pre-school institutions.

6. Every building or part thereof used for a pre-school institution shall comply with the following requirements:

- (a) Notwithstanding the provisions of the Council's Building By-laws, the windows of all play rooms and isolation rooms shall be:-
 - (i) equal in area to not less than 15% of the floor area of each such room; and
 - (ii) so designed and installed as not to constitute a danger to the children when open, and so that the lower level is not more than 750mm from ground level.
- (b) (i) Notwithstanding the provisions of the Council's Building By-laws, window areas of storeroom, sanitary blocks, kitchen, sculleries, laundries and other habitable rooms shall be equal to not less than 10% of the floor area of such rooms.
- (ii) At least half of the total window area in any room referred to in paragraph (a) and (b) (i) shall be capable of being opened for ventilation.
- (c) Adequate artificial lighting shall be available throughout any such building.
- (d) All floors and skirtings shall be finished with a smooth surface, free of sharp edges or other dangerous entities and capable of being easily cleaned.
- (e) The internal walls throughout shall have a smooth surface and shall be covered with a light coloured durable and washable finish.
- (f) All internal woodwork shall be of sound and construction and so designed and fitted as to be capable of being easily cleaned.

Accommodation for domestic staff.

7. (1) If domestic staffs are employed but no living accommodation is provided on the premises of a pre-school institution for such persons:-
- (a) a locker for the storage of the personal effects of each person shall be provided; and
 - (b) if more than two persons are so employed, a room with a minimum floor area of 6m² shall be provided and such room shall be increased by 0,6m² for every such person in excess of 10 persons.
 - (c) The following facilities for the sexes shall be provided in respect of domestic staff not living on the premises:-
 - 1 Toilet and 1 wash hand-basin for every 15 persons or part of 15.
 The following separate facilities for the sexes shall be provided in respect of domestic staff living on the premises:-
 - (i) 1 Toilet and 1 wash hand-basin for every 15 persons or part of 15.
 - (ii) Shower for every 10 persons or part of 10:

Provided that if domestic staff consists of staff living on the premises and staff living off the premises, and if in the opinion of the Medical Officer of Health, or in his absence, the Chief Health Inspector, it would be unreasonable or impracticable to require the facilities prescribed in paragraph (a) and (b), he may permit the sanitary and ablution facilities to be combined in such manner as he deems fit.

- (d) A constant supply of hot and cold running water to the wash hand-basins, baths and shower referred to in paragraphs (a) and (b) shall be provided.

(2) The area occupied by domestic staff shall have no direct communication with any area used by or in connection with the children.

Resting, feeding and play equipment.

8. (1) If children between the ages of 18 months and 7 years are accommodated in pre-school institutions, equipment for such children shall comply with the following requirements:-

- (a) An adequate number of children's chairs shall be provided so that each child has a chair: Provided that the Medical Officer of Health or in his absence the Chief health Inspector may approve lesser number of chairs. Such chairs shall be:-

- (i) solidly constructed and of much material as to be easily lifted by each child;
- (ii) free of splinters or other rough or dangerous surface; and

8. (1) (a) (iii) so constructed as to permit a child to sit thereon with both feet on the floor.

- (b) An adequate number of children's tables shall be provided. Such tables shall be:-

- (i) movable and solidly constructed;
- (ii) free of splinters or other rough or dangerous surfaces; and
- (iii) of such height as to be conveniently used by the children.

- (c) An adequate supply of individual resting or sleeping equipment shall be provided for each child. Such equipment shall be marked with the relevant child's name or symbol, and so arranged that there is a minimum of 450mm between each child.

- (d) An adequate supply of bedding shall be provided and correspondingly marked with the name or symbol referred to in paragraph c).

- (e) An adequate supply of indoor and outdoor play equipment shall be provided.

(2) If children under 18 months of age are accommodated in pre-school institutions, equipment for such children shall comply with the following requirements:-

- (a) Cots shall be provided for the individual use of each child. Such cots shall be so arranged that there is a minimum of 750 mm between each cot.

- (b) An adequate supply of bedding shall be provided.
Such bedding shall be individually used.

- (c) An adequate number of approved indoor feeding chairs shall be provided.

- (d) An adequate supply of approved indoor and outdoor play equipment shall be provided.

- (3) (a) If bottles and teats are required for any children, approved bottles and teats shall be provided for the individual use of each such child, and such feeding bottles

and teats shall be sterilised by an approved method before use.

- (b) If cutlery and crockery are required for any children, an adequate supply of cutlery and crockery shall be provided for the convenient use of each such child.

8. (4) No padding pool, swimming pool, sand pit or other structure shall be permitted in any pre-school institution without the prior approval of the Medical Officer or in his absence the Chief Health Inspector, and only subject to such conditions concerning safety and coverage as he may lay down from time to time.

Medical care of children.

9. (1) Every child shall be kept under observation for any signs of illness, indisposition of other abnormal condition.

(2) The parent or guardian of the child concerned shall be notified immediately when any illness indisposition or abnormal condition is observed.

(3) Whenever a child becomes ill or suffers any injury, and it is necessary to summon the assistance of a Medical Practitioner, a Medical Practitioner shall be summoned.

(4) Any child who is ill or has suffered an injury, shall be isolated immediately in the isolation room provided for the purpose, and all care necessary to the comfort and treatment of such child while on the premises, shall be devoted.

(5) All instructions issued by the Medical Practitioner referred to in sub-section (3) shall be carried out and in the event of a communicable disease, the Medical Officer of Health, or in his absence, the Chief Health Inspector shall be notified immediately.

(6) A record of all injuries and illnesses of every child while enrolled at such pre-school institutions shall be kept.

Safety measures.

10. The following safety measures shall be taken:-

- (a) Children shall be adequately protected against fires, hot water installations, electrical fittings and appliances, heating appliances and any other articles or thing which may be dangerous or cause injury to any child.
- (b) Any slats or rails forming part of an enclosure, playpen, bed, cot, or any other object or structure whatsoever, shall be not more than 75mm apart and shall be suitably installed and maintained in a good state of repair, and if painted, only non-toxic paint shall be used.
- 10. (c) (i) The premises shall be entirely enclosed by a suitable fence, wall or other approved means of enclosure, so constructed and installed as to prevent a child leaving the premises on his own accord, and so as to prevent the entrance of domestic animals.
- (ii) All gates or doors forming part of such enclosure shall be close-fitting and securely locked or otherwise closed, so as to prevent a child opening them.
- (d) The first-aid cupboard referred to in section 4 (1) (a) (i) and 5 (a) shall be provided with approved and adequate materials and equipment which shall be readily available for use and kept out of every child's reach.
- (e) All medicines and other harmful substances shall be stored so as not to be accessible to any child.
- (f) No dog or cat or any noxious or poisonous plant or shrub shall be permitted on the premises, and no other animal shall be kept on the premises without the prior approval of the Medical Officer of Health, or in his absence, the Chief Health Inspector, and only subject to such conditions as to the enclosure of such animal as he may lay down from

time to time.

- (g) No person known or suspected to be suffering from an infectious or contagious disease, and no person who has been in contact with a person so suffering, shall be allowed on the premises while in the opinion of the Medical Officer of Health, or in his absence, the Chief Health Inspector, such person is capable of communicating such infectious or contagious disease.
- (h) No person whose body is not in a clean and healthy condition shall be allowed on the premises.
- (i) The provisions of the regulations regarding the exclusion of children from school on account of infectious diseases shall apply to pre-school.

General duties and liability for compliance with By-laws.

11. (1) The health certificate holder or if there is no health certificate holder, the natural or artificial person or partnership or association of persons conducting the pre-school institution shall ensure that the provision of these By-laws are complied with.

11. (2) The person or partnership or association of persons referred to in sub-section (1) shall ensure that the children are at all times properly cared for and supervised and shall -

- (a) maintain every part of the pre-school institution including outdoor areas, and all structures and equipment, in good repair and in a clean and tidy condition;
- (b) keep all kitchen fittings, utensils and equipment in a clean and sound condition;
- (c) take adequate measures for the prevention and destruction of insects and vermin on the premises;
- (d) take adequate measures to protect all foodstuffs from contamination;
- (e) ensure that all perishable foodstuffs, other than unfrozen fruit and vegetables, are stored in refrigeration facilities at a temperature not exceeding 10°C: Provided that milk shall be so stored at a temperature not exceeding 7°C;
- (f) ensure that all persons on or in the premises are clean in person and clothing;
- (g)
 - (i) provide clean and sound overalls or coats of light-coloured washable material and suitable head-coverings for the use of persons engaged in the handling, preparation and serving of food, and ensure that overalls or coat are worn at all such times;
 - (ii) provide protective clothing for the use of staff in the sluice rooms and such protective clothing shall be used and stored solely in such sluice.
- (h) ensure that toys, books and other indoor play materials intended for day-to-day use are available in the playroom and suitably stored so as to be within easy reach of the children from floor level;
- (i)
 - (i) ensure that the children are at all times under the direct supervision of such number of adults as is required by the registering body;
 - (ii) ensure that the qualifications of staff, including the supervisor or principal, comply with the requirements of the registering body;
- (j) if transport to or from, or to and from a pre-school institution is provided for children by such pre-school institution, ensure that such children are supervised by at least one other adult, apart from the driver of the vehicle;
- (k) ensure that each child uses his own towel or face cloth, as the case may be;
- (l)
 - (i) ensure that all meals provided for the children meet with the requirements

of the Medical Officer of Health, or in his absence, the Chief Health Inspector;

- (ii) ensure that all menus are approved and adhered to;
- (iii) keep records of menus of all meals, and ensure that such records are open for inspection at all times;
- (m) ensure that every employee employed to handle food is medically examined and certified to be free from infectious or contagious diseases before employing such employee, and ensure that every such employee is re-examined annually;
- (n) ensure that a personal file containing forms and details relevant to each particular child is completed;
- (o) ensure that all children admitted to have completed basic immunization scheduled against small pox, tuberculosis, measles, diphtheria, whooping cough tetanus and poliomyelitis: Provided that if children are too young, such immunisation shall be carried out and completed as soon as such children are old enough.

Application for admission:

12. (1) The person or partnership or association of persons referred to in section 11(1) shall ensure that an application containing the following requirements is completed by a parent or guardian of a child before admission to a pre-school institution:

- (a) The child's name and date of birth;
- (b) name and address and telephone number of the parent/s or guardian;
- (c) place of employment and telephone number of the parent/s or guardian;

- 12. (1) (d) name, address and telephone number of a responsible person other than the parents or guardian, who may be consulted in emergencies;
- (e) name, address and telephone number of child's medical practitioner and permission to send to him.

(2) All such application forms shall be retained and the relevant date of admission and discharges of the child referred to in such form shall be entered thereon.

Registers:

13. (1) An admission and discharge register of all the children admitted to and discharged from the pre-school institution shall be kept.

(2) A register of attendance shall be kept in which the presence or absence of children at such pre-school institutions shall be noted daily.

(3) Such attendance register shall in addition include the children's respective dates of birth.

Medical Report.

14. (1) A report containing the following health data shall be obtained from the parent or guardian in respect of each child before admission, and retained:

- (a) Information concerning the child's general state of health and physical condition.
- (b) Operations, illnesses and any communicable disease from which the child has suffered and the relevant dates.
- (c) Details of immunisation against small pox, poliomyelitis, tetanus, measles, whooping cough, diphtherin, tuberculosis, german measles (rubella) and mumsos.

Journal:

15. A journal dairy, logbook, or book of similar nature shall be kept in which important or outstanding events, including accidents, and a programme of daily activities are recorded in either of the official languages.

Suspension or termination of operations:

16. The health certificate holder shall notify the Council of the suspension or termination of the operations of the pre-school institution to which such health certificate relates, or in the event of any occurrence as specified in section 3(2).

Right of entry and inspection of premises and records:

17. Any duly authorised officer of the Council may for any purpose connected with the carrying out of these By-laws, at all reasonable times and without previous notice, enter any premises upon which a pre-school institution is conducted, or upon which such officer has reasonable grounds for suspecting the existence of such pre-school institution, and make such examination enquiry and inspection thereon as he may deem necessary.

Offenses:

18. (1) Any person who fails to give, or refuses access to any official of the Council duly authorized by these By-laws or by the Council to enter upon and inspect any premises, if he requests entrance to such premises, or obstructs or hinders such official in the execution of his duties in terms of these by-laws, or who fails or refuses to give information that he may lawfully be required to give to such official, or who gives to such official false or who unlawfully prevents any other person from entering upon such premises, shall be guilty of an offence.

(2) Any person who -

- (a) fails or refuses to comply with any provision of these by-laws or any condition imposed by the Medical Officer of Health or in his absence the Chief Health Inspector, in terms of section 8 (4)
- (b) being a health certificate holder, allows -
 - (i) a greater number of children than the number stated on the health certificate to be enrolled at or to be present in the pre-school institution to which the health certificate relates;

- 18. (2) (b) (ii) any child whose age is more or less than the maximum or minimum ages of the children who may be kept on the premises concerned, in terms of the health certificate, to be enrolled at or to be present in such pre-school institution; or
- (iii) such pre-school to be operated during hours not stated or such health certificate, shall be guilty of an offence and conviction shall be liable to a fine of E200 or imprisonment for a period of 6 months or to both such fine and such imprisonment.

Withdrawal of Health Certificate.

19. The Council may at its discretion withdraw a health certificate issued in terms of these by-laws, should the health certificate holder be convicted of a breach of any of the provisions of these by-laws.

Presumption.

20. If in prosecution under these by-laws it is alleged -

- (a) that the owner, lessee or occupier of the premises conducts a pre-school institution at those premises, he shall be deemed to have conducted a pre-school institution at such premises, unless the contrary is approved.
- (b) that any child was of a certain age, such child shall be deemed to have been that age, unless the contrary is proved.

NOTICE

ESTATE LATE MANGALISO HENRY DLAMINI E. 133/90

Notice is hereby given in terms of the 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 induplicate to the Master of the High Court at any time before expiry of the said period.

Q.M. MABUZA
Attorneys for the Executrix Dative
Soshangane Place
199 Kelly Street
P.O. Box 202
MANZINI

F608 17.6.94

NOTICE

ESTATE LATE ELLIOT NXUMALO E11/93

Notice is hereby given in terms of Section 51 bis of the Administration of Estates Act No. 140 of 1989 that the First and Final Liquidation and Distribution account of the Estate Late Elliot Nxumalo E11/93 will lie open for inspection at the office of the Master of the High Court of Swaziland at Mbabane and at the office of the District Commissioner Manzini for a period of Twenty One (21) days from the date of appearance of this notice.

Any objection to the account should be lodged in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

MASINA MAZIBUKO AND COMPANY
Executrix Attorneys
P.O. Box 592
MANZINI
Telephone 52897/54865

F602 17.6.94

NOTICE

ESTATE LATE SAMSON MBIZO GUMA E115/94

Debtors and Creditors in the above Estate are hereby required to pay their debts to and lodge their claims with the undersigned within thirty (30) days of publication of this Notice.

G.M. LANDMARK
Attorney for Executor
P.O.Box 1905
Goodenough Building
Ngwane Street
MANZINI

F601 17.6.94

1224

NOTICE

IN THE ESTATE LATE OF THE LATE STELLA EDITH GIBSON ESTATE NO. 14807/93

All creditors and persons 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 Administration granted by the Master of the Supreme Court of South Africa.

Provincial Division at Pretoria on the 27th day of January 1994 to DOUGLAS HARVEY MONRO GIBSON as Executor/s Testamentary of the said Estate.

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

F605 17.6.94

NOTICE

ESTATE LATE EDWARD F. YOUNG E.20/93

Notice is hereby given in terms of the 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 induplicate to the Master of the High Court at any time before expiry of the said period.

Q.M. MABUZA
Attorneys for the Executor Dative
Soshangane Place
199 Kelly Street
P.O. Box 202
MANZINI

F605 17.6.94

NOTICE

Notice is hereby given that we intend applying for a Lost Title Deed being Government grant No. 73/1983 dated on the 6th day of April 1983 in favour of Millard William Healy (born on the 1st day of July 1944) in respect of:-

CERTAIN Lot No. 105 situate in Pleasing Prospect, in the Township of Fairview, in the District of Manzini, Swaziland;

MEASURING: 1408 (One Four Zero Eight) Square Metres;

Any person having objection to the issue of such copy is hereby requested to lodge in writing with the Registrar of Deeds within two (2) weeks of last publication of this Notice.

Q.M. MABUZA
Applicant's Attorneys
Soshangane Place
199 Kelly Street
P.O. Box 202
MANZINI

F607 17.6.94

NOTICE OF MEETING

Notice is hereby given that the Thirty Second Annual General Meeting of Shareholders will be held in the Boardroom, SBS House, Walker Street, Mbabane on 30th June 1994 at 9 a.m. to transact the following business:

1. To receive the Report of the Directors, Statement of Accounts and Report of the Auditors for the year ended 31 March 1994.
2. To elect Directors, Messrs J Hayter, N.M. Shabangu, L. Sithebe and Rev. C.P.M. Gumede retire in terms of Rule 80 of the Society, but being eligible, offer themselves for re-election.
3. To fix the remuneration for the past year's Audit and to appoint Auditors for the ensuing year. Messrs Ernst and Young, being eligible, offer themselves for re-election.
4. To approve the remuneration paid to Directors in terms of rule 91.
5. To amend the Rules of the Society. The proposed amendments are contained in a separate Memorandum enclosed with the Annual Report.
6. To transact any other business within the scope of the meeting.

SBS House
Mbabane
9 June 1994

By Order of the Board
D L Moir
Secretary

F592 17.6.94

NOTICE

Notice is hereby given that I, Sipho Magwagwa Gamedze of KaMkhweli Area in the Lubombo Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Mkhabela 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 Lubombo Region and in the Government Gazette.

The reason I want to assume the surname Mkhabela is because it is my natural surname.

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

P.O. Box 3037
Manzini
Swaziland

F593 4x8.7.94

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 471/94

In the matter between:

BAYABONGA TRANSPORT

Plaintiff

and

E.R. DRILLING & BLASTING CONTRACT

Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a judgment of this Honourable Court dated 6th May 1994 and a Writ of Execution issued thereon, the following movable property of the Defendant will be sold by public auction at the premises of the Defendant being 6th Floor Dhlam'ubeka House, Mbabane on the 24th June 1994 at 11.00 a.m. in the forenoon.

ITEMS

- | | |
|----------------------------|------------------|
| 8. Cabinet | 7 Chairs |
| 1 table | 1 fern |
| 1 table with three drawers | 1 typewriter |
| 3 pads | 2 desks |
| 1 white hat | 1 wooden cabinet |
| 5 chairs | 5 chairs |
| 1 fax (Sumsang) | 1 kettle |
| 1 typewriter (Olympia) | 4 trays |
| 1 box envelopes | 1 white table |
| 9 fax rolls | 1 box envelopes |

DATED AT MBABANE ON THIS 2ND DAY OF JUNE, 1994

DEPUTY SHERIFF

F594 17.6.94

NOTICE

ESTATE LATE DAISY GELANE MABUZA ESTATE NO. E208/93

Debtors and Creditors in the above Estate are hereby called upon to lodge their claims with and pay their debts to the undersigned within thirty (30) days from date of publication of this Notice.

ROBINSON, BERTRAM & CO.,
Attorneys for Executors/Testamentary
Executrix/Dative

3rd Floor
Sokhamlilo Building
P.O. Box 24
MBABANE
Swaziland

F587 2x17.6.94

NOTICE

Notice is hereby given that we intend applying for a Certified Copy of Deed of Transfer No. 202/75, dated the 9th July 1975, in favour of MOSES MHAMBI MNISI, in respect of:

CERTAIN: Portion 7 of Farm No. 865, situate in the District of Manzini, Swaziland;

MEASURING: 37,6360 (three seven comma six three six zero) Hectares.

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 ON THIS THE 2ND JUNE 1994.

PERRY-MILLIN
incorporating
R D Friedlander & Co.,
P.O. Box A240
Swazi Plaza
MBABANE

F584 2x17.6.94

SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE

VOL. XXXII]

MBABANE, Friday, June 17th, 1994

[No. 30

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THE LOAN (HLATIKULU HOSPITAL REHABILITATION PROJECT) ACT, 1994

(Act No. 2 of 1994)



I ASSENT
MSWATI II
KING OF SWAZILAND
10th June, 1994

AN ACT
entitled

An Act to authorise the Minister for Finance to raise a loan for financing the rehabilitation of the Hlatikulu District Hospital and for matters incidental thereto.

ENACTED by the King and Parliament of Swaziland.

Short title.

1. This Act may be cited as the Loan (Hlatikulu District Hospital Rehabilitation Project) Act, 1994.

Interpretation.

2. In this Act unless the context otherwise requires -

"Agreement" means the agreement referred to in Section 3 as well as any documents related thereto;

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

"Lender" means Kreditanstalt Fur 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 is hereby authorised to enter into an Agreement with the Lender for the purpose of raising a loan not exceeding four point six four million Deutsche Marks (DM 4.640,000), (E9 086 458) upon the terms and condition specified in this Act and upon such other terms and conditions as the Government may consider appropriate.

Loan charges and repayment.

4. (1) The Borrower shall repay the loan in Deutsche Marks in thirty years in sixty-one consecutive semi-annual instalments commencing from 30th June 2004 and ending on 30th June 2034 at a rate of interest of three quarters of one per cent (0.75%) per annum.

(2) The Borrower shall pay 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 months after the signing of the Agreement and ending on the respective dates of disbursements of the loan.

(3) The commitment charge, interest and any charges for default by the Borrower shall be payable semi-annually in arrears on 30th June, and 31st December of each year.

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 of the Hlatikulu District Hospital.

THE LOAN (EDUCATION 1 PROJECT) ACT, 1994

(Act No. 3 of 1994)



I ASSENT

MSWATI III

KING OF SWAZILAND

10th June, 1994

AN ACT
entitled

An Act to authorise the Minister for Finance to raise a loan for financing part of the foreign exchange cost and the local currency cost of the Education 1 project and to provide for matters incidental thereto.

ENACTED by the King and Parliament of Swaziland.

Short title.

1. This Act may be cited as the Loan (Education 1 Project) Act, 1994.

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;

"Loan" means the Loan raised by the Minister under section 3;

"Minister" means the Minister for Finance.

Authority to raise Loan.

3. The Minister is hereby authorised to enter into an Agreement with the Lender for the purpose of raising a loan not exceeding the equivalent of Ten million Units of Account (FUA 10,000,000) approximately forty four million four hundred and fifty one thousand and nine hundred and three Emalangeni (44,451,903) upon terms and conditions specified in this Act and upon such other terms and conditions as the Minister may consider appropriate.

Loan charges and repayments.

4. (1) The loan shall be payable in over a period of forty (40) years after a grace period of ten (10) years, commencing from the date of signature of the Agreement, in sixty (60) consecutive and semiannual instalments, and the first such instalment shall be payable on the 1st January or the

1st July, whichever immediately follows the expiration of the grace period.

(2) The Borrowers shall pay interest on the loan amount (disbursed and outstanding from time to time) at the rate of one per cent (1%) per annum from the 11th to the 20th year inclusive and thereafter at the rate of three per cent (3%) per annum.

(3) The Borrower shall pay a service charge at the rate of three quarters of one per cent (0.75%) per annum, on the loan amount disbursed and outstanding from time to time.

(4) The principal amount of the loan and the service charge shall be payable every six (6) months on the 1st January and the 1st of July of each year.

Charging of loan.

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

Application of loan.

6. The proceeds of the loan shall be used for financing part of the local currency cost of the Education 1 project.

THE NON-BAILABLE OFFENCES (AMENDMENT) ACT, 1994

(Act No. 4 of 1994)



I ASSENT
MSWATI III
KING OF SWAZILAND
8th June, 1994

AN ACT
entitled

An Act to amend the Non-Bailable Offences Order 1993 and to provide for matters incidental thereto.

ENACTED by the King and Parliament.

Short title and commencement.

1. (1) This Act may be cited as the Non-Bailable Offences (Amendment) Act 1994 and shall be read as one with the Non-Bailable Offences Order 1993 (herein after referred to as "the principal Order").

(2) This Act shall come into force upon publication in gazette.

Replacement of section 3 (1)

2. Section 3 (1) of the principal Order is placed with the following -

"Bail to be refused in certain offences

3. (1) Notwithstanding any provision in any other law, a court shall refuse to grant bail to any person charged with any of the offences in the Schedule hereto."

LEGAL NOTICE NO. 124 OF 1994

THE HUMAN SETTLEMENTS AUTHORITY ACT, 1988

(Act No. 2 of 1988)

ESTABLISHMENT OF AUTHORITY

(Under Section 4)

In exercise of the powers conferred by Section 4 of the Human Settlements Authority Act of 1988, the Minister of Housing and Urban Development appoints the following persons to be members of the Human Settlements Authority with effect from 1st June 1994 to 31st May 1997;

- | | |
|---|-------------|
| 1. Mr. Richard Stone | - Chairman |
| 2. Mr. Humphrey H.M. Ndlangamandla | - Member |
| 3. Mr. Macaleni E. Nkosi | - Member |
| 4. Sister Judith Ellen Dean O.H.P. | - Member |
| 5. Mr. Patrick Zwane | - Member |
| 6. Dr. Phetsile Dlamini | - Member |
| 7. Principal Secretary, Ministry of Housing and Urban Development or his representative | |
| 8. Surveyor General, Ministry of Natural Resources and Energy or his representative | |
| 9. Principal Secretary, Ministry of Natural Resources and Energy or his representative | |
| 10. Registrar of Deeds, Ministry of Justice or his representative | |
| 11. Director, Swaziland Environment Authority or his representative | |
| 12. Director, Housing and Human Settlements | - Secretary |

MBUSO C. DLAMINI
Principal Secretary

Mbabane
1st June 1994

LEGAL NOTICE NO. 125 OF 1994

ANIMAL DISEASE ACT, 1965

(Act No. 7 of 1965)

THE STOCK DISEASE (RABIES NO. 2) REGULATIONS, 1994

(Under Section 3)

In exercise of the powers conferred by Section 3 of the Animal Diseases Act, 1965 the Minister for Agriculture and Co-operatives hereby makes the following Regulations.

Citation and Commencement.

1. These Regulations may be cited as the Stock Disease (Rabies No. 2) Regulations, 1994 and shall be deemed to have come into force on 7th June, 1994.

Declaration of Rabies Guard Areas.

2. The areas specified in the First Schedule hereto are hereby declared to be Rabies Guard Areas.

Isolation and Confinement of Dogs.

3. Every owner of a dog or cat in a guard area shall isolate and confine his dog or cat so as to prevent it from escaping from such guard areas.

Presentation of Dogs and Cats for Inoculation.

4. A person who owns a dog or cat and lives in an area specified in the Second Schedule to this Notice shall present the dog or cat for inoculation at the Inoculation Centre and at the time specified in this Schedule.

Offence and Penalty.

5. An owner of a dog or cat who fails to comply with Regulation 3 shall be guilty of an offence and upon conviction, liable to a fine not exceeding E300.00 or in a default payment, to imprisonment for a period not exceeding 3 months.

Destruction of Dogs and Cats in Rabies Guard Areas.

6. Government Veterinary Officers may destroy a dog or cat in any of the Rabies guard areas if in his opinion, the dog or cat has not been confined so as to prevent it from escaping from such guard areas.

A.F. HLATSHWAKO
Acting Principal Secretary

SCHEDULE 1

Mhlume	T/A	202
Tshaneni	T/A	202
Thunzini		
Vuvulane	T/A	360
Mananga		
Macakula	T/A	
Hlofu	T/A	357

SCHEDULE 2

DATE	AREA	VACCINATION AREA	TIME
15/06/94	Mhlume	Polo Ground	9.00 - 2.00 p.m.
16/06/94	Tshaneni	Main Security Office	9.00 - 2.00 p.m.
17/06/94	Thunzini/Mananga Border Gate	Thunzini Butchery/ Border Gate	
20/06/94	Mananga Agric. Management Centre	Head Office	9.00 - 2.00 p.m.
21/06/94	Tambankulu	Security Office	9.00 - 2.00 p.m.
22/06/94	Vuvulane	Security Office	9.00 - 2.00 p.m.
23/06/94	Hlofu	Dip Tank	9.00 - 2.00 p.m.
24/06/94	Macakula	Macakula Dip Tank	9.00 - 2.00 p.m.