



# SWAZILAND GOVERNMENT GAZETTE

VOL. XXXVI]

MBABANE, Friday, June 26th., 1998

[No. 370

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**NOTICE**

Notice is hereby given that I, Philton Sipho Nkonyane of Shiselweni Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for Authorisation to assume the surname Nxumalo after the fourth publication of this notice in each of the 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 Nxumalo is my natural surname.

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

P.O. Box 48  
Nhlangano

L764 4x26-06-98

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**NOTICE**

Notice is hereby given that we intend applying for a certified copy of Crown Grant No. 119/1971 dated 10 August 1970 issued in favour of Daniel Mshefane Shongwe (born in the year 1922).

Any objection hereto should be lodged in writing with the undersigned within twenty one (21) days of publication hereof and a copy sent to the undersigned.

DATED AT MANZINI ON THIS 15TH DAY OF JUNE 1998.

MASINA MAZIBUKO AND COMPANY  
Attorneys for Applicant  
P.O. Box 592  
Manzini

L888 26-06-98

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**NOTICE**

Notice is hereby that we intend applying for a certified copy of: Deed of Donation No. 82/1994 dated the 2nd March, 1994; in favour of THE TRUSTEES FOR THE TIME BEING OF THE KIRK TRUST; in respect of :-

CERTAIN: Lot No. 505 situate in the Matsapha Town, District of Manzini, Swaziland;

MEASURING: 1448 (One Four Four Eight) Square Metres.

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

DATED AT MBABANE THIS 17TH DAY OF JUNE, 1998.

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

L883 2x03-07-98

**NOTICE**

Notice is hereby given that I, Xolile Pertunia Czar of Manzini Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for Authorisation to assume the surname Mhlanga after the fourth publication of this notice in each of the 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 Manzini Region and in the Government Gazette.

The Reason I want to assume the surname is because Mhlanga is my natural surname.

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

P.O. Box 1464  
Matsapha

L768 4x26-06-98

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**NOTICE**

Notice is hereby given that I, Dumile Nomfundo Ndwandwe of Manzini Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for Authorisation to assume the surname Nxumalo after the fourth publication of this notice in each of the 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 Manzini Region and in the Government Gazette.

The Reason I want to assume the surname is because Nxumalo is my natural surname.

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

P.O. Box 1669  
Manzini

L776 4x26-06-98

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**NOTICE**

**ESTATE LATE: PRUDENCE VALERIE MURRAY ESTATE NO. EH7/96**

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 Regional Administrator Hhohho district for a period of Twenty One (21) days from the date of appearance of this notice.

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

ROBINSON, BERTRAM & CO.  
for the Executor/s  
P.O. Box 24  
Mbabane

L894 26-04-98

**NOTICE**

Notice is hereby given that we intend applying for a certified copy of: Notarial Deed of Cession No. 7/1993 dated the 14th December 1993 and registered on the 15th December 1993 in favour of BENJAMIN RICHARD THWALA (born on the 20th October 1926) in respect of:

CERTAIN : Remaining Extent of Portion B of Land Concession No. 30P situate in the District of Hhohho, Swaziland;

MEASURING : as such 34,7847 (Three Four Comma Seven Eight Four Seven) hectares;

Any person having objections 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 9TH DAY OF JUNE 1998

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

L824 26x02-06-98

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**NOTICE**

**ESTATE LATE: ANDREW CEDRIC CLARKE EH16/97**

Notice is hereby given in terms of Section 51 bis of the Administration of Estate No. 28/1902 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 Mbabane and the District Commissioner of Hhohho for a period of 21 days (twenty one) from date of publication of this notice.

Any person objecting to the account should lodge their objection in writing in duplicate with the Master of the High Court prior to the expiry of the said period.

P.R. COOPER  
Executor

L892 26-06-98

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**NOTICE**

**ESTATE LATE: KING BERNARD KUNENE ESTATE NO. EM309/97**

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28/1902 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/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

MCEKWA KUNENE  
P.O. Box 4  
Luve

L882 26-06-98



713

**NOTICE**

**ESTATE LATE: WILLIAM MAKHEBEZANE LANGWENYA ESTATE NO. ES58/98**

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.

EPHRAEM LANGWENYA  
P.O. Box 8  
Mbabane

L879 26-06-98

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**NOTICE**

**ESTATE LATE: NYOKA JOSIAH DLAMINI ESTATE NO. EM186/98**

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 SELLINAH DLAMINI  
P.O. Box 235  
Nhlangano

L880 26-06-98

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**NOTICE**

**GOLDEN CHINA (PROPRIETARY) LIMITED (IN LIQUIDATION)**

Notice is hereby given that the First and Final Liquidation and Distribution Account in this matter will lie open for inspection at the office of the Master of the High Court for a period of fourteen days from 24 June 1998.

PAUL M-LUBEGA  
Liquidator

L872 26-06-98

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**NOTICE**

**BEST FOODS (PROPRIETARY) LIMITED (IN LIQUIDATION) - MCL6/97**

In terms of Section 133 of the Companies Act, 1912, notice is hereby given that the Second Liquidation and Distribution Account in this matter will lie open for inspection by creditors at the offices of the Master of the High Court of Swaziland for a period of fourteen days from 29 June 1998.

P.R. COOPER  
Liquidator

L893 26-06-98

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**NOTICE OF SALE**

**CITY COUNCIL OF MBABANE - RATES OWING**

In terms of an Order granted by the Mbabane Magistrates Court on the 29th day of April 1998, and in terms of Section 32 (3) (b) of the Rating Act No. 4 of 1995 the undermentioned properties shall be sold by public auction outside the Mbabane City Council Building at 2.30 p.m. on Friday the 26th day of June 1998, for rates outstanding and at reserve prices fully set out hereunder.

PROPERTY NO.	RATE PAYER'S NAME	ADDRESS	CASE NO.	RATES OWING	RESERVE PRICE
<b>FARM NO. 188</b>					
50	Tarvis Murrey Lorne	P.O. Box 2110 MBABANE	1034/97	E 4,453.81	E105,000.00
95	Korlimit (Pty) Ltd	P.O. Box 695 MBABANE	1023/97	E 9,686.23	E210,000.00
99	Zwane England Timothy	P.O. Box 376 MBABANE	1026/97	E 2,327.58	E100,000.00
115	Simelane Lydia Thoko	P.O. Box 704 MBABANE	1024/97	E 6,618.01	E185,000.00
120	Landlines (Pty) Ltd	P.O. Box 1570 MBABANE	1036/97	E 1,462.86	E130,000.00
127	Hlophe Elias Mbhuti	P.O. Box A133 SWAZI PLAZA	1030/97	E14,372.82	E260,000.00
133	Vilakati Johannes	P.O. Box 46 MOTSHANE	1037/97	E 5,269.72	E144,000.00
40	Majalimane Gama Sizalandi Peter	P.O. Box 673 MBABANE	1022/97	E 5,248.45	E180,000.00
52	Hillview Shareblock (Pty) Ltd	P.O. Box 747 MBABANE	1048/97	E 2,319.16	E120,000.00
270	Noge Elizabeth M.	P.O. Box A303 SWAZI PLAZA	1045/97	E 2,358.42	E250,000.00
140	Dube S.B.	P.O. Box 310 MBABANE	1042/97	E11,789.82	E260,000.00
281	M & R (PTY) LTD	P.O. Box 597 MBABANE	1039/97	E 3,938.99	E350,000.00
741	M & J Investments (Pty) Ltd	P.O. Box 423 MBABANE	920/97	E 7,237.49	E150,000.00
542	Shongwe Sipho Solomon	P.O. Box 1638 MATSAPHA	912/97	E 7,649.12	E260,000.00
				E 2,789.30	E79,000.00
889	Ekugcineni Properties	P.O. Box 2104 MBABANE	954/97	E 3,606.44	E97,000.00
973	B C G Holdings (Pty) Ltd	P.O. Box 485 LONGAVENUE RANDBURG	961/97	E 2,372.68	E130,000.00
969	Dlamini Sicelo Milliot	P.O. Box 3991 MBABANE	964/97	E 2,372.68	E133,000.00
931	Dlamini Themba David	P.O. Box A33 SWAZI PLAZA	967/97	E 1,145.29	E105,000.00
231	Paynter P. L.	P.O. Box 17181 AUCKLAND 5 NEW ZEALAND	1193/97	E 2,697.36	E250,000.00
490	Nkambule Simeone Kobi	P.O. Box B115 SANDLA	1470/97	E 927.38	E135,000.00
273	Murdoch Green Properties (Pty) Ltd	P.O. Box A211 SWAZI PLAZA	1438/97	E 1,985.36	E225,000.00
150	Shongwe Aaron Jubela	P.O. Box 875 MBABANE	1440/97	E 8,224.07	E320,000.00

PROPERTY NO.	RATE PAYER'S NAME	ADDRESS	CASE NO.	RATES OWING	RESERVE PRICE
225	Dlamini Sicelo Milliot	P.O. Box 3991 MBABANE	1442/97	E 1,712.60	E160,000.00
301	Kheswa Clifford Charles	P.O. Box 120 MBABANE	1444/97	E 5,023.72	E135,000.00
342	Mietwa Peter Helemisi	P.O. Box 924 NHLANGANO	1431/97	E 7,289.87	E95,000.00
345	Basher Limited	P.O. Box 82 MBABANE	1432/97	E10,144.97	E115,000.00
287	Ekuphumleni (Pty) Ltd	P.O. Box 1177 MBABANE	1434/97	E 1,871.39	E200,000.00
740	Tetty Joseph Rydell	P.O. Box 164 MBABANE	923/97	E 2,069.41	E130,000.00

**FARM 2**

798	Nkambule A.T.	P.O. Box A38 SWAZI PLAZA	990/97	E 478.66	E180,000.00
487	Rwairwai Maureen N.C.	P.O. Box 92 MBABANE	1171/97	E 1,284.47	E120,000.00
478	Swazi Property Enterprises (Pty) Ltd	P.O. Box 1035 MBABANE	1170/97	E 2,122.92	E132,000.00
485	Dlamini Bheki Robert	P.O. Box 259 MBABANE	1168/97	E 1,999.83	E225,000.00
512	Dlamini Jerome Thulani Musa	P.O. Box 62 MBABANE	1165/97	E 5,049.77	E240,000.00
493	Dlamini Phindile Florence	P.O. Box 229 VENI	1162/97	E 1,915.98	E286,000.00
651	Basecembeni Trust c/o Mrs E.V. Dlamini	P.O. Box 546 MBABANE	1189/97	E 3,355.07	E79,000.00
613	Mazibuko Dumisani	P.O. Box 3148 MBABANE	1185/97	E 4,124.62	E95,000.00
434	Simelane Mandla Stanley Lymon	P.O. Box A158 SWAZI PLAZA	1180/97	E 5,891.00	E115,000.00
459	Tailor N.T.	Unknown	1177/97	E13,676.27	E390,000.00
452	Esiphungweni Holdings (Pty) Ltd	P.O. Box 1467 MBABANE	1176/97	E 5,520.82	E130,000.00
443	Kunene Esther Colisile	P.O. Box 566 MBABANE	1175/97	E 2,447.02	E160,000.00
623	Masuku Christopher Mlondoloz	P.O. Box 1139 MANZINI	1207/97	E 2,087.25	E120,000.00
536	Mavimbela Jabulani Boyie c/o C. Mngomezulu	P.O. Box 546 MBABANE	1199/97	E 1,858.93	E119,000.00
600	The Trustees of Lauba Trust c/o D. Hlanze	P.O. Box 4195 MBABANE	1205/97	E 1,220.23	E110,000.00

**FARM 1117**

51	Dlamini Samuel V.	P.O. Box 844 MBABANE	1807/97	E 3 492.85	E75,000.00
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PROPERTY NO.	RATE PAYER'S NAME	ADDRESS	CASE NO.	RATES OWING	RESERVE PRICE
<b>FARM 1117</b>					
18	Ndlovu T.Z.	P.O. Box 519 MBABANE	1801/97	E10 967.77	E75,000.00
65 /58	Dlamini Samuel M.	P.O. Box 1161 MBABANE	1616/97	E 4 675.09	E165,000.00
<b>SIDWASHINI SOUTH</b>					
28	Magongo Zablon	P.O. Box 108 MBABANE	1609/97	E 877.85	E55,000.00
65 /5	Methula Loncwala Anna	P.O. Box 171 MBABANE	1601/97	E 791.43	E85,000.00
26	Dlamini Florah Effie	P.O. Box 8 MBABANE	1607/97	E 2 702.96	E115,000.00
16	Mkhwanazi Sibongile	P.O. Box 546 MBABANE	1632/97	E 1 723.31	E140,000.00
15	Lutsango Alfred Thabo	P.O. Box 1399 MBABANE	1631/97	E 2 136.23	E141,000.00
12 /2	Shongwe David T.	P.O. Box A19 SWAZI PLAZA	1630/97	E 661.73	E136,000.00
10	Simelane Lydia Thoko	P.O. Box 704 MBABANE	1629/97	E 1 483.81	E110,000.00
8	Shongwe David Thandokuhle	P.O. Box A19 SWAZI PLAZA	1628/97	E 6 736.78	E141,000.00
65 /36	Gama Busisiwe	P.O. Box 1010 MBABANE	1627/97	E 1 495.17	E146,000.00
65 /37	Gama Busisiwe	P.O. Box 1010 MBABANE	1626/97	E 570.87	E35,000.00
40	Zulu Elsie Ntongo	P.O. Box 77 MBABANE	1636/97	E 1 008.70	E55,000.00
39	Khumalo John Mgalajelwa	P.O. Box 69 MBABANE	1635/97	E 1 090.79	E49,000.00
50	Madolo Mthimkhulu Petros	P.O. Box 171 MBABANE	1640/97	E 3 755.91	E194,000.00
151	Malaza Elizabeth Isali	P.O. Box 20 MBABANE	1924/97	E 711.17	E27,000.00
100	Mavuso Mary Thandi	P.O. Box 546 MBABANE	1899/97	E 1 269.15	E121,000.00
105	Thabedze Esselina Khathazile	P.O. Box 4884 MBABANE	1896/97	E 663.04	E100,000.00
140	Dlamini Qedizwe Odyssins	P.O. Box 39 MBABANE	1917/97	E 1 558.01	E120,000.00
146	Julias Investments (Pty) Ltd	P.O. Box 1149 MBABANE	1913/97	E 4 187.17	E160,000.00
121	Dlamini Sabelo Philemon	P.O. Box 939 MBABANE	1912/97	E 517.28	E30,000.00
122	Satundzayi John	P.O. Box 412 MBABANE	1911/97	E 1 932.88	E45,000.00
125	Hlatshwayo Mzamo John	P.O. Box 58 MBABANE	1920/97	E 502.81	E35,000.00

PROPERTY NO.	RATE PAYER'S NAME	ADDRESS	CASE NO.	RATES OWING	RESERVE PRICE
802	Mazibuko Moses Vusumuzi	P.O. Box 579 MBABANE	1921/97	E 138.00	E180,000.00
782	Dlamini Moses Msongelwa	P.O. Box 376 MBABANE	1922/97	E 136.62	E180,000.00
65 /38	Gama Busisiwe	P.O. Box 1010 MBABANE	1620/97	E 1 185.94	E35,000.00
65 /25	Dlamini R.D.	P.O. Box 285 MBABANE	1623/97	E 1 459.54	E31,000.00
70	Maseko Jerry	P.O. Box 1632 MBABANE	1951/97	E 156.54	E25,000.00
69	Shongwe Gladys	P.O. Box 884 MBABANE	1950/97	E 760.70	E66,000.00
122	Satundzayi John	P.O. Box 412 MBABANE	1911/97	E 1 932.88	E45,000.00
125	Hlatshwayo Mzamo John	P.O. Box 58 MBABANE	1920/97	E 502.81	E35,000.00
802	Mazibuko Moses Vusumuzi	P.O. Box 579 MBABANE	1921/97	E 138.00	E180,000.00
782	Dlamini Moses Msongelwa	P.O. Box 376 MBABANE	1922/97	E 136.62	E180,000.00
65 /38	Gama Busisiwe	P.O. Box 1010 MBABANE	1620/97	E 1 185.94	E35,000.00
65 /25	Dlamini R.D.	P.O. Box 285 MBABANE	1623/97	E 1 459.54	E31,000.00
70	Maseko Jerry	P.O. Box 1632 MBABANE	1951/97	E 156.54	E25,000.00
69	Shongwe Gladys	P.O. Box 884 MBABANE	1950/97	E 760.70	E66,000.00

**MSUNDUZA TOWNSHIP**

195 /4	Dlamini Thulile Goodness	P.O. Box 70 MBABANE	1984/97	E 971.27	E70,000.00
188	Nsibandze Thelma N.	P.O. Box 546 MBABANE	1979/97	E 470.21	E115,000.00
185	Fakudze Jacob M.	P.O. Box 674 MBABANE	1978/97	E 733.11	E30,000.00

**MSUNDUZA**

182	Ndabezitha Babs Isaac	P.O. Box 253 MBABANE	1976/97	E 1 439.54	E100,000.00
172	Zwane Thembele J.	P.O. Box 308 MBABANE	1975/97	E 153.06	E95,000.00
157	Mthethwa Median Sifiso	P.O. Box 10 MBABANE	1969/97	E 996.86	E82,000.00
128	Dlamini Richard D.	P.O. Box 4373 MBABANE	1964/97	E 545.45	E78,000.00
122	Dlamini Naphtal	P.O. Box 82 MBABANE	1963/97	E 915.55	E30,000.00
119	Dlamini Henry M.	P.O. Box 5063 MBABANE	1962/97	E 1 804.04	E110,000.00

PROPERTY NO.	RATE PAYER'S NAME	ADDRESS	CASE NO.	RATES OWING	RESERVE PRICE
<b>MSUNDUZA</b>					
118	Dlamini Lizzie	P.O. Box 161 EVENI	1961/97	E 2 183.95	E69,000.00
112	Simelane Poslid V.	P.O. Box 3039 MBABANE	1959/97	E 2 881.70	E97,000.00
101	Msibi Moses D.	P.O. Box 30 MBABANE	1956/97	E 1 576.01	E90,000.00
99	Dlamini Gideon Mavela	P.O. Box 654 MBABANE	1955/97	E 445.96	E30,000.00
94	Madolo Albert S.	P.O. Box 2600 MBABANE	1953/97	E 1 864.17	E73,000.00
87	Phiri Gertrude Ruth	P.O. Box 207 MBABANE	1952/97	E 663.04	E88,000.00
8	Sukati Crissell Thokozile	P.O. Box 892 MBABANE	1799/97	E 161.86	E90,000.00
108	Shongwe Ndoda A.	P.O. Box 285 MBABANE	1828/97	E 556.19	E37,000.00
107	Mohammed Zena Fiona	P.O. Box 130 EVENI	1827/97	E 1 184.18	E37,000.00
105	Makhanya Joyce	P.O. Box 3026 MBABANE	1826/97	E 749.26	E42,000.00
104	Russon Tony A.	P.O. Box 2668 MBABANE	1825/97	E 802.79	E45,000.00
75	Khumalo Bhutana Satch Maurice	P.O. Box 866 MBABANE	1812/97	E 7 495.81	E115,000.00
55	Manana Basilo	P.O. Box 125 MBABANE	1811/97	E 346.26	E39,000.00
62	Nhlabatsi S.M.	P.O. Box 5 LOBAMBA	1810/97	E 2 448.60	E49,000.00
52	Dlamini D.	P.O. Box 42 MBABANE	1808/97	E 2 229.96	E75,000.00
31	Mayet Sunny Desmond	P.O. Box 525 MBABANE	1804/97	E 815.71	E75,000.00
111	Maseko S.F.	P.O. Box 29 LOBAMBA	1832/97	E 2 864.13	E45,000.00
109	Mangena Edith Maddie	P.O. Box 278 MBABANE	1829/97	E 1 994.39	E51,000.00
68	Nhlabatsi Zacharia M.	P.O. Box 181 MBABANE	1949/97	E 702.72	E20,000.00
62	Dlamini Samuel L.	c/o M. Bullock P.O. Box A128 SWAZI PLAZA	1947/97	E 321.09	E38,000.00
61	Jiyane William	P.O. Box 58 MBABANE	1946/97	E 589.20	E45,000.00
59	Shongwe Matthew Mqiniseli	P.O. Box 2585 MBABANE	1945/97	E 343.88	E90,000.00
56	Mbuli Sophie	P.O. Box 1145 MBABANE	1943/97	E 514.61	E20,000.00
54	Qwabe Lindiwe C.	P.O. Box 92 MBABANE	1942/97	E 1 324.66	E55,000.00

PROPERTY NO.	RATE PAYER'S NAME	ADDRESS	CASE NO.	RATES OWING	RESERVE PRICE
<b>MSUNDUZA</b>					
50	Nxumalo Emily Lomakholwa	P.O. Box 318 MBABANE	1941/97	E 639.26	E125,000.00
43	Dlamini Gilbert	P.O. Box 88 MBABANE	1940/97	E 362.41	E20,000.00
42	Fraser John	c/o Mrs B. Khumalo P.O. Box 895 MBABANE	1939/97	E 865.01	E50,000.00
38	Dlamini Obed M.	P.O. Box 1257 MBABANE	1938/97	E 345.48	E20,000.00
35	Mdluli Jacob M.	P.O. Box 334 MBABANE	1937/97	E 520.74	E20,000.00
34	Hlophe Ralph G.	P.O. Box 49 MBABANE	1936/97	E 612.65	E120,000.00
31	Khumalo Elizabeth	P.O. Box 1360 MBABANE	1935/97	E 406.42	E25,000.00
23	Masilela Matewu	P.O. Box 371 MBABANE	1934/97	E 945.47	E145,000.00
14	Abdulla Abdul Salam A.	P.O. Box 70 MBABANE	1932/97	E 1 773.46	E205,000.00
11	Ngqase Alice	P.O. Box 5004 MBABANE	1931/97	E 752.58	E88,000.00
10	Dlamini Maria	P.O. Box 2431 MBABANE	1930/97	E 1 161.46	E35,000.00
7	Dlamini Augustine	P.O. Box 2495 MBABANE	1928/97	E 1 674.16	E115,000.00
6	Camp James	P.O. Box 149 MBABANE	1927/97	E 1 345.22	E52,000.00
1	Dlamini Hoppey L.	P.O. Box 88 MBABANE	1925/97	E 1 227.98	E235,000.00

**EXTENSION 21 MBANGWENI TOWNSHIP**

2236	Dlamini Mandisa Lucy	P.O. Box 709 MBABANE	1643/97	E 1 558.51	E115,000.00
2285	Dlamini Paulos M.	P.O. Box 669 MBABANE	1651/97	E 2 959.17	E125,000.00
2276	Nkambule Cecilia S.	P.O. Box 68 MBABANE	1648/97	E 948.47	E120,000.00
2285	Dlamini Paulos M.	P.O. Box 669 MBABANE	1651/97	E 2 959.17	E120,000.00
2308	Sikhondze Pamela Khulile	P.O. Box 740 MBABANE	1666/97	E 1 705.37	E140,000.00
2311	Zwane Sandile Mphikeleli	P.O. Box 282 MBABANE	1668/97	E 584.71	E195,000.00
2326	Dlamini Phillip Mhlobo	P.O. Box 949 MBABANE	1675/97	E 1 703.84	E165,000.00
2318	Shabangu Dorothy	P.O. Box 285 MBABANE	1673/97	E 1 087.64	E82,000.00
2316	Mhlongo Preston Musa	P.O. Box 191 MBABANE	1672/97	E 1 797.15	E115,000.00

PROPERTY NO.	RATE PAYER'S NAME	ADDRESS	CASE NO.	RATES OWING	RESERVE PRICE
<b>EXTENSION 21 MBANGWENI TOWNSHIP</b>					
2329	Mthembu Dumisa	P.O. Box 68 MBABANE	1679/97	E 1 497.02	E100,000.00
2328	Dlamini Jason Mhambi	P.O. Box 285 MBABANE	1677/97	E 1 509.02	E99,000.00
2355	Foster James	P.O. Box 206 MBABANE	1688/97	E 823.62	E100,000.00
2375	Dlamini Samuel Mfanakwezwe	P.O. Box 1331 MBABANE	1693/97	E 3 164.86	E115,000.00
2390	Mamba Iris Delisile	P.O. Box 429 MBABANE	1697/97	E 2 023.75	E115,000.00
2405	Dlamini Phineas Mancele	P.O. Box 667 MBABANE	1701/97	E 1 356.28	E115,000.00
2417	Khumalo M.J.	P.O. Box 502 MBABANE	1705/97	E 1 049.58	E130,000.00
2408	Motsa Mavela Patrick	P.O. Box 667 MBABANE	1702/97	E 1 708.33	E110,000.00
2836	Nsibande Clement Mzikayise	P.O. Box 2714 MBABANE	1713/97	E 1 986.35	E120,000.00
2836	Dlamini Samuel Dinane	P.O. Box 49 MBABANE	1711/97	E 2 169.78	E185,000.00
2417	Mabuza Duduzile Elizabeth	P.O. Box 3 MBABANE	1710/97	E 6 932.43	E120,000.00
2417	Zulu Constance Benedict	P.O. Box 218 MBABANE	1709/97	E 1 149.18	E130,000.00
2417	Motsa Samuel Malamba	P.O. Box 192 MBABANE	1707/97	E 948.48	E130,000.00
2836	Dlamini Mhlabhlangene	P.O. Box 268 LOBAMBA	1718/97	E 1 134.12	E125,000.00
2836	Dlamini Enock J.V.	P.O. Box 1858 MBABANE	1717/97	E 1 179.56	E120,000.00
2836	Mhlanga Albert Mgwaja	P.O. Box 546 MBABANE	1716/97	E 1 906.57	E135,000.00
2933	Dlamini Simon Zondle	P.O. Box 3085 MBABANE	1727/97	E 840.47	E115,000.00
2923	Dlamini Lothando N.	P.O. Box 39 MBABANE	1725/97	E 1 809.67	E135,000.00
2949	Zwane Lucky Mduduzi	P.O. Box 3287 MBABANE	1734/97	E 1 407.86	E145,000.00
2941	Mncina Sibongile Shirley	P.O. Box 76 MBABANE	1732/97	E 624.40	E95,000.00
2957	Nxumalo Mndeni Phillip	P.O. Box 376 MBABANE	1737/97	E 1 255.87	E160,000.00
2977	Nkosi B.T.	P.O. Box 709 MBABANE	1742/97	E 1 517.61	E120,000.00
3205	Shabalala Donald N.	P.O. Box 70 MBABANE	1747/97	E 859.29	E110,000.00



**NOTICE**

**IN THE HIGH COURT OF SWAZILAND**

**HELD AT MBABANE**

**CASE NO. 259/95**

**In the matter between:**

**SWAZILAND BUILDING SOCIETY**

**Plaintiff**

**and**

**SCAFFHIRE AGENCIES (PTY) LIMITED**

**Defendant**

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**NOTICE OF SALE**

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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 24TH day of JULY 1998**.

**CERTAIN:** : Remaining Extent of Lot No. 453 situate in Gilfillan Street in the Town of Mbabane, Swaziland.

**MEASURING** : 3312 (Three Three One Two) Square Metres;

**RESERVE PRICE** : "SALE WITHOUT RESERVE"

**IMPROVEMENTS** : Executive Residence.

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 the Regional Administrator, Hhohho.

The Society may lend 90% (ninety per centum) at its sole discretion to suitable borrowers and interested parties are advised to seek advice from the Society in this regard prior to the date of the sale.

Further particulars may be obtained from the undersigned.

**DATED AT MBABANE ON THIS THE 18TH DAY OF JUNE 1998.**

**S.J. GAMA**  
Sheriff of Swaziland  
c/o The Registrar of the High Court  
Mbabane

**L897 26-06-98**

---

**NOTICE**

**ESTATE LATE: PETROS MAVELA HLATSHWAKO ESTATE NO. EL23/98**

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.

**THEMBI HLATSHWAKO**  
P.O. Box 167  
Hlatikulu

**L869 26-06-98**

**NOTICE**

**IN THE HIGH COURT OF SWAZILAND**

HELD AT MBABANE

CASE NO. 221/98

In the matter between:

SWAZILAND BUILDING SOCIETY

Plaintiff

and

NCANE ELLEN SHONGWE

Defendant

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**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 New High Court Building, Hospital Hill Mbabane, at 11.30 a.m. on **FRIDAY the 24TH day of JULY 1998.**

CERTAIN: : Lot No. 2982, Mbabane Extension No. 21, (Embangweni Township) situate in the District of Hhohho, Swaziland.

MEASURING : 259 (Two Five Nine) Square Metres;

RESERVE PRICE : E85,000.00;

IMPROVEMENTS : 3 Bedrooms, Lounge, Bathroom, Kitchen, extended single garage and single room.

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 the Regional Administrator, Hhohho.

The Society may at its sole discretion lend 90% (ninety per centum) to suitable borrowers and interested parties are advised to seek advice from the Society in this regard prior to the date of the sale.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE ON THIS THE 12TH DAY OF JUNE 1998.

S.J. GAMA  
Sheriff of Swaziland  
c/o The Registrar of the High Court  
Mbabane

L886 26-06-98

---

**NOTICE**

**ESTATE LATE: ELIAS MAVELA MTSETFWA ESTATE NO. EH271/97**

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.

KHABO MTSETFWA  
P.O. Box 1  
Vuvulane  
Swaziland

L866 26-06-98

**NOTICE**

**IN THE HIGH COURT OF SWAZILAND**

**HELD AT MBABANE**

**CASE NO. 3501/97**

In the matter between:

**SWAZILAND BUILDING SOCIETY**

**Plaintiff**

and

**POLYCARP D. CHIRWA**

**Defendant**

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**NOTICE OF SALE**

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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 Manzini, outside the Regional Administrator's office at 2.30 p.m. on **FRIDAY** the **17TH** day of **JULY 1998**.

- CERTAIN:** : Lot No. 1640 situate in Manzini Extension No. 17 (Helemisi Township), Urban area of Manzini, District of Manzini, Swaziland.
- MEASURING** : 642 (Six Four Two) Square Metres
- RESERVE PRICE** : E145,000.00 (One Hundred and Forty Five Thousand Emalangeni);
- IMPROVEMENTS** : A detached House comprising: Lounge, 3 bedrooms, 2 bathrooms, Dining Room, Living Room & Kitchen.

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 the Regional Administrator, Manzini.

The Society may lend 90% (ninety per centum) at its sole discretion to suitable borrowers and interested parties are advised to seek advice from the Society in this regard prior to the date of the sale.

Further particulars may be obtained from the undersigned.

**DATED AT MBABANE ON THIS THE 15TH DAY OF JUNE 1998.**

**S.J. GAMA**  
Sheriff of Swaziland  
c/o The Registrar of the High Court  
Mbabane

**L898 26-06-98**

---

**NOTICE**

**ESTATE LATE: SIHLANGU MGODLA NHLEKO ESTATE NO. EM171/98**

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.

**NCABANISO PAUL NHLEKO**  
P.O. Box 408  
Simunye

**L873 26-06-98**

**NOTICE**

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 2403/97

In the matter between:

SWAZILAND BUILDING SOCIETY

Plaintiff

and

PAUL SIBA SIMELANE

Defendant

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**NOTICE OF SALE**

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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 Manzini, outside the Regional Administrator's office at 2.30 p.m. on **FRIDAY** the **24TH** day of **JULY 1998**.

**CERTAIN:** : Lot No. 1652 Manzini Extension No. 17 (Helemisi Township), situate in the urban area of Manzini, District of Manzini, Swaziland;

**MEASURING** : 653 (Six Five Three) Square Metres

**RESERVE PRICE** : E150,000.00 (One Hundred and Fifty Thousand Emalangeni);

**IMPROVEMENTS** : Lounge, Dining Room, Kitchen, 2 Bathrooms, Corridor, 3 Bedrooms, Porch.

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 the Regional Administrator, Manzini.

The Society may at its sole discretion lend 90% (ninety per centum) to suitable borrowers and interested parties are advised to seek advice from the Society in this regard prior to the date of the sale.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE ON THIS THE 18TH DAY OF JUNE 1998.

S.J. GAMA  
Sheriff of Swaziland  
c/o The Registrar of the High Court  
Mbabane

L896 26-06-98

---

**NOTICE**

**ESTATE LATE: DUMA HENSON MASEKO ESTATE NO. EM182/96**

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.

MRS MALITHA MASEKO  
P.O. Box 19  
Mhlambanyatsi

L875 26-06-98

**NOTICE**

**IN THE HIGH COURT OF SWAZILAND**

HELD AT MBABANE

CASE NO. 2578/97

In the matter between:

BARCLAYS BANK OF SWAZILAND LTD

Plaintiff

and

ARTHUR MUSAWENKOSI NKAMBULE

Defendant

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**NOTICE OF SALE**

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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, Mbabane at 11.30 a.m. on Friday the 17th day of July 1998.

CERTAIN: : Lot No. 2212 situate in the Township of Mbabane, Extension 20, in the Hhohho District, Swaziland;

MEASURING : 833 (Eight Three Three) Square Metres;

HELD : By the Defendant under Deed of Transfer No. 171/1994;

RESERVE PRICE : E60,000.00 (Sixty Thousand Emalangeni);

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 16TH DAY OF JUNE 1998.

S.J. GAMA  
Sheriff of Swaziland  
c/o The Registrar of the High Court  
Mbabane

L885 26-06-98

---

**NOTICE**

**ESTATE LATE: CHRISTOPHER VUSANI MBINGO ESTATE NO. EM62/98**

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28/1902 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/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

THEMBA MBINGO  
P.O. Box 363  
Matsapha

L899 26-06-98

**NOTICE**

**IN THE HIGH COURT OF SWAZILAND**

HELD AT MBABANE

CASE NO. 11752/97

In the matter between:

BARCLAYS BANK OF SWAZILAND LTD

Plaintiff

and

BEATRICE LUNGILE LUKHELE  
ESPAGNOLA IMPORT & EXPORT (PTY) LTD

First Defendant  
Second 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 Manzini outside the Regional Administrator's Offices building, at 2.30 p.m. on Friday the 24th day of July 1998.

CERTAIN: : Lot No. 584 situate in Ngwane Park Township, District of Manzini, Swaziland;

MEASURING : 2032 (Two Zero Three Two) Square Metres;

HELD : By the Second Defendant under Deed of Transfer No. 206/1992 dated 18th May 1992;

RESERVE PRICE : E120,000.00 (One Hundred and Twenty Thousand Emalangeni);

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 16TH DAY OF JUNE 1998.

S.J. GAMA  
Sheriff of Swaziland  
c/o The Registrar of the High Court  
Mbabane

L884 26-06-98

---

**NOTICE**

**ESTATE LATE: DAVID SIKHULUMI MNDZEBELE ESTATE NO. EL7/98**

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28/1902 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/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

MANDLA & THULISILE MNDZEBELE  
P.O. Box 451  
Siteki

L870 26-06-98

**NOTICE**

**IN THE HIGH COURT OF SWAZILAND**

**HELD AT MBABANE**

**CASE NO. 2142/96**

In the matter between:

**BARCLAYS BANK OF SWAZILAND LTD**

**Plaintiff**

and

**ISAAC BHEMBE T/A MAHLEMANTENI  
COMMERCIAL PRINTERS  
SIPHO MASUKU**

**1st Defendant**

**2nd 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 Manzini outside the Regional Administrator's Offices building, Manzini at 2.30 p.m. on Friday the 17th day of July 1998.

**CERTAIN:** : Portion 6 (a portion of Portion 4) of Farm No. 70, situate in the Manzini District, Swaziland;

**MEASURING** : 1,1999 (One Comma One Nine Nine Nine) Hectares;

**HELD** : By the 2nd Defendant under Deed of Transfer No. 78/1990 dated the 20th February 1991.

**RESERVE PRICE** : E80,000.00 (Eighty Thousand Emalangeni)

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 18TH DAY OF JUNE 1998.**

**S.J. GAMA**  
Sheriff of Swaziland  
c/o The Registrar of the High Court  
Mbabane

**L895 26-06-98**

**NOTICE**

**ESTATE LATE: PHINEAS PHAKATHI ESTATE NO. EH165/96**

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28/1902 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/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

**PHINDILE PHAKATHI**  
P.O. Box 8  
Mbabane

**L871 26-06-98**

**NOTICE**

**IN THE HIGH COURT OF SWAZILAND**

**HOLDEN AT MBABANE ON THE 5TH JUNE 1998  
BEFORE THE HONOURABLE MR JUSTICE S. MAPHALALA**

**CASE NO. 1253/98**

In the matter of:

**DORIS NXUMALO IN HER CAPACITY  
AS EXECUTRIX TESTAMENTARY IN THE ESTATE OF  
THE LATE CONON DOYLE VUSANI NXUMALO**

**Applicant**

and

**THE ATTORNEY GENERAL OF SWAZILAND**

**Respondent**

---

**COURT ORDER**

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Having heard counsel for applicant, and having read the papers filed of record;

It is hereby ordered that:

1. A rule nisi is hereby issued returnable on 4th July 1998 calling upon all interested parties to show cause, if any, why
  - 1.1 Rondano Holdings Proprietary Limited should not be restored to the Register of Companies.
  - 1.2 The properties registered in the name of Rondano Holdings Proprietary Limited under Deeds of Transfer No.s 9/1981 dated 8 January 1981 and No. 159/1969 dated 8 July 1969 should not be restored to the respondent and no longer bona valantia.
2. That the order in paragraph 1.1 and 1.2 supra be published once in the Government Gazette and in a newspaper circulating in Swaziland.

**GIVEN UNDER MY HAND AND SEAL AT MBABANE ON THE 18 DAY OF JUNE 1998.**

.....  
**REGISTRAR OF THE HIGH COURT**

Received copy hereof this day of ..... 1998

.....  
**L887 26-06-98**

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**NOTICE**

**ESTATE LATE: GIBHITA PHINEAS MABUZA ESTATE NO. EP43/98**

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 ESTER LETFOBHI MABUZA  
c/o St Amedius Primary School  
P.O. Box 73  
Pigg's Peak**

**L877 26-06-98**



**NOTICE**

**POLYPLAS (PROPRIETARY) LIMITED (IN LIQUIDATION)**

In terms of Section 133 of the Companies Act, 1912, notice is hereby given that the Second Liquidation and Distribution Account in this matter will lie open for inspection by creditors at the offices of the Master of the High Court of Swaziland for a period of fourteen days from 29 June 1998.

L. COHEN / P.R. COOPER  
Joint Liquidators

L889 26-06-98

---

**NOTICE**

**PLASTIC EXTRUSIONS SWAZILAND LIMITED (IN LIQUIDATION)**

In terms of Section 133 of the Companies Act, 1912, notice is hereby given that the Second Liquidation and Distribution Account in this matter will lie open for inspection by creditors at the offices of the Master of the High Court of Swaziland for a period of fourteen days from 29 June 1998.

L. COHEN / P.R. COOPER  
Joint Liquidators

L890 26-06-98

---

**NOTICE**

**SPECIALISED PLASTICS (PROPRIETARY) LIMITED (IN LIQUIDATION)**

In terms of Section 133 of the Companies Act, 1912, notice is hereby given that the Second Liquidation and Distribution Account in this matter will lie open for inspection by creditors at the offices of the Master of the High Court of Swaziland for a period of fourteen days from 29 June 1998.

L. COHEN / P.R. COOPER  
Joint Liquidators

L891 26-06-98

---

**NOTICE**

**ESTATE LATE: GIDZETJENI DLAMINI ESTATE NO. EM9/98**

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28/1902 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/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

JABULANE ZWANE  
P.O. Box 546  
Mbabane

L874 26-06-98

**NOTICE**

**ESTATE LATE: MAJABULA K. MAHLALELA ESTATE NO. EL33/97**

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28/1902 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/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

ROBERT MAHLALELA  
P.O. Box 55  
Lomahasha

L878 26-06-98

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**NOTICE**

**ESTATE LATE: DILIZA JAHELISHA NDZIMANDZE ESTATE NO. EP21/98**

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.

THEMBI NDZIMANDZE  
P.O. Box 15  
Mayiwane

L867 26-06-98

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**NOTICE**

**ESTATE LATE: AMON MAKHUNDU HLATSHWAKO ESTATE NO. EL32/98**

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.

THANDI HLATSHWAKO  
P.O. Box 133  
Mpaka

L868 26-06-98

---

**NOTICE**

**ESTATE LATE: OBERT MONAKALO MASEKO ESTATE NO. EM183/96**

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.

MRS DOLLY LOMASONTFO MASEKO  
P.O. Box 19  
Mhlambanyatsi

L876 26-06-98

**NOTICE**

**ESTATE LATE: JOSEPH NJOLONJOLO GWEBU ESTATE NO. EL33/98**

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 AGRINETH THOLAKELE GWEBU  
Siphoso Primary School  
P.O. Box 276  
Siteki

L881 26-06-98

# SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE

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VOL. XXXVI]

MBABANE, Friday, June 26th., 1998

[No. 370

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PUBLISHED BY AUTHORITY

## THE STANDARDS AND QUALITY BILL, 1998

(Bill No. 7 of 1998)

(To be presented by the Minister for Enterprise and Employment)

## MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to provide for :-

- (a) the establishment of the Swaziland Standards Authority to be the national standards body responsible for the promotion, control and maintenance of the standardization and quality of commodities;
- (b) the definition of the functions of the Swaziland Standards Authority;
- (c) the administration, management and control of the Swaziland Standards Authority; and
- (d) matters incidental thereto

M. DWAMENA  
*Acting Attorney-General*

A BILL  
entitled

An Act to establish the Swaziland Standards Authority and to provide for matters connected thereto.

ENACTED by the King and the Parliament of Swaziland.

## PART I - PRELIMINARY

*Short title and commencement.*

1. This Act may be cited as the Standards and Quality Act, 1998 and shall come into force on a date to be appointed by the Minister by notice in the Gazette.

*Interpretation.*

2. In this Act, unless the context otherwise requires -

“auditor” means a person appointed as an auditor under Section 23;

“Authority” means the Swaziland Standards Authority established under section 3;

“Certification mark” means a mark declared to be a certification mark under section 18;

“Chairman” means the person appointed as the chairman of the Council under section 5;

“code of practice” means a description of -

- (a) the terminology to be used;
- (b) the method to be applied or the procedure to be followed;
- (c) the material to be used;
- (d) any requirements to be met, in connection with the execution in an orderly, systematic, practical, efficient, safe or effective manner of an act performed with a view to achieve a stated purpose or to obtain a stated result.

“commodity” includes an element, characteristic, category, system, of item;

“Council” means the Council of the Authority established under section 5;

“Director” means the person appointed as Director under section 6;

“Directorate” means the Directorate of the Authority established under section 6;

“Director of Audit” means a person appointed as such in terms of Section 133 of the repealed Constitution of Swaziland, 1968 with savings;

“distinctive mark” means a distinctive mark declared under section 17;

“financial auditor” means a person appointed as financial auditor under section 14;

“inspector” means a person appointed as an inspector under section 23;

“issue” with regard to a standard or a publication, includes making available by means of electronics, photography or other medium of that standard or publication;

“licence” means a licence granted under section 18 to use the certification mark in relation to any commodity or process which conforms to a standard;

“mandatory standard” means a standard which has been declared to be a mandatory standard under section 17;

“manufacture” includes producing, assembling, modifying, adapting, converting, processing or treating;

“minister” means the Minister responsible for Enterprise and Employment;

“organised industry” means Chambers of Commerce and Industry or similar formal groupings;

“reference material” means any material or substance whose one or more characteristics are such that it may be used for the -

- (a) calibration of any apparatus;
- (b) testing of the occurrence of any method of measurement; or
- (c) determination, by comparison therewith, of any characteristic, including purity, of any other material or substance;

"sales licence" means a sales licence referred to in section 17 (8);

"specification" includes the description of a commodity or substance from which it is to be made, processed, treated, or finished, with reference to its nature, quality, mass, efficacy, composition, strength, purity, assembly, grade, performance, durability, origin, age, reliability, quantity, dimension, design, capacity, operation, installation, marking, handling, packing, storage and transport of a commodity;

"standard" means a document (which may include a specification, code of practice, standard method), established by consensus and approved by the Council that provides, for common and repeated use, rules, guidelines or characteristics for activities or their results, aimed at the achievement of the optimum degree of order in a given context;

"standardization" means an activity of establishing, with regard to actual or potential problems, provisions for the common and repeated use, aimed at the optimum degree of order in a given context.

"standard method" means a description of the -

- (a) preparatory steps to be taken;
- (b) equipment, material or substance to be used;
- (c) procedure to be followed,

for the purpose of determining the nature, purity, composition, dimensions, performance or other characteristics of any commodity;

"Swaziland standard" means a standard, specification or code of practice, framed, prepared or adopted by the Authority to be a national standard.

"technical regulation", means a regulation that provides technical requirements, either directly or by referring to or incorporating the content or part of a standard and declared a technical regulation by the Minister under section 35.

## PART II - ESTABLISHMENT, FUNCTIONS, AND MANAGEMENT OF THE AUTHORITY

### *Establishment of the Swaziland Standards Authority.*

3. There is hereby established a body to be called the Swaziland Standards Authority, which shall be a body corporate with perpetual succession and a common seal which may sue and be sued in its corporate name and acquire, hold, and dispose of any property and do such other things and perform such other acts as any body corporate may lawfully do or perform.

### *Functions of the Authority.*

4. The functions of the Authority shall be to -

- (a) promote standards and quality in industry, commerce and the public sector;
- (b) provide facilities for testing and calibrating precision instruments, gauges and scientific apparatus, to determine their degree of accuracy in comparison with standards approved by the Minister on the recommendation of the Council, and for the issue of certificates in regard thereto;

- (c) provide facilities for examining and testing of locally manufactured or imported commodities, products and materials including food and drugs and any material or substance from or with which and the manner in which they may be manufactured, produced, processed or treated;
- (d) operate and control, in accordance with this Act, the use of certification marks and distinctive marks;
- (e) prepare, frame, modify or amend standards relating to structures, commodities, products, materials, practices and operations and administer schemes based thereon;
- (f) encourage or undertake educational work in connection with standardization and quality;
- (g) assist the Government or any local authority or other public body or any other person in the preparation and framing of any standards and technical regulations;
- (h) co-operate with the Government or the representatives of any industry or with any local authority or other public body or any other person, in order to secure the adoption and practical application of standards and technical regulations;
- (i) at the request of the Minister or Government, and on behalf of the Government, test locally manufactured and imported commodities to determine whether they comply with this Act, or any technical regulations;
- (j) establish and maintain libraries and supply guidance and information for the purpose of furthering standardization and quality;
- (k) charge such fees for any services rendered as may be prescribed by the Minister on the recommendation of the Council;
- (l) obtain membership of and participate in national, regional, or international bodies having any objects similar to any object of the Authority;
- (m) make arrangements for or accredit laboratories and control schemes with regard to laboratories so accredited;
- (n) make arrangements for or assess quality systems and control the registration of systems so assessed;
- (o) make arrangements for or assess the competence of and accredit quality practitioners;
- (p) at the request of any person, and whether or not for reward, carry out or cause to be carried out any study, examination or test in respect of any particular class of commodity, or commodities of different makes, brands, or standards whether or not such commodities are produced in Swaziland;
- (q) upon payment of such fees as the Minister may prescribe, issue reports on any study, nation or test carried out under paragraph;
- (r) and may impose conditions as to the use to be made of such reports and conditions prohibiting, restricting or requiring the publication of or disclosure of any information contained therein;
- (s) do all such things as are necessary for, incidental or conducive to, the attainment of the objects of this Act.



*Establishment and composition of the Council of the Authority.*

5. (1) There is hereby established a Council of the Authority which shall consist of the following members -

- (a) a Chairman who shall not be a public officer;
- (b) not more than four persons who shall be public officers one of whom shall be the Principal Secretary of the Ministry of Finance or his representative;
- (c) not more than three persons who shall represent organized industry and commerce and possess industrial or commercial knowledge of issues concerning standardization and quality of commodities.

(2) (a) Subject to Section 6 of the Public Enterprise (Control and Monitoring) Act, 1989, the members of the Council shall be appointed by the Minister for a period of three years and on such terms and conditions as the Minister may determine.

(b) A member of the Council (other than the Director) may be reappointed for one further term after the expiration of the period of three years.

(3) Subject to section 5 of the Public Enterprises (Control and Monitoring) Act, 1989 and after consultations with the Council, the Minister may, for such period as he may determine, appoint not more than six persons to be additional members of the Council in order for those persons to give the Council assistance or advice on any specific issue.

(4) (a) The Council shall nominate from amongst its members not more than three members, one of whom shall be the convener, to form an executive committee to assist the Director in the day to day operations of the Authority;

(b) The executive committee shall, subject to the approval of the Council, regulate its own procedures.

*Directorate of the Authority and staff.*

6. (1) There is hereby established a Directorate of the Authority which shall be responsible for the day to day operations and the carrying out of the functions of the Authority specified in this Act.

(2) The Minister shall, on the advice of the Council and on such terms and conditions as he may determine, appoint a Director and a Deputy Director of the Directorate who shall have such qualifications and experience as the Minister may determine to, ensure the carrying out of the functions of the Authority specified in this Act.

(3) The Director shall be an ex-officio member of the Council and shall also be its secretary.

(4) The Director shall, whenever so requested by the Council, advise it on technical matters.

(5) The Council may, after consultation with the director and on such terms and conditions as it may determine, appoint such staff of the Directorate as the Council may find necessary for the proper performance of the functions of the Authority.

*Vacation of office by Council Members.*

7. A member of the Council shall vacate his office if he:-

- (a) ceases to qualify to be a member;
- (b) designs his office by letter addressed to the Secretary of the Council;
- (c) becomes of unsound mind or is in any other way physically incapacitated;
- (d) is absent from three consecutive meetings of the Council, without leave of the Chairman
- (e) he becomes insolvent under any law relating to the insolvency of persons in Swaziland;
- (f) he is convicted of an offence and is sentenced to a term of imprisonment without the option of a fine;
- (g) he conducts himself in a manner which in the Minister's opinion, would bring disrepute to the Authority or prejudice its activities.

*Functions of the Council.*

8. (1) The functions of the Council shall be to administer, manage and control the affairs of the Authority in accordance with this Act and without affecting the generality of the foregoing, the Council shall -

- (a) formulate matters of policy for the purpose of providing general or specific guidance to the Authority for the better performance of its functions;
- (b) acquire, hold, hire, mortgage, pledge, sell or otherwise dispose of such movable or immovable property as may be conducive to or necessary for the effective performance of the functions of the Authority;
- (c) execute any trusts, agency, business which may be conducive to or necessary for the effective performance of the functions of the Authority;
- (d) subject to the approval of the Minister, invest, any monies of the Authority not immediately required for any of its functions in such manner as it may determine; and
- (e) advise and obtain advice from the Minister in regard to any matter within his purview;
- (f) shall maintain, so far as is practicable, a system of consultation and co-operation with any body nationally, regionally or internationally, having functions similar to any functions referred to in this Act;
- (g) with the approval of the Minister, utilize any bodies or persons in or outside Swaziland to perform any of its functions for a specified period of time;

(2) In the exercise of its powers and performance of its functions the Council shall act in accordance with such general or specific directions not inconsistent with the purposes of this Act, as the Minister may issue.

(3) Subject to the approval of the Minister, the Council may delegate any of its powers or functions to the Director, a member of the Council or any committee established under section (10) but the Council may not be divested of such functions and may amend or revoke any decision made by such Director, member, or committee in the exercise of such functions.

*Procedure at meetings of the Council.*

9. (1) The procedures of the Council at meetings and other matters relating thereto shall be governed by the provisions set out in the Schedule hereto.

(2) The Minister may, by Notice in the Gazette, amend the Schedule.

*Committees of the Council.*

10. (1) The council may appoint such committees consisting of such persons as it may determine to advise it on the exercise of any of its functions.

(2) Members of committees established under subsection (1) shall receive such remuneration or allowances as the Minister may determine.

### PART III - FINANCIAL AND ACCOUNTING PROVISIONS

*Funds and assets.*

11. (1) The funds and assets of the Authority shall consist of -

- (a) all monies or property that may be donated, lent, or otherwise granted to the Authority by the Government, any other Government, person or international organization;
- (b) all property or investments otherwise acquired by or invested in the Authority and any money earned or accruing therefrom;
- (c) any moneys raised or borrowed by the Authority with the approval of the Minister;
- (d) all other moneys or property that may in any manner become payable to or vested in the Authority regarding any matter incidental to its purpose or functions.

(2) The Council may, out of the funds of the Authority,

- (a) pay to the members of the Council and staff of the Directorate such remuneration, and allowances as approved by the Minister of Finance or paid to other members of similar parastatal organizations in terms of the Public Enterprises (Control and monitoring) Act, 1989, as the case may be;
- (b) authorize the payment of all such sums of money as may be necessary to enable the Authority to discharge its functions;

*Borrowing powers.*

12. (1) The Authority may, on such conditions as the Minister may determine, with the concurrence of the Minister for Finance -

- (a) borrow temporarily, by way of bank overdraft or otherwise, such sums as it may require for meeting its obligations or exercising or performing its functions; or

- (b) raise money by way of loans;

(2) The repayment of moneys borrowed by the Authority and the interest thereon and all charges connected with such borrowing shall be a liability of the Authority and shall be charged on its revenue.

*Accounts, audit and annual report.*

13. (1) The Council shall -

- (a) keep all proper books of account and other books and records in relation to the funds, undertakings, activities and property of the Authority; and
  - (b) after the end of each financial year, cause to be prepared:
    - (i) a balance sheet showing in detail the assets and liabilities of the Authority;
    - (ii) a statement of income and expenditure;
    - (iii) such other statements of account as may be necessary to indicate the financial status of the Authority;
- as at the end of that year.

(2) The accounts of the Authority shall be examined, audited and reported upon annually by a financial auditor.

(3) The Director of Audit shall have the right of access to books of accounts and other relevant records of the Authority and shall be given such explanations as he may require in respect of public funds or property pledged for whatever purpose.

(4) The Council shall submit to the Minister -

- (a) during the course of the financial year, all such other information as he may require regarding the activities and financial position of the Authority.
- (b) at the end of each financial year, an annual report, including a balance sheet and a statement of income and expenditure audited in accordance with subsection (2) and such other particulars as the Minister may request.

(5) The Minister shall lay the annual report submitted to him under subsection (4) before Parliament at its first sitting after he has received it.

(6) The Council shall, in such manner as it may specify after the Minister has laid the annual report before Parliament pursuant to subsection (5) and as soon as practicable after the end of each financial year, publish the annual report.

*Appointment and powers of the financial auditor.*

14. (1) The financial auditor shall be appointed by the Minister on the recommendation of the Council.

(2) After consulting the Council the financial auditor may -

- (a) in writing require the production of all books, deeds, contracts, vouchers, receipts and other documents relating to the accounts or investments of the Authority that he may deem necessary for the purpose of an audit under this Act;
- (b) by notice in writing, summon all persons as may appear to him to have knowledge of the affairs of the Authority to personally appear before him at the offices of the Authority at such a time as he may state for examination in connection with any document or matter relating to an audit.

(3) No person may be appointed as financial auditor of the Authority if -

- (a) he is a member of the Council or any employee of the Authority;
- (b) he is a partner of a member of the Council or a partner of any employee of the Authority;
- (c) he is an employer or employee of a member of the Council or of an officer of the Authority;
- (d) he has any pecuniary interest in the Authority or in any of its activities.

*Financial year.*

15. Unless the Minister otherwise indicates by notice in the Gazette, the financial year of the Authority shall be from 1st April to 31st March of the following year or for such longer or shorter period as the Minister may determine.

#### PART IV - STANDARDS, MARKS AND LICENSES

*Standards.*

16. (1) The Council shall establish guidelines for the Authority to draft, issue or amend a standard;

(2) A standard shall as far as possible -

- (a) effect the latest technological development; and
- (b) serve all interests including the interests of the supplier, consumer and public authorities to a reasonable degree;

(3) A provision of a standard may consist of a mere reference to an appropriate standard or appropriate provision occurring in -

- (a) any other standard; or
- (b) a document with the nature of a standard which the Authority may deem suitable for the purposes of any provision so referred to and which was issued by a foreign or international body having objects similar to any object of the Authority;

## (4) The Authority may

- (a) draft and issue, a standard as a Swaziland standard;
- (b) amend or withdraw a standard;

## (5) (a) The Council shall, by notice in the Gazette, publish the issue, amendment or withdrawal of a standard.

- (b) If the issue, amendment or withdrawal of a standard has been published under paragraph (a) it shall be sufficient if the notice -

- (i) states the title, number and date of that standard or a document referred to in subsection (3); and 12
- (ii) contains a resume of the scope and purport of that standard or document.

(6) No person shall issue a document in the nature of a standard which may create the impression that the document is a Swaziland standard.

## (7) The Authority may prescribe fees -

- (a) in connection with the control of the use or application of standards; and
- (b) for the sale of a standard.

*Mandatory standard, distinctive mark.*

17. (1) On the recommendation of the Council and subject to this section, the Minister may, by notice in the Gazette -

- (a) declare a standard for any commodity or for the manufacture, production, processing or treatment of any commodity to be a mandatory standard with effect from a date specified in such notice which date shall not be less than two months after the date of publication thereof;
- (b) declare a distinctive mark for any commodity which complies with a mandatory standard or which has been manufactured, produced, processed or treated in accordance therewith;
- (c) revoke or amend any mandatory standard or distinctive mark by notice in the Gazette in the manner prescribed in paragraph (a);

(2) The Council shall not recommend and the Minister shall not declare a mandatory standard for the manufacture, production, processing or treatment of a commodity unless the Council or the Minister, as the case may be, is satisfied that it is not practicable to achieve the purposes of such a mandatory standard by a standard for the commodity in question.

(3) The Council shall at least two months before making any recommendation under subsection (1) publish in the Gazette a preliminary notice setting out the precise purport of the proposed recommendation referred to in subsection (2) and call upon all interested persons to lodge any objections in writing with the Council in such manner and within such time as the Council may determine.

(4) A person who has lodged an objection in accordance with subsection (3) may in person or through a representative appear before the Council and be heard, at such time and place as the Council shall determine.

(5) The Council shall not publish the notice under subsection (1) (a) if any objection under this section is upheld or an objector or his representative has had an opportunity to be heard and the reasons for the rejection of his objection have been furnished to him in writing.

(6) A notice published under this section shall contain full particulars of the standard or the amendment thereof.

(7) If the Minister has -

(a) declared a standard to be a mandatory standard under subsection (1) (a), a person shall not sell the commodity to which the standard relates after the date specified unless the commodity complies with that standard or has been manufactured, produced, processed or treated in accordance therewith.

(b) declared a distinctive mark under subsection (1) (b), a person shall not apply that mark to any commodity except under a licence issued to him by the Director and unless that commodity or its manufacture, production, processing or treatment complies with the mandatory standard relative thereto.

(8) Notwithstanding subsection (7), the Director may issue a sales licence to a person exempting him from the provisions of subsection (7) on condition that the commodity concerned complies with the declared standard.

(9) Section 18 (3) (4) and (5) shall with necessary modifications apply to a distinctive mark as it applies to a certification mark, and section 18 (8) shall with necessary modifications apply to the issue of a licence.

#### *Certification marks.*

18. (1) On the recommendation of the Council and subject to subsections (2) and (3), the Minister may, by notice in the Gazette, declare any mark which has been adopted by the Council in respect of any standard approved by Council for any commodity, or for the manufacture, production, processing or treatment of any commodity, to be a certification mark and may in like manner revoke or amend any such declaration.

(2) A notice under subsection (1) shall contain such information in regard to the relevant standard or amendment as the Council considers necessary.

(3) A mark which is identical with any trade mark registered in respect of any commodity in accordance with the Trade Marks Act, 1981 or so resembles such mark as to be likely to be mistaken for it, shall not be declared to be a certification mark under subsection (1) in respect of that or any similar commodity or in respect of the manufacture, production, processing or treatment of that or any similar commodity.

(4) A mark identical with a mark which has been declared to be a certification mark, under subsection (1) or so resembling such a mark as to be likely to be mistaken for it, shall not be registered as a trade mark under the Trade Marks Act, 1981 in respect of any commodity.

(5) After the publication of a notice under subsection (1) hereof, no person shall apply any certification mark mentioned in such notice to any commodity except under a licence issued by the Authority and unless that commodity complies with the relevant standard or has been manufactured, produced, processed or treated in accordance therewith.

(6) A person who -

- (a) applies a certification mark to any receptacle or covering of any commodity or to any label attached to any commodity or any receptacle or covering thereof;
- (b) places or encloses any commodity in a receptacle or covering to which a certification mark has been applied, or in a receptacle or cover to which is attached a label to which any such mark has been applied;
- (c) makes, in connection with the sale of any commodity or product, any reference, directly or indirectly, to a certification mark in a manner or under circumstances calculated to convey the impression that the commodity or product complies with the standard to which the certification mark relates, or that it has been manufactured, produced, processed or treated in accordance with that standard:

shall, for the purposes of subsection (5) hereof be taken to have applied that certification mark to that commodity or product.

(7) No person shall, in connection with the sale of any commodity or product, make any reference directly or indirectly to the Authority or the Council or to a standard approved, or purporting to have been approved by the Council unless -

- (a) the Minister has declared any mark to be a certification mark in respect of the standard approved by the Council for any commodity or product or for the manufacture, production, processing or treatment of that commodity or product; and 15.
- (b) such person is in possession of a licence issued by the Authority authorizing him to apply such certification mark to that commodity or product.

(8) The licence referred to in subsection (7) (b) hereof may be issued by the Director on behalf of the Authority on such terms and conditions including the payment of fees, as the Minister may prescribe.

(9) Notwithstanding subsection (7) hereof, any person required to make a statement in a contract, tender, quotation or other similar document as to whether a commodity offered or supplied by him complies with or has been manufactured, produced, processed or treated in accordance with a particular standard, may make such a statement as an affidavit or affirmation stating that he knows such statement to be correct.

*Copyright in standards and publications.*

19. (1) Notwithstanding any other law -

- (a) the Authority may issue a copyright of a standard or a publication issued by it and that copyright shall vest in the Authority;
- (b) the auditor shall not be deprived of the copyright referred to in this section if a standard, or any publication issued by the authority is incorporated in any other law.



(2) Unless authorized by the Authority, no person shall in any manner or form, publish, reproduce, or record any document or part thereof in respect of a copyright issued under this section.

*Appeals.*

20. (1) A person who is aggrieved by the -

- (a) refusal of the Director to issue any licence;
- (b) attaching of any condition to a licence;
- (c) variation, cancellation or suspension of any licence;

may, within fourteen days after the date of the notification to him of such decision, appeal in writing to the Minister who shall within thirty days of receipt of such appeal, either confirm, set aside or vary the decision complained of, and set out his reasons therefor in writing.

(2) The Minister's decision under this section shall be final and not appealable.

*Samples and information.*

21. If requested by the Director in writing, a person to whom a licence has been issued under this Act shall furnish, within such period as the Director may specify, such samples of any commodity to which the licence relates and all such information in regard to such commodity or its manufacture, production, processing or treatment, as the Director may specify in the request.

*Protection of Government, Authority, members and employees.*

22. The fact that any commodity complies or is alleged to comply with a standard or a mandatory standard or has been alleged to have been manufactured, produced, processed or treated in accordance with any such standard or that a distinctive mark or certification mark is used in connection with any commodity, shall not give rise to any claim against the Government, Authority or any member of employee thereof.

## PART V - INSPECTORS AND AUDITORS

*Appointment of inspectors and auditors.*

23. (1) The Minister may on the recommendation of the Council, appoint as inspectors or auditors for the purpose of this Act any suitably qualified person.

(2) A person appointed an inspector or auditor under this section shall be furnished with a certificate of appointment signed by the Minister stating that such person is authorised to act as an inspector or auditor for the purpose of this Act.

*Powers of inspectors and auditors.*

24. (1) Subject to the conditions of his appointment and for the purpose of this Act, an inspector or auditor may, at all reasonable times -

- (a) enter upon any premises at which there is, or is suspected to be a commodity in relation to which any mandatory standard or certification mark exists;
- (b) inspect, examine and take samples of any commodity or material or substance of a commodity referred to in paragraph (a) hereof, used or likely to be used, or capable of being used in the manufacture, production, processing or treatment thereof, and cause any container within which there is or is suspected to be any quantity of any such commodity, material or substance, to be opened;
- (c) inspect any process or other operation which is or appears likely to be carried out in the premises in connection with the manufacture, production, processing or treatment of any commodity for which a mandatory standard or certification mark exists;
- (d) require from any person the production then and there or at a time and place fixed by the inspector or auditor of any book, notice, record, list or other document pertaining to a commodity or the manufacture, production, processing or treatment thereof which is in the possession or custody or under the control of such person or any other person on behalf of such person;
- (e) examine, take extracts, and copy any or any part of such book, notice, record, list or other document which appears to him to have relevance to his inspection or inquiry, and require any person to give an explanation of any entry therein, and take possession of any such book, notice, record, list or other document which he believes may afford evidence of an offence;
- (f) require information relevant to his inquiry from any person whom he has reasonable grounds to believe is or has been employed at any such premises or to have in his possession or custody or under his control any article referred to in this subsection;
- (g) in addition to the above, enter, inspect and examine anything connected with the purposes of this Act.

(2) An inspector or auditor entering any premises under subsection (1) shall, if so required, produce the certificate issued to him in accordance with section 23 and may be accompanied, if necessary, by an interpreter.

## PART VI - MISCELLANEOUS PROVISIONS

### *Personal immunity of members and officers.*

25. Nothing done by a member of the Council or employee of the Authority in the bona fide exercise of their functions or in the execution of any provision of this Act shall render them personally liable to any action, liability, claim, demand or any prosecution.

### *Offences and penalties.*

26. (1) A person who -

- (a) contravenes section 16(6); 17 (7); 18 (5), (6) or (7); 19 (2); 21; 29(1); 30; or 34(1) (2);
- (b) (i) contravenes, or otherwise fails to comply with the conditions of any licence issued in terms of this Act;
- (ii) falsely holds himself out to be an inspector or auditor;

- (iii) makes any false statement to an inspector or auditor in the exercise of his powers under this Act;
- (v) refuses, neglects or otherwise fails to answer any question put by an inspector or auditor in the exercise of his powers under this Act;
- (v) refuses, neglects or otherwise fails to comply with any direction made by an inspector or auditor in the exercise of his functions under this Act;
- (vi) hinders or otherwise obstructs an inspector or auditor in the exercise of his powers under this Act;

commits an offence.

- (2) (a) Where a person is charged with contravening section 18 subsections (5) or (6), and section 17 (7) (a) or (b) or section 18 (1) (b) it shall be a defence for him to prove to the satisfaction of the court that -

- (i) he took all reasonable precautions to comply with such provisions; and
  - (ii) on demand by the Council, inspector or auditor, he furnished all information which was or should reasonably have been available to him from the person from whom he acquired the commodity or product to which the charge relates.
- (b) Where a person is charged with contravening section 18 (7) (a) it shall be a defence for him to prove to the satisfaction of the court that he had no knowledge nor any reasonable means of ascertaining, whether before or at any time of the sale, that the commodity specified in the charge did not comply with a standard relating thereto.

(3) A court convicting an employer for contravening section 30 may in addition to any sentence it imposes, order the employer to -

- (a) restore a rate of remuneration, or conditions of employment, or the position of an employee to that which existed immediately before, and with effect from the date of the reduction or alteration which gives rise to the conviction;
- (b) Pay any employee whose dismissal is the subject of such conviction a sum estimated by the court to be equal to his total remuneration for any period not exceeding six months calculated according to the rate at which he was being remunerated at the time of his dismissal;

(4) An order made under subsection (3) shall be enforced as if it were a judgement of a civil court in favour of the affected employee.

(5) A person convicted of an offence under subsection (1) shall on -

- (a) first conviction, be liable to a fine not exceeding two thousand Emalangeni or to imprisonment for a term not exceeding two years or to both such fine and imprisonment;
- (b) subsequent conviction, be liable to a fine, not exceeding five thousand Emalangeni or to imprisonment for a term not exceeding 4 years or to both such fine and imprisonment.

(6) A person who -

- (a) fails, refuses or otherwise neglects to produce any document that he has been required to produce by the financial auditor;
- (b) fails, refuses, or otherwise neglects to comply with a notice summoning him to appear before the financial auditor;
- (c) refuses to be examined by the financial auditor after having been summoned by him;
- (d) refuses to answer questions pertaining to the audit that are put to him by the financial auditor after having been summoned to him;
- (e) hinders or otherwise obstructs the financial auditor in the exercise of his powers under this Act;
- (f) having appeared before the financial auditor on a notice summoning him to appear, makes a statement pertaining to the audit that he knows or believes to be false or that he does not know or believe to be true;

commits an offence and shall on -

- (i) first conviction be liable to a fine not exceeding two thousand Emalangeni or to a term of imprisonment not exceeding two years or to both such fine and imprisonment; and
- (ii) subsequent conviction be liable to a fine not exceeding four thousand Emalangeni or imprisonment not exceeding five years or to both such fine and imprisonment.

(7) A person summoned to give evidence or to produce any paper, book, record or document before the financial auditor is entitled in respect of such evidence or the disclosure of any communication, or the production of any such paper, book, record or document to the same right or privilege as before a court of law.

(8) A conviction under subsection (1), (6) or (9) shall not exempt, or be taken to exempt, the person convicted from the liability to do or perform the act, matter or thing required of him.

(9) A person who employs an agent, clerk servant or other person shall be answerable for any act or omission of such agent, clerk, servant or other person which is an offence under this Act or which would be an offence if committed or made by such person and such person and his agent, clerk, servant or other person shall be jointly and severally guilty of the offence and liable upon conviction to the penalties provided under this Act for that offence; unless he proves that he did not know and could not reasonably be expected to have known that the act or omission was taken or was to take place and that he took all reasonable steps to ensure that the relevant provisions of this Act were being complied with.

(10) On conviction of a person for an offence under this Act the court may, in addition to any other penalty which may be imposed, order the confiscation of all or any part of any goods in respect of which the offence was committed, and all goods the subject of such an order shall be disposed of in such manner as the court may decide.

*Offences by bodies corporate.*

27. Where an offence under this Act is committed by a body of persons -

- (a) if that body is a body corporate other than the Authority, every person who at the time of the commission of the offence is a director, manager, secretary or similar officer or is purporting to act in any such capacity shall be deemed to have committed the offence;
- (b) if that body is a firm, every partner of that firm shall be deemed to have committed the offence.

unless he proves that the offence was committed without his knowledge or that he exercised all diligence to prevent the commission of the offence.

*Restriction on execution against property of Authority.*

28. Notwithstanding anything to the contrary in any other law -

- (a) where any judgement or order has been obtained against the Authority, no execution or attachment, or process in the nature of an execution, shall be issued against the Authority; but the Director shall, without delay, cause to be paid out of the revenue of the Authority such amounts as may, by the judgement or order, be awarded against the Authority to the person entitled thereto;
- (b) the property of the Authority shall not be seized or taken by any person whether or not having power by law to attach or detain property unless with the written permission of the Minister.

*Secrecy.*

29. (1) Except for the purpose of the exercise of his functions or when required to do so by law or a court, a person who is or has been engaged in the administration of this Act shall not disclose any information acquired by him in the exercise or purported exercise of his functions.

(2) The disclosure of any information for purposes connected with the administration of this Act shall not prejudice any application made subsequently for registration of a patent under the Patents, Designs and Trade Marks Act, 1936 or any subsequent amendments.

*Victimization.*

30. (1) An employer shall not dismiss any person employed by him or reduce the rate of pay or remuneration of such person or otherwise alter the conditions of his employment to conditions less favourable to him or alter his position to his disadvantage relative to other persons employed by such employer because he believes or suspects (whether or not such belief or suspicion is justified or correct) that person has -

- (a) given any information which he could be required under this Act to give an inspector or auditor;
- (b) complied with any lawful requirement of an inspector or auditor; or
- (c) given evidence in any proceedings under this Act.

(2) A dismissal under this section shall be deemed an unfair dismissal under the Industrial Relations Act.

*Pension scheme for the staff of the Directorate of the Authority.*

31. The Council may -

- (a) establish and regulate a pension scheme for the payment of pensions, gratuities, allowances, and such other schemes as are of benefit to the members of the staff of the Directorate, and a widows' and orphans' pension fund or scheme for providing pensions to the widows' and orphans' of deceased members of the staff;
- (b) require contributions to be made to such scheme or fund by members of the staff of the Directorate and may deduct such contributions from the salaries or wages of the members of the staff;
- (c) make contributions to any such scheme or fund from the revenues of the Authority;

*Rights in discoveries, inventions and improvements by member of staff vests in Authority.*

32. (1) The rights in all discoveries and inventions and all improvements in processes, apparatus, and machines made by an officer of the Directorate shall vest in and be the property of the Authority and shall be made available for use in the public interest subject to such conditions and the payment of such fees or royalties as the Minister may prescribe.

(2) The Council may, out of the funds of the Authority pay to any officer of the Directorate, who has made any discovery, invention or improvement referred to in subsection (1), such bonus, or make provisions for such officer to share in the profits derived from that discovery, invention or improvement, as the Minister may determine.

(3) The Council may apply for letters of patent in respect of any inventions made by any officer of the Directorate and shall for the purpose of the Patents, Designs and Trade Marks Act, 1936 or any amendments thereof, be regarded as the assign of the inventor.

*Immovable and movable property to be made available to Authority where required.*

33. If any immovable or movable property is required for the purpose of the Authority, such property may be given, granted, donated, leased or otherwise transferred to the Authority by the Minister responsible according to applicable law.

**PART VII - TRANSITIONAL, SAVINGS AND CONSEQUENTIAL PROVISIONS**

*Use of words associated with Authority by any person carrying on any activity business, trade or occupation.*

34. (1) Except with the written approval of the Minister and subject to subsection (3) and (4) hereof, a person shall not carry on any activity, business, trade or occupation under any name which contains the words "Authority of Standards", "Standards Authority" or such other words the use of which would imply that such person is the Authority or is associated or connected with the Authority.

(2) Except with the written approval of the Minister and subject to subsections (3) and (4) -

- (a) a trade mark which contains the word "standards" shall not be registered under the Patents, Designs, and Trade marks Act, 1936 or any amendments thereof.

- (b) a person shall not, unless authorized by a licence, sell any commodity under a mark which contains the word "standard" or under a description in which such word is used in a manner which may create the impression that the commodity or product complies with a standard approved therefor by the Council;

(3) Notwithstanding subsection (1), a person who, at the commencement of this Act, has applied for, carries on any activity, business, trade or occupation referred to under subsection (1) shall have his application proceeded with, or may continue to carry on such activity, business, trade or occupation, or to be registered, as the case may be, under such name.

(4) Subsection (2) shall not affect any trade mark registered at the commencement of this Act, or the sale of any commodity under such trade mark.

(5) The Minister may at any time withdraw any approval given by him under subsection (1) or (2) if, in his opinion, it is necessary to do so in order to avoid confusion or abuse.

*Rules and regulations.*

35. After consulting the Council, the Minister may make rules or regulations generally for the better carrying out of the provisions of this Act and without prejudice to the generality of the foregoing -

- (a) provide for all matters in respect of which fees may be payable under this Act;
- (b) prescribe the amount of any such fees and the persons who may be liable for payment thereof;
- (c) prescribe forms that may be used under this Act;
- (d) provide for any procedures regarding any applications relating to licences.
- (e) provide for matters connected with appeals under this Act;
- (f) make provision for the requirement of persons to supply information under this Act;
- (g) provide for the control of the use of standards and technical regulations;
- (h) prescribe the procedure to be followed by the Authority in the performance of any of its functions under this Act;
- (i) prescribe anything which under this Act is to be prescribed.

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SCHEDULE  
(under section 9 (1))

*Rules of procedure of the Council.*

1. The Council shall meet at least once every three months for the despatch of the business of the Authority or meet as often as business requires.
2. The Chairman shall convene and preside at all meetings of the Council and shall convene a special meeting at the written request of at least three members.
3. Only the business stipulated in a written request for a special meeting may be transacted at the meeting.

4. In the absence of the Chairman, but subject to the quorum, the members present shall nominate one of them to preside at the meeting.

5. The quorum for a meeting of the Council shall be five members.

6. All decisions of the Council shall be made by a simple majority of the votes of the members present and the person presiding shall only have a casting vote where there is an equality of votes.

7. An additional member appointed under section 5 Subsection (3) shall not vote or be counted for the purpose of a quorum at any meeting of the Council.

8. The Secretary shall keep minutes of all proceedings the Council in a minute book which shall show all details of business transacted at each meeting.

9. Subject to this Act and this schedule, the Council may regulate its own proceedings.

10. The Chairman, in consultation with the Council, may invite any representative of any committee to attend and participate in a Council meeting dealing with specific subject of interest to or affecting the work of that committee.



**THE LOAN (NHLANGANO-LAVUMISA ROAD PROJECT) ACT, 1998**

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(Act No. 4 of 1998)



I ASSENT

MSWATI III  
KING OF SWAZILAND

22nd June, 1998

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**AN ACT**  
**Entitled**

An Act to authorise the Minister for Finance to raise a Loan for the financing of the second phase of the Nhlanguano-Lavumisa Road Project and to provide for matters incidental thereto.

ENACTED by the King and the Parliament of Swaziland.

*Short title.*

1. This Act may be cited as the Loan (Nhlanguano-Lavumisa Road Project) Act, 1998.

*Interpretation.*

2. In this Act, unless the context otherwise requires -

“Agreement” means the Agreement referred to in section 3 and includes any document related thereto;

“Borrower” means the Government of the Kingdom of Swaziland;

“Lender” means the Kuwait Fund for Arab Economic Development;

“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 KD 3,100,000 (Three Million and One Hundred Thousand Kuwait Dinars) approximately E51,261,000 (Fifty One Million, Two Hundred and Sixty One Thousand Emalangeni), upon terms and conditions specified in this Act and upon such other terms and conditions as the Government may consider appropriate.

*Loan charges and repayments.*

4. (1) The loan shall be payable in a period of sixteen (16) years after a grace period of five (5) years, commencing from the date of signature of the Agreement, in 32 consecutive equal semi-annual instalments and the first such principal payment shall be on the 15th of March or 15th of September whichever immediately follows the expiration of the grace period.

(2) The Borrower shall pay interest at the rate of two percent (2%) per annum on the principal amount of the Loan withdrawn and outstanding from time to time and interest shall accrue from the respective dates on which amounts shall be so withdrawn.

(3) The Borrower shall pay an additional charge of one-half (0.5%) of one per cent per annum on the amounts withdrawn from the Loan and outstanding from time to time to meet the administrative expenses and the expenses of implementing this Agreement.

(4) The Borrower shall be liable for special commitments, if any, entered into by the Fund at its request at the rate of one half of one percent (0.5) per annum on the principal amount of any such special commitments outstanding from time to time.

(5) The principal amount of the loan, the interest and the additional charge shall be payable every six (6) months on the 15th of March and 15th of September during the repayment period.

*Computation of loan charges and interests.*

5. Interest and other charges shall be computed on the basis of a three hundred and sixty (360) day year or twelve thirty (30) day months for any period less than a full one-half of a year.

*Charging of loan.*

6. The loan shall be charged upon the Consolidated Fund and the Assets of the Borrower.

*Application of loan.*

7. The proceeds of the loan shall be used for the financing part of the foreign exchange cost of phase II of the Nhlangano-Lavumisa Road Project.

THE LOAN (TWO INTERNATIONAL ROADS PROJECT -  
MBABANE-NGWENYA AND LUYENGO-SICUNUSA) ACT, 1998

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(Act No. 5 of 1998)



I ASSENT

MSWATI III  
KING OF SWAZILAND

22nd June, 1998

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AN ACT  
entitled

An Act to authorise the Minister for Finance to raise a loan for local cost of the Two International Roads Projects (Mbabane-Ngwenya and Luyengo-Sicunusa) and to provide for matters incidental thereto.

ENACTED by the King and the Parliament of Swaziland.

*Short title.*

1. This Act may be cited as the Loan (Two International Roads Project - Mbabane-Ngwenya and Luyengo-Sicunusa) Act, 1998.

*Interpretation.*

2. In this Act, unless the context otherwise requires -

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

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

"Lender" means the International Co-operation and Development Fund;

"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 authorised to enter into an Agreement with the Lender for the purpose of raising a loan not exceeding the equivalent of USD 4,000,000 (Four Million U.S. dollars) approximately E20,000,000 (Twenty Million Emalangeni), upon terms and conditions specified in this Act and upon such other terms and conditions as the Government may consider appropriate.

*Loan charges and repayments.*

4. (1) The loan shall be payable in a period of fifteen (15) years after a grace period of five (5) years, commencing from the date of signature of the Agreement, in 30 consecutive equal (or as nearly equal as possible) semi-annual instalments and the first such principal payment shall be on the 15th of May or 15th of November, whichever immediately follows the expiration of the grace period.

(2) The Borrower shall pay interest on the loan amount, disbursed and outstanding the rate of 4% per annum payable semi-annually on each interest payment date and the first payment shall be paid immediately following the first drawdown and the last interest payment shall be made on the maturity of the loan or when the entire amount of the loan is due and payable.

(3) The Borrower shall pay a commitment fee at the rate of three-quarters (0.75%) per annum on the undisbursed and uncanceled balance of the loan and the commitment fee shall accrue from the date of the Agreement until the date of the loan is fully utilised.

(4) The Borrower shall be liable for special commitments entered into by the Fund at its request at the rate of one half of one percent (0.5) per annum on the principal amount of any such special commitments outstanding from time to time.

(5) The principal amount of the loan, the interest and the commitment charge shall be payable every six (6) months on the 15th of May and 15th of November.

*Computation of loan charges and interests.*

5. Interest and other charges and any other payments of an annual nature in respect of the Loan shall accrue from day to day and shall be calculated on the basis of the actual number of days elapsed and a three hundred and sixty (360) day year.

*Charging of loan.*

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

*Application of loan.*

7. The proceeds of the loan shall be used for financing part of the local costs of the Two International Roads Project (Mbabane-Ngwenya and Luyengo-Sicunusa).

## LEGAL NOTICE NO. 81 OF 1998

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**THE WAGES ACT, 1964**  
(Act No. 16 of 1964)**THE REGULATION OF WAGES (MANUFACTURING AND PROCESSING INDUSTRY)**  
**ORDER, 1998**  
(Under Section 11)

In exercise of the powers conferred on him by Section 11 of the Wages Act, 1964 the Minister for Enterprise and Employment hereby makes the following Order:-

*Citation and Commencement.*

1. This Order may be cited as the Regulation of Wages (Manufacturing and Processing Industry) Order and shall be deemed to have come into effect on the 1st January, 1998.

*Application.*

2. This Order shall apply to all persons employed in the Manufacturing and Processing Industries including the Manufacture of bricks, dry cleaning and laundry, garment making knitting, shoe Manufacture, Timber Processing and weaving who are engaged in the occupations specified in the First Schedule.

*Interpretation.*

3. In this Order, unless the context otherwise requires -

“aligner” means an employee who aligns a finished product before final inspection with the aid of electronic test equipment;

“a.j.s. Operator” means an employee who operates on automatic junior stitcher sewing machine;

“artisan” means an employee who is in possession of a Trade Test Certificate signed by a Trade Testing Officer appointed by the Government;

“assembler soldering” means an employee who solders and assembles components by hand;

“assembler-bottom components” means an employee who assembles good quality bottom components such as soles and insoles into specific batches according to the box loading plan;

“assembler-socks” means an employee who assembles good quality socks into batches according to article and size;

“assembler-upper components” means an employee who assembles good quality upper components such as vamps, quarters, etc into specific batches according to the box loading plan;

“assistant foreman baker” means an employee who is capable of manufacturing bread, adjusting bakery machinery and supervising the workers under his control;

“assistant foreman confectioner” means an employee who is capable of manufacturing and decorating several lines of confectionery, adjusting bakery machinery and supervising the workers under his control;

“bagger” means an employee who puts folded garment in the provided plastic bag;

“baker assistant” means an employee who assists a baker;

"backseam-reducer" means an employee who reduces the Beckom, join on leather quarters by means of a machine;

"binder assistant" means an employee who receives printed matter from the machine for collating, stitching, padding, rounding corners, punching, folding, counting, numbering or perforating;

"boiler operator" means an employee who operates a boiler;

"box folder" means an employee who folds and erects boxes ready for use;

"box labeller" means an employee who labels boxes with the information required to identify the contents thereof;

"box preparer" means an employee who collects and prepares boxes accordingly;

"blower" means an employee who carries out blowing duties in the manufacture of glassware according to specification;

"cabinet fitter" means an employee who fits accessories to a television cabinet;

"canteen assistant" means an employee who assists the canteen supervisor in preparing, cooking and dishing-up food in the employees canteen;

"canteen cashier" means an employee who assists the canteen supervisor in the control of cash receipts and also assists in the preparing, cooking and dishing-up of food in the employee's canteen;

"carder" means an employee who operates a carder machine and carries out simple lubrication on it;

"carton sealer" means an employee who seals cartons of finished goods for despatch to customers;

"casual labourer" means an employee who is not employed for more than twenty four hours at a time;

"cattle buyer" means an employee who buys livestock for his employer;

"charge hand" means an employee who assists a supervisor to supervise employees;

"chassis fitter" means an employee who fits chassis components to television sets;

"cementer" means an employee who applies adhesives to a surface by means of either a brush or machine;

"chef" means an employee who is responsible for the cooking of food for the employee's canteen;

"checker" means an employee who checks and records outgoing and incoming goods;

"cleaner" means an employee who is responsible for the cleaning of a factory, offices, toilets or canteen;

"clerk/storeman (with Senior Certificate)" means an employee engaged in general clerical duties, or storekeeping who holds a Senior Certificate of education;

"clerk/storeman assistant" means an employee engaged in general clerical duties, or storekeeping duties who holds a Junior Certificate of education;

"Clicker-high frequency" means an employee who cuts high frequency welds components;

"clicker-insoles/toepuffs/counters" means an employee who cuts insoles, toepuffs or counters by means of a clicking press;

"clicker-linings/trims/socks/Velcro" means an employee who cuts linings, trims, or velcro by means of a clicking press;

"clicker-textile" means an employee who cuts suede split by means of a clicking press;

"clicker-textile" means an employee who cuts textile by means of a clicking press;

"coilwinder means an employee mainly engaged in winding coils;

"components-assembler" means an employee engaged in fitting electronic components on PC boards and includes an employee engaged in pre-assembly work;

"compositor" means an employee engaged in the setting of type including the operation of typesetting and typelasting into position for printing and the making of rubber stamps;

"confectioner assistant" means an employee who assists a confectioner;

"cook" means an employee who is engaged in cooking and issuing food to other employees;

"copy-typist" means an employee who is engaged in typing and is capable of typing a minimum of 25 words per minute, filing, checking and recording incoming mail;

"counter inserter" means an employee who dips and inserts the counter stiffener into the pocket at the heel of a machine;

"continuous service" means service in the employment of an employer interrupted only by death, retirement, or discharge of the employee concerned, an employee who is re-engaged within two months of the employee's discharge shall be deemed to be in the continuous service of that employer;

"counter moulder" means an employee who moulds the newly inserted counter stiffener over a mould by means of a machine;

"darkroom attendant" means an employee who makes negatives, including the spotting and obliteration of all marks and pinholes;

"de-boner" means an employee engaged in dessecting carcass;

"d-ring inserter" means an employee who inserts D-Rings into the shoe facing prior to being stitched;

"design draughtsman's assistant" means an employee who assists a draughtsman to design mechanical layouts;

"despatch clerk" means an employee who selects and packs goods according to customers' orders;

"divider operator" means an employee who operates a divider machine and who checks the weight of dough pieces;

"dough mixer" means an employee who operates a dough mixer, including the adding of ingredients into the dough;

"dough panner" means an employee who places dough into pans;

"driver (Heavy Duty Vehicle)" means an employee in possession of a current heavy duty driving licence who is in charge of a vehicle of over one and one half tons tare weight whose duties include handling cargo to and from the tailboard, and the daily maintenance and cleaning of such vehicle;

"driver (Light Duty Vehicle)" means an employee in possession of a current driving license who is in charge of a motor vehicle of less than one and one half tons tare weight whose duties include handling cargo to and from the tailboard, and the daily maintenance and cleaning of such vehicle;

"driver messenger" means an employee who is mainly engaged in carrying messages, who delivers and collects mail by vehicle or motor cycle and performs simple routine tasks in an office;

"driver salesman" means an employee in possession of a current driving license who sells and delivers bread, confectionery or other articles by motor vehicle and who is responsible for accepting written orders for goods and the collection and safe custody of cash for C.O.D. Sales, and also canvass for orders;

"driver salesman assistant" means an employee who marks components to assist closing department by means of a marking machine;

"electrical maintenance assistant" means an employee who assists an electrician in improving and repairing electrical installation;

"engraver" means an employee who engraves, smoothens, polishes the finished glassware, and carries out duties related thereto;

"engraver assistant" means an employee who engraves, smoothens, polishes the finished glassware and carries out duties given by the engraver;

"entrepreneur assistant grade I" means an employee who is capable of performing the work of an entrepreneur without the assistance of such an entrepreneur;

"entrepreneur assistant grade II" means an employee who assists a person who is capable of carrying out the work of the entrepreneur's workshop;

"final aligner and tester" means an employee mainly engaged in the final alignment and testing of finished products, using electronic test equipment;

"final inspector/final tester" means an employee mainly engaged in the final inspection or testing of finished products, if necessary, using electronic equipment;

"finisher" means an employee who smoothens, trims carpets and makes knots on the fringes to make such carpets adaptable for sale;



"fitter" means an employee who repairs and maintain machinery;

"foam attacher" means an employee who attaches foam to the topline of the quarters for collar padding;

"foam strip cutter" means an employee who cuts foam into strips by means of a machine;

"folder" means an employee who folds the garment after pressing;

"flour sifter" means an employee who sifts flour;

"foreman baker" means an employee engaged in a supervisory capacity who is capable of carrying out all processes relating to the manufacture of bread;

"foreman confectioner" means an employee engaged in a supervisory capacity who is capable of carrying out all processes relating to the manufacture of confectionery;

"forklift operator" means an employee mainly engaged in operating a forklift;

"general labourer" means an employee engaged in unskilled work;

"grinder" means an employee who grinds, smoothens, and polishes a finished glassware product;

"handyman" means an employee who does not hold a trade test certificate, who carries out simple repairs and supervises and allocates work to subordinate staff under his control;

"hand trimmer" means an employee who trims by means of a pair of scissors, all excess threads, bindings and tapes after all closing operations have been done;

"heel seat laster" means an employee who lasts the heelpart of a shoe by means of a machine;

"hole perforator" means an employee who punches holes by means of a press;

"hoist operator" means an employee who operates a dough hoist;

"insole attacher" means an employee who attaches the insole to the last by means of a tacking machine;

"insole moulder/stamper" means an employee who moulds or stamps insoles by means of a machine;

"inspector" means an employee with not less than six months experience as an assembler who inspects the work on a production line;

"invoice clerk" means an employee who prepares and issues invoices to customers for goods supplied;

"jumper" means an employee who has knowledge of several jobs and who is able to relieve any other worker on a production line;

"kardex clerk/storeman" means an employee who operates a kardex system of stock control;

"kiln operator" means an employee who is capable of operating and maintaining a kiln;

"laboratory assistant" means an employee who generally carries out unskilled work in a laboratory or who assists a laboratory technician;

"laboratory technician" means an employee qualified to carry out all duties allocated to him in a laboratory;

"lacer" means an employee who inserts and ties laces for footwear;

"last preparer" means an employee who prepares and loads lasts onto the conveyor according to the uppers loaded;

"last transporter" means an employee who returns last to last-bins after delasting;

"layer" means an employee who lays the material for cutting for a garment manufacture;

"learner finisher" means an employee who is learning on the job to become a finisher and who has not completed six months in the case of the weaving industry or three months for other industries;

"learner craftsperson" means an employee who is learning on the job to become a potter, screenprinter, silversmith or any craftwork for a period of not less than three months or more than six months;

"learner machine operator" means an employee with three months or less continuous service of operating a machine for other industries or not more than six months in the weaving industry;

"learner spinner" means an employee who is learning on the job to become a weaver and who has not completed six months in the case of the weaving industry or three months for other industries;

"leather baler" means an employee who bales leather for storage purposes;

"leather sorter" means an employee who sorts leather by means of the point system;

"line feeder" means an employee mainly engaged in feeding the assembly line with components;

"loader/packer" means an employee who packs bread or confectionery into or off a vehicle or who packs finished products into cartons, concluding the transfer of good material from large to smaller containers;

"lubricator" means an employee who has the responsibility of lubricating and greasing machines;

"machinist" means an employee who operates an electrical sewing machine to manufacture clothing/garment;

"machine attendant" means an employee, other than a learner machine operator, who attends and operates a guillotine machine, bending machine, spot welding machine or any other machine requiring similar skills;

"machine operator" means an employee, other than a learner machine operator, engaged in operating a machine;

"master screenprinter" means an employee who is capable of cutting screen, mixing pigments and has thorough knowledge of screenprinting techniques;

"master potter" means an employee who is skilled in making pots to any specification, who has a general knowledge of glazing and firing techniques;

"master silversmith" means an employee who is capable of working on silver to any specification;

"mechanical assistant" means an employee mainly engaged in the mechanical assembly of television and radio accessories and placement of products in the appropriate area of assemble or despatch;

"melter" means an employee who melts glasses in a glass factory;

"messenger" means an employee engaged in carrying messages, collecting and delivering mail or carrying out simple tasks in an office;

"mono caster attendant" means an employee who attends a monotype caster under the supervision of a key board operator;

"office clerk" means an employee who does general clerical duties;

"painter" means an employee who cleans and paints equipment, machines and buildings;

"packer" means an employee who packs garments which are finished into cartons;

"personnel clerk" means an employee who controls and updates personnel records;

"Pc board trimmer" means an employee mainly engaged in trimming excess components lead on soldered board;

"picture tube assembler" means an employee mainly engaged in preparing pictures tubes for the assembly line;

"plant assistant" means an employee who assists a plant attendant;

"plant attendant" means an employee mainly in operating a galvanizing plant and if necessary, taking of the plant;

"potter" means an employee who makes pots by hand or on pot wheels

"presser attendant" means an employee who operates a pressing machine to iron materials or clothing;

"proof controller" means an employee mainly engaged in checking the quality and making reports on finished products;

"quality section controller" means an employee who checks and controls the quality of goods leaving their section;

"rebate clerk" means an employee who controls the stocks and documentation for a rebate store;

"receiver-second stock" means an employee who checks, receives and controls the stock of factory seconds;

"repairs assistant" means an employee with a basic knowledge of electronics mainly engaged in making simple repairs on PC board;

"recutter" means an employee who arranges re-cuts and repairs poor quality work;

"riveter/buckler" means an employee who attaches rivets or bucklers;

"rougher-uppers" means an employee who reduces the bumps on the lasting margin by means of roughing machine;

"rougher-sole margin" means an employee who roughs the sole margin on rubber soles;

"runner" means an employee who performs unskilled duties such as conveying from one point to the other, materials used in garment manufacture;

"saw sharpener" means an employee who sharpens saws and carries out simple maintenance work on them;

"saleman" means an employee engaged in promoting the sales of an employer's products;

"stacker" means an employee who packs erected boxes into cartons and stacks, ready for transportation to the factory;

"seasonal labourer" means an employee engaged for the duration of a season to carry out unskilled work, canning fruit or vegetables;

"security guard or watchman" means an employee mainly engaged in the protection and security of his employer's premises;

"senior watchman" means an employee who is in charge of other watchmen;

"sewing machinist I" means an employee who has more than six months experience and turns stitches collars, stitches toecaps, facing, o/s counters, d-rings and attaches bindings;

"sewing machinist II" means an employee who has more than six months experience and stitches backseams, side flashes, collar toughies, velcro, brand tags and zig-zags pieces together;

"screenprinter" means an employee who screenprints by hand pulling a squeegee;

"semi-skilled kiln hand" means an employee who has limited knowledge in operating kiln and packs it according to specification;

"silver-smith" means an employee who is capable of working on silver by hand;

"seasonal labourer" means an employee engaged for the duration of a season to carry out unskilled work, canning fruit and vegetables;

"side-laster" means an employee who lasts the waist section of a shoe by means of a shoe;

"size painter" means an employee who colour-codes components according to size by means of a brush;

"skiver-upper/toepuffs" means an employee who skives or reduces the thickness of the edge of components by means of a skiving machine;

"slaughterman" means an employee engaged in stunning, bleeding, skinning eviscerating and splitting livestock;

"spinner" means an employee who carries out spinning operation of wool or other materials according to specification;

"soaking attendant" means an employee who operates solder bath, prepares fluxes, and checks solder levels;

"soaker" means an employee who applies adhesives and inserts socks into finished footwear;

"sole chlorinator" means an employee who chlorinates or halogenates a sole prior to cement application;

"sole presser" means an employee who, by means of a press, ensures that there is good bond between sole and upper;

"sole spotter" means an employee who places the precededented upper and sole accurately together prior to pressing;

"sorter R" means an employee who sorts goods into racks by item and size ready for despatch;

"sorter" means an employee who puts together according to sizes the material, which is to be sewn;

"shoe boxer" means an employee who packs finished footwear into boxes;

"shoe repairer" means an employee who repairs subquality footwear;

"shop assistant" means an employee who assists a shop supervisor in the stock control, displays and selling of products in a retail shop;

"stonehand" means an employee with the knowledge of composition who places jobs set out by a compositor into steel frames locking them into printing machines ready for printing;

"stamper" means an employee who stamps logos/information onto components by means of stamping machine;

"staple extractor" means an employee who removes staples from the insole of a shoe;

"sticker attacher" means an employee who attaches stickers to indicate size or customer code;

"string lacer" means an employee who strings uppers for toelasting;

"strips cutter" means an employee who cuts material into strips by means of a machine;

"supervisor" means an employee who supervises other employees under his control;

"switchboard operator" means an employee whose duties consists wholly or mainly in the operation of a telephone switchboard;

"tablehand" means an employee who prepares material and places them on the table for cutting or weaving according to specification;

"tester" means an employee who tests the function of assembled PC Boards using electronic equipment;

"textile" preparer" means an employee who folds and prepares materials into a set number of layers ready for cutting;

"trimmer" means an employee who uses the clippers to clear the garment when the sewing part is finished;

"toecap positioner" means an employee who precements toecaps into position prior to toecap stitching;

"toelaster" means an employee who pulls the toe of the shoe over the last by means of a toelasting machine;

"toelaster feeder" means an employee who supplies the toelaster with uppers and on completion replaces them back to the conveyor;

"toepuff positioner" means an employee who positions and presses a toepuff onto the upper by means of a heated press;

"tool setter" means an employee who fits and sets tools on a machine;

"unlaster" means an employee who removes the last from the finished shoe;

"upper brusher" means an employee who brushes finished footwear so as to clean and improve the look of the shoe;

"upper cleaner" means an employee who cleans finished footwear by means of various cleaning material;

"upper primer" means an employee who primes the nylon upper at the lasting margin to ensure cement adhesion;

"upeight clerk per splitter" means an employee who splits uppers by means of a splitting machines;

"upper spotter" means an employee who places the correct upper onto the last prior to toelasting;

"upper/bottom preparer" means an employee who loads the sown and corresponding bottom components onto the making conveyor;

"utility" means an employee who has the knowledge of jobs and who is able to relieve other workers on a production line;

"weaver" means an employee who carries out duties either by operating hand loom or other equipment to manufacture the required goods;

"wage clerk" means an employee who prepares and controls wage payments according to the time worked;

"washer" means an employee who washes and dries material or wool and if necessary mothproofs the wool;

"weight clerk" means an employee who weighs cartons of finished goods prior to despatch;

"workshop assistant" means an employee who assists the fitter and handyman in general maintenance.

*Basic Minimum Wage.*

4. The Basic Minimum wage inclusive of rations or cash in lieu thereof to be paid to employees specified in the First Schedule shall be calculated at a rate not less than that specified therein provided that -

- (a) an employee who, at the date of commencement of this Order, is in receipt of a higher wage than that prescribed by this Order, shall not suffer any reduction in such wage by reason of this Order;
- (b) where no definition of an employee's duties exists, such employee shall be paid a basic minimum wage not less than that applicable to a general labourer; and
- (c) nothing in this regulation shall prevent an employer, if he so wishes from -
  - (i) supplying cooked or uncooked food to an employee in addition to his basic wage; and
  - (ii) providing free transport or free accommodation to an employee.

*Statement of conditions of employment.*

5. (1) The employer shall provide an employee with a written statement at the commencement of his employment, stating whether the employee is employed permanently or seasonally, the conditions of the employee's employment, the starting wage, including the learning period.

(2) The learning period referred to in sub-regulation (1) shall be -

- (a) six months in the case of the weaving industry; and
- (b) three months in the case of other occupations.

*Hours of work.*

6. (1) The normal working week for employees other than security guards and casual labourers shall consist of not more than forty-eight hours of work.

(2) The normal working week for security guards shall consist of not more than six shifts of twelve hours each.

(3) The normal hours of work for a casual labourer shall consist of eight hours per day.

*Overtime.*

7. (1) An employee who is engaged otherwise than on shift work or as a security guard and is required to work in excess of the normal hours specified in regulation 6 shall be paid as follows:-

- (a) for time worked in excess of the normal hours on a weekday, payment shall be at one and a half times his basic hourly wage; and
- (b) for time worked on a Sunday or a public holiday specified in regulation 8, payment shall be at twice his hours rate.

(2) An employee employed on shift work, or as a security guard who is required to work on his rest day or on a public holiday specified in regulation 8, may be paid for such overtime or alternatively, be given an equivalent amount of time off in lieu of overtime payment.

(3) The basic hourly wage of an employee on a weekly wage shall be calculated by dividing such wages by the number of hours the employee normally works in a week.

(4) The basic hourly wage of a casual labourer shall be calculated by dividing his daily wage by eight.

*Public Holiday.*

8. (1) The following shall be public holidays with full pay -

Incwala;  
Good Friday;  
Easter Monday;  
Christmas Day;  
Boxing Day;  
Reed Dance Day;  
Somhlolo Day;  
Kings birthday;  
New Year's Day and  
May Day

(2) Where a public holiday falls on a Sunday, the following day shall be deemed to be a public holiday.

(3) An employee who is absent without leave on the working day before or the working day after a public holiday, shall not be entitled to any payment in respect of that public holiday in terms of this regulation.

*Annual Leave.*

9. (1) An employee shall have fourteen calendar days' leave with full pay after each period of twelve months continuous service with an employer.

Provided that in the case of a security guard annual leave shall be twenty-one calendar days with full pay after each period of twelve months continuous service with an employer.

(2) Where the employment of an employee is terminated after a period exceeding three months but amounting to one year from the date of its commencement the employer shall pay to the employee a sum not less than one day's for each completed month of such period.

*Sick Leave.*

10. (1) After three consecutive months of continuous service with an employer and subject to the production of a medical certificate signed by a Medical Practitioner, registered under the Medical and Dental Practitioners Act, 1970, an employee shall be entitled to sick leave up to a maximum of fourteen days on full wages and thereafter to a maximum of fourteen days on half wages on in each period of twelve months continuous service.

(2) Notwithstanding Sub-Regulation (1) -

- (i) An employee shall not be entitled to the sick leave specified in sub-regulation (1) if the sickness or accident causing his absence was caused by his own negligence or misconduct and
- (ii) a certificate issued by a registered nurse shall be accepted in place of a medical certificate if a Medical Practitioner is not available.



*Compassionate leave.*

11. (i) An employee who has completed the probation period shall be entitled to compassionate leave as follows:

Widow	30 working days
Widower	7 working days
Child	7 working days
Natural parents	7 working days

- (ii) Entitlement to compassionate leave or other relatives in addition to the above shall be at the discretion of the employer.
- (iii) Nothing in this Order shall be construed as requiring any employer to pay an employee for any time spent on compassionate leave.

*Maternity Leave.*

12. An employee who has completed the probation period shall be entitled to 30 days maternity leave with full pay.

*Written particulars to be provided.*

13. An employer shall on engagement of an employee, give such employee a completed copy of the form at the Second Schedule of this Order.

*Continuous service.*

14. Where, following upon a change of ownership of an establishment or undertaking an employee enters the service of a new owner without interruption, his service shall be deemed to be continuous service in the employment of the new owner.

*Short time.*

15. (1) If an employer finds it necessary for reasons beyond the employer's control to employ an employee on short time, the employer may do so subject to the Labour Commissioner consenting in writing to such an arrangement, and on the understanding that the employer intends resuming full time work within three weeks.

(2) Where an employee has been placed on short time under sub-regulation (1) the employee shall be paid not less than fifty percent of the employee's weekly wages where the employee is employed for periods which, in aggregate, are equivalent to or less than fifty percent of the employee's normal weekly hours of work.

(3) No reduction shall be made in an employee's earnings where the employee has been placed on short time, and works in aggregate more than fifty percent of his normal weekly hours of work during any week he has been placed on short time.

*Piece work.*

16. An employee engaged on piece work shall be entitled to wages and conditions of employment not less than those specified in this Order.

*Reimbursement of expenses.*

17. A salesman, driver or salesman's assistant shall be reimbursed all expenses reasonably incurred on lodging and meals for periods of absence from his place of residence on duty.

*Lay-off.*

18. (1) Due to circumstances beyond the employee's control an employer may lay off employees for up to fourteen working days, without pay provided that at the end of this period the employer shall either re-employ the employees in their original jobs, or give them notice of termination of service in accordance with the provisions of the Employment Act, 1980.

(2) During the period of any lay-off, the employer shall not engage other employees to replace the employees he has laid off.

(3) The employer shall give -

(a) a permanent employee fourteen days' notice before the lay-off.

(b) a seasonal employee twenty-four hours notice before the lay-off.

(4) An employer may apply for a temporary exemption for a specified period according to the circumstances of the enterprise, from the application of regulation 18 (3) (a), after consultation with the employees organisation, for a reduction of the period of notice to be given to employees, before lay-off.

*Trade testing.*

19. (1) An employer shall grant unpaid leave to an employee who requests to undergo a trade test at the Swaziland College of Technology or any similar institution to enable him to take tests.

(2) An employee undergoing a trade test shall furnish the employer with the results of his examination.

*Revocation of Legal Notice No. 65 of 1997.*

The Regulation of wages (Manufacturing and Processing Industry) Order, 1997 is hereby revoked.

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FIRST SCHEDULE

(Paragraph 4)

BASIC MINIMUM WAGE  
(Emalangen per week)

Learner Craftsperson  
Learner Finisher  
Learner Machine Operator  
Learner Spinner  
Learner Weaver  
Casual Labourer  
Seasonal Labourer  
Carder

100.80

Checker	
Cleaner	100.80
Cook	

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Engraver's Assistant	
Entrepreneur's Assistant	
Finisher	
Grinder	
Loader	128.97
Potter	
Runner	
Trimmer	
Bagger	
Learner Machine Operator	

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Screenprinter	
Semi skilled kiln hand	
Silversmith	
Spinner	
Tablehand	
Presser (garment)	
Washer	
Weaver	
Layer	136.14
Presser	
Folder	
Packer	
Box folder	
Canteen Assistant	
Carton Sealer	
Painter	

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Upper Printer	
Backseam Reducer	
D-ring inserter	
Foam attacher	
Hand trimmer	
Lacer	
Stacker	
Receiver-Second Stock	
Sorter	141.88
Textile preparer	
Toecap positioner	
Toelaster Feeder	
Upper Brusher	
Workshop assistant	

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Assemble socks	
Box Preparer	
Cementer	
Edward Marker	
Foam Strip Cutter	
Hole perforator	
Lubricator/Riveter/Buckler	149.03
Sewing Machinist II	

Shoe Boxer	
Sole Chlorinator	
Stamper	
Staple extractor	
String lacer	149.03
String Cutter	
Toepuff Positioner	
Unlaster	
Upper Cleaner	

Assembler-Botton Components	
Box labeller	
Canteen assistant/Cashier	
Insole Moulder/stamper	
Last Preparer	151.87
Last Transporter	
Rougher-sole Margin	
Shoe Repairer	
Sticker attacher	
Upper splitter	
Weighs Clerk	

Coil Winder	
Component Assembler	
Copy Typist	
Dough Panner	
Driver Salesman's Assistant	
Entrepreneur's Assistant Grade I	
Flour sifter	154.78
General Labourer	
Hoist Operator	
Learner machine operator (other than knitting and weaving)	
Loader/Packer	
Messenger	
PC Board Trimmer	
Plant Assistant	
Security Guard/Stonehand	
Machinist	

Assembler (soldering)	
Biner Assistant	
Compositor	
De-Boner	
Dark Room Attendant	
Mechanical Assembler	
Proof Reader	
AJS Operator	
Assembler Upper-Components	
Counter inserter	
Counter Moulder	160.48
Leather Baler	
Loader F.O.F.	
Recutter	
Sewing Machinist I	
Shop Assistant	

Skiver-Upper/toepuffs Soaker	160.48
Slaughterman Driver/Messenger Laboratory Assistant Presser Attendant Electrical Maintenance Assistant Office Clerk Rougher Uppers Senior Watchman Sole Presser	167.83
Cabinet Fitter Chassis Fitter Clerk/Store Assistant Driver (L.D.V.) Forklift Operator Picture Tube Assembler Soakline attendant Switchboard Operator Utility	177.68
Baker's Assistant Blower Confectioner's Assistant Dough Mixer Engraver Divider Operator	180.57
Click-High Frequency Clicker-Insolers/toepuffs/Counters Clicker-Linings/Trims/Socks/Velcro Despatch Clerk Heelseat Laster Invoice Clerk Leather sorter Quality Controller Sole Spotter	183.44
Kiln Operator Melter Saw Sharpener Design Draftsman's Assistant Inspector Machine Operator Machine Attendant Solder Bath Attendant Tester	186.30
Boiler Driver (H.D.V.) Kardex Clerk/Storeman Aligner Final Inspector/Tester	190.60

Clicker-textile Rebater Controller Repairer's Assistant	193.49
Liner Feeder Quality Controller Repairer's Assistant	199.19
Baker Confectioner Handy-Man Chef Clicker-Suede Split	209.21
Chargehand Final Aligner and Tester Jumper Plant attendant Tool Setter Fitter Personal Secretary Sewing Mechanic Toelaster	216.40
Clerk/Storeman Assistant (with Junior certificate) Driver Artisan Grade III Cattle buyer Master Screenprinter Master Potter Master Silversmith Salesman	229.29
Assistant foreman Confectioner Assistant Foreman Baker Clerk/Storeman (with Senior Certificate)	296.62
Artisan Grade II Foreman Baker	408.40
Foreman Confectioner	437.08
Artisan Grade I	599.08
Laboratory Technician	633.38
Supervisor	25% above the wage to the highest paid employee under his direct supervision

## SECOND SCHEDULE

## WRITTEN PARTICULARS OF EMPLOYMENT FORM

1. Name of Employer .....
2. Name of Employee .....
3. Date Employment began .....
4. Wage and method of calculation .....
5. Interval at which wages are paid .....
6. Normal hours of work .....
7. Short description of employee's work .....
8. Probation Period .....
9. Annual holiday Entitlement .....
10. Paid Public Holiday .....
11. Payment during sickness .....
12. Maternity Leave .....
13. Notice employee entitled to receive .....
14. Notice employee required to give .....
15. Pension Scheme (if any, other than N.P.F. Scheme) .....
16. Any other matter either party wishes to include .....

Notes (a) An Industry Union is required by this undertaking any employee is free to join it.

The address of the Industry Union is:

- (b) The grievance procedure in this undertaking requires that a grievance should be first referred to .....

(c) When any heading is inapplicable enter nil.

Signed: ..... Employer  
..... Employee  
..... Witness  
..... Date

C.J.M. KUNENE  
*Principal Secretary*  
*Ministry of Enterprise and Employment*



LEGAL NOTICE NO. 85 OF 1998

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THE CENTRAL BANK OF SWAZILAND ORDER, 1974

(Order No. 6 of 1974)

RATES FOR DISCOUNTS, REDISCOUNTS AND ADVANCES NOTICE

(Under section 38)

In exercise of the powers conferred by Section 38 of the Central Bank of Swaziland Order, 1974, and in accordance with that section the Central Bank of Swaziland has determined that its rates for discounts rediscounts and advances shall be 16.75% with effect from 16th June, 1998 until further notice.

S.G. MDLULI

*Deputy Governor*

*Central Bank of Swaziland*

MBABANE

..... June, 1998