



SWAZILAND GOVERNMENT GAZETTE

VOL. XXXVIII]

MBABANE, Friday, June 2nd., 2000

[No. 568

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GENERAL NOTICE NO. 45 OF 2000

THE HUMAN SETTLEMENTS AUTHORITY ACT, 1988
(Act No. 2 of 1988)

DECLARATION OF AN APPROVED HUMAN SETTLEMENT
(Under Section 11)

It is notified for general information, that in terms of the Human Settlements Act, 1988, Medifarm Township has been approved and declared as a human settlement by the Human Settlements Authority.

Medifarm Township as per General Plan SG No. S 154/97 is situated on Portion 240 (A Portion of Portion 51) of Farm 50, Hhohho District as per diagram No. S 153/97.

M. C. DLAMINI
Principal Secretary
Ministry of Housing and Urban Development

Mbabane

.....April 2000

NOTICE

Notice is hereby given that I, Enock Dinga Mdluli of Shiselweni Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Radebe after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland Newspaper, being the only newspaper 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 Radebe is my natural surname.

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

P. O. Box 447
Bhunya
Manzini

B680 4x16-06-2000

NOTICE

NOTICE is hereby given that we intend applying for a Certified copy of Notarial Deed of Cession No. 1/1986 dated the 15th January 1986 made in favour of **THE EVANGELICAL CHURCH** in respect of:-

1. **CERTAIN** : **Portion 1 of Portion "A" of Land Concession No. 1P named Langgewacht No. 103 A situate in the Shiselweni District;**
- MEASURING** : 137,0465 (One Three Seven Comma Zero Four Six Five) Hectares;
2. **CERTAIN** : **Remaining Extent of Portion "B" of Land Concession No. 1P named Langgewacht No. 103 A situate in the Shiselweni District;**
- MEASURING** : as such 225,3821 (Two Two Five Comma Three Eight Two One) Hectares;

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

C. J. LITTLER & CO.,
Applicant's Attorneys
Ground Floor Embassy House
Johnstone Street
Mbabane

B686 2x02-06-2000

NOTICE

ESTATE LATE: BEN NKOSANA TSABEDZE ESTATE NO. EH29/2000

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

SIPHO P. TSABEDZE
P. O. Box 5114
Mbabane

B704 02-06-2000

NOTICE

Notice is hereby given that we intend applying for a Certified copy of Certificate of Registered Title 199/1984 dated 4th September 1984 made in favour of **LANCELOT ACHUAL MHAMBUMA GAMA** in respect of:

- CERTAIN** : Portion 465 (a portion of portion 459) of Farm No. 2, situate in the Urban Area of Mbabane, District of Hhohho, Swaziland
- MEASURING** : 1657 (one thousand six hundred and fifty seven) square metre.

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

HOWE & COMPANY
Applicant's Attorneys
1st Floor, Crusade Building
Mbabane

B690 2x2-06-2000

NOTICE

Notice is hereby given that we intend applying for a Certified copy of Certificate of Registered Title 200/1984 dated 4th September 1984 made in favour of **LANCELOT ACHUAL MHAMBUMA GAMA** in respect of:

- CERTAIN** : Portion 475 (a portion of portion 459) of Farm No. 2, situate in the Urban Area of Mbabane, District of Hhohho, Swaziland
- MEASURING** : 1610 (one thousand six hundred and ten) square metre.

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

HOWE & COMPANY
Applicant's Attorneys
1st Floor, Crusade Building
Mbabane

B691 2x2-06-2000

NOTICE

ESTATE LATE: MUSA ANTONY MASEKO ESTATE NO. EH46/2000

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

RAYNALD K. MASEKO
P. O. Box 205
Mbabane
Swaziland

B707 02-06-2000

NOTICE

Notice is hereby given that we intend applying for a Certified copy of: Crown Gant No. 9/1954 dated the 5th March 1954 and registered on the 24th March 1954 in favour of SCOP DU PONT also known as WILLIAM SCALE DU PONT in respect of:

CERTAIN : Erf No. 14 situate in the Manzini Town, District of Manzini, Swaziland;

MEASURING : 1983 (One Nine Eight Three) square metre;

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 23RD DAY OF MAY 2000

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

B700 2x9-06-2000

NOTICE

APPLICATION FOR A LOST CROWN GRANT

Notice is hereby given and we intend to apply for a certified copy of Crown Gant No. 129/1971 held by Samson Thethe Dlamini (Born on the 5th December, 1932) in respect of:-

CERTAIN : Lot No. 77, situate in Somhlolo Avenue, Sidwashini South Town, Mbabane urban area, District of Hhohho, Swaziland.

MEASURING : 396 (Three Nine Six) Square metre.

Any person having objection to the of issue such copy is hereby required to lodge it in writing with the Registrar of Deeds within three (3) weeks from the date of the last publication of this notice.

DATED AT MBABANE THIS THE 23RD DAY OF MAY, 2000

P. R. DUNSEITH
1st Floor Lansdowne House
Post Street
P. O. Box 423
Mbabane

B702 2x9-06-2000

NOTICE

ESTATE LATE: MBHUTI CHARLES SHAZI ESTATE NO. EH24/2000

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

THANDIWE SHAZI
P. O. Box 818
Matsapha

B719 02-06-2000

NOTICE

Notice is hereby given that we intend applying for a certified copy of Deed of Transfer No. 306/1982 dated the 14th day of December, 1982 in respect of certain Lot No. 139, situate in the Siteki Township, District of LUBOMBO, Swaziland; measuring 506 square metres made in favour of ELPHUS GOEDGEGUN TSABEDZE (Born in March, 1947).

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

DATED AT MANZINI ON THIS 23RD DAY OF MAY, 2000.

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

B703 2x09-06-2000

NOTICE

Notice is hereby given that we intend applying for a Certified copy of Deed of Transfer No. 95/1964 dated the 2nd July 1964 made in favour of J.L.C. VERMAAK AND 8 OTHERS in respect of:-

CERTAIN : One Quarter (1/4) share of and in certain Farm No. 455, District of Hlatikulu (formerly Southern District) Swaziland situate on Crown Land Area No. 166;

MEASURING : 428,4330 (Four Two Eight Comma Four Three Three Zero) Hectares;

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

C. J. LITTLER & CO.,
Applicant's Attorneys
Ground Floor Embassy House
Johnstone Street
Mbabane

B709 2x09-06-2000

NOTICE

ESTATE LATE: MAJAHODVWA ELIAS NHLABATSI ESTATE NO. EM147/98

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, 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 duplicate with the Master of the High Court as well as with the undersigned at any time before expiry of the said period.

DATED AT MANZINI ON THIS THE 27TH DAY OF APRIL 2000.

MAPHALALA AND COMPANY
Executive Dative
Emcozini Building
Ngwane Street
Mbabane

B699 02-06-2000

NOTICE

Notice is hereby given that we intend applying for a certified copy of: Deed of Transfer No. 380/1986 dated the 15th September 1986 in favour of **HUMPHREY HORSEMAN HENWOOD** (born on the 10th November 1929), **KENNETH CLARENCE HENWOOD** (born on the 22nd February 1933), **ETHNE ETHEL YOUNG** (born Henwood on the 28th December 1937) married out of community of property to Chester Willie Young, **ATHALIA LAURA DIAS** (born Henwood on the 30th March 1940) married out of community of property to Jorge Goncalves Fernandes Dias and **REJOICE RENA STRYDOM** (born Henwood on the 1st February 1945) married out of community of property to Raymond Julius Strydom in respect of:

CERTAIN : Erf No. 21 situate in Third Avenue and Second Street in the Township of Nhlangano, District of Shiselweni, Swaziland;

MEASURING : 2855 (Two Eight Five Five) square metres;

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

DATED AT MBABANE THIS 24TH DAY OF MAY 2000.

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

B710 2x09-06-2000

NOTICE

Notice is hereby given that we intend to apply for a certified copy of Deed of Transfer No. 1/1957 dated 11th January 1957 passed in favour of Senna Teyise in respect of :-

1. **CERTAIN** : Farm No. 686 situate in the Shiselweni District.

MEASURING : 315,8819 hectares

2. **CERTAIN** : Portion 1 of Farm No. 593 situate in the Shiselweni District

MEASURING : 128.8924 hectares

3. **CERTAIN** : Portion 4 of Farm 329 situate in the Shiselweni District

MEASURING : 138.5488 hectares.

All persons having objection to the issue of such copy are hereby required to lodge in writing with the Registrar of Deeds for Swaziland at Mbabane within 3 weeks from the date of last publication of this notice.

DATED AT MBABANE THIS 22ND DAY OF MAY 2000.

P M SHILUBANE & ASSOCIATES
Applicant's Attorneys
Third Floor
Lilunga House
Gilfillan Street
P. O. Box 2788
Mbabane

B714 2x09-06-2000

NOTICE

Notice is hereby given that we intend applying for a certified copy of Deed of Transfer No. 222/1966 dated the 4th day of October, 1966 made in favour of **UNITRANS (SWAZILAND) LIMITED** in respect of:-

CERTAIN : Erf No. 193, situate on Generaal Street, in the Town of MANZINI (formerly Bremersdorp), SWAZILAND;

MEASURING : 200 (Two Hundred) square roods;

Any person having objection to issue to such copy is hereby requested to lodge in writing with the Registrar of Deeds within three weeks from the date of the last publication of this Notice.

MILLIN & CURRIE
Incorporating
R D FRIEDLANDER & CO.
1st Floor Development House
Swazi Plaza
Mbabane

B716 2x09-06-2000

NOTICE

Notice is hereby given that we intend applying for a certified copy of Crown Grant No. 53/1964 dated the 26th day of August, 1964 and registered on the 8th day of September, 1964 made in favour of **UNITRANS (SWAZILAND) LIMITED** in respect of:-

CERTAIN : Erf No. 312 situate in Manzini Township Extension No. 2, District of Manzini, Swaziland;

MEASURING : 191 (One Nine One) square roods and 122 (One Two Two) square feet;

Any person having objection to issue to such copy is hereby requested to lodge in writing with the Registrar of Deeds within three weeks from the date of the last publication of this Notice.

MILLIN & CURRIE
Incorporating
R D FRIEDLANDER & CO.
1st Floor Development House
Swazi Plaza
Mbabane

B717 2x09-06-2000

NOTICE

ESTATE LATE: SIBONGILE JULIET VILAKATI ESTATE NO. EM30/2000

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

MRS PHEPISILE SUSAN SIBANDZE
P. O. Box 39
Mbabane

B720 02-06-2000

NOTICE

IN THE ESTATE OF THE LATE A.C MADSEN

All creditors and persons interested ab intestato or otherwise in the abovementioned estate are hereby called upon within twenty one days from the date hereof, to lodge in writing with the Master of the High Court of Swaziland at Mbabane, Swaziland, the particulars of their claims against the said Estate and their objections, if any, to the signing and sealing by him of the Letters of Administration granted by the Master of the Supreme Court of South Africa, Pretoria on the 15th October 1996 to Kathryn Adie in her capacity as nominee of the Standard Bank of South Africa.

As Executrix of the said Estate.

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

B701 02-06-2000

NOTICE

ESTATE LATE: MAKHOSAZANA V. NDZINISA ESTATE NO. ES102/92

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication 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.

MSHIYENI NDZINISA
P. O. Box 56
Hlathikhulu

B705 02-06-2000

NOTICE

ESTATE LATE: DAVID VILANE ESTATE NO. ES172/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication 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.

DUMSILE VILANE
P. O. Box 48
Nhlangano

B706 02-06-2000

NOTICE

ESTATE LATE: EDWARD MAHAWUKELA DLAMINI ESTATE NO. EM428/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication 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.

SALLINAH M. DLAMINI
P. O. Box 1050
Manzini

B708 02-06-2000

**NOTICE IN TERMS OF REGULATION 3(1) OF THE CEMETERY REGULATIONS 1971
FOR THE ESTABLISHMENT OF A NEW CEMETERY AT SIDWASHINI**

CITY COUNCIL OF MBABANE

Notice is hereby given that in terms of Regulation 3 (1) and (2) of the Cemetery Regulations of 1971 read with Section 10 of the Conveyance and Burial of Dead Bodies Act of 1970 the Council with the consent of the Minister of Housing and Urban Development has established a cemetery on a 4.42 hectare of Portion of Portion 40 of Farm 75, Mbabane Urban Area, Hhohho District.

F. N. MATSEBULA
Acting Chief Executive Officer

B711 02-06-2000

NOTICE

ESTATE LATE: SOLOMON MZITSHWA MKHONTA ESTATE NO. E137/95

Notice is hereby given that the first and final Liquidation and Distribution Account will lie open for inspection at the office of the Master of the High Court of Swaziland at Mbabane for a period of twenty-one (21) days from the date of appearance of this Notice.

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

ZWANE KUBHEKA AND ASSOCIATES
Executrix Dative's Attorneys
Lusweti Chambers
126 Esser Street
P. O. Box 1301
Manzini

B713 02-06-2000

NOTICE

ESTATE LATE: AMOS VELAPHI DLAMINI ESTATE NO. EM20/96

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 of the office 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 duplicate with the Master of the High Court as well as with the undersigned of any time before expiry of the said period.

DATED AT MANZINI ON THIS THE 22ND DAY OF MAY 2000.

MAPHALALA AND COMPANY
Executive Dative Attorneys
Emcozini Building
Manzini

B715 02-06-2000

NOTICE

ESTATE LATE: PETROS NHLANHLA SHONGWE ESTATE NO. ES227/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication 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.

JOHN S. SHONGWE
Nkwene High School
P. O. Box 153
Hlatikulu

B718 02-06-2000

NOTICE

ESTATE LATE: ROBERT KHANYI DLUDLU ESTATE NO. ES265/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication 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.

BELLINAH DLUDLU
P. O. Box 12
Khubutha

B728 02-06-2000

NOTICE

ESTATE LATE: JOHN MATSAFENI SUKATI ESTATE NO. EM116/99

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.

ZWANE KUBHEKA AND ASSOCIATES
126 Lusweti Chambers
Esser Street
P. O. Box 1301
Manzini

B712 02-06-2000

NOTICE

ESTATE LATE: PETROS MBONGENI MLIPHA ESTATE NO. ES14/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication 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.

SAMUEL MUSA MLIPHA
P. O. Box 6
Matsapha

B735 02-06-2000

NOTICE

ESTATE LATE: ANDRIAS MACALENI SITHOLE ESTATE NO. S20/2000

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

DUMSILE SITHOLE
P. O. Box 650
Sandleni
Hlathi

B721 02-06-2000

NOTICE

ESTATE LATE: MESHACK P. DLAMINI ESTATE NO. EM368/98

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

ELPHAS DLAMINI
P. O. Box Lindimpi
Malkerns

B722 02-06-2000

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO: 1010/93

In the matter between:

FREDERICK JAMES HAWLEY

Plaintiff

and

MR ANTHONY TINYO VILANE

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 Lubombo outside the Magistrates Court Building, Siteki, at 2.30 p.m. on Friday the 7th July 2000.

CERTAIN : Portion 3 (a portion of Portion 2) of Farm No. 28 situate in the Lubombo District;

MEASURING : 429,7565 (Four Two Nine Comma Seven Five Six Five) Hectares;

HELD : By the Defendant, under Deed of Transfer No. 648/91 dated 5th November 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 26TH DAY OF MAY 2000.

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

B729 02-06-2000

NOTICE

ESTATE LATE: STANLEY NDLOVU ESTATE NO. EH54/2000

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

GCEBILE NDLOVU
P. O. Box 2107
Mbabane

B723 02-06-2000

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO: 2560/97

In the matter between:

BARCLAYS BANK OF SWAZILAND LTD

Plaintiff

and

SANELE NKOSINGPHILE SIMELANE

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 Shiselweni outside the Magistrates Court Building, Nhlanguano, at 11.30 a.m. on Friday the 7th July 2000.

CERTAIN : Lot No. 473 situate in Nhlanguano Township Extension No. 3 in the Shiselweni District, Swaziland;
MEASURING : 1350 (One Three Five Zero) Square Metres;
IMPROVEMENTS : A residential house;
RESERVE PRICE : E48 000.00 (Forty-Eight Thousand Emalangeni)

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

80% finance towards purchase price may be secured from the Plaintiff, Standard Bank. Contact Manzini Branch Manager.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE THIS 29TH DAY OF MAY 2000.

T. S. MAZIYA
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

B730 02-06-2000

NOTICE

ESTATE LATE: PHINEAS DENENE NKAMBULE ESTATE NO. EM351/98

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

BEN J SIMELANE & ASSOCIATES
Attorneys for Executor Dative
P. O. Box 1444
Matsapha

B724 02-06-2000

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 3028/99

In the matter between:

SWAZILAND BUILDING SOCIETY

Plaintiff

and

SIMANGELE NONHLANHLA SHABANGU

Defendant

NOTICE OF SALE

NOTICE is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Hhohho, outside the High Court Building, Hospital Hill, Mbabane, at 11.30 a.m. on **FRIDAY** the **23rd** day of **JUNE 2000**.

CERTAIN : Portion 776 (a portion of portion 97) of Farm No. 2 situate within the District of Hhohho, Swaziland;
MEASURING : 3702 (Three Seven Zero Two) Square Metres;
RESERVE PRICE : **Without Reserve**;
IMPROVEMENTS : Vacant piece of land;

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 in 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 26TH DAY OF MAY 2000.

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

B731 02-06-2000

NOTICE

ESTATE LATE: BOY NELSON MATSEBULA ESTATE NO. ES50/2000

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

SINELISIWE MATSEBULA
P. O. Box 105
Nhlangano

B726 02-06-2000

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 1966/96

In the matter between:

SWAZILAND DEVELOPMENT & SAVINGS BANK

Plaintiff

and

SAMKELO SAMASWAZI INVESTMENTS LTD

Defendant

NOTICE OF SALE

NOTICE is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Shiselweni outside the Magistrates Court Nhlangano, District of Shiselweni at 2.30 p.m. on Friday the 9th June 2000.

- CERTAIN : Fourteen Fifteen (14/15) share of and in the remaining extent of Portion "D" of Farm "Flakhoek" Number 378 situate in the District of Shiselweni, Swaziland;
- MEASURING : 91,8288 (Nine One Comma Eight Two Eight Eight) Hectares
- HELD : By the Defendant under Deed of Transfer No. 89/93 dated the 5th March 1993;
- IMPROVEMENT : Farm with a potential, and damaged housing structure.
- RESERVE PRICE : E130 000.00 (One Hundred and Thirty 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 8TH DAY OF MAY 2000.

T. S. MAZIYA
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

B732 02-06-2000

NOTICE

ESTATE LATE: WASHINGTON M. MMANGO ESTATE NO. ES122/99

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

DAVID MMANGO
Private Bag
Hlatikhulu

B727 02-06-2000

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 571/98

In the matter between:

FIRST NATIONAL BANK OF SWAZILAND LIMITED

Plaintiff

and

GLADYS NOMSA DUBE

Defendant

NOTICE OF SALE

NOTICE is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Hhohho outside the High Court Building, Hospital Hill, Mbabane, District of Hhohho at 11.30 a.m. on **FRIDAY the 30TH day of JUNE, 2000.**

CERTAIN : Lot No. 88 situate in the District of Hhohho, Swaziland;

MEASURING : 372 (Three Seven Two) Square Metres;

RESERVE PRICE : **Without Reserve;**

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 26TH DAY OF MAY 2000.

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

B733 02-06-2000

NOTICE

ESTATE LATE: ELLIOT JABULANI MASUKU ESTATE NO. EM38/2000

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

SELLINAH AND ZANELE MASUKU
P. O. Box 7
Ekuphakameni

B734 02-06-2000

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 1233/97

In the matter between:

FIRST NATIONAL BANK OF SWAZILAND LIMITED

Plaintiff

and

MANDLA EMMANUEL SHONGWE T/A MADUMA TRANSPORT

First Defendant

THEMBA WILSON SHONGWE

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 Hhohho outside the High Court Building, Mbabane, District of Hhohho at 11.30 a.m. on Friday the 7th July 2000.

- CERTAIN** : Portion 933 (a portion of Portion 223) of Farm No. 188, Dalriach, situate in the District of Hhohho, Swaziland;
- MEASURING** : 1,1044 (One Comma One Zero Four Four) Hectares;
- HELD** : By the Second Defendant, Themba Wilson Shongwe, under Certificate of Registered Title No. 41/1994 dated 11th February 1994;
- RESERVE PRICE** : E150,000.00 (One Hundred and Fifty 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 29TH DAY OF MAY 2000.

T. S. MAZIYA
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

B740 02-06-2000

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 2826/99

In the matter between:

SWAZILAND DEVELOPMENT & SAVING BANK

Plaintiff

and

REJOICE NOMVUYO MAVIMBELA

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 Shiselweni outside the Magistrates Court Building, Nhlengano, at 2.30 p.m. on Friday the 7th July 2000.

- CERTAIN : Lot No. 86 situate in the Mathendele Extension No. 1, Township, Shiselweni District, Swaziland;
- MEASURING : 466 (Four Six Six) Square Metres;
- IMPROVEMENTS : Two bedroomed house
- HELD : By the Defendant, under Deed of Transfer No. 304/80 dated 3rd December 1980.
- 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 29TH DAY OF MAY 2000.

T. S. MAZIYA
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

B741 02-06-2000

SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

VOL. XXXVIII]

MBABANE, Friday, June 2nd., 2000

[No. 568

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THE SEEDS AND PLANT VARIETIES BILL, 2000

(Bill NO. 2 of 2000)

(To be presented by the Minister For Agriculture and Cooperatives)

MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to provide for -

- (a) the registration of establishments where seeds for the purpose of sowing may be cleaned and packed or offered for sale;
- (b) the conditions under which seeds may be sold;
- (c) the establishment of seed certification schemes for maintaining the quality of certain seeds;
- (d) the recognition of certain varieties of plants;
- (e) the establishment of an official seed testing station;
- (f) the requirements relating to seeds packing materials, seals and labels;
- (g) the control of the importation and exportation of seeds; and
- (h) matters incidental to the foregoing.

P. M DLAMINI
Attorney - General

A BILL
Entitled

An Act to provide for the control, sale, importation and exportation of seeds and matters incidental thereto.

ENACTED by the King and the Parliament of Swaziland

ARRANGEMENT OF CLAUSES

PART 1: PRELIMINARY

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- 1. Short title and commencement.
- 2. Interpretation.
- 3. Application of Act.
- 4. Appointment of Registrar of Seeds.

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6. Application for registration.
7. Terms of Registration.
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PART 1
PRELIMINARY

Short title and commencement.

1. (1) This Act may be cited as the Seed and Plant varieties Act, 2000 and subject to subsection (2), shall come into operation on such date as the Minister may appoint by notice in the Gazette.
- (2) The Minister may appoint different dates for the coming into operation of different Parts or different provisions of this Act.

Interpretation.

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

“advertisement” means any statement, picture, design or device -

- (a) published in any newspaper or other public print;
- (b) contained in any handbill, circular or any other matter which is distributed to the members of the public; or
- (c) brought to the notice of the public through radio or television or any other manner;

“Board” means the Appeals Board referred to in section 31;

“business” means the business of -

- (a) cleaning, grading, prepacking and distribution of seed carried out in a registered establishment in terms of this Act;
- (b) the retail sale of seed;

“certification scheme” means a scheme established under Part IV of this Act;

“certified seed” means seed produced and controlled under the provisions of a scheme referred to in Part IV;

“cleaning” means the treatment or processing of seed in order to improve the quality thereof;

“Committee” means a committee referred to in section 18;

“container” means any container in which seed is placed or packed;

“denomination” means the generic name of a variety;

"establishment" means any premises where business is carried out and which has been registered in terms of this Act;

"International Certificate" means an International Seed Testing Certificate issued under the auspices of the International Seed Testing Association;

"kind" means all related genera, species and sub-species of a plant which are known by the same common name;

"Minister" means the Minister responsible for Agriculture;

"Official Seed Testing Station" means the seed testing station where seed is tested in respect of any physical or biological property;

"owner or occupier" means, in relation to an establishment, the person who is the owner or lessee of the establishment or who has otherwise the right of management thereof;

"pack" means to pack for sale;

"prescribed seed" means any seed to which this Act applies by virtue of a regulation made under section 33;

"Registrar" means the Registrar of Seeds appointed under section 4;

"regulation" means a regulation made under this Act;

"seed" means that part of a plant which is or is intended to be used for propagation and includes seed, seedling, corn, cutting, bulb, bulbil, layer, marcott, root, runner, scion, set, split, stem, stock, stump, sucker, or tuber so used or intended to be so used;

"unit for certification" means any area of land registered under section 23 of this Act;

"variety list" means the list kept in terms of section 21;

"variety" means an assemblage of cultivated individuals which are distinguished by any character (morphological, physiological, cytological, chemical or others) significant for the purpose of agriculture, horticulture or forestry, and which when reproduced (sexually or asexually) retain their distinguishing characters.

Application of Act.

3. The provisions of this Act shall apply to any seed which the Minister, by virtue of a notice in the Gazette, declares to be a prescribed seed for the purposes of this Act.

Appointment of a Registrar of Seeds.

4. There shall be appointed to the public service a Registrar of Seeds who shall be responsible for the administration of this Act.

PART II
REGISTRATION OF SEED CLEANERS, SELLERS, IMPORTERS AND EXPORTERS

Register of establishments.

5. The Registrar shall keep, or cause to be kept, a Register of establishments registered in terms of this Act in which shall be entered -

- (a) the names, postal address and physical location of the owner or occupier of such establishment;
- (b) the name under which such establishment is registered;
- (c) the kind of business conducted at such establishment;
- (d) such other particulars as may be prescribed.

Application for registration.

6. (1) A person who -

- (a) is the owner or occupier of an establishment under this Act shall within three months of the coming into operation of this Act, apply in writing to the Registrar for the registration of the establishment;
- (b) intends to start an establishment under this Act shall apply in writing to the Registrar for registration of such an establishment

(2) All applications made under subsection (1) shall be made in the prescribed form and be accompanied by the prescribed fee.

(3) If the Registrar, after considering an application under subsections (1) and (2), is satisfied that the establishment may be registered in respect of the business, he shall register the establishment and -

- (a) enter the particulars in the register kept for that purpose; and
- (b) issue a certificate of registration to the applicant.

(4) If the Registrar refuses an application for registration, he shall inform the applicant, in writing, of his decision and of the grounds on which the refusal is based.

Terms of registration.

7. The registration of an establishment shall be valid for a period of twelve months from the date of issue of a certificate and shall be renewable.

Renewal of registration.

8. (1) A person to whom a certificate of registration has been issued under section 6 (3) may apply for a renewal of the registration before the date of expiry thereof.

(2) An application for the renewal of a certificate of registration shall be submitted to the Registrar in the prescribed form and shall be accompanied by the prescribed fee.

(3) The Registrar may grant an application for the renewal if he is satisfied that -

- (a) the establishment conforms to the requirements prescribed in section 9;
- (b) the records regarding the seed handled at the establishment are being kept in the prescribed manner.

(4) If the Registrar grants an application for renewal he shall -

- (a) notify the applicant accordingly in writing and issue a fresh certificate;
- (b) enter the appropriate particulars in the register.

(5) If the Registrar refuses the application for renewal, he shall inform the applicant in writing of his decision and the reason therefor.

Requirements relating to the registration of establishments

9. The Minister may, by regulation, set down requirements relating to the registration of establishments including -

- (a) the type of building in which the business is carried out;
- (b) the necessary facilities for the carrying out of the business;
- (c) the records to be kept at the establishment;

Termination of registration.

10. (1) The Registrar may, at any time, terminate the registration of an establishment if he is satisfied that any requirements under section 9 have not been complied with.

(2) In case of termination of a registration, the Registrar shall inform, in writing, the person to whom the registration was granted of his decision and the reasons therefor.

Display and return of certificates.

11. (1) The owner or occupier of an establishment shall display the certificate of registration, at all times, in a prominent position.

(2) Where the registration of an establishment is terminated under section 10 or has not been renewed under section 8, the owner or occupier of the establishment shall return the certificate of registration to the registrar.

Exemption from registration.

12. (1) Premises where only prepacked seed

- (a) which has been prepacked at an establishment which is registered under this Act; or
- (b) has been imported in compliance with section 27, is sold in the original unopened container, exempt from registration -

is exempt from registration.

(2) Any premises, the owner or occupier of which participates in an official scheme under Part IV of this Act, and all the seeds grown or stored at the premises and which are sold exclusively to the multiplication organization referred to in the scheme is exempt from registration.

Prohibition of selling or conducting business.

13. A person who sells or conducts any business from the premises of an establishment which is not registered or is not exempt from registration under this Act, is guilty of an offence.

Requirements relating to the sale of seed.

14. (1) A prescribed seed shall not be sold for the purpose of cultivation unless it -

- (a) is of a variety which is entered in the variety list;
- (b) complies with the requirements prescribed in section 26 and has been tested for germination within a period of six months before it is intended to be sold;
- (c) is either prepacked or is packed in containers which comply with the prescribed requirements, sealed and marked or labelled in the prescribed manner with the prescribed information.

PART III

PROVISIONS FOR THE RECOGNITION OF CERTAIN VARIETIES OF PLANTS

Provision for the recognition of a variety

15. (1) The Minister may, by notice in the Gazette, prescribe a variety list in respect of such plants as he may determine.

(2) Only varieties of plants that are listed in the variety list may be sold.

Application for the recognition of a variety.

16. (1) An application for the recognition of a variety for inclusion in the variety list may be made by any person.

(2) Such an application shall -

- (a) be made to the Registrar in the forms and manner prescribed;
- (b) be accompanied by the prescribed registration fee.

Requirements for the recognition of a variety.

17. (1) A variety may be recognized if -

- (a) it is, by reason of any important characteristic, clearly distinguishable from any other variety of the same kind of plant of which the existence is a matter of common knowledge;
- (b) it is sufficiently homogeneous having regard to the particular features of sexual reproduction or vegetative propagation;

- (c) it is stable with regard to its essential characteristics and remains true to the description thereof after repeated reproduction or propagation, or where the breeder has defined a particular cycle of reproduction or multiplication, at the end of each such cycle;
- (d) it is identified by a denomination which complies with the provisions of subsection (3); and
- (e) it has sufficient merit in at least one agronomic character.

(2) A characteristic referred to in subsection (1) (a) may be of a morphological, physiological or any other nature and shall be such that it is clearly recognizable and can be described according to internationally accepted standards.

(3) The denomination of a variety for which an application for recognition is being considered shall be proposed by the applicant and shall -

- (a) be suitable to identify a variety;
- (b) not be such as to be liable to mislead or to lead to confusion concerning the characteristics, value or identity of the variety;
- (c) be different from any other denomination which designates existing varieties of the same or closely related kinds of plants;
- (d) comply with such further requirements as the Registrar may determine.

Consideration and examination of applications.

18. (1) The Minister shall appoint a committee, whose chairman shall be the Registrar, to consider and examine applications for the recognition of varieties of plants.

(2) The committee shall consider every application for the recognition of a variety, and all documents and any other proof submitted to them, in order to ascertain whether the application complies with the requirements of this Act.

(3) The committee shall -

- (a) undertake such tests as it may deem necessary; or
- (b) designate other persons or institutions to carry out such tests; or
- (c) use the results of tests undertaken with that variety and obtained by the committee in terms of an agreement referred to in section 19, in order to determine whether such a variety may be recognized.

(4) A person whose application is being considered shall, for the purpose of any tests, furnish the Committee with such -

- (a) quantity of seed as it may require;
- (b) information in connection with the variety as it may require.

(5) After consultation with the Committee, the Minister shall, by notice in the Gazette, prescribe the length of the period during which varieties of crops shall be tested.

Examination of varieties by others than the Minister.

19. The Minister may authorise the Committee examining and considering an application for the recognition of a variety to use results of tests conducted outside the country if he is satisfied that such tests have been conducted in such a manner and under such circumstances that the results form a reliable basis on which to determine whether a variety may be recognized.

Recognition of a variety.

20. (1) If the Committee, after considering an application under section 18 is of the opinion that -

- (a) the application conforms with the requirements of this Act; and
- (b) the variety complies with the requirements of section 17, it shall authorise the Registrar to enter the variety in the variety list.

(2) The Registrar shall in respect of each variety which is recognized -

- (a) inform the applicant of such a decision;
- (b) enter the necessary particulars in the variety list.

Variety list.

21. (1) The Registrar shall keep a list in which shall be entered -

- (a) the denomination used in Swaziland for a variety on the date on which the kind of plant to which such a variety belongs, becomes a plant to which this Act applies;
- (b) the denomination of a variety recognized under section 20.

(2) The variety list shall be published in the Gazette, at least, once a year and not later than the 1st July each year.

PART IV CERTIFICATION SCHEMES

Establishment of certification schemes.

22. (1) The Minister may, by notice in the Gazette, establish a scheme for the certification of seeds with the object of maintaining the quality of the seeds and of ensuring the usefulness for agricultural or industrial purposes of the products derived therefrom.

(2) Different schemes may be established for seeds of different kinds of plants and the requirements for different kinds and varieties of plants, may differ.

(3) The Minister may recognize certification schemes in other countries to be of equal or higher standard than the certification schemes established under this Act and may, in such cases, recognize seed produced under such schemes as imported certified seed.

(4) The Minister may, at any time by notice in the Gazette, amend or revoke a scheme

Provision of a scheme

23. The Minister may, in a notice referred to under section 22-

- (a) designate the Seed Quality Control Services to be the authority which shall exercise the powers, perform the functions and carry out the duties conferred upon, assigned to or imposed upon such an authority under a scheme;
- (b) provide that any person intending to participate in a scheme and any unit for certification shall be registered with the authority referred to in paragraph (a);
- (c) provide for the manner in which a person or a unit for certification shall be registered and the forms to be used for an application for registration;
- (d) prescribe the requirements for registration to be complied with by a person or unit for certification, the conditions under which such a person or unit shall be registered and the period of validity of such registration.
- (e) provide that, as from the date on which a person or a unit for certification is registered in terms of a scheme, the provisions of such a scheme shall be binding on such a person or unit;
- (f) provide for the manner in which and the control subject to which seed intended for certification under a scheme shall be produced and treated;
- (g) determine the manner in which and the times at which any inspection of units for certification or of seeds with reference to which the provisions of a scheme are applicable, shall be carried out, and the forms to be used in connection with such an inspection;
- (h) determine the requirements and standards of quality which seed shall comply with for certification in terms of a scheme;
- (i) determine the manner in which seed shall be certified, the form of a certificate in connection therewith and the circumstances under which such a certificate shall lapse;
- (j) determine the manner in which certified seed shall be packed, marked, labelled, sealed, stored or distributed, and the specifications of the labels and seals to be used therefor;
- (k) determine the information which shall appear on the containers in which certified seed is packed, or on the labels affixed thereto;
- (l) determine the records to be kept and the information to be furnished by any person registered under a scheme;
- (m) determine the fees or charges payable to the authority designated under paragraph (a), by any person registered under a scheme;
- (n) confer on the authority the powers of inspection referred to in section 24;
- (o) provide that the provision of section 31 shall, *mutatis mutandis*, apply with reference to any person who feels aggrieved by any decision or action taken in connection with a scheme by the authority;
- (p) provide generally for any other matter which, in the opinion of the Minister, is necessary or expedient in order to further or better achieve the objects of a scheme.

Power to enter premises, carry out inspections, take samples for analysis and seize substances or articles.

24. (1) An officer authorised under section 23 may at any reasonable time -

- (a) enter upon and inspect any place, premises, vehicle or receptacle in which there is or is suspected to be produced, processed, treated, graded, prepacked, marked, labelled, removed, transported or sold any seed in respect of which this Act or any scheme established under this Act applies;
- (b) inspect such seed and examine all books and documents which the person has reasonable grounds to suspect relate to such seed and demand an explanation of any record or entry therein;
- (c) inspect any operation or process carried out in or on such a place in connection with the production, processing, treatment, grading, prepacking, marking, labelling, removing, transporting or selling of any seed to which this Act or any scheme established under this Act applies and demand from the person in charge of such an operation or process any information or explanation regarding such an operation process;
- (d) take samples of any seed used or suspected to be intended for use in the production, processing, grading, treatment, prepacking, marking, labelling, removing, transporting or selling;
- (e) seize any books, documents and seed which may be used as evidence in connection with any offence under this Act and remove them from the premises, place, vehicle or receptacle or leave them on such place, premises, vehicle or receptacle after labelling or marking such seed, books or documents in such a manner as may be necessary.

(2) If an authorised officer has carried out an inspection in terms of subsection (1), he shall enter the particulars of the inspection and any decision or instruction on the prescribed form, submit a copy thereof to the person in charge of the place, premises, vehicle or receptacle in question.

(3) any samples taken under subsection (1) (d) shall -

- (a) consist of such quantity and subject to such conditions as the Registrar may determine.
- (b) be taken in the presence of the owner or person in charge of such seed, or if such persons is not available, in the presence of a witness, and the prescribed form shall be completed in respect thereof;
- (c) be tested, examined or analysed by an official seed testing station referred to on section 25, within reasonable time, and the results of such tests, examination or analyses shall be entered in the prescribed form.

PART V ESTABLISHMENT OF AN OFFICIAL SEED TESTING STATION

Establishment of an official seed testing station.

25. (1) A Minister shall, by notice in the Gazette, designate Seed Quality Control Services as the Official Seed Testing Station for the purposes of this Act.

(2) The Minister shall, by notice in the Gazette relating to the establishment of an Official Seed Testing Station -

- (a) designate an officer who shall perform the functions under this section;
- (b) determine for which kinds of seed the results of tests shall be binding under this Act;
- (c) determine the information to be supplied by the officer designated under paragraph (a) as a result of a test and prescribe the form to be used for reporting such results;
- (d) prescribe the test conditions under which such tests shall be carried out;
- (e) prescribe the tolerances applicable to the test results;
- (f) determine the fees payable.

PART VI REQUIREMENTS RELATING TO SEED, PACKING MATERIAL, SEALS AND LABELS

Requirements relating to seed, packing material, seals and labels

26. (1) A prescribed seed shall not be offered for sale unless -

- (a) it is certified under a scheme referred to in section 22;
- (b) it is recognized as imported certified seed under section 22, (3);
- (c) where it is not produced under any certification scheme, the Minister is satisfied that the standards applicable to the production and processing of such seed are of the same quality or better than those applied under section 23 (j) and (k); or
- (d) it complies with the requirements referred to in subsection (2).

(2) The Minister may make regulations providing for -

- (a) the quality requirements that shall be applicable to different classes of prescribed seed;
- (b) the manner in which seed shall be packed, sealed and labelled;
- (c) the information that shall appear on seals and label.

PART VII IMPORTATION AND EXPORTATION OF SEED

Importation of seed

27. (1) A person shall not import into Swaziland any seed to which this Act applies unless the seed -

- (a) is of a variety entered in the variety list;
- (b) complies with the requirements prescribed in section 26;

- (c) is packed in a container which is sealed, marked or labelled in the prescribed manner with the prescribed information;
- (d) is imported through a prescribed port of entry;
- (e) is imported on an import permit issued by the Principal Secretary in accordance with the provisions of the Plant Control Act, 1981.

(2) Notwithstanding the provisions of part IV and part V of the Plant Control Act (1981), the Registrar may, in writing and on such conditions as he may determine, allow the importation of certain kinds of seed which do not comply with any of the requirements referred to in subsection (1) or prohibit the importation of seed which otherwise complies with the requirements of subsection (1) where he is satisfied that sufficient quantities of such seed have already been imported, or where the importation of such seed, in his opinion, is not necessary.

(3) A person importing a consignment of seed shall furnish the Registrar with the particulars the Registrar may require and such a consignment shall not be moved from the premises of the importer or offered for sale unless the Registrar has authorized in writing the importer to do so.

(4) The seed imported under subsections (1) and (2) may, at the discretion of the Registrar, be examined and sampled in accordance with section 24 (3) before a decision under subsection (3) is taken.

(5) Consignments of seed which comply with the provisions of section 26 (1) shall, unless the Registrar otherwise determines, be exempt from the provisions of subsections (3) and (4).

(6) Consignments of seed accompanied by an International Certificate shall be exempt from the provisions of subsection (4).

(7) If any consignment of seed to which this Act applies has been imported contrary to the provisions of this section, the Registrar may -

- (a) order that the consignment shall within such period as the Registrar may determine -
 - (i) be destroyed without compensation; or
 - (ii) be removed from the Kingdom of Swaziland at the importers expense;
- (b) permit the disposal thereof, within the Kingdom of Swaziland, in such a manner as he may determine.

Exportation of seed.

28. (1) A person shall not export from Swaziland any seed intended for sowing unless he is in possession of written authority from the Registrar.

(2) Any person desiring to obtain such an authority shall apply to the Registrar in the prescribed form and shall pay the prescribed fee and the Registrar may grant or refuse the application.

(3) After receiving such an application, the Registrar may undertake such inspection of the seed as he may consider necessary and take such samples in accordance with section 24 (3) as he may consider necessary and have such samples tested at an official seed testing station.

PART VIII
OTHER SECTIONS

Preservation, inspections and proof of documents.

29. (1) All documents lodged with the Registrar under this Act shall be preserved for the prescribed time.

(2) All documents referred to in subsection (1) which, in the opinion of the Registrar, may lie for inspection by the public, shall be open for inspection during office hours at the office of the Registrar and copies thereof shall, on request, be furnished to any person after payment of the prescribed fee.

(3) Where an application for the recognition of a variety or for registration of an establishment has been withdrawn or refused, the Registrar shall return all documents submitted in connection with the application to the applicant or where necessary destroy them after the prescribed period.

Secrecy.

30. A person shall not disclose any information acquired by him in the carrying out of his duties which relate to seed matters, except -

- (a) for the purpose of carrying out his duties under this Act;
- (b) for the purpose of legal proceedings under this Act or any other law; or
- (c) with the written permission of the Registrar, disclose any information acquired by him in the carrying out of his duties which relates to seed matters.

Appeal against decision or action of the Registrar.

31. (1) There shall be an Appeals Board appointed by the Minister which shall consist of three members one of whom shall be a specialist in the field concerned and the remaining members shall have a general knowledge of agriculture, and none of the members shall be party in the matter concerned.

(2) A person who is aggrieved by any decision or action taken by the Registrar under this Act may, within the period and in the manner prescribed, appeal to the Board against such decision or action.

(3) The Board may after investigation of the appeal -

- (a) confirm, set aside or vary any decision or action of the Registrar;
- (b) order the Registrar to carry out the decision of the Board;

(4) The decision of the Board shall be in writing, and copies thereof shall be furnished to the appellant, the Registrar and any other interested party.

(5) A decision of the Board shall be final.

Offences and penalties.

32. Any person who -

- (a) deliberately obstructs the Registrar or an officer authorized in the performance of his functions under this Act;
 - (b) conducts business in contravention of section 8 (3) or section 13;
 - (c) sells any seed in contravention of section 14;
 - (d) imports or exports any seed in contravention of section 27 and 28;
 - (e) furnishes any particulars in connection with seed on any container in which it is sold which do not correspond with the true properties thereof;
 - (f) tampers with any sample taken or any material seized under this Act;
 - (g) fails to display a Certificate of Registration; or
 - (h) fails to comply with any provision of a scheme while he is under an obligation to do so,
- is guilty of an offence and liable on conviction to a fine not exceeding ten thousand Emalangeni E10,000.00 or imprisonment for a period not exceeding three years (3) or both.

Regulations.

33. The Minister may make Regulations from time to time for the implementation of this Act.