



SWAZILAND GOVERNMENT GAZETTE

VOL. XXXIV]

MBABANE, Friday, April 12th, 1996

[No. 151

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BARCLAYS BANK OF SWAZILAND LIMITED

BALANCE SHEET AS AT 31 DECEMBER 1995

	Note	1995 E'000	1994 E'000
CAPITAL RESERVES			
Share capital	2	14 605	14 605
Share premium	2	2 667	2 667
Statutory reserve	3	10 924	10 211
Reserves	4	511	509
		<u>28 707</u>	<u>27 992</u>
LIABILITIES			
Current, deposit and other accounts	5	486 065	487 750
Amounts due to holding company and fellow subsidiaries		5 223	6 358
		<u>519 995</u>	<u>522 100</u>
ASSETS			
Cash and Central Bank Funds	6	154 814	146 883
Advances and other accounts	7	268 898	298 613
Fixed assets	8	19 567	18 561
Amounts due from holding company and fellow subsidiaries		76 716	58 043
		<u>519 995</u>	<u>522 100</u>



W G PRICE
(Director)



D M DLAMINI
(Director)



K M NXUMALO
(Director)

NOTICE OF ADVERTISING OF A BUSINESS SALE AND TRANSFER

Notice is hereby given that in terms of Section 5 (1) of the Registration of Businesses and Insolvency Acts that the supermarket and wholesale business carried on by Sherlock William Holmes at Shop Nos. 2 and 4 of Lot No. 365 Pigg's Peak under the style of D B Multi Market and D B Stores has been sold and will be transferred to Calvin Ndlovu with effect from the 1st day of April 1996.

DATED AT MBABANE ON THIS 22ND DAY OF MARCH 1996.

Attorneys Robinson, Bertram & Keyter
P.O. Box 24
Mbabane

H393 3x12-04-96

NOTICE

POUND SALE

Notice is hereby given that unless previously claimed the following impounded animals will be sold by public auction on 24th April 1996 at the Mbabane City Council Pound at 13.00 hours.

1. One red cow
2. One red heifer
3. One red cow
4. One red female calf

Terms are strictly cash or bank guaranteed cheque payable to City Council of Mbabane before the animal is released.

E. M. Mamba
Pound Master

H388 3x12-04-96

NOTICE

Notice is hereby given that I, Nonhlanhla Penelope Myeni of Lubombo Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Dlamini after the fourth publication of this Notice in each of four consecutive weeks in the Observer and Times of Swaziland 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 is because Dlamini is my natural surname.

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

P. O. Box 55
Mpaka

H363 4x12-04-96

NOTICE

Notice is hereby given that we intend applying for a certified copy of Deed of Transfer No. 230/1980 dated the 19th September, 1980, in favour of Azon Msibi (born on the 9th June, 1948), in respect of:-

CERTAIN: Portion B of Farm "Johannesloop", No. 19, situate in the Shiselweni District, Swaziland;

MEASURING: 342,6128 (Three Four Two Comma Six One Two Eight) 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 THIS 5TH DAY OF APRIL 1996.

ROBINSON BERTRAM
Attorneys for Applicant
Sokhamlilo Building
P.O. Box 24
Mbabane

H459 2x12-04-96

NOTICE

IN THE ESTATE OF THE LATE: MARIAM PATEL

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, Mbabane, 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, Pretoria on the 24th day of March, 1995 to IQBAL PATEL.

as Executor Testamentary of the said Estate.

DATED AT MBABANE THIS 27TH DAY OF MARCH 1996.

ROBINSON BERTRAM
Attorneys for Executor Testamentary
Sokhamlilo Building
P.O. Box 24
Mbabane

H421 2x12-04-96

NOTICE

ESTATE LATE: JABULANE MABILANE NYAMANE EH12/96

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

DUMSILE T. NYAMANE
P. O. Box 345
Mbabane

H481 12-04-96

NOTICE

Notice is hereby given that I, Fanyana Lukhele of Shiselweni Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Masuku after the four publication of this Notice in each of four consecutive weeks in the Observer and Times of Swaziland 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 is because Masuku is my natural surname.

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

P. O. Box 105
Hluti

H423 4x26-04-96

NOTICE

Notice is hereby given that I, Joseph Nqaba Dlamini of Hhohho Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Mabuza after the four publication of this Notice in each of four consecutive weeks in the Observer and Times of Swaziland 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 is because Mabuza is my natural surname.

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

P. O. Box 2629
Mbabane

H482 4x03-05-96

NOTICE

ESTATE LATE: ALBERT SIPHO DLAMINI ESTATE NO. 414/95

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 twenty one (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.

KUSA DLAMINI
P.O. Box 1441
Matsapha

H485 12-04-96

NOTICE

Notice is hereby given that we intend applying for a certified copy of Deed of Transfer No. 349/1989 dated the 15th of August 1989 in respect of:

CERTAIN: Lot No. 790 situate in the Ngwane Park Extension No. 1 Township, District of Manzini, Swaziland

MEASURING: 1000 (One Zero Zero Zero) square metres

made in favour of Themba Benson Dlamini (born on the 15th day of May 1944.

All persons having objections to the issue of the aforesaid copy are hereby requested to lodge same with the Registrar of Deeds for Swaziland at Mbabane within three (3) weeks of the last publication of this Notice.

DATED AT MANZINI ON THE 19TH DAY OF FEBRUARY 1996.

SAMUEL S. EARNSHAW & CO.
Attorneys for Applicant
6th Floor Dhlhan'ubeka House
Walker Street
P.O. Box 1134
Mbabane

H474 2x12-04-96

NOTICE

ESTATE LATE: LAMBERTUS POTGIETER ESTATE NO. E335/94

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 and at the office of the District Commissioner of 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.

MILLIN & CURRIE
Incorporating
R D Friedlander & Co.
First Floor, Development House
Swazi Plaza
P.O. Box A240
Mbabane

H483 12-04-96

267

NOTICE

Notice is hereby given that we intend applying for a certified copy of Deed of Transfer No. 264/1973 dated October 1973 in favour of Raphael Nxumalo (born in 1918 in respect of :-

CERTAIN: Lot No. 26 situate in Heltie Street Ngwane Park Township District of Manzini Swaziland.

MEASURING: 1349 (One Three Four Nine) 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 three weeks of the last publication of this notice.

Q. M. MABUZA ATTORNEYS
Soshangane Place
199 Kelly Street
P.O. Box 202
Manzini

H477 12-04-96

NOTICE

ESTATE LATE: FREDERIC TYRER

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

MTHEMBU SIMELANE ZWANE & KUBHEKA
126 Esser Street
P.O. Box 1301
Manzini

H484 12-04-96

NOTICE

ESTATE LATE: JABULANE JOHANNES SIMELANE ESTATE NO. E423/95

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

MRS THOKO SIMELANE
P.O. Box 4280
Mbabane

H486 12-04-96

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 2210/94

In the matter between:

MERIDIEN BANK SWAZILAND LIMITED

Plaintiff

and

JOHN MANDLA SHONGWE

Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Hhohho outside the High Court Building, at 11.30 a.m. on Friday the 26th day of April, 1996.

CERTAIN: Lot No. 388 situate in Piggs Peak Township, District of Hhohho, Swaziland;

MEASURING: 916 (Nine One Six) Square Metres;

IMPROVEMENTS: Block of Flats

The Conditions of Sale are available for inspection at the office of the Sheriff in the High Court Building in Mbabane.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE THIS 3RD DAY OF APRIL 1996.

J. P. ANNANDALE
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

H480 12-04-96

NOTICE

ESTATE LATE: ABEDNEGO MBHEDZE SHONGWE ESTATE NO. EM36/96

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

ABEL SHONGWE
P.O. Box 418
Manzini

H479 12-04-96

NOTICES

SWAZILAND COMPANIES ACT NO. 7 OF 1912

Notice is hereby given that pursuant to the notices published in the Swazi Observer, dated 2nd October, 1995, 9th October, 1995 and 16th October, 1995; and in the Swaziland Government Gazette numbers 115 of 6th October, 1995, 116 of 13th October, 1995 and 117 of 20th October, 1995; the names of the undermentioned Companies:

Aran (Proprietary) Limited
K C Food Supplies (Proprietary) Limited
Fairdeal Homestyle (Proprietary) Limited
Swazi Panel Beaters (Proprietary) Limited
Capital Development Company (Proprietary) Limited
L M G B Transport (Proprietary) Limited
Abubacar Import and Export (Proprietary) Limited
A and J Construction (Proprietary) Limited
S D Construction (Proprietary) Limited
Cineland Cinema Company Incorporated
Mayflower Impex (Proprietary) Limited
Marisud (Proprietary) Limited
Speedy Expert Upholsterers (Proprietary) Limited
Word Book Store (Proprietary) Limited
Marina Distributors (Proprietary) Limited
Kukhanya Construction (Proprietary) Limited
Anglo Delta (Proprietary) Limited
Swaziland Spares and Equipment (Proprietary) Limited
African Business Corporation (Proprietary) Limited
Ka-Mzala's Restaurant (Proprietary) Limited
H and N International (Proprietary) Limited
Sunshine Trading Company (Proprietary) Limited
J R Ranch (Proprietary) Limited
M & M Building Contractors (Proprietary) Limited
Premier Motors (Proprietary) Limited
Swazi Bus Service (Proprietary) Limited
R P & S Agencies (Proprietary) Limited
Moore Electrical Installation & Maintenance (Proprietary) Limited
Msitsini Brothers (Proprietary) Limited
Ranches Meat Corporation Limited
Multidimensional Associates (Swaziland) (Proprietary) Limited
Messine Investments (Proprietary) Limited
Income Enterprises (Proprietary) Limited
Elangeni Share Block (Proprietary) Limited
Project Design and Management (Proprietary) Limited
Frater International (Proprietary) Limited
Esmael Manny Traders (Proprietary) Limited
A & A Import & Export (Proprietary) Limited
Duvenhage Transport Swaziland (Proprietary) Limited
Trade Africa (Proprietary) Limited
Fourway Africa (Proprietary) Limited
Buchan Construction (Proprietary) Limited
Orsmond Aerial Spray (Proprietary) Limited
3 T Innovations (Proprietary) Limited

Indaba Curios (Proprietary) Limited
Swaziland Container Haulers (Proprietary) Limited
Nu-Soil Africa (Proprietary) Limited
Tinhlanti Agencies (Proprietary) Limited
Thomas and Kunz (Proprietary) Limited
ISIS Import and Exports (Proprietary) Limited
Shehrezad Catters (Proprietary) Limited
Swazi Trade (Proprietary) Limited
Mosangol Swaziland Mining Company (Proprietary) Limited
Themat (Proprietary) Limited
Apollo Film & Video Distributors (Proprietary) Limited
M M Investments (Proprietary) Limited
Esiveni Computers (Proprietary) Limited
Africa Enterprises (Proprietary) Limited
Lusito Investments (Proprietary) Limited
Moll Bros Transport Swaziland (Proprietary) Limited
Mihla and Son (Proprietary) Limited
T & M Filming Company (Proprietary) Limited
Members Only Properties (Proprietary) Limited
Freelance Swaziland (Proprietary) Limited
Austwazi Ventures (Proprietary) Limited
Inspectorate Swaziland (Proprietary) Limited
Swaziland Pine Furniture (Proprietary) Limited
Centrifugal Pump Services (Proprietary) Limited
National Brake Supplies (Proprietary) Limited
Swaziland Skilled Building Construction (Proprietary) Limited
J and S Plumbing Construction (Proprietary) Limited
R C & B (Proprietary) Limited
Exotic International (Swaziland) (Proprietary) Limited
Afro Impex (Proprietary) Limited
Take-off Corporation (Proprietary) Limited
Swaziland Component Repairs and Manufacturers Limited
A S Commercial School (Proprietary) Limited
Vehicle Refurbishers (Proprietary) Limited
Gateway Holdings (Proprietary) Limited
Solid Arc (Swaziland) (Proprietary) Limited
Swasteel (Swaziland) (Proprietary) Limited
Comintraf (Proprietary) Limited
Reeds Building Construction (Proprietary) Limited
Sita Sive Electrical (Proprietary) Limited
Speedy Collect (Proprietary) Limited
Pigg's Back Investments (Proprietary) Limited
River Bank Sugar Company (Proprietary) Limited
Dzadze (Proprietary) Limited
Property and Investment Consultants (Proprietary) Limited
I C I (Proprietary) Limited
J M B Building Services (Proprietary) Limited
Swazi Crafts Manufacturers International (Proprietary) Limited
Lavalin Swaziland (Proprietary) Limited
Medical News Africa (Proprietary) Limited
Govoni Imports & Exports Swaziland (Proprietary) Limited
E & S Motors (Proprietary) Limited

Equity Trading Company Limited
 Tradimer (Proprietary) Limited
 Gwynneths (Proprietary) Limited
 Peal Services (Proprietary) Limited
 Express Foto Fast Finish Limited
 Marshall's (Proprietary) Limited
 Systems House (Proprietary) Limited
 Eagle International (Proprietary) Limited
 A & A Import & Export (Proprietary) Limited
 E R F 280 Eldoraigue (Proprietary) Limited
 Phefumula (Proprietary) Limited
 Classique Curio & Boutique (Proprietary) Limited
 Thibedi Trade Promotion (Proprietary) Limited
 Yasabu Holdings (Proprietary) Limited
 Popeyed Pottery (Proprietary) Limited
 Sepol and Etraud Motors (Proprietary) Limited
 Logwaja Construction (Proprietary) Limited
 V J Agricultural Products (Proprietary) Limited
 Swazi Pride Construction (Proprietary) Limited
 More Industrial (Proprietary) Limited
 Swaziland Consolidated Textile Industries (Proprietary) Limited
 Fruitex (Swaziland) (Proprietary) Limited
 JA Phipps (Swaziland) (Proprietary) Limited
 Artworth Agencies Swaziland Limited
 Kaufmann Richards and Company (Proprietary) Limited
 Super Refrigeration & Air Conditioning (Proprietary) Limited
 Transglobal Import & Export (Swaziland) (Proprietary) Limited
 Langhoff Transport Limited
 Home Steal Motors (Proprietary) Limited
 Australazian Engineering Management Consultancy Limited
 Sidwashini Filling Station (Proprietary) Limited
 International Mineral Resources and Mining (Proprietary) Limited
 Z S (Proprietary) Limited
 Braamson (Proprietary) Limited
 Rowtran (Proprietary) Limited
 Development Associates (Proprietary) Limited
 J L Z Motors (Proprietary) Limited
 Mnandi Investments (Proprietary) Limited
 African Business Corporation (Trading) (Proprietary) Limited
 Ham Construction Company (Proprietary) Limited
 J M W Timbers (Proprietary) Limited
 Emereld Forest Products (Proprietary) Limited
 Bride Shipping (Swaziland) (Proprietary) Limited
 Projects International Limited
 F & R Investmemts (Proprietary) Limited
 Jetcor Steel & Building Supplies (Swaziland) (Proprietary) Limited
 Eastern and Southern African Universities Research Programme Consultancy Services Limited
 (ESAUAPCS)

were struck off the Swaziland Register of Companies, and the Companies dissolved with effect from the 25th March, 1996.

P. J. GUMEDE
 Registrar of Companies

H478 12-04-96

NOTICES

SWAZILAND COMPANIES ACT NO. 7 OF 1912

Notice is hereby given that pursuant to the notices published in the Swazi Observer, dated 7th September, 1995; and in the Swaziland Government Gazette numbers 110 of 8th September, 1995, 112 of 15th September, 1995 and 113 of 22nd September, 1995; the names of the undermentioned companies:

Swingers (Proprietary) Limited
Executive Homes Development (Proprietary) Limited
Matatazele (Proprietary) Limited
Matatazele Store (Proprietary) Limited
Phila Construction (Proprietary) Limited
Nova Gems (Proprietary) Limited
M B T Investments (Proprietary) Limited
Euritz Salon Limited
Ascona (Proprietary) Limited
Petro-Swazi Limited
Etiene Investments (Proprietary) Limited
Bogady Properties (Proprietary) Limited
Hlamthe (Proprietary) Limited
G T A Enterprises (Proprietary) Limited
Fedmis (Swaziland) Limited
Kumbe (Proprietary) Limited
C J Petrow and Co. Swaziland Limited
Kayo (Swaziland) (Proprietary) Limited
Rapid Shoe Repairs (Proprietary) Limited
A K Properties (Proprietary) Limited
Swazi Impexco Trading (Proprietary) Limited
Africaine Development Corporation (Proprietary) Limited
Hathorn and Company Management Services (Proprietary) Limited
Longwaqa Mavenge and Sons (Proprietary) Limited
B A F (Proprietary) Limited
Manzini Fresh Produce (Proprietary) Limited
World Boutique (Proprietary) Limited
Jet Secretarial Services (Proprietary) Limited
Harvesting Machinery Limited
Triangle Marketing (Proprietary) Limited
Msunduza Market Butchery (Proprietary) Limited
Manzini Steel Merchants (Proprietary) Limited
Aladding Cave (Proprietary) Limited
Medical House Goedgegun (Proprietary) Limited
Mumelter (Swaziland) (Proprietary) Limited
Tool Plast (Proprietary) Limited
Shayzown (Proprietary) Limited
Manzini Research and Investments (Proprietary) Limited
Gadlaza Investments (Proprietary) Limited
Matsapha Textiles (Proprietary) Limited
Adam Investments (Proprietary) Limited
Ashei Trading (Proprietary) Limited
Shiselweni Motors (Proprietary) Limited
P & H Enterprises (Proprietary) Limited
Ngwane Scale Company (Proprietary) Limited

Trading Company Swaziland (Proprietary) Limited
S Keren and Company Swaziland (Proprietary) Limited
Intuthuko Investments (Proprietary) Limited
Imperial Trading (Proprietary) Limited
Discount Building Materials (Proprietary) Limited
Microware (Proprietary) Limited
Herzenberg Enterprises (Proprietary) Limited
A. M. Agencies (Proprietary) Limited
Swazili Trading (Proprietary) Limited
Halijo Africa (Proprietary) Limited
Sidwashini Liquor Distributors (Proprietary) Limited
Trans Country Carriers (Swaziland) (Proprietary) Limited
Mkhondvo Development Company (Proprietary) Limited
Mbabane Trading Exchange (Proprietary) Limited
Interfruit Swaziland (Proprietary) Limited
D P (Proprietary) Limited
Swazi Castings (Proprietary) Limited
International Building Trust Overseas Contractors Limited
Carlos Heavy Duty Repair Company (Proprietary) Limited
African Austral Manpower Company (Proprietary) Limited
Stile Roofing (Proprietary) Limited
Krugell Holdings (Proprietary) Limited
Canmore Trading (Proprietary) Limited
The Woman's Corner (Proprietary) Limited
Swaziland International Metal Merchant's (Proprietary) Limited
Universal Broking Shippers (Proprietary) Limited
Midasco Investments (Proprietary) Limited
Nation Wide Traders (Proprietary) Limited
Trust Finance Corporation Limited
MC Cathy Motors (Proprietary) Limited
Ngwane Auto Services (Proprietary) Limited
Umhlanga Manufacturers Limited
Holywood Trust Company Limited
Welcome Transport (Proprietary) Limited
Johntos Company (Proprietary) Limited
Fashion Import and Export Limited
Mundo Import & Export (Proprietary) Limited
Plant Leasing Services (Proprietary) Limited
Kitray Investments (Swaziland) (Proprietary) Limited
Bateleur (Swaziland) (Proprietary) Limited
Golf Properties Development (Proprietary) Limited
Swaziland Drilling (Proprietary) Limited
Velly Carpet (Proprietary) Limited
Transworld Safari Company Limited
S & J Impilo Fresh Products (Proprietary) Limited
Swaziland Veneer and Lumber Company (Proprietary) Limited
Elangeni (Proprietary) Limited
K H Timber Company (Proprietary) Limited
Polly-Tops (Swaziland) (Proprietary) Limited
Bonkem (Proprietary) Limited

Afro Agencies (Proprietary) Limited
Cyprus Wholesalers Limited
D J Construction (Proprietary) Limited
Sive Systems (Swaziland) Limited
Hoppy Holdings (Proprietary) Limited
Amalgamated Holdings (Proprietary) Limited
Computer Leasing Investments (Proprietary) Limited
R D Dibden and Associates (Proprietary) Limited
Mama's Foods (Proprietary) Limited
Swazi Tranzanite (Proprietary) Limited
Matsapha Civil Engineering (Proprietary) Limited
Central Motors (Proprietary) Limited
Fint Investments (Proprietary) Limited
Teleplan Computer Services (Proprietary) Limited
Electron Swaziland (Proprietary) Limited
Dove Printing And Publishing (Proprietary) Limited
Apparel Exports (Swaziland) (Proprietary) Limited
Cable Services (Swaziland) Limited
Swazi Timbers (Proprietary) Limited
Onyx (Swaziland) Food Services (Proprietary) Limited
Insukanabani Blockmaking (Proprietary) Limited
B & W Finance and Property Holdings Limited
Computer-Pot (Proprietary) Limited
Z and L Investments (Proprietary) Limited
Insika Building Construction (Proprietary) Limited
B & W Motors (Proprietary) Limited
Attache Incorporated (Proprietary) Limited
Taurus Enterprises (Proprietary) Limited
Exotical Enterprises (Proprietary) Limited
Jasma Investments (Proprietary) Limited
Gemini Holdings (Proprietary) Limited
Bonginkosi Tractor Company (Proprietary) Limited
Juma Transport (Proprietary) Limited
Swaziland Prosperity Investments (Proprietary) Limited
Mbabane Private Hospital (Proprietary) Limited
Inter Craft Centre (Swaziland) (Proprietary) Limited
Sun Sun Umbrella and Leisure Products (Swaziland) (Proprietary) Limited
Super Sun Enterprise Computer Data Analysts and Processors Limited
Swaziland Maintenance & Landscaping Services (Proprietary) Limited

were struck off the Swaziland Register of Companies, and the Companies dissolved with effect from 28th February, 1996.

P. J. GUMEDE
Register of Companies

H346 12-04-96

275

NOTICE

ESTATE LATE: MANDLA BOY SIMELANE

Notice is hereby given that Creditors and Debtors in the above Estate should submit their Debts to the undersigned within 30 days from the date of publication hereof.

D. LUKHELE & COMPANY
Executrix's Attorneys
P.O. Box 336
Manzini

H487 12-04-96

NOTICE

ESTATE LATE: GETRUDE HLALISILE DLAMINI ESTATE NO. EM37/96

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

C. B. DLAMINI
P. O. Box 52
Simunye

H488 12-04-96

NOTICE

ESTATE LATE: AMBROSE BABILI MAKHANYA ESTATE NO. E308/95

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

LUNGILE MAKHANYA
P. O. Box 3151
Manzini

H490 12-04-96

NOTICE

ESTATE LATE: THULANE AUGUSTINE SHABALALA ESTATE NO. E487/95

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

MR E.R. SHABALALA
P. O. Box 1018
Nhlangano

H492 12-04-96

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 2437/95

In the matter between:-

SWAZILAND DEVELOPMENT AND SAVINGS BANK

Plaintiff

and

VUSUMUZI NIMROD MKHUMANE

Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a Writ of Attachment issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Manzini outside the offices of the Regional Administrator, Manzini at 2:30 p.m. on the 26th day of April 1996.

CERTAIN: Lot No. 945 situate in Ngwane Park Extension No. 1 Township, District of Manzini, Swaziland.

MEASURING: 1120 (One One Two Zero) square metres.

HELD: By the Defendant under Deed of Transfer No. 436/1986 dated 29th July 1987.

The conditions of sale are available for inspection at the office of the Sheriff in the High Court Building in Mbabane and at the offices of S. C. Dlamini & Co., LM Building, Gilfillan Street, Mbabane.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE THIS 10TH DAY OF APRIL 1996.

SHERIFF OF SWAZILAND
The High Court
Mbabane

H497 12-04-96

NOTICE

Notice is hereby given that we intend applying for a certified copy of Deed of Transfer No. 594/1991 in respect of certain Lot No. 68, Fairview Township, District of Manzini, Swaziland; measuring 1584 square metres, registered on the 18th October, 1991 in the name of Paulina Dube, Major Spinster (born on the 20th October, 1953).

All persons having objections to the issue of the aforesaid copy are hereby requested to lodge same with the Registrar of Deeds for Swaziland at Mbabane within three (3) weeks of the last publication of this Notice.

DATED AT MANZINI THIS 9TH DAY OF APRIL, 1996.

MTHEMBU SIMELANE ZWANE & KUBHEKA
Applicant's Attorneys
P.O. Box 1301
Manzini

H491 2x19-04-96

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 2447/95

In the matter between:-

SWAZILAND DEVELOPMENT AND SAVINGS BANK

Plaintiff

and

L & N INVESTMENTS (PTY) LTD

Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Hhohho outside the High Court Building, at 11:30 a.m. on the 26th day of April 1996.

CERTAIN: Lot No. 93 situate in Allister Miller Street in the City of Mbabane, Hhohho District, Swaziland.

MEASURING: 496 (Four Nine Six) square metres.

HELD UNDER: Deed of Transfer No. 569/90 Dated 16th October 1990.

The conditions of sale are available for inspection at the office of the Sheriff in the High Court Building in Mbabane and at the offices of S. C. Dlamini & Co., LM Building, Gilfillan Street, Mbabane.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE THIS 10TH DAY OF APRIL 1996.

SHERIFF OF SWAZILAND
The High Court
Mbabane

H495 12-04-96

NOTICE

ESTATE LATE: NDODA MANGOZA NKAMBULE ESTATE NO. 504/95

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 twenty one (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.

ZAKHELE NKAMBULE
P.O. Box 19
Luve

H262 12-04-96

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 1730/95

In the matter between:-

SWAZILAND DEVELOPMENT AND SAVINGS BANK

Plaintiff

and

KATI INVESTMENTS (PTY) LTD
ELPHAS NYANDZENI

1st Defendant
2nd Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a Writ of Attachment issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Manzini outside the offices of the Regional Administrator, Manzini at 2:30 p.m. on the 26th day of April 1996.

CERTAIN: Lot No. 612/1987 situate in Ngwane Park Extension No. 1 Township, District of Manzini, Swaziland.

MEASURING: 496 (Four Nine Six) square metres.

HELD UNDER: Deed of Transfer No. 612/1987 dated 18th November 1987.

The conditions of sale are available for inspection at the office of the Sheriff in the High Court Building in Mbabane and at the offices of S. C. Dlamini & Co., LM Building, Gilfillan Street, Mbabane.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE THIS 10TH DAY OF APRIL 1996.

SHERIFF OF SWAZILAND
The High Court
Mbabane

H496 12-04-96

SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

VOL. XXXIV]

MBABANE, Friday, April 12th, 1996

[No. 151

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LEGAL NOTICE NO. 57 OF 1996

THE MOTOR VEHICLE ACCIDENTS ACT, 1991
(Act No. 13 of 1991)

THE MVA LEVY
(Under Section 6 (1))

In terms of the powers conferred upon me by Section 6 (1) of the Motor Vehicle Accidents Act 1991 I hereby announce that with effect from 1 April 1996 the MVA levy shall be 6 cents per litre.

D. von WISELL
Minister for Finance

LEGAL NOTICE NO. 58 OF 1996

THE SWAZILAND ENVIRONMENT AUTHORITY ACT, 1992
(Act No. 15 of 1992)

THE ENVIRONMENTAL AUDIT, ASSESSMENT AND REVIEW REGULATIONS, 1996
(Under Section 18)

In exercise of the powers conferred by section 18 of the Swaziland Environment Authority Act, 1992, and in consultation with the Authority, the Minister for Natural Resources and Energy makes the following Regulations -

Citation.

1. These Regulations may be cited as the Environmental Audit, Assessment and Review Regulations, 1996.

Commencement.

2. These Regulations shall come into operation on the date of publication in the Gazette.

Application.

3. These Regulations shall apply to Government and any other persons, bodies and institutions.

Interpretation.

4. In these Regulations, unless the context otherwise requires -

“authorising agency” means a person, body, government department or agency, local authority or any person empowered by law in Swaziland to issue a permit, licence, consent or approval;

“category” means a class or projects to which a proposed project may be assigned to in accordance with the First Schedule and which is subject to a specific environmental and review procedure;

“comprehensive mitigation plan” (hereinafter referred to as CMP) means a document containing a description of the mitigation measures to be implemented that would prevent, reduce or otherwise manage the environmental impacts of a project and done according to the reporting requirements in the Second Schedule;

“day” excludes Saturday, Sunday and an official public holiday;

“environmental audit” (hereinafter referred to as EA) means work done to identify and evaluate the environmental impacts of existing projects which is done according to the reporting requirements in the Second Schedule;

"environmental compliance certificate" means a certificate issued by the Authority, stating that a proposed project under consideration is not likely to cause unacceptable environmental impacts and that the proponent shall manage the construction and operation of the project in accordance with an approved comprehensive mitigation plan;

"environmental impact assessment" (hereinafter referred to as EIA) means the process of predicting and evaluating the likely environmental impacts of a proposed project where the scale extent and significance of the environmental impacts can not be easily determined;

"environmental sensitive area" means an area, either statutory protected or not protected, in any part of Swaziland which is sensitive to environmental impacts because of the value or significance of its resources, or an area which protects some resources and areas listed under the Third Schedule;

"initial environmental evaluation" (hereinafter referred to as IEE) means an environmental analysis of a proposed project whose environmental impacts may be easily determined and for which there are appropriate, well known and tested mitigation measures;

"operator" means a legal person or entity responsible for the existence or management of an existing project;

"project" includes a plan, operation, undertaking, construction, development, change in land use or other entity, or alteration which may not be implemented without a permit, license, consent or approval from an authorising agency;

"project compliance report" means a report produced periodically, during and after the implementation of a CMP, which describes actions and results taken to implement a CMP and which is done according to the reporting guidelines in the Second Schedule;

"proponent" means a legal person or other entity responsible for initiating a project and obtaining the appropriate authorization.

PART B: EXISTING PROJECTS

Preparation of Environmental Audit Reports,

5. (1) The Authority shall -

- (a) annually identify and maintain a list of projects which cause concern to the Authority, public or environment because of their impact on the environment and shall publish the list of such projects in its annual report;
- (b) require an operator of an identified or listed project to submit an EA report and a CMP to the Authority and that operator shall submit to the Authority the EA report and the CMP within six (6) months after notification to do so; and
- (c) after receipt of the EA report and the CMP, determine whether or not the EA report and the CMP conform to or is in accordance with the prescribed reporting requirements or guidelines under the Second Schedule and where the EA report or the CMP does not conform, the operator shall be required to make good any deficiencies and re-submit.

(2) An operator shall bear the costs for the preparation of the EA report and the CMP.

(3) The Authority shall distribute copies of the EA report and the CMP to every ministry concerned or responsible for the control of the project for its comments.

(4) A ministry required under sub-regulation 3 to comment shall submit its comments to the Authority within a period of four (4) weeks after receipt of the copies of the EA report and the CMP.

(5) An EA report and a CMP shall be public documents and copies may be made available by the Authority to whoever desires to have them without a charge or at a minimal charge determined by the Authority.

(6) Notwithstanding sub-regulation (5) and subject to sub-regulation (7) the Authority may make available copies of an EA report and a CMP for inspection by members of the public at selected locations in the vicinity of a project, to which it relates, for a period of not less than twenty (20) days.

(7) The Authority may not make available to the public copies of an EA report as provided for in sub-regulation (6) if an operator of that project demonstrates to the satisfaction of the Authority that to do so would be detrimental to either -

(a) normal commercial operations of that project; or

(b) the national interest of the country.

(8) In pursuance to sub-regulation (7), if the Authority is satisfied that an EA report shall not be made available to the public for inspection, that operator shall produce and submit a summary of that EA report to the Authority.

(9) If the Authority accepts the summary mentioned in sub-regulation (8) that summary shall be made available to the public for inspection, but where a summary is not acceptable the operator shall produce and submit any number of summaries until one is acceptable to the Authority.

(10) The procedure for public review, inspection, submission of comments and objections shall be in accordance with regulations 8 and 11.

(11) After the expiration of the period mentioned in sub-regulation (6) the Authority shall, within fifteen (15) days, decide whether or not a CMP requires to be amended and if requires to be amended, that operator with the assistance of the Authority shall prepare a final CMP.

(12) The Authority shall, after its acceptance of the final CMP, order in writing that an operator implements within fifteen (15) days the CMP after notification of the order and the operator shall comply with the order.

Implementation of CMP and Compliance Reporting.

6. (1) An operator who is subject to these regulations shall be responsible for the implementation for a CMP in relation to that operator's project.

(2) An operator shall submit periodic Project Compliance Reports as may be determined by the Authority and in accordance with the guidelines in the Second Schedule.

(3) The Authority shall monitor compliance and ensure observance of the CMP by an operator.

(4) In enforcing compliance with this regulation, the Authority shall have due regard to the economic and social advance of the country.

PART C: PROPOSED PROJECTS

Project categories and preparation of reports.

7. (1) A proponent, operator and a project, regardless of whether that project is new or part of a previously approved project but as long as that project -

(a) requires a permit, licence, approval or other consent from an authorising agency; or

(b) is forwarded to the Ministry of Economic Planning and Development (MEPD) for inclusion in the Development Plan

is subject to these Regulations.

(2) An authorising agency or proposing ministry shall, as the case may be, review all such projects to determine whether any significant environmental impacts are likely to occur and determine to which category, that is category 1, 2 or 3 of the First Schedule they fall under.

(3) The Authority is vested with the right, and it shall exercise it on petition or independently, to review a decision on project categorisation to which a project is assigned and it shall exercise that right within five (5) days after receipt of that decision of the authorising agency or proposing ministry.

(4) An authorising agency, proposing ministry or the Ministry of Economic Planning and Development shall submit every project which is subject to these Regulations, together with its assigned category to the Authority within fifteen (15) days after assigning a category to a project.

(5) No person shall, after the Authority has accepted or amended a categorisation of a project, subsequently change, alter or amend that categorisation without the consent of the Authority.

(6) Where the Authority has amended a categorisation, it shall within ten (10) days of the date of amendment notify in writing the authorising agency or the Ministry of Economic Planning and Development.

(7) The Authorising agency or the Ministry of Economic Planning and Development shall, on receipt of the notification mentioned in sub-regulation (6), notify in writing, the proponent or operator, of the amendments and of the category assigned to the project within ten (10) days of receipt of the amendment from the Authority.

(8) Where the Authority has not issued an Environmental Compliance Certificate, a project shall not proceed to the authorization procedures.

(9) If a project is classified under category 1 and the Authority accepts that classification, it shall within ten (10) days of the Authority's acceptance, classification or re-classification issue an environmental Compliance Certificate and the project shall then be proceeded to the authorization procedures.

(10) If a project is classified under category 2 or 3 that project shall not be proceeded further until sub-regulations (11) and (13) are complied with and the Authority issues the Environmental Compliance Certificate.

(11) Where a project is classified under category 2, -

(a) a proponent shall submit an IEE report and a CMP to the authorising agency or the Ministry of Economic Planning and Development which shall forward the IEE report and the CMP to the Authority within ten (10) days of receipt;

(b) the Authority shall, within fifteen (15) days of receipt of the IEE report and the CMP, decide whether the IEE report and the CMP conform to the prescribed reporting requirements or guidelines specified in the Second Schedule, and -

(i) if they do conform, the authorization process continues to the next stage; and

(ii) if they do not conform, the project proponent shall prepare and submit an amended IEE report and CMP to the Authority which shall, within fifteen (15) days of receipt decide on the issue of conformity;

(c) the Authority shall review that IEE report and the CMP and may -

(i) order the project proponent to prepare and submit an EIA and the CMP; or

(ii) order the project proponent to make any other appropriate amendments;

(d) the Authority shall notify the authorising agency and the Ministry of Economic Planning and Development of its decision under paragraph (c), which shall in turn notify the project proponent of the decision; and

(e) in pursuance to paragraph (c), the project shall assume and follow the procedure under sub-regulation 13 for projects under category 3.

(12) The proponent shall be responsible for all expenses incurred including expenses for the preparation of an IEE, EIA reports and the CMP and shall provide sufficient copies during all review procedures.

(13) Where a project is classified under category 3 -

- (a) the proponent shall submit an EIA report and a CMP to the authorising agency or the Ministry of Economic Planning and Development which shall forward it to the Authority within ten (10) days of receipt; and
- (b) the Authority shall within twenty (20) days of receipt of the EIA report and the CMP, decide whether the EIA report and the CMP conform to the prescribed reporting requirements or guidelines specified in the Second Schedule and do contain the necessary breadth, depth and types of analysis and -
 - (i) if they do, the authorization process continues to the next stage; and
 - (ii) if they do not, the project proponent shall prepare and submit an amended EIA report and CMP to the Authority which shall, within twenty (20) days of receipt, decide and make its decision known to the affected parties and who shall abide by the decision.

(14) The project proponent shall be responsible for all expenses incurred in the preparation of EIA reports and the CMP and shall provide sufficient copies during all review procedures.

Procedure for obtaining an environmental compliance certificate.

8. (1) Prior to a decision as to whether or not an Environmental compliance Certificate ought to be issued, there shall be an internal review of an IEE report and the CMP, and an EIA report and the CMP managed by the Authority and an evaluation for the project and its impacts undertaken by the Authority.

(2) Immediately after the reports and the CMP's mentioned in sub-regulation (1) have been accepted by the Authority, the Authority shall elicit objections, comments or submissions from interested and affected persons.

(3) The Authority shall immediately after receipt of objections, comments or submissions,

- (i) acknowledge receipt of all written objections, comments or submissions; and
- (ii) send a copy of the objections, comments or submissions to the proponent and the Authorising agency or the Ministry of Economic Planning and Development.

(4) The Authority shall, at the expiration of the public review periods specified under regulations 11 (8) or (9), review the comments or submissions and determine within five (5) days whether or not a public hearing or inquiry is necessary.

(5) The Authority may hold a public hearing or inquiry if the circumstances specified under regulation 11 (12) exist and the Authority is of the opinion that a public hearing or inquiry should be held.

(6) The Authority shall, after the date to be specified by the Authority as the last date for the submission of objections, deliberate upon the contents of the reports mentioned in this regulation and on the evaluated comments or submissions and objections put forward by interested and affected persons, including commenting agencies and make any decision in conformity with sub-regulation (7).

(7) The Authority shall, within twenty (20) days after receipt of a report of a public hearing or inquiry, or within twenty (20) days after a public hearing or inquiry is judged not to be warranted, make a decision -

- (a) allowing the proponent to proceed with the project and issue the proponent with an Environmental Compliance Certificate; or
- (b) disallowing the proponent from proceeding with the project as planned if it would bring about unacceptable environmental impacts or that the mitigation measures are inadequate.

(8) proponent to whom paragraph (b) of sub-regulation (7) applies may submit an amended or revised CMP for the Authority's consideration.

(9) The Authority shall communicate its decision under sub-regulation (6) and (7)

- (a) in writing to the authorising agency or the Ministry of Economic Planning and Development giving reasons, conditions or comments to its decision;
- (b) by publishing that decision in a medium to be decided by the Authority;
- (c) by publishing a detailed statement of the decision for public inspection in the manner specified in sub-regulation (7) of regulation 11; and
- (d) by sending a copy of the decision to any person who has in writing submitted comments or lodged an objection to the Authority in terms of these Regulations.

Appeals

9. (1) Any person who -

- (a) has a substantial interest in the decision of the Authority;
- (b) is aggrieved by its decision; and
- (c) has paid the prescribed appeal fee, may lodge an appeal in writing to the Minister in the prescribed form within the time specified under section 17 of the Act.

(2) An appellant shall pay to the Accountant-General, before that appeal is heard by the Minister, an appeal fee of five hundred (E500.00) Emalangeni.

(3) In determining an appeal, the Minister may, if necessitated by the technical nature of the issues involved, seek an expert opinion for the Minister's consideration.

(4) The Minister shall decide each appeal in terms of the Swaziland Environment Authority Act and shall take into account the environment policy, practice and the objectives of the Act.

(5) An appellant shall be responsible for charges, costs and any other expenses incidental to the appeal including charges for an expert opinion.

Project authorization and implementation.

10. (1) An authorising agency shall, on receipt of an Environmental Compliance Certificate, incorporate the CMP into the relevant authorization documents issued to a proponent.

(2) A ministry responsible for implementing a project contained in the Development Plan shall implement the CMP for the project to which the Environmental Compliance certificate relates.

(3) An authorising agency or an implementing ministry shall at periodical times to be agreed upon under sub-regulation (5), carry out inspections to ensure that the CMP is being implemented, identify and evaluate the actual environmental impacts occurring.

(4) In pursuance of sub-regulation (3) an authorising agency or implementing ministry shall, immediately after carrying out an inspection and valuation mentioned in that sub-regulation, prepare and submit a Project Compliance Report to the Authority.

(5) The Authority and the authorising agency or implementing ministry shall agree in writing on the times and frequency of the inspections and submissions of reports under sub-regulation (3) and (4) prior to any ground preparation work is commenced.

(6) Notwithstanding the provisions of sub-regulation (3), (4) and (5) the Authority may, on its own initiative or on the results of the Project Compliance Report, carry out inspections, valuations and take appropriate action in terms of the Act.

Public reviews, consultations and hearings.

11. (1) The Authority shall cause to be conducted a public review on any project classified under category 2 and category 3 and in accordance with sub-regulation 8.

(2) A public review period on a project classified under category 2 shall commence immediately after the Authority releases copies of an IEE report and the CMP in terms of sub-regulation 7.

(3) A proponent in respect of a project classified under category 3 shall, before preparing an EIA report and CMP, effect a consultation process to involve or include concerned or affected Government agencies, local authorities, non-governmental organizations and any other interested and affected persons to help determine the scope and effect of the project or work to be carried out.

(4) A proponent, after compliance with sub-regulation (3), shall submit to the Authority for its determination a draft of the terms of reference which shall take into account the results of the consultation mentioned in sub-regulation (3).

(5) The Authority shall, within five (5) days after receipt of the draft of the terms of reference, determine whether or not it is acceptable and where the draft is not acceptable, the proponent with the assistance of the Authority shall prepare and submit to the Authority acceptable and final terms of reference.

(6) A proponent shall not commence any work on an IEE and the CMP or EIA and the CMP unless the Authority has approved the terms of reference.

(7) The Authority shall immediately after receipt of an IEE report and the CMP or an EIA report and the CMP concurrently -

- (a) distribute copies of the same to concerned and affected ministries, local authorities, parastatals, non-governmental organizations and any other persons;
- (b) display conspicuously such copies in public places or such other places in the vicinity of the site of the proposed project; and
- (c) place a notification -
 - (i) in the Government Gazette
 - (ii) on the Swaziland Broadcasting Service; and
 - (iii) in a newspaper circulating in Swaziland twice a week and for two consecutive weeks,

specifying the place and the times where copies may be available for inspection and the procedure for the submission of comments and objections.

(8) Subject to sub-regulation (9), the period for public review of the reports mentioned in sub-regulation (7) shall not be less than,

- (a) fifteen (15) days for category 2; and
- (b) twenty (20) days for category 3, after the last notification in the newspaper.

(9) The Authority may extend a public review period for a period of not more than ten (10) days where the Authority considers it necessary because of the sensitive nature of a project.

(10) Where the Authority believes a project is likely to have significant impacts on the environment of a neighbouring country or that country so request the Authority shall forward the relevant reports and documents to that country at the same time the reports or documents are made available for public review in Swaziland.

(11) The Authority may not, if so requested by a person who submitted a written comment or an objection, disclose or make public the personal information or data of that person.

- (12) The Authority shall hold a public hearing,
- (a) if after examining the documents and the reports, it is of the opinion that the project is of such a sensitive nature that the public should have the opportunity to make submissions or comments at a public hearing; or
 - (b) if the public concern over the project is great and the number of written and substantiated objections exceeds ten (10).
- (13) The Authority shall, where a public hearing is to be held,
- (a) publish a notice, at least once a week for two (2) consecutive weeks, in a newspaper circulating in Swaziland stating the date and place where the public hearing is to be held at least fifteen (15) days before the public hearing is held and the expenses in respect of the publication of the notice shall be borne by the proponent;
 - (b) display and make available, in accordance with sub-regulation (7), all reports, documents, written comments and objections during and after the period of public review until the public hearing is finalised; and
 - (c) call upon any party who has an interest in the outcome of the public hearing, including the project proponent, the authorising agency, the commenting agency and any other person, to attend the public hearing or solicit in writing comments from other government agencies or offices with expertise or regulatory power over the proposed project.
- (14) A public hearing provided for under sub-regulation (12) shall be held within twenty-five (25) days after compliance with sub-regulation (13), by the authority but where the Authority is of the opinion that the number and complexity of the issues to be considered at the hearing requires additional time for preparation by any party to the public hearing, it may extend by ten (10) days the date of the public hearing.

Appointment of officers and certain aspects of public hearings.

12. (1) The Authority may appoint persons holding professional qualifications in Environmental Management, Sociology, Economics, Engineering or Law, to be hearing officers to conduct a public hearing and the number of the hearing officers for a public hearing shall not be less than three (3) and not more than five (5), one of whom shall be the chairperson.

(2) Subject to sub-regulation (3), an appointment made under these regulations shall be for a specific and determinable period of time, commensurate with and coextensive with the duration of a public hearing which duration may be determined by the complexity of the issues to be heard and which, in any event, shall not exceed two (2) months.

(3) The Authority shall not, under these regulations, in any event appoint a person to be hearing officer for a period of time exceeding two (2) months in any one appointment and no person shall be lawfully or deemed for whatever reason or fact to be appointed in contravention of this sub-regulation.

(4) The Chairperson of the public hearing shall make and deliver within fifteen (15) days after that public hearing a report approved by all the appointed hearing officers who participated in the public hearing, of its findings to the Authority for its determination.

Decisions of the Authority and appeals.

13. (1) The Authority, upon receipt of the report of the public hearing and having made it available for public inspection, may -

- (a) refuse the implementation of the project if the findings of the public hearing indicate that the environmental impacts of the project may not be satisfactorily mitigated; or
- (b) allow the project to proceed and issue a compliance certificate if the findings of the public hearing indicate, and the Authority considers, that all the environmental concerns or impacts are adequately addressed by the EIA and CMP reports; or
- (c) order the proponent to carry out appropriate additional work on the EIA or CMP and thereafter apply paragraph (a) or (b).

(2) A person who is aggrieved by the decision of the Authority or the findings of the public hearing may after payment of the prescribed appeal fee, appeal against that decision or findings to the Minister within fifteen (15) days from the date of the decision of the Authority and the Minister's decision shall be final.

Expiry and renewal of permits or authorizations.

14. (1) A permit or an authorization for the implementation of a project shall lapse after three (3) years from the date of its grant or issue if -

- (i) land preparation has not been done; or
- (ii) construction work has not been commenced on the project during the three year period.

(2) Where a permit or an authorization has lapsed and the proponent intends to revive and proceed with the project, that proponent shall register again such intention or proposals with an authorising agency or the Ministry of Economic Planning and Development.

(3) The proponent shall, when complying with sub-regulate (2), inform the authorising agency or the Ministry of Economic Planning and Development of any changes or differences in the present proposals and the proposals sanctioned in the lapsed permit or authorization and the authorising agency or the Ministry of Economic Planning and Development, as the case may be, shall in turn inform the Authority of those changes or differences.

(4) The Authority, on being informed as required by this regulation, shall determine -

- (a) whether the proponent ought to prepare an additional IEE report and the CMP, and EIA report and the CMP,
- (b) whether the proponent ought to do an additional work to supplement an IEE report and the CMP, and EIA report and the CMP.

(5) Where the Authority determines that an additional IEE report and the CMP, and EIA report and the CMP should be done, the provisions of sub-regulations (10), (11), (12), (13) and (14) of regulation 7 shall apply to that project.

(6) Where the Authority determines that only a supplementary work to the existing IEE report and the CMP, and EIA report and the CMP is required, it shall advise the proponent as to the nature of the additional work or information so required and the proponent shall comply before proceeding with the project.

(7) The Authority shall, on receipt of the supplementary work or information, display, distribute and lay open for review by any affected person, including any affected government agencies or bodies and local authorities as defined under section 2 of the Rating Act, 1995.

(8) An affected person who is mentioned in sub-regulation (7) may, within twenty (20) days from the first day of the review mentioned in that sub-regulation, submit objections or comments to the Authority.

(9) The Authority shall within ten (10) days after the period of submission of objections and comments, make a decision compatible with the terms, purposes and objections of these Regulations and do whatever thing it may necessarily do which it is empowered to do by these Regulations.

Offences.

15. (1) A person, including an authorising agency, who contravenes or fails to comply with any provision of these Regulations or a condition or requirement made as part of, or for the approval of a project, or who does an act which is an offence under section 16 of the Act, commits an offence, and is liable on conviction to the penalties or similar penalties specified under section 16 of the Act.

(2) Expenses for redress or remedy for an environmental damage or any damage caused as a result of a contravention or failure to comply with a provision of these Regulation or a condition or requirement made as part of or for the approval of a project shall be borne by the defaulter or convicted person, and shall be a civil debt or liability.

(3) The criminal proceedings and the civil remedy proceedings under sub-regulation (1) and (2) respectively may be brought before Court simultaneously, consecutively, separately or consolidated and the defence of autrefois acquit and autrefois convict shall not apply.

FIRST SCHEDULE
(regulation 7)

Guidelines and illustrative lists for project types allocated to categories 1, 2 and 3. When assigning a category, it is essential to consider the scale of the proposal and its allocation, particularly in relation to environmentally sensitive areas.

CATEGORY 1 PROJECTS

Projects under this category are unlikely to cause any significant environmental impact. Types of projects which may be allocated to category 1 include, but not limited to:-

- residential development not exceeding three (3) houses;
- renovations to existing structures not involving asbestos or other hazardous substances;
- small-scale commercial buildings and structures;
- research activities;
- prospecting for groundwater, minerals and hydrocarbons using vibriosis and similar techniques;
- small-scale social infrastructure provision (rural health, educational, family planning);
- technical assistance and institutional strengthening activities;
- small scale tourism projects.

CATEGORY 2 PROJECTS

Projects under this category are likely to cause environmental impacts some of which may be significant unless mitigation actions are taken. Such projects cause impacts which are relatively well-known and easy to predict. Also, the mitigation actions to prevent or reduce the impacts are well-known.

Types of projects which may be allocated to category 2 include, but not limited to:-

- Agro-industries (medium-scale);
- Electrical transmission lines and rural electrification (medium-scale);
- Irrigation and drainage (medium-scale);
- Renewable energy production;
- residential development exceeding three (3) houses;
- Hotels, camp sites, lodges;
- Rural water supply and sanitation;
- Watershed management and rehabilitation;
- Urban area rehabilitation (medium-scale)
- Small-scale infrastructure (roads, sewerage systems, water pipelines and treatment works)
- Hospitals (medium-scale)
- Non-food industries (medium-scale) without discharge of toxic substances or storage and use of hazardous substances;
- Projects located near environmentally sensitive areas.

CATEGORY 3 PROJECTS

Projects under this category are likely to have significant adverse impacts whose scale, extent and significance cannot be determined without in-depth study. Appropriate mitigation measures can only be identified after such study. Projects types which may be allocated to category 3 include, but not limited to:-

- residential development exceeding ten (10) houses;
- Dams and reservoirs;
- Afforestation schemes and wood processing facilities (large-scale);
- Industries and industrial estates (large-scale);
- Irrigation, drainage and flood control (large-scale);
- Mineral development (including hydrocarbons);
- Reclamation and opening of new areas for agriculture;
- Resettlement schemes
- River basin development;
- Thermal and hydro-power;
- Manufacture, transport and use of pesticides or other hazardous substances;
- Agriculture (especially involving large-scale monoculture);
- Roads;
- Projects located in environmentally sensitive areas;
- Mining, soil excavation (large-scale)

SECOND SCHEDULE
(regulation 5)

REPORT GUIDELINES:

Structure and content of Reports required under this regulation

A. INITIAL ENVIRONMENTAL EVALUATION**INTRODUCTION**

Purpose of the IEE

DESCRIPTION OF THE PROJECT

Location, size, construction or operational activities, schedule for implementation, workforce, any alternatives.

DESCRIPTION OF THE ENVIRONMENT

Brief description of physical, ecological and human aspects of the site and its surroundings.

IMPACT DESCRIPTION AND EVALUATION

Brief account of the significant impacts likely to occur if no mitigation occurs. If EIA is needed because of the nature and extent of expected impacts then a recommendation to this effect should be made.

IMPACT MANAGEMENT

Description of mitigation measures and monitoring programmes. Schedule of implementation. Technical and institutional requirements for successful implementation.

The IEE report should be short (no more than 20 pages) and written in clear, simple language. An IEE should result in a short IEE report and a CMP as per the format outlined in this Schedule (Report Guidelines, under A)

B. ENVIRONMENTAL IMPACT ASSESSMENT

EXECUTIVE SUMMARY

A brief account (no more than 10 pages) of the findings of the EIA with emphasis on the key issues, for consideration by decision-makers in the Swaziland Environment Authority, the authorizing agencies and members of the public.

INTRODUCTION

Purposes of the EIA. Boundary of study area and time horizon for which impacts will be predicted (speculated future date or time).

DESCRIPTION OF THE PROJECT AND REASONABLE ALTERNATIVES

Location, size, construction or operation activities, workforce, schedule for implementation.

Description of any associated project (for example roads, aggregate extraction) needed

DESCRIPTION OF THE ENVIRONMENT

An overall evaluation of the type and quality of the environment (bio-physical and social components and processes) within the study area with specific information presented only when relevant to the prediction and evaluation of impacts.

Description of any expected changes to the "baseline" environmental situation before implementation of the project subject to an EIA (the "no project" alternative).

PREDICTION AND EVALUATION OF IMPACTS

For all alternatives:-

- * distinguish between significant adverse and beneficial impacts;

- * identify irreversible impacts;
- * allocate significance against international and or national regulations, standards and quality objectives governing:
 - health and safety;
 - protection of environmentally sensitive areas;
 - land use; and
 - ambient pollution levels;
- * identify significant data deficiencies and assumptions made
- * determine the spatial and temporal distribution of impacts

ANALYSIS OF ALTERNATIVES AND SELECTION OF PREFERRED OPTION

Select preferred alternative on basis of the comparison of the environmental impacts of each option.

IMPACT MANAGEMENT PLAN (FOR PREFERRED ALTERNATIVE)

Action to enhance benefits and prevent or reduce adverse impacts Schedule for implementation.

CONSULTATIONS

Results of any consultation held with government agencies, NGOs and the public during EIA work

The results from the EIA should be contained in an EIA report and a CMP as per the format outlined in this Schedule (Report Guidelines, under B)

C. ENVIRONMENTAL AUDIT REPORT

INTRODUCTION

Purpose of EA Report.

DESCRIPTION OF THE PROJECT

Location, size, workforce, inputs and outputs, operations and manufacturing processes, transport.

DESCRIPTION OF THE ENVIRONMENT

Brief description of physical, ecological and human aspects of the site and its surroundings.

IMPACT DESCRIPTION AND EVALUATION

Inventory, with amounts of all effluent discharges, after pre-treatment to air, water and land (including noise and vibration and odour). Inventory of all solid wastes produced and their handling, storage, transport and eventual deposition.

Inventory of chemicals which are used in operational or manufacturing processes and which reach air, water or land through non-point sources.

Concentrations of chemical, radiological and energy pollutants in air, water, land in the vicinity of the installation (based on inventory).

Identification and evaluation of the impacts of these concentrations on the environment and health (when data allows). (The results should be contained in an EA report and a CMP as per the format outlined in this Schedule, under C.)

D. COMPREHENSIVE MITIGATION PLAN

This plan is prepared by using the results obtained from IEE, EIA and EA Reports

It identifies:-

- * impacts to be prevented or reduced in severity
- * benefits to be enhanced
- * mitigation measures to achieve the above
- * costs, institutional and training requirements
- * monitoring programmes to track project-related impacts and implementation of mitigation measures
- * community liaison procedures needed

The plan must contain

- * schedules for implementation/targets
- * reporting procedures
- * work programmes
- * budget
- * staffing and training requirements

E. PROJECT COMPLIANCE REPORT

INTRODUCTION

Purpose of the report.

DESCRIPTION OF PROJECT

Location, size, phase of implementation (construction or operation) workforce.

PERFORMANCE REVIEW

Checking of implementation of CMP

Actual impacts of projects (if data allows)

RECOMMENDATION

to improve performance

Preparation of next Project Compliance Report

THIRD SCHEDULE
(regulation 4)

EXPLANATORY NOTES

When assigning proposed projects to category 1, 2 or 3 it is important to know if the proposed site or sites is in or near an environmentally sensitive area. Generally, proposed projects which are located in (completely or partially) or near an environmentally sensitive area may merit more detailed environmental and review than might have been the case if a location was elsewhere.

Not all environmentally sensitive areas have statutory or non-statutory forms of designation and protection. Some types of habitats, for example wetlands may have no protection and be used as a resource by local people. Such habitats should be considered environmentally sensitive because, inter alia they are rare, unusual or endangered and/or they provide a useful environmental service to local communities, and perhaps, the nation as a whole. Examples of such environmentally sensitive areas are:-

- * indigenous forests;
- * wetlands;
- * semi-arid areas and zones prone to desertification;
- * areas/habitats which contain or support populations of rare or endangered species;
- * water catchments containing major sources of public water supply;
- * zones prone to flooding or other hazardous events;
- * zones with high incidence of natural or man - made erosion processes;
- * areas of historical and archaeological interest;
- * areas of cultural or religious significance (e.g. burial grounds, topographic features);
- * degraded areas which are subject to existing or proposed rehabilitation measures;
- * areas used extensively for recreation and aesthetic reasons;
- * zones of high biological diversity.

In assigning a proposed project to category 1, 2 or 3 designated and non-designated environmentally sensitive areas should be taken into account to the fullest extent possible.

Absalom M. Dlamini
Minister for Natural Resources and Energy