



RECEIVED  
2008 -04- 29

# SWAZILAND GOVERNMENT GAZETTE

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VOL. XLVI]

MBABANE, Friday APRIL 11<sup>TH</sup>, 2008

[No. 42

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PUBLISHED BY AUTHORITY

**NOTICE**

Notice is hereby given that I, **Vusi Ngcamphalala** of **Siteki - Lubombo Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Mashinga** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the newspapers circulating in the region, where I reside and designated for this purpose by the Regional Secretary for the **Lubombo Region** and in the government Gazette.

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

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

P.O. Box 172  
Siteki

J437 4x11-04-2008

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**NOTICE**

Notice is hereby given that I, **Bongani Bhatli Siyabonga Mamba** of **Shiselweni Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Malinga** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the 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 **Malinga** is because it is my natural surname.

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

P.O. Box 66  
Nhlangano

J436 4x11-04-2008

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**NOTICE**

**ESTATE LATE: MFANAWEMPHI ALMON MAMBA ESTATE NO. EL26/2008**

Debtors and Creditors in the above mentioned 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.

SIPHIWE HLEZIPHI MAMBA  
P.O. Box 26  
Kubuta

J594 11-04-2008

**NOTICE**

Notice is hereby given that **I, Jabulani W. Dlamini** of **Hhohho Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Mlangeni** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the newspapers circulating in the region, where I reside and designated for this purpose by the Regional Secretary for the **Hhohho Region** and in the government Gazette.

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

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

P.O. Box 5618  
Manzini

J464 4x18-04-2008

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**NOTICE**

Notice is hereby given that **I, Mbongeni Innocent Gama** of **Shiselweni Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Dlamini** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the 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 **Dlamini** is because it is my natural surname.

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

P.O. Box 48  
Nhlangano

J450 4x11-04-2008

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**NOTICE**

**ESTATE LATE: JAMES BOB PALMER ESTATE NO. EP16/2008**

Debtors and Creditors in the above mentioned 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.

MARY MIRRIAM PALMER  
P.O. Box 365  
Piggs Peak

J595 11-04-2008

**NOTICE**

Notice is hereby given that I, **Nhlanhla Christopher Dladu** of **Shiselweni Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Zikalala** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the 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 **Zikalala** is because it is my natural surname.

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

P.O. Box 2526  
Manzini

J523 4x25-04-2008

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**NOTICE**

Notice is hereby given that I, **Mnikelo Chocolate Shongwe** of **Shiselweni Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Mngometulu** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the 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 **Mngometulu** is because it is my natural surname.

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

P.O. Box 200  
Nsoko

J534 4x25-04-2008

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**NOTICE**

**ESTATE LATE: MANDLA MAKANA MALINDZISA ESTATE NO. EP18/2008**

Debtors and Creditors in the above mentioned 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.

DUDU LOMASONTFO MALINDZISA  
P.O. Box 430  
Piggs Peak

J597 11-04-2008

**NOTICE**

Notice is hereby given that I, **Nkosinathi Emmanuel Madie Mhlongo** of **Manzini Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Motlagomang** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the 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 **Motlagomang** is because it is my natural surname.

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

P.O. Box 177  
Malkerns

J542 4x25-04-2008

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**NOTICE**

Notice is hereby given that I, **Nokuthula Zwane** of **Manzini Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Mamba** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the 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 **Mamba** is because it is my natural surname.

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

P.O. Box 42  
Bhunya

J580 4x02-05-2008

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**NOTICE**

**ESTATE LATE: LYMAN MBUZENI SHONGWE ESTATE NO. ES50/2008**

Debtors and Creditors in the above mentioned 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.

MUSA M. SHONGWE  
P.O. Box 517  
Manzini

J518 11-04-2008

**NOTICE**

Notice is hereby given that I, **Elijah Koppie Mhlanga** of **Shiselweni Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Mashiloane** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the 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 **Mashiloane** is because it is my natural surname.

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

Embikwakhe Primary School  
P.O. Box 68  
Kwaluseni

J588 4x02-05-2008

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**NOTICE**

**ESTATE LATE: MARY GROENING O'FARRELL ESTATE NO. EH323/2001**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

LILLY B. SHAW  
P.O. Box 4704  
Mbabane

J622 11-04-2008

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**NOTICE**

**ESTATE LATE: DUMILE YELCAH MBINGO NEE SIBANDZE  
ESTATE NO. ES47/2008**

Debtors and Creditors in the above mentioned 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.

THULANI THOKOZANI MBINGO  
P.O. Box 1039  
Nhlangano

J602 11-04-2008

**NOTICE**

Notice is hereby given that I, **Moses Celani Siphepho of Simemeni - Shiselweni Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Nkabinde** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the 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 **Nkabinde** is because it is my natural surname.

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

P.O. Box 361  
Mbabane

J590 4x02-05-2008

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**NOTICE**

**ESTATE LATE: LYDIA KHETSIWE MAHLALELA ESTATE NO. EM203/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

KHETHA DLAMINI  
P.O. Box 1120  
Manzini

J606 11-04-2008

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**NOTICE**

**ESTATE LATE: NOMSA GLADYS MHLANGA ESTATE NO. EP21/2006**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

SIBONISO DERRICK TSABEDZE  
P.O. Box 64  
Piggs Peak

J609 11-04-2008

**NOTICE**

**NOTICE** is hereby given that we intend applying for a certified copy of Deed of Transfer No. 55/1997 made in favour of **BENJAMIN BHEKUMUZI GAMA** in respect of:-

**CERTAIN** : Lot No. 58 situate in Fourth Street in the Township of Nhlanguano, District of Shiselweni, Swaziland;

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

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.

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

J508 2x11-04-2008

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**NOTICE**

**NOTICE** is hereby given that we intend applying for a certified copy of Deed of Transfer No. 54/1997 made in favour of **BENJAMIN BHEKUMUZI GAMA** in respect of:-

**CERTAIN** : Erf No. 62 situate in Fourth Street in the Township of Nhlanguano, District of Shiselweni, Swaziland;

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

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.

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

J509 2x11-04-2008

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**NOTICE**

**ESTATE LATE: NOKUTHULA ANNAH KHUMALO ESTATE NO. EM46/2008**

Debtors and Creditors in the above mentioned 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.

**CHRISTOPHER KHUMALO**  
P.O. Box 1967  
Manzini

J620 11-04-2008



**NOTICE**

**NOTICE IN TERMS OF REGULATION 40 (3) OF ACT NO. 37 OF 1968  
APPLICATION FOR THE TITLE DEED**

Notice is hereby given that we intend to apply for a certified copy of Deed of Transfer No. 262/1998 registered on the 21<sup>st</sup> July 1998 held by **A AND K PROPERTY (PROPRIETARY) LIMITED** (Certificate of Incorporation No. 180/97.

**CERTAIN** : Portion 46 (a portion of Portion A) of Farm PEBBLES BLOCK (NORTH) No. 9, situate in the District of Manzini, Swaziland;

**MEASURING** : 70,5600 (Seventy comma Five Six Zero Zero) hectares;

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

**DATED AT MANZINI ON THIS 26<sup>TH</sup> MARCH, 2008.**

**MASINA MAZIBUKO AND COMPANY**  
Applicant's Attorneys  
2<sup>nd</sup> Floor, President Place Building  
P. O. Box 592  
Manzini

J507 2x11-04-2008

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**NOTICE**

**NOTICE** is hereby given that we intend applying for a Certified Copy of Deed of Transfer No. 173/1996 dated the 27<sup>th</sup> day of May 1996 in favour of **SWAZI BROILER BREEDERS (PROPRIETARY) LIMITED**.

**CERTAIN** : Portion 4 (a portion of Portion 1) of Farm CALAISVALE 11 No. 693 situate in the District of Manzini, Swaziland;

**MEASURING** : 16,8739 (One Six comma Eight Seven Three Nine) Hectares;

Any person having objection to the issue of such copy is hereby requested to lodge it in writing with the Registrar of Deeds within twenty-one (21) days of the last publication of this notice

**DATED AT MBABANE ON THIS THE 25<sup>TH</sup> DAY OF MARCH, 2008.**

**CLOETE CORPORATE**  
In Association with  
E. J. Henwood & M. L. Dlamini  
1<sup>st</sup> Floor, Ellerines Building  
Swazi Plaza

J510 2x11-04-2008

**NOTICE**

**NOTICE** is hereby given that we intend applying for a Certified Copy of Deed of Transfer No. 222/1978 dated the 20<sup>th</sup> day of September 1978 in favour of **JOMAR INVESTMENTS (PROPRIETARY) LIMITED**.

**CERTAIN** : Lot No. 503, situate in West Street in the town of Mbabane, Extension No.1, District of Hhohho, Swaziland;

**MEASURING** : 743 (Seven Four Three) 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 twenty-one (21) days of the last publication of this notice

**DATED AT MBABANE ON THIS THE 25<sup>TH</sup> DAY OF MARCH, 2008.**

**CLOETE CORPORATE**  
In Association with  
E. J. Henwood & M. L. Dlamini  
1<sup>st</sup> Floor, Ellerines Building  
Swazi Plaza

J511 2x11-04-2008

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**NOTICE**

**NOTICE** is hereby given that we intend applying for a Certified Copy of Deed of Transfer No. 643/1987 dated the 25<sup>th</sup> day of November 1987 in favour of **SAMUEL VUSUMUZI MAGAGULA** (born on the 15<sup>th</sup> June 1945).

**CERTAIN** : Lot No. 1050 situate in the Manzini Extension No. 9 Township, District of Manzini, Swaziland;

**MEASURING** : 700 (Seven Zero Zero) 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 twenty-one (21) days of the last publication of this notice

**DATED AT MBABANE ON THIS THE 1<sup>ST</sup> DAY OF APRIL, 2008.**

**CLOETE CORPORATE**  
In Association with  
E. J. Henwood & M. L. Dlamini  
1<sup>st</sup> Floor, Ellerines Building  
Swazi Plaza

J512 2x11-04-2008

**NOTICE**

**ESTATE LATE: WILSON MMEMEZI MKHONTA ESTATE NO. EM255/2007**

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

BONGIKOSI MAX MKHONTA  
P.O. Box 496  
Malkerns

J597 11-04-2008

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**NOTICE**

**ESTATE LATE: ROBERT STAURT ESTATE NO. EL228/2004**

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

ROBINSON BERTRAM  
Attorneys for Executors/Testamentary  
Executrix / Dative  
First Floor, Ingcongwane Building  
Allister Miller Street  
P.O. Box 24  
Mbabane

J576 11-04-2008

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**NOTICE**

**ESTATE LATE: MZIBILI MGUDUMANE JEREMIAH DLAMINI  
ESTATE NO. EL178/2006**

Debtors and Creditors in the above mentioned 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.

GIBSON NDLOVU  
P.O. Box 460  
Mbabane

J605 11-04-2008

**NOTICE**

Notice is hereby given that we intend applying for certified copies of: Deed of Transfer No. 149/1988 dated the 25<sup>th</sup> March 1988 made in favour of **HI-HO VULCANIZING WORKS (SWAZILAND) (PROPRIETARY) LIMITED** in respect of the undermentioned property:

**CERTAIN** : Portion 8 of Farm No. 125, situate in the urban area of Manzini, District of Manzini, Swaziland;

**MEASURING** : 1089 (One Zero Eight Nine) Square Metres;

Any person having an objection to the issue of such copy by the Registrar is hereby requested to lodge such objection in writing with the Registrar of Deeds for Swaziland in Mbabane within twenty-one (21) days of the last publication of this Notice.

**DATED AT MANZINI ON THIS THE 19<sup>TH</sup> MARCH, 2008.**

**BEN J. SIMELANE & ASSOCIATES**  
Attorneys for Applicant  
3<sup>rd</sup> Floor, Liqhaga House  
P. O. Box 7254  
Manzini

J607 2x18-04-2008

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**NOTICE**

Notice is hereby given that we intend applying for certified copies of: Deed of Transfer No. 473/2005 dated the 5<sup>th</sup> July 2005 made in favour of **MIRRIAM KHONJIWE MAMBA**, in respect of the undermentioned property:

**CERTAIN** : Lot 641 situate in Ngwane Park Township, Manzini, in the Manzini District, Swaziland;

**MEASURING** : 2627 (Two Six Two Seven) Square Metres;

Any person having an objection to the issue of such copy by the Registrar is hereby requested to lodge such objection in writing with the Registrar of Deeds for Swaziland in Mbabane within twenty-one (21) days of the last publication of this Notice.

**DATED AT MANZINI ON THIS THE 1<sup>ST</sup> APRIL, 2008.**

**BEN J. SIMELANE & ASSOCIATES**  
Attorneys for Applicant  
3<sup>rd</sup> Floor, Liqhaga House  
P. O. Box 7254  
Manzini

J608 2x18-04-2008

**NOTICE**

**APPLICATION FOR A LOST CROWN GRANT**

Notice is hereby given that we intend to apply for a lost Crown Grant being Crown Grant No. 92/1982 dated 4<sup>th</sup> March 1982 and registered on the 31<sup>st</sup> December, 1982 made in favour of **RUTH THEMBEKA TSHABALALA** (Major Spinster) in respect of: -

**CERTAIN** : Lot No. 1062, situate in Mbabane Township, Extension 9 in the Hhohho District, Swaziland;

**MEASURING** : 1603 (One Six Zero Three) Square Metres;

Any person having objection to be issued of a copy is hereby requested to lodge such objection in writing with the Registrar of Deeds within three (3) weeks of the last publication of this notice

**DATED AT MBABANE THE 7<sup>TH</sup> DAY OF APRIL, 2008.**

**DUNSEITH ATTORNEYS**  
1<sup>st</sup> Floor, Lansdowne House  
Dabede Street  
P. O. Box 423  
Mbabane

J570 2x18-04-2008

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**NOTICE**

**APPLICATION FOR A LOST TITLE DEED**

Notice is hereby given that we intend to apply for a certified copy of Title Deed No. 250/1990 held by **RUTH THEMBEKA TSHABALALA** dated the 9<sup>th</sup> May 1990 in respect of: -

**CERTAIN** : Portion 1 of Erf No. 369 situate in Kelly Street in the Town of Manzini, District of Manzini, Swaziland;

**MEASURING** : 2855 (Two Eight Five Five) Square Metres;

Any person having objection to the issue of 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 7<sup>TH</sup> DAY OF APRIL, 2008.**

**DUNSEITH ATTORNEYS**  
1<sup>st</sup> Floor, Lansdowne House  
Dabede Street  
P. O. Box 423  
Mbabane

J571 2x18-04-2008

**NOTICE**

**ESTATE LATE: ISRAEL IAN DIAMOND ESTATE NO. EH76/2006**

Notice is hereby given in terms of Section 51 (2) 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 Offices of the Master of the High Court of Swaziland at Mbabane and at the office of the Regional Administrator for the District of Hhohho 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 the expiry of the said period.

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

J569 11-04-2008

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**NOTICE**

Notice is hereby given that we intend applying for a certified copy of: Deed of Transfer No. 301 /2000 dated the 7<sup>th</sup> day of July, 2000 in favour of: **FRANSENGEL BERTUSMARX** (Born on the 27<sup>th</sup> day of March, 1961) in respect of: -

**CERTAIN** : Remaining Extent of Portion 243 of the Farm Dalrich No. 188 situate in the District of Hhohho, Swaziland;

**MEASURING** : as such 4,8944 (Four Comma Eight Nine Four Four) Hectares;

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

**DATED AT MBABANE THIS 3<sup>RD</sup> DAY OF APRIL, 2008.**

**ROBINSON BERTRAM**  
Attorneys for Applicant  
Ingcongwane Building,  
Gwamile Street  
P.O. Box 24  
Mbabane

J577 2x18-04-2008

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**NOTICE**

**ESTATE LATE: THEMBA ARTHUR DLAMINI ESTATE NO. EP6/2008**

Debtors and Creditors in the above mentioned 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.

**MANDLA DLAMINI**  
P.O. Box 9  
Mpaka

J616 11-04-2008

**NOTICE**

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 4301/2007

In the matter between:

SWAZILAND BUILDING SOCIETY

Plaintiff

and

GOODWILL ZWELITHINI DLAMINI

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 Office, Manzini, at 2:30 p. m. on **FRIDAY** the 2<sup>nd</sup> day of **MAY, 2008**.

**CERTAIN** : Lot No. 763 situate in Ngwane Park Township Extension No. 1, District of Manzini, Swaziland;

**MEASURING** : 1 588 (One Five Eight Eight) Square Metres;

**RESERVE PRICE** : E455,000.00 (Four Hundred and Fifty Five Thousand Emalangeni).

**IMPROVEMENTS** :

<b>FLOOR</b>	<b>PLINTH AREA</b>	<b>NUMBER OF USE OF ROOMS</b>
Block A	149.32m <sup>2</sup>	2 No. semi detached flats with 2 bedrooms, 1 lounge, kitchen, 1 bathroom
Block B	184.00m <sup>2</sup>	3 No. semi detached flats with 1 bedroom, 1 lounge, 1 kitchen, 1 bathroom

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 Manzini Magistrate's Court, 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 27<sup>TH</sup> DAY OF MARCH, 2008.**

**LORRAINE HLOPHE**  
Sheriff of Swaziland  
c/o The Registrar of the High Court  
Mbabane

**NOTICE**

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 4303/2007

In the matter between:

SWAZILAND BUILDING SOCIETY

Plaintiff

and

SIPHO THEMBINKOSI BANDA

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 Nhlanguano, Magistrate's Court, Nhlanguano at 3:00 p. m. on **FRIDAY** the 2<sup>nd</sup> day of **MAY, 2008**.

**CERTAIN** : Portion 1 of Farm named Doornboom No. 327 situate in the Shiselweni District, Swaziland;

**MEASURING** : 10,0003 (One Zero Comma Zero Zero Zero Three) Hectares;

**RESERVE PRICE** : E573,000.00 (Five Hundred and Seventy Three Thousand Emalangeni).

**IMPROVEMENTS :**

<b>FLOOR</b>	<b>PLINTH AREA</b>	<b>NO. AND USE OF ROOMS</b>
House	233.69m <sup>2</sup>	3 bedrooms, 1 lounge, 1 dining, kitchen, 1 study, 1 ensuite, 1 bathroom
Servants Quarters	36.10m <sup>2</sup>	1 bedroom with no toilet
Servants Quarters	57.00m <sup>2</sup>	3 rooms
Port	108.75m <sup>2</sup>	Carports for 5 vehicles

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 Nhlanguano Magistrate's Court, Nhlanguano.

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 2<sup>ND</sup> DAY OF APRIL, 2008.**

**LORRAINE HLOPHE**  
Sheriff of Swaziland  
c/o Registrar of the High Court  
Mbabane



**NOTICE**

Notice is hereby given that we intend applying for Certified Copy of Deed of Transfer No. 263/1982 dated the 29<sup>th</sup> day of October 1982 in favour of **SWAZILAND HIDES & SKINS (PROPRIETARY) LIMITED** (Certificate of Incorporation No. 15/1980.

**CERTAIN** : Lot No. 267 situate in the Township of Manzini, District of Manzini, Swaziland;

**MEASURING** : 5400 (Five Thousand Four Hundred) 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 twenty-one (21) days of the last publication of this notice.

**DATED AT MBABANE ON THIS THE 2<sup>ND</sup> DAY OF APRIL, 2008.**

**CLOETE CORPORATE**  
In Association with  
E. J. Henwood & M. L. Dlamini  
1<sup>st</sup> Floor, Ellerines Building  
Swazi Plaza

J578 2x18-04-2008

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**NOTICE**

Notice is hereby given that we intend applying for Certified Copy of Deed of Transfer No. 311/1990 dated the 8<sup>th</sup> day of June 1990 in favour of **MORRIS NTANTANE HLATSHWAYO** (born on the 7<sup>th</sup> April 1923).

**CERTAIN** : Lot No. 3 Vukutentele Town, situate in the urban area of Mbabane, District of Hhohho, Swaziland

**MEASURING** : 500 (Five Zero Zero) 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 twenty-one (21) days of the last publication of this notice.

**DATED AT MBABANE ON THIS THE 2<sup>ND</sup> DAY OF APRIL, 2008.**

**CLOETE CORPORATE**  
In Association with  
E. J. Henwood & M. L. Dlamini  
1<sup>st</sup> Floor, Ellerines Building  
Swazi Plaza

J579 2x18-04-2008

**NOTICE**

Notice is hereby given that we intend applying for a certified copy of Deed of Transfer No. 134/2006 dated the 2<sup>nd</sup> day of March, 2006, made in favour of: **THE MARY MARTINS FAMILY TRUST** (Trust No. 55/2004) in respect of the undermentioned property:

**CERTAIN** : Lot No. 130 situate in the Ngwane Park Township, District of Manzini, Swaziland;

**MEASURING** : 4304 (Four Three Zero Four) square metres.

Any person having an objection to the issue of such copy by the Registrar is hereby requested to lodge such objection in writing with the Registrar of Deeds, Mbabane, within three (3) weeks of the last publication of this notice.

**DATED AT MBABANE ON THIS 2<sup>ND</sup> DAY OF APRIL, 2008.**

**M. J. MANZINI & ASSOCIATES**  
Attorneys for Applicant  
3<sup>rd</sup> Floor, Lilunga House  
P. O. Box A204  
Swazi Plaza  
Mbabane

J584 2x18-04-2008

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**NOTICE**

**ESTATE LATE: TUTU HUBERT DLAMINI: ESTATE NO. ES293/2003**

Notice is hereby given 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 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 publication of this notice.

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

**M. J. MANZINI & ASSOCIATES**  
Attorneys for the Executor Dative  
3<sup>rd</sup> Floor, Lilunga House  
P. O. Box A204  
Swazi Plaza  
Mbabane

J583 11-04-2008

**NOTICE**

**ESTATE LATE: DAVID SIKHULUMI SIBANDZE ESTATE NO.**

Debtors and Creditors in the above mentioned 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.

MUSA M. SIBANDZE  
P.O. Box 281  
Mbabane

J572 04-04-2008

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**NOTICE**

**ESTATE LATE: ROSE PHINDILE MAZIBUKO ESTATE NO. EL27/2008**

Debtors and Creditors in the above mentioned 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.

SIBUSISO SELBY MAZIBUKO  
P.O. Box 3  
Piggs Peak

J617 04-04-2008

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**NOTICE**

**ESTATE LATE: ALFRED HHENDA VILAKATI ESTATE NO. EH270/2006**

Debtors and Creditors in the above mentioned 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.

NKATA JOHANNES VILAKATI  
P.O. Box 125  
Mbabane

J618 04-04-2008

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**NOTICE**

**ESTATE LATE: NELLIE SICELIWE PHINDILE VILAKATI  
ESTATE NO. EP70/2006**

Debtors and Creditors in the above mentioned 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.

DENIS VILAKATI & PHANUEL VILAKATI  
P.O. Box 6908  
Manzini

J624 04-04-2008

**NOTICE**

**ESTATE LATE: DOLLIE LOMTAMBO NKAMBULE ESTATE NO. EH253/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

MANTFOMBI E. NKAMBULE  
P.O. Box 3492  
Mbabane

J610 11-04-2008

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**NOTICE**

**ESTATE LATE: PORTIA NCANE DLAMINI NEE GROENING  
ESTATE NO. ES34/2008**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

MFANUFIKILE LIMBO DLAMINI  
P.O. Box 1498  
Nhlangano

J581 11-04-2008

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**NOTICE**

**ESTATE LATE: THOKO FLORENCE ZULU ESTATE NO. EM288/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

MCOLISI XOLILE LUKHELE  
P.O. Box 298  
Bhunya

J582 11-04-2008

**NOTICE**

**ESTATE LATE: ISAIAH MEMO LUKHELE ESTATE NO. ES85/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

ALMON MPHIKWA LUKHELE  
P.O. Box 3596  
Mbabane

J585 11-04-2008

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**NOTICE**

**ESTATE LATE: ERNEST VUSI THWALA ESTATE NO. EM227/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the First Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

ALICE NOMSA THWALA NEE MAGAGULA  
P.O. Box 285  
Luve

J586 11-04-2008

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**NOTICE**

**ESTATE LATE: MARTIN GAMA ESTATE NO. EM251/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

POLYCARP GAMA  
P.O. Box 369  
Mbabane

J587 11-04-2008

**NOTICE**

**ESTATE LATE: GLADYS MDANDANE DLAMINI ESTATE NO. EH112/2006**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

MENZI PETER MHLONGO  
P. O. Box 69  
Mbabane

J589 11-04-2008

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**NOTICE**

**ESTATE LATE: JABULANI PHESHEYA GUMEDZE ESTATE NO. EH236/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

PHILILE LINDI GAMEDZE  
P.O. Box 57  
Tshaneni

J591 11-04-2008

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**NOTICE**

**ESTATE LATE: ALBERT NANA NKOMO ESTATE NO. EH111/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

ABERTINAH HAZEL NKOMO  
P.O. Box 743  
Mbabane

J592 11-04-2008

**NOTICE**

**ESTATE LATE: ROYAL SIBUSISO SHONGWE ESTATE NO. ES243/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

NOMSA FIKILE SHONGWE  
P.O. Box 685  
Hlathikhulu

J593 11-04-2008

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**NOTICE**

**ESTATE LATE: SIBONGILE MARGARET MABUZA ESTATE NO. EM367/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

CHARLES SIBUKAYENA MABUZA  
P.O. Box 76  
Mbabane

J596 11-04-2008

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**NOTICE**

**ESTATE LATE: BELLINAH TOZANI DLAMINI ESTATE NO. EM254/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

SOLOMON DLAMINI  
P.O. Box 29  
Mhlambanyatsi

J599 11-04-2008

**NOTICE**

**ESTATE LATE: MALTA DUDU MAZIBUKO ESTATE NO. ES206/2006**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

SINDISIWE MLILO  
P.O. Box 153  
Manzini

J600 11-04-2008

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**NOTICE**

**ESTATE LATE: THABSILE KHANYISILE MBHAMALI ESTATE NO. ES228/2008**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

DUDU DLAMINI  
P.O. Box 143  
Lavumisa

J601 11-04-2008

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**NOTICE**

**ESTATE LATE: ELIAS MADUNA DLAMINI ESTATE NO. ES207/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

SISANA M. DLAMINI  
P.O. Box 319  
Nhlangano

J603 11-04-2008



**NOTICE**

**ESTATE LATE: JAMES NDWANDWE ESTATE NO. EP106/2005**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

SAMSON NDWANDWE  
P.O. Box 430  
Piggs Peak

J604 11-04-2008

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**NOTICE**

**ESTATE LATE: CHRISTINAH MPHELELAPHI TSABEDZE  
NEE ZWANE ESTATE NO. EH109/2006**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

DUDU CIZENI TSABEDZE  
P.O. Box 3114  
Mbabane

J611 11-04-2008

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**NOTICE**

**ESTATE LATE: LOMAGUGU MARGARET FAKUDZE ESTATE NO. EH325/2006**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

VELIBANTI NHLANHLA SHONGWE  
P.O. Box 3853  
Mbabane

J612 11-04-2008

**NOTICE**

**ESTATE LATE: MUSA JIMSON MABUZA ESTATE NO. ES98/2006**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

GRACIOUS SINDI MATSEBULA  
P.O. Box 1986  
Manzini

J613 11-04-2008

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**NOTICE**

**ESTATE LATE: SIMON GAMANE NKAMBULE ESTATE NO. EM354/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

SIBONGILE RUTH VILAKATI  
P.O. Box 353  
Bhunya

J614 11-04-2008

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**NOTICE**

**ESTATE LATE: NTFOMBI MHLANGA NEE DLAMINI ESTATE NO. EH227/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act 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 Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

MKHUMBI DLAMINI  
P.O. Box 336  
Mbabane

J615 11-04-2008

**NOTICE**

**REPORT OF THE INDEPENDENT AUDITORS' TO  
THE MEMBERS OF STANDARD BANK SWAZILAND LIMITED**

We have audited the group annual financial statements and annual financial statements of Standard Bank Swaziland Limited which comprise the balance sheets at 31 December 2007, and the income statements, the statements of changes in equity and the cash flow statements for the year then ended, and the notes to the financial statements, which include a summary of significant accounting policies and other explanatory notes, and the directors' report, from which the accompanying abridged consolidated and parent company annual financial statements were derived, in accordance with International Standards on Auditing. In our report dated 25 March 2008 we expressed an unmodified opinion on the group and company annual financial statements from which the abridged financial statements were derived.

In our opinion, the accompanying abridged group and company annual financial statements are consistent, in all material respects, with the group and company annual financial statements from which they were derived.

For a better understanding of the group and company's financial position, the financial performance and cash flows for the year, and of the scope of our audit, the abridged group and company annual financial statements should be read in conjunction with the group and company annual financial statements from which the abridged group financial statements were derived, and our audit report thereon.

The audited group and parent company annual financial statements are available for inspection at the Bank's registered office on the 2<sup>nd</sup> Floor, Standard House, Swazi Plaza, Mbabane Swaziland.

**AUDITORS**  
25 March 2008

KPMG  
2<sup>nd</sup> Floor  
Imfumbe Building  
Mahlokohla Street  
Mbabane  
Swaziland

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**NOTICE**

**ESTATE LATE: SARAH THANDIWE MDLULI ESTATE NO. E112/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the First Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor for a period of Twenty One (21) days from the date of publication of this notice.

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

ALBERT M. MDLULI  
P.O. Box 1207  
Mbabane

**NOTICE**

**STANDARD BANK SWAZILAND LIMITED AND ITS SUBSIDIARIES**  
**BALANCE SHEETS at 31 December 2007.**

	Group		Company	
	2007 E000	2006 E000	2007 E000	2006 E000
<b>ASSETS</b>				
Cash and balances with Central Bank	167 143	140 062	167 143	140 062
Derivative assets held for trading	7 611	15 964	7 611	15 964
Pledged assets	33 110	-	33 110	-
Financial investments	161 280	179 883	161 280	179 883
Loans and advances	2 071 924	1 867 070	2 071 924	1 867 070
Loans and advances to banks	452 505	681 379	452 505	681 379
Loans and advances to customers	1 619 419	1 185 691	1 619 419	1 185 691
Other assets	50 324	45 238	50 324	36 481
Current and deferred taxation	8 809	8 044	8 809	8 967
Interest in associates and subsidiaries	3 219	-	5 967	5 967
Property and equipment	51 940	41 525	5 0506	40 075
<b>Total assets</b>	<b>2 555 360</b>	<b>2 297 786</b>	<b>2 556 674</b>	<b>2 294 469</b>
<b>EQUITY AND LIABILITIES</b>				
<b>Equity</b>				
Equity attributable to ordinary shareholders	184 187	158 860	183 272	156 897
Share capital	14 605	14 605	14 605	14 605
Share premium	2 667	2 667	2 667	2 667
Reserves	166 915	141 588	166 000	139 625
<b>Liabilities</b>	<b>2 371 173</b>	<b>2 138 926</b>	<b>2 373 402</b>	<b>2 137 572</b>
Derivative liabilities held for trading	6 733	16 962	6 733	16 962
Deposits and current accounts	2 235 192	1 731 271	2 235 192	1 731 271
Deposits from banks	46 244	82 919	46 244	82 919
Deposits from customers	2 188 948	1 648 352	2 188 948	1 648 352
Other liabilities	90 043	354 700	90 043	351 117
Indebtedness to subsidiary	-	-	2 229	2 229
Current and deferred taxation	3 212	-	3 212	-
Subordinated debt	35 993	35 993	35 993	35 993
<b>Total equity and liabilities</b>	<b>2 555 360</b>	<b>2 297 786</b>	<b>2 556 674</b>	<b>2 294 469</b>

KPMG

**NOTICE**

**STANDARD BANK SWAZILAND LIMITED AND ITS SUBSIDIARIES**  
**INCOME STATEMENTS**  
*for the year ended 31 December 2007*

	<b>Group</b>		<b>Company</b>	
	<b>2007</b>	<b>2006</b>	<b>2007</b>	<b>2006</b>
	<b>E000</b>	<b>E000</b>	<b>E000</b>	<b>E000</b>
<i>Net interest income</i>	163 264	126 337	163 264	125 607
Interest income	290 197	190 880	290 197	190 517
Interest expense	126 933	64 543	126 933	64 910
<i>Non-interest revenue</i>	131 461	125 272	131 461	121 828
Net fee and commission revenue	112 197	102 210	112 197	97 811
Fee and commission revenue	114 351	103 255	114 351	98 856
Fee and commission expense	2 154	1 045	2 154	1 045
Trading revenue	18 472	18 323	18 472	18 323
Other revenue	792	4 739	792	5 694
<b>Total income</b>	<b>294 725</b>	<b>251 609</b>	<b>294 725</b>	<b>247 435</b>
Credit impairment charges	18 830	9 983	18 830	9 983
<b>Income after credit impairment charges</b>	<b>275 895</b>	<b>241 626</b>	<b>275 895</b>	<b>237 452</b>
<i>Operating expenses</i>	150 339	137 496	150 339	135 671
Staff costs	76 119	66 943	76 119	65 900
Other operating expenses	74 220	70 553	74 220	69 771
Net income	125 556	104 130	125 556	101 781
Share of profit from associates	1 200	-	-	-
Profit before taxation	126 756	104 130	125 556	101 781
Taxation	37 270	30 321	37 270	29 398
<b>Profit for the year</b>	<b>89 486</b>	<b>73 809</b>	<b>88 286</b>	<b>72 383</b>
Basic and diluted earnings per share (cents)	613	505	605	496
Dividends per share (cents)	411	123	411	123

KPMG

**NOTICE**

## STANDARD BANK SWAZILAND LIMITED AND ITS SUBSIDIARIES

CASH FLOW STATEMENTS  
for the year ended 31 December 2007

	Group		Company	
	2007 E000	2006 E000	2007 E000	2006 E000
<b>Operating activities</b>				
Cash receipts from customers	423 812	313 958	423 812	309 286
Cash paid to customers, employees and suppliers	(273 516)	(193 635)	(273 516)	(191 457)
Dividends received	-	26	-	958
<b>Cash generated by operating activities</b>	<b>150 296</b>	<b>120 349</b>	<b>150 296</b>	<b>118 787</b>
<b>Changes in operating funds</b>				
Net increase in income earning assets	(234 924)	(492 014)	(241 659)	(517 019)
Net increase in deposits and other liabilities	194 880	508 639	201 615	534 967
<b>Net (decrease)/increase in operating funds</b>	<b>(40 044)</b>	<b>16 625</b>	<b>(40 044)</b>	<b>17 948</b>
<b>Taxation paid</b>	<b>(34 937)</b>	<b>(50 392)</b>	<b>(34 937)</b>	<b>(50 045)</b>
<b>Investing activities</b>				
Capital expenditure on land and buildings	(2 870)	(1 350)	(2 870)	(1 350)
Capital expenditure on equipment, furniture and vehicles	(15 713)	(5 664)	(15 713)	(5 664)
Proceeds from sale of property, equipment, furniture and vehicles	349	2 467	349	1 363
Increase in indebtedness to subsidiaries	-	-	-	996
<b>Net cash Utilised by investing activities</b>	<b>(18 234)</b>	<b>(4 547)</b>	<b>(18 234)</b>	<b>(4 655)</b>
<b>Financing activities</b>				
Dividends paid	(30 000)	(63 000)	(30 000)	(63 000)
Subordinated debt	-	(15)	-	(15)
	<b>(30 000)</b>	<b>(63 015)</b>	<b>(30 000)</b>	<b>(63 015)</b>
<b>Net increase in cash and cash equivalents</b>	<b>27 081</b>	<b>19 020</b>	<b>27 081</b>	<b>19 020</b>
<b>Cash and cash equivalents at beginning of year</b>	<b>140 062</b>	<b>121 042</b>	<b>140 062</b>	<b>121 042</b>
<b>Cash and cash equivalents at end of year</b>	<b>167 143</b>	<b>140 062</b>	<b>167 143</b>	<b>140 062</b>

KPMG

NOTICE

**ESTATE LATE: NOKUTHULA MAKHOSAZANA BHILA ESTATE NO. EP15/2008**

Debtors and Creditors in the above mentioned 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.

SAMARIA DUNDEE DLAMINI  
P.O. Box 61  
Mbabane

J625 11-04-2008

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NOTICE



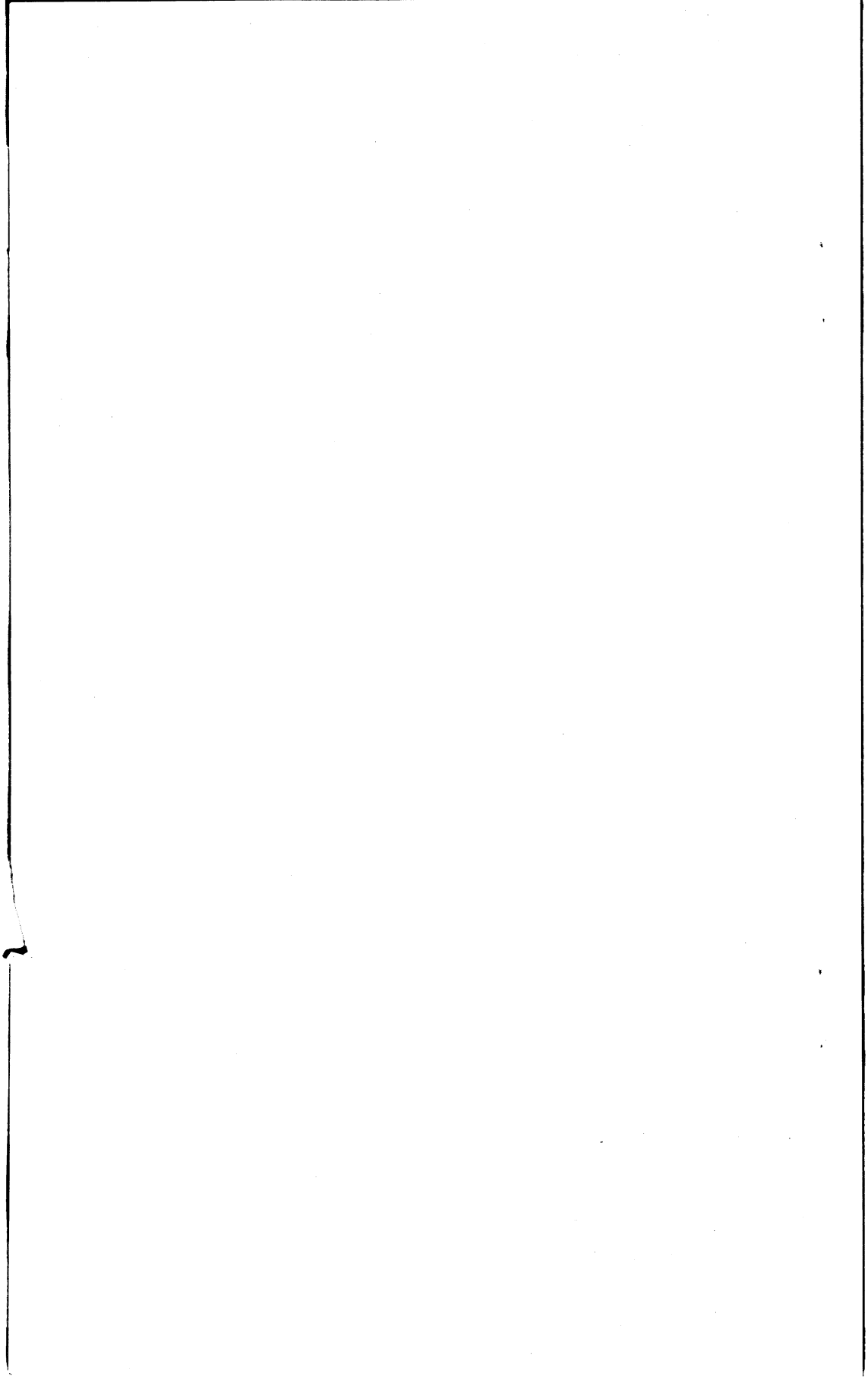
**IN THE ESTATE OF THE LATE: CHARLES KOTTLER  
(IDENTY NO. 270810 5004 08 5) OF  
EVENI, MBABANE SWAZILAND  
ESTATE NO. 14108/2007**

The FIRST AND FINAL Liquidation and Distribution Account in the above estate will lie for inspection at the Office of the Master of the High Court, CAPE TOWN and at the Office of the Resident Magistrate at Cape Town for a period of twenty-one days from 11<sup>th</sup> April 2008.

**DATED AT CAPE TOWN ON 1<sup>ST</sup> APRIL, 2008.**

OLD MUTUAL TRUST LIMITED  
P. O. Box 86  
Cape Town  
8000

J619 11-04-2008





**SUPPLEMENT TO  
THE  
SWAZILAND GOVERNMENT  
GAZETTE**

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VOL. XLVI]

MBABANE, Friday, APRIL 11<sup>TH</sup> 2008

[No. 42

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**PUBLISHED BY AUTHORITY**

# PART A

S1

## THE SUPPRESSION OF TERRORISM BILL, 2008

(Bill No. 5 of 2008)

(To be presented by the Prime Minister)

### MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to provide a legal regime that would prevent, fight and suppress terrorists activities in compliance with the United Nations Security Council Resolution 1373 and the United Nations Conventions against terrorism.

**J. M. DLAMINI**  
*ATTORNEY GENERAL*

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**A BILL**  
Entitled

An Act to provide for the detection, suppression and deterrence of terrorism and for punishment of all forms of terrorist acts and persons engaged in terrorist acts in compliance with the Conventions and Resolutions of the United Nations.

**ENACTED** by the King and the Parliament of Swaziland.

### ARRANGEMENT OF SECTIONS.

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2. Interpretation

#### **PART II** JURISDICTION AND TRIAL OF OFFENCES

3. Jurisdiction to try offences under this Act
4. Evidence by certificate

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7. Collection, provision of property or services for terrorist acts
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11. Soliciting and giving of support to terrorist groups for terrorist acts
12. Harboursing of terrorist suspects
13. Provision of weapons to terrorist groups
14. Recruitment to terrorist groups or acts

15. Training to terrorist groups and for terrorist acts
16. Promotion and facilitation of terrorist acts in foreign states
17. Promotion of offences under section 16
18. Conspiracy to commit offences under this Act
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21. Participation in the commission of offences under this Act

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43. Power to make regulations
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**PART I**  
**PRELIMINARY PROVISIONS**

***Short title and commencement.***

1. This Act may be cited as the Suppression of Terrorism Act, 2008 and shall come into force thirty days after date of publication in the Gazette.

***Interpretation.***

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

“aircraft” includes an aeroplane, glider and helicopter;

“Commissioner” means the Commissioner of Police and includes any other police officer authorised by the Commissioner of Police to act or carry out any duties entrusted on the Commissioner of Police under this Act;

“communication” means a communication received or transmitted by post or a telegraphic, telephonic or other communication received or transmitted by electricity, magnetism, or other means;

“communications service provider” means a person who provides services for the transmission or reception of communications;

“counter terrorism convention” means any of the following United Nations Conventions -

- (a) Convention on Offences and certain Other Acts committed on Board Aircraft signed at Tokyo on 14<sup>th</sup> September 1963;
- (b) Convention for the Suppression of Unlawful Seizure of Aircraft done at the Hague on 16<sup>th</sup> December 1970;
- (c) Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, done at Montreal on 23<sup>rd</sup> September 1971;
- (d) Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14<sup>th</sup> December 1973;
- (e) International Convention against the taking of Hostages, adopted by the General Assembly of the United Nations on 17<sup>th</sup> December 1979;
- (f) Convention on the Physical Protection of Nuclear Material, adopted at Vienna on 3<sup>rd</sup> March 1980;
- (g) Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, done at Montreal on 24<sup>th</sup> February 1988;
- (h) Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, done at Rome on 10<sup>th</sup> March 1988;

- (i) Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms located on the Continental Shelf, done at Rome on 10<sup>th</sup> March 1988;
- (j) Convention on the Marking of Plastic Explosives for the Purposes of Detection, signed at Montreal, on 1<sup>st</sup> March 1991;
- (k) International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15<sup>th</sup> December 1997;
- (l) International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9<sup>th</sup> December 1999. (Not yet in force), and

includes the United Nations Security Council Resolution 1373 and any other subsequent protocols that bind the Government;

“entity” means a person, group, trust, partnership, fund or an unincorporated association or organisation;

“financial institution” means a commercial bank, or any other institution which makes loans, advances or investments or accepts deposits of money from the public;

“Financial Intelligence Unit” means a body or agency responsible for receiving, requesting, analysing and disseminating to competent authorities disclosures of financial information as required under this Act, the Prevention of Money Laundering Act or in any United Nations Convention, multilateral, regional or bilateral convention or treaty relating to the prevention or countering money laundering and financing of terrorism;

“interception of communications order” means an order issued by a Judge under section 25;

“Minister” means the Minister for responsible for national security;

“Master” in relation to a vessel, means the owner or person (except a harbour master or pilot) having for the time being command or charge of the vessel;

“member of a terrorist group or organisation” includes -

- (a) a person who is an informal member of the organisation; and
- (b) a person who has taken steps to become a member of the organisation;

“operator” in relation to an aircraft, means the owner or person for the time being in charge or command or control of the aircraft;

“property” means any movable or immovable property of any description and deeds and instruments relating to or evidencing the title or right to property, or giving a right to recover or receive money or goods, and includes any funds, financial assets or economic resources;

“Security Council” means the Security Council of the United Nations;

“specified entity” means an entity in respect of which a Notice under section 28 has been made, or is deemed by reason of the operation of section 29(4) to have been made, and is for the time being in force;

“terrorist act” means -

(1) an act or omission which constitutes an offence under this Act or within the scope of a counter-terrorism convention; or

(2) an act or threat of action which -

(a) causes -

(i) the death of a person;

(ii) the overthrow, by force or violence, of the lawful Government; or

(iii) by force or violence, the public or a member of the public to be in fear of death or bodily injury;

(b) involves serious bodily harm to a person;

(c) involves serious damage to property;

(d) endangers the life of a person;

(e) creates a serious risk to the health or safety of the public or a section of the public;

(f) involves the use of firearms or explosives;

(g) involves releasing into the environment or any part of the environment or distributing or exposing the public or any part of the public to-

(i) any dangerous, hazardous, radioactive or harmful substance;

(ii) any toxic chemical;

(iii) any microbial or other biological agent or toxin;

(h) is designed or intended to disrupt any computer system or the provision of services directly related to communications infrastructure, banking or financial services, utilities, transportation or other essential infrastructure;

(i) is designed or intended to disrupt the provision of essential emergency services such as police, civil defence or medical services;

(j) involves prejudice to national security or public safety;

and is intended, or by its nature and context, may reasonably be regarded as being intended to -

(k) intimidate the public or a section of the public; or

(l) compel the Government, a government or an international organisation to do, or refrain from doing, any act.

(3) Notwithstanding the provisions of subsection (2), an act which -

(a) disrupts any services; and

(b) is committed in pursuance of a protest, demonstration or stoppage of work,

shall be deemed not to be a terrorist act within the meaning of this definition, so long as the act is not intended to result in any harm referred to in paragraphs, (a), (b), (c), (d) or (e) of subsection (2);

“terrorist group” means -

(a) an entity that has one of its activities and purposes, the committing of, or the facilitation of the commission of, a terrorist act; or

(b) a specified entity;

“terrorist property” means

(a) proceeds from the commission of a terrorist act,

(b) money or other property which has been, or is likely to be used to commit a terrorist act, or

(c) money or other property which has been, is being, or is likely to be used by a terrorist group;

“vessel” means any thing made or adapted for the conveyance by water, of people or property;

“weapon” includes a firearm, ammunition, bomb, explosive or any device capable of causing an explosion, grenade or any incendiary material, chemical, biological or nuclear weapon.

## PART II JURISDICTION AND TRIAL OF OFFENCES

### *Jurisdiction to try offences under this Act*

3. (1) The High Court shall have jurisdiction to try an offence under this Act if the act or omission constituting the offence is committed in Swaziland.

(2) For the purposes of subsection (1) an act or omission committed outside Swaziland and which would be an offence if committed in Swaziland and where-

(a) the person committing the act or omission is a citizen of Swaziland or is not a citizen but is ordinarily resident in Swaziland;

(b) the act or omission is committed to compel the Government of Swaziland to do or refrain from doing an act or certain act;

(c) the act or omission is committed against a citizen of Swaziland or a person under the protection of the Government of Swaziland;

(d) the act or omission is committed against property belonging to the Government of Swaziland outside Swaziland; or

(e) the person who commits the act or omission is, after its commission, present in Swaziland,

shall be deemed to be an act or omission committed in Swaziland.

***Evidence by certificate***

4. Where in any proceedings for an offence under this Act, a question arises as to whether anything or a substance is a-

- (a) weapon;
- (b) hazardous, radioactive or a harmful substance;
- (c) toxic chemical or microbial or other biological agent or toxin,

a certificate purporting to be signed by an appropriate authority, or a person with expert knowledge, as to the nature of the thing or substance described in the certificate shall be admissible in evidence without proof of the signature or authority of the person appearing to have signed it and shall, in the absence of evidence to the contrary, be proof of the facts stated in that certificate.

**PART III  
OFFENCES**

***Terrorist Offences and punishments***

5. (1) A person who commits a terrorist act, subject to any other specific penalty provided in this Act for that offence, shall be guilty of an offence and, on conviction, shall be sentenced to any period of imprisonment not exceeding twenty five (25) years or to such number of life sentences as the court may impose.

(2) A person who, without a lawful and justifiable reason, is in possession or is found in possession of literature on weapons-making, that is, including but not limited to, books, manuals, documents, pamphlets, drawings, diagrams, electronic storage devices and tapes, commits an offence and, on conviction, shall be liable to imprisonment for a period not exceeding three (3) years or such other penalty as the Court may impose.

(3) Any person who -

- (a) unlawfully sends or delivers, by any means, to another person or institution an explosive device, contraption or substance for purposes of causing harm, disturbance, fear, or panic;
- (b) intentionally and without lawful excuse, sends or communicates to another person or institution a false alarm or by any deed causes a false alarm or unwarranted panic;
- (c) places a parcel, substance or thing in any place with the intention to cause damage or injury to a person or property;
- (d) places a parcel, substance or thing in any place with the intention to induce -
  - (i) fear of injury to life or body to any person or damage to property; or
  - (ii) submission to a demand whether that demand is possible or impossible of being realized or being met;
- (e) intentionally publishes or communicates, in whatever manner, false information about the existence of any danger, dangerous thing, explosive or harmful or hazardous substance when that person does not believe in the existence of that thing or truthfulness of that publication or communication,



commits an offence and, on conviction, shall be liable to imprisonment for a period not exceeding three (3) years or such fine as the Court may impose

(4) Where a body corporate commits an offence under this Act, every director, officer or agent of the corporation who directed, authorized, assented to, acquiesced or participated in the commission of the offence is a party to and

guilty of the offence and shall be liable, on conviction, to the punishment provided for the offence whether or not the body corporate has been prosecuted.

(5) A court convicting a person under subsection (1) shall not impose a punishment of payment of a fine unless there are compelling reasons for so doing such as where, because of ill-health or humanitarian reasons, there would be no useful purpose in keeping the convict in effective imprisonment.

(6) Any person who commits a terrorist act or contravenes any other provision of this Act, by commission or omission, commits an offence and shall be liable, on conviction, to such penalty as provided under this section or under this Act.

(7) A person charged with an offence under this Act, may be tried summarily by the High Court and only the High Court shall be the court of first instance including any incidental matter such as questions of bail or liberty of the accused before or during the trial.

***Provision and collection of funds to commit terrorist acts***

6. A person who provides or collects by any means, directly or indirectly, any funds, intending or knowing or having reasonable grounds to believe that the funds may be used in full or in part to carry out a terrorist act commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding fifteen (15) years.

***Collection, provision of property or service for terrorist acts***

7. A person who, directly or indirectly, collects property or provides or invites a person to provide, or makes available, property or financial or other related service-

- (a) intending that the property or service be used, in whole or in part, for the purpose of committing or facilitating the commission of a terrorist act or for the purpose of benefiting any person who is committing or facilitating the commission of a terrorist act; or
- (b) knowing or having reason to know that in whole or in part, the property or service may be used by, or may benefit, a terrorist group,

commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding fifteen (15) years.

***Use of property for terrorist acts***

8. A person who -

- (a) uses property, directly or indirectly, in whole or in part, for the purpose of committing or facilitating the commission of a terrorist act; or
- (b) possesses property intending that the property be used or knowing that the property may be used, directly or indirectly, in whole or in part, for the purpose of committing or facilitating the commission of a terrorist act,

commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding fifteen (15) years.

***Retention or control of terrorist property***

9. A person who knowingly or having reason to know enters into, or becomes concerned in, an arrangement which facilitates the retention or control by or on behalf of another person of terrorist property -

- (a) by concealment;
- (b) by a removal out of jurisdiction;
- (c) by transfer to a nominee; or
- (d) in any other way,

commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding fifteen (15) years.

***Dealing with property owned or controlled by terrorist groups***

10. (1) A person who knowingly or having reason to know -

- (a) deals, directly or indirectly, in any property that is owned or controlled by or on behalf of a terrorist group;
- (b) enters into, or facilitates, directly or indirectly, any transaction in respect of property referred to in paragraph (a); or
- (c) directly or indirectly provides financial or other service in respect of property referred to in paragraph (a) at the direction of a terrorist group,

commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding fifteen (15) years.

(2) A person who takes or fails to take measures to comply with subsection (1) shall not be liable in any civil action arising from having taken, or not having taken those measures if that person proves that all reasonable steps were taken to ensure that the relevant property was not owned or controlled by or on behalf of a terrorist group.

***Soliciting and giving support to terrorist groups***

11. (1) A person who knowingly, and in any manner -

- (a) solicits support for, or gives support to, any terrorist group, or
- (b) solicits support for, or gives support to, the commission of a terrorist act,

commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding fifteen (15) years.

(2) For the purposes of this section an offer to provide, or the provision of, forged or falsified travel documents to a member of a terrorist group constitutes giving of support to a terrorist group.

***Harbouring terrorist suspects***

12. A person who -

- (a) harbours or conceals any other person; or
- (b) prevents, hinders or interferes with the apprehension of any other person,

knowing or having reason to believe that that other person -

- (c) is a terrorist suspect;
- (d) has committed a terrorist act; or,
- (e) is a member of a terrorist group,

commits an offence and shall on conviction be liable to imprisonment for a term not exceeding twenty (20) years.

***Provision of weapons to terrorist groups***

13. Every person who knowingly or having reason to know provides or offers to provide, any weapon to -

- (a) a terrorist group;
- (b) member of a terrorist group ; or,
- (c) any other person for use by, or for the benefit of, a terrorist group or a member of a terrorist group,

commits an offence and shall on conviction, be liable to imprisonment for twenty (20) years or to such other higher or lower sentence as the court may impose.

***Recruitment to terrorist groups or acts***

14. A person who knowingly recruits or agrees to recruit, another person to-

- (a) be a member of a terrorist group; or
- (b) participate in the commission of a terrorist act,

commits an offence and shall on conviction be liable to imprisonment for a term not exceeding twenty (20) years.

***Training terrorist groups and for terrorist acts***

15. A person who, knowingly, agrees to provide training or instruction, or provides training or instruction in -

- (a) the making or use of any weapon,
- (b) the carrying out of a terrorist act,
- (c) the practice of military exercises or manoeuvres,

to member of a terrorist group or person engaging in, or preparing to engage in, the commission of a terrorist act commits an offence and shall, on conviction, be liable to imprisonment for twenty (20) years or to such other sentence as the court may impose.

***Promotion and facilitation of terrorist acts in foreign states***

16. A person in Swaziland, who -

- (a) knowingly promotes or facilitates the doing of any act in a foreign State for the purpose of achieving any of the following objectives, whether or not the objective is achieved -
  - (i) the overthrow, by force or violence, of the lawful Government of that foreign State;
  - (ii) causing, by force or violence, the public in that foreign State to be in fear of death or bodily injury;
  - (iii) causing death of, or bodily injury to, a person who is the lawful Head of State of that foreign State or holds, or performs the duties of, a public office in that foreign State;
  - (iv) unlawfully, destroying or damaging any property belonging to the lawful Government of that foreign State;
- (b) recruits another person to become a member of, or to serve in any capacity with, a body or association of persons the objectives of which are, or include, the objectives referred to in paragraph (a);
- (c) accumulates, stockpiles or otherwise keeps, any weapons for the purposes of doing any act referred to in paragraph (a);
- (d) trains or drills, or participates in the training or drilling, of any other person in the use of weapons or in the practice of military exercises or manoeuvres to prepare that person to do any act referred to in paragraph (a);
- (e) agrees or submits to be trained or drilled, in the use of weapons or in the practice of military exercises or manoeuvres for the purpose of doing any act referred to in paragraph (a);
- (f) gives any money or goods to, or performs services for, any other person or body or association of persons for the purposes of promoting or supporting the doing of an act referred to in paragraph (a); or
- (g) receives or solicits money or goods or the performance of services for the purposes of promoting or supporting the doing of an act referred to in paragraph (a).

commits an offence and shall, on conviction, be liable to imprisonment for a period of twenty five (25) years or such number of life sentences as the court may impose.

***Promotion of offences under section 16***

17. A person who being -

- (a) the owner, occupier, lessee or the person in charge of any building, premises, room, or place knowingly permits a meeting of persons to be held in that building, premises, room or place;
- (b) the owner, charterer, lessee, operator, agent, or master of a vessel, or the owner, charterer, lessee, operator, agent or pilot in charge, of an air craft, knowingly permits that vessel or aircraft to be used,

for the purposes of committing an offence under section 16, or promoting or supporting the commission of an offence under section 16, commits an offence and shall, on conviction, be liable to imprisonment for twenty five (25) years or to such number of life sentences as the court may impose.

***Conspiracy to commit offences under this Act***

18. (1) A person who conspires with another person in Swaziland to do any act in any place outside Swaziland, being an act, which if done in Swaziland would constitute an offence under this Act shall be deemed to have conspired to do that act in Swaziland.

(2) A person who conspires with another person in a place outside Swaziland which if done in Swaziland would constitute an offence under this Act shall be deemed to have conspired to do that act in Swaziland.

(3) A person who conspires with another person in terms of this section commits an offence and shall, on conviction, be liable to imprisonment for a period not exceeding twenty (20) years.

***Membership of terrorist groups***

19. (1) A person who -

- (a) is a member; or
- (b) professes to be a member,

of a terrorist group commits an offence and shall on conviction, be liable to imprisonment for a term not exceeding ten (10) years.

(2) It shall be a defence for a person charged with an offence under this section to prove that the entity in respect of which the charge is brought was not a terrorist group at or on the date that person became a member or professed to be a member of that entity, or that person has not taken part in the activities of that entity after that entity became a terrorist group.

***Arrangements of meetings in support of terrorist groups***

20. (1) A person who arranges, manages or assists in arranging or managing a meeting which that person knows is to -

- (a) support a terrorist group;
- (b) further the activities of a terrorist group,
- (c) be addressed by a person who belongs or professes to belong to a terrorist group,

commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding fifteen (15) years.

(2) In this section "meeting" means a meeting of three (3) or more persons, whether or not the public is admitted.

***Participation in the commission of offences under this Act***

21. A person who -

- (a) aids and abets the commission of;
- (b) attempts to commit;
- (c) conspires to commit;
- (d) counsels or procures the commission of,

an offence under this Act commits an offence and shall, on conviction, be liable to the same punishment as is prescribed for the perpetrator or, or to such other punishment as may be specifically provided.

**PART IV  
INVESTIGATION OF OFFENCES**

***Powers of arrest***

22. Any police officer may arrest without warrant any person who has committed or is committing or whom the police officer has reasonable grounds for suspecting to have committed or to be committing an offence under this Act.

***Detention orders***

23. (1) Subject to subsection (2) a police officer may for the purpose of preventing the commission of an offence under this Act or preventing interference in investigation of an offence under this Act, apply ex parte, to a Judge of the High Court for a detention order.

(2) A police officer may make an application under subsection (1) only with the prior written consent of the Attorney-General.

(3) A judge to whom an application is made under subsection (1) shall make an order for the detention of the person named in the application where the judge is satisfied that there are reasonable grounds to believe that -

- (a) the person is about to commit an offence under this Act; or
- (b) is interfering or likely to interfere with an investigation into an offence under this Act.

(4) An order under subsection (3) shall be for a period not exceeding forty-eight (48) hours in the first instance and may, on application made by a police officer, be extended for a further period, provided that the maximum period of detention under that order shall not exceed seven (7) days.

(5) An order under subsection (3) shall specify the place at which the person named in the order is to be detained and the conditions subject to which that person shall be detained (including conditions relating to access to a Government medical officer and the video recording of the person in detention so as to constitute an accurate, continuous and uninterrupted record of the detention of that person for the whole period of the detention).

***Power to gather information***

24. (1) Subject to subsection (2) a police officer may, for the purpose of an investigation of an offence under this Act, apply ex parte to a Judge of the High Court for an order for the gathering of information.

(2) A police officer may make an application under subsection (1) only with the prior written consent of the Attorney-General.

(3) A Judge to whom an application is made under subsection (1) shall make an order for the gathering of information where the Judge is satisfied that the consent of the Attorney-General has been obtained as required by subsection (2) and that there are reasonable grounds to believe that -

- (a) an offence under this Act has been committed and information concerning the offence or information that may reveal the whereabouts of a person suspected by the police officer of having committed the offence is likely to be obtained as a result of the order;
- (b) that there are reasonable grounds to believe that an offence under this Act may soon be committed; or
- (c) that there are reasonable grounds to believe that a person has direct and material information that relates to an offence referred to in paragraph (b) or that may reveal the whereabouts of a person whom the police officer suspects may commit an offence under this section or Act, and
- (d) reasonable attempts have been made to obtain the information required under this section from the person who is named in the application.

(4) An order made under subsection (3) may -

- (a) require the examination, on oath or not, of a person named in the order;
- (b) require the person to attend at the place fixed by the Judge, or by the Judge designated under paragraph (d), as the case may be, for the examination and to remain in attendance until excused by the presiding Judge;
- (c) require or order the person to bring to the examination any document or thing in the possession or control of that person, and produce that document or thing to the presiding Judge;
- (d) designate another Judge as the Judge before whom the examination shall take place; and
- (e) include any other terms or conditions that the Judge considers appropriate including terms or conditions for the protection of the interests of the person named in the order and of third parties or for the protection of any on-going investigation.

(5) An order made under subsection (3) may be executed anywhere in Swaziland.

(6) The Judge who made the order under subsection (3), or another Judge of the same court, may vary the terms and conditions of that order.

(7) A person named in an order made under subsection (3) shall answer questions put to that person by the Attorney-General or the Attorney-General's representative and shall produce to the presiding Judge documents or things which that person was ordered to bring and may refuse

to do so if answering a question or producing a document or thing would disclose information that is protected by the law relating to non-disclosure of information or privilege.

(8) The presiding Judge shall rule on an objection or other issue relating to a refusal to answer a question or to produce a document or thing.

(9) A person shall not be excused from answering a question or producing a document or thing under subsection (7) on the ground that the answer or document or thing may tend to incriminate the person or subject the person to any proceedings or penalty, and -

(a) no answer given or document or thing produced under subsection (7) shall be used or received against the person in any criminal proceedings against that person, other than in a prosecution for perjury or giving false evidence; and

(b) no evidence derived from the evidence obtained from the person shall be used or received against the person in any criminal proceedings against that person, other than in a prosecution for perjury or giving false evidence.

(10) A person, who is the subject matter of this section, shall have the right to retain and instruct counsel at any stage of the proceedings under this section.

(11) The presiding Judge, if satisfied that any document or thing produced during the course of the examination may likely be relevant to the investigation of any offence under this Act, shall order that document or thing be delivered into the custody of the police officer or someone acting on behalf of that police officer.

***Power to intercept and admissibility of intercepted communications***

25. (1) Subject to subsection (2) a police officer may, for the purpose of obtaining evidence of the commission of an offence under this Act, apply ex parte to a Judge of the High Court for an order intercepting a communication.

(2) A police officer may make an application under subsection (1) only with the prior written consent of the Attorney-General.

(3) Subject to subsection (3) a Judge to whom an application is made under subsection (1) may make an order -

(a) requiring a communications service provider to intercept and retain a specified communication or communications of a specified description received, transmitted or about to be received or transmitted by that communications service provider;

(b) authorising the police to enter any premises and to install on those premises, any device for the interception and retention of a specified communication or communications of a specified description and to remove and retain that device.

(4) A Judge shall not make the order under subsection (2) unless the judge is satisfied that the consent of the Attorney-General has been obtained as required by subsection (2) and that there are reasonable grounds to believe that material information relating to-

(a) the commission of an offence under this Act, or

(b) the whereabouts of the person suspected by the police officer to have committed the offence



may be contained in that communication or communications of that description.

(5) Any information contained in a communication -

- (a) intercepted and retained pursuant to an order under subsection (3); or
- (b) intercepted and retained in a foreign State in accordance with the law of that foreign state and certified by a Judge of that foreign state to have been so intercepted and retained,

shall be admissible in proceedings for an offence under this Act, as evidence of the truth of its contents notwithstanding the fact that it contains hearsay.

**PART V**  
**DISCLOSURE AND SHARING OF INFORMATION**

***Duty to disclose information relating to offences and terrorism acts***

26. (1) A person who has any information which will be of assistance in -

- (a) preventing the commission by another person of a terrorist act; or
- (b) securing the arrest or prosecution of another person for an offence under this Act,

shall forthwith disclose the information to the Commissioner or at a police station to an officer not below the rank of a Superintendent of Police.

(2) Nothing in subsection (1) requires the disclosure of any information which is protected by privilege.

(3) Civil or criminal proceedings shall not lie against any person for disclosing any information, in good faith, under subsection (1).

(4) Any person who fails to comply with subsection (1) commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding five (5) years.

***Duty to disclose information relating to terrorist property***

27. (1) A person shall forthwith disclose to the Financial Intelligence Unit -

- (a) the existence of any property in the possession or control of that person which is, to the knowledge of that person, owned or controlled by or on behalf of a terrorist group or specified entity;
- (b) any information regarding a transaction or proposed transaction in respect of any property referred to in paragraph (a).

(2) The Financial Intelligence Unit shall disclose to the Financial Intelligence Unit of a foreign State or the appropriate authority of that foreign State, as the case may be, any information in its possession relating to any property owned or controlled by or on behalf of a terrorist group, if that information is requested or if the Financial Intelligence Unit in Swaziland is of the view that the information would be relevant to that foreign State.

(3) A financial institution shall report, every three months, to the Financial Intelligence Unit and any body authorized by law to supervise and regulate the activities of that institution, that the institution -

- (a) is not in possession or control of any property owned or controlled by or on behalf of a terrorist group;
- (b) is in possession or control of such property as is described in paragraph (a), and the particulars relating to the persons, accounts, and transactions involved and the total value of the property.

(4) In addition to the requirements of subsection (2), every financial institution shall report to the Commissioner, every transaction which occurs within the course of the activities of that institution, and in respect of which there are reasonable grounds to suspect that the transaction is related to the commission of a terrorist act.

(5) It shall be the duty of the Financial Intelligence Unit or the body authorised by law to supervise the activities of a financial institution or the Commissioner, as case may be, on a request made in that behalf, to disclose to the Financial Intelligence Unit of a foreign State or the appropriate authority of a foreign State, as the case may be, any information in the possession of that Unit or body or the Commissioner, as the case may be, relating to any property owned or controlled by or on behalf of a terrorist group.

(6) Neither civil nor criminal proceedings shall lie against any person for making a disclosure or report, in good faith, under this section.

(7) A person who fails to comply with the provisions of this section commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding five (5) years.

#### **PART VI SPECIFIED ENTITIES**

##### ***Orders declaring certain entities to be specified***

28. (1) Where the Attorney-General, the Commissioner or person responsible for the prevention of corruption or other investigative or financial body has reasonable grounds to believe that -

- (a) an entity has knowingly committed, attempted to commit, participated in committing or facilitated the commission of, a terrorist act, or,
- (b) any entity is knowingly acting on behalf of, at the direction of or in association with, an entity referred to in paragraph (a),

the Attorney-General, or any of the other persons mentioned in this subsection after consultation with the Attorney-General, may recommend to the Minister that a notice be made under subsection (2) in respect of that entity.

(2) Where the Minister is satisfied that there is material to support a recommendation made under subsection (1), the Minister may by notice published in the Gazette declare the entity in respect of which the recommendation has been made to be a specified entity.

(3) A specified entity may apply to the Attorney-General requesting the Attorney-General to recommend to the Minister the revocation of the notice made under subsection (2), or deemed under section 29(4) to have been made, in respect of that entity.

(4) If, on an application made under subsection (3), the Attorney-General after consultation with the Commissioner and any other person -

- (a) decides that there are reasonable grounds for making the recommendation requested in the application, the Attorney- General shall make the requested recommendation to the Minister;
- (b) decides that there are no reasonable grounds for making the recommendation requested in the application, the Attorney General shall refuse the application and shall, within sixty (60) days of receiving the application, inform the applicant of the decision.
- (5) Within sixty (60) days of receiving information of the decision referred to in subsection (4), the specified entity may apply to the High Court for a review of that decision.
- (6) Upon an application being made under subsection (5), a judge of the High Court -
  - (a) shall examine in chambers, any security or intelligence reports considered in recommending or making a notice under subsection (2) in respect of the applicant and hear any other evidence or information that may be presented by or on behalf of the Attorney General;
  - (b) may, at the request of the Attorney-General, hear all or part of that evidence or information referred to in paragraph (a) in the absence of the applicant or any counsel representing the applicant, if the judge is of the opinion that the disclosure of the information would be prejudicial to national security or endanger the safety of any person;
  - (c) shall provide the applicant with a statement summarizing the information available to the judge, so as to enable the applicant to be reasonably informed of the reasons for the decision, without disclosing any information which would, in the opinion of the judge, be prejudicial to national security or endanger the safety of any person;
  - (d) shall provide the applicant with a reasonable opportunity to be heard; and
  - (e) shall determine whether the decision is reasonable on the basis of the information available to the judge and, if found not to be reasonable, make an order compelling the Attorney-General to recommend to the Minister the revocation of the notice made under this section or deemed to have been made under section 29 (4) in respect of the applicant.
- (7) The judge may receive in evidence anything (including information obtained from the Government, institution or agency of a foreign state or an international organisation) that in the opinion of the judge is reliable and relevant notwithstanding that the thing would not otherwise be admissible in law and may base the decision on that evidence.
- (8) The Attorney-General may, from time to time and in consultation with the Commissioner and any other person, review all the Notices made under subsection (2) to determine whether there are still reasonable grounds as set out in subsection (1) for any Notice to continue to apply to a specified entity and if the Attorney-General determines that there are no such reasonable grounds the Attorney-General shall recommend to the Minister the revocation of the Notice made under subsection (2) in respect of that specified entity.

***Orders for the implementation of the Security Council resolutions***

29. (1) Where, in pursuance of Article 41 of the Charter of the United Nations, the Security Council -

(a) decides on the measures to be employed to give effect to any of the decisions of the Security Council; and,

(b) calls upon the Government to apply those measures,

the Minister of Foreign Affairs shall forward those measures to the Minister.

(2) On receipt of the measures as provided under subsection (1), the Minister may, after consultation as may be required by law, implement the measures through such provisions as may appear to the Minister to be necessary or expedient to enable those measures to be effectively applied.

(3) The measures shall not be implemented in terms of subsection (2) unless those measures have been published in the Gazette by the Minister.

(4) Where a notice under section 28 (2) makes provision to the effect that there are reasonable grounds to believe that an entity specified in the notice is engaged in terrorist activity that entity shall be deemed with effect from the date of the notice to have been declared a specified entity.

## PART VII

### SEIZURE AND FORFEITURE OF TERRORIST PROPERTY

#### *Power to seize property used in commission of terrorist acts*

30. (1) Where the Commissioner has reasonable grounds for believing that any property has been, or is being, used to commit an offence under this Act, the Commissioner may seize the property.

(2) The Commissioner may exercise the powers under subsection (1) whether or not any proceedings have been instituted for an offence under this Act in respect of that property.

(3) The Commissioner shall as soon as practicable after seizing any property under subsection (1), make an application, *ex parte*, to a Judge of the High Court for a detention order in respect of that property.

(4) A judge to whom an application is made under subsection (3), may subject to this subsection grant the detention order and shall not grant the detention order in respect of that property unless the Judge -

(a) has given the person appearing to have interest in the property, a reasonable opportunity of being heard;

(b) has reasonable grounds to believe that the property has been, or is being used to commit an offence under this Act.

(5) Subject to subsection (6), a detention order made under subsection (4), shall be valid for a period of sixty (60) days and may, on application, be renewed by a Judge of the High Court, for a further period of sixty (60) days until such time as the property referred to in the order is produced in court in proceedings for an offence under this Act in respect of that property.

(6) A judge of the High Court, on application by the property owner, lessee, custodian, the person named in the order or the Commissioner may release any property referred to in a detention order under subsection (4) where the Judge-

- (a) is satisfied that there are no longer reasonable grounds to suspect that the property has been or is being used to commit an offence under this Act; or
- (b) becomes aware that no proceedings are instituted in the High Court for an offence under this Act in respect of that property after the lapse of six (6) months from the date of the detention order.

(7) A seizure of any property by the Commissioner under subsection (1) shall be deemed not to be a contravention of sub-section (8).

(8) Civil or criminal proceedings shall not lie against the Commissioner and the Government for a seizure of property made in good faith under subsection (1).

***Orders for forfeiture of property after conviction***

31. (1) Where any person is convicted of an offence under this Act, the court may order that any property, used for or in connection with or received as payment or reward for the commission of that offence, be forfeited to the Government.

(2) Before making an order under such section (1) the court shall give any person who submits to the jurisdiction of the court and declares interest in the property in respect of which the order is proposed to be made an opportunity of being heard.

(3) Property forfeited to the Government under subsection (1) shall vest in the Government-

- (a) if no appeal has been made against the order, at the end of the period within which an appeal may be made against the order; and
- (b) if an appeal has been made against the order, on the final determination of the appeal if unsuccessful.

***Orders for seizure and restraint of property***

32. (1) Where a judge of the High Court is satisfied, on an *ex parte* application made to the judge in chambers, that there are reasonable grounds to believe that there is in any building, motor vehicle, place or vessel, any property in respect of which an order of forfeiture may be made under section 33, the judge may issue-

- (a) a warrant authorising a police officer to search the building, motor vehicle, place or vessel for that property and to seize that property if found and any other property in respect of which that police officer believes, on reasonable grounds, that an order of forfeiture may be made under section 33;
- (b) a restraint order prohibiting any person from disposing of, or otherwise dealing with any interest in, that property other than as may be specified in the order.

(2) On an application made under subsection (1), the judge may, at the request of the Attorney-General and if the judge is of the opinion that the circumstances so require -

- (a) appoint a person to take control of, and manage or otherwise deal with, the whole or a part of that property, in accordance with the directions of that judge;
- (b) call upon any person having possession of that property to give possession of that property to the person appointed under paragraph (a).

(3) The power to manage or otherwise deal with property under subsection (2) includes without further application to a judge -

(a) in the case of perishable or rapidly depreciating property, the power to sell that property; and

(b) in the case of property that has little or no value, the power to destroy that property.

(4) A management order under subsection (2) shall cease to have effect when the property which is the subject of the management order is returned to an applicant in accordance with the law or forfeited to the Government or destroyed.

(5) The Attorney-General may at any time apply to a Judge of the High Court to cancel or vary a warrant or order issued under this section

***Orders for forfeiture of property***

33. (1) The Attorney-General may make an application to a Judge of the High Court for an order of forfeiture in respect of terrorist property.

(2) The Attorney-General shall name as respondents to an application under subsection (1) only those persons who are known to own or control the property which is the subject of the application.

(3) The Attorney-General shall give notice of an application under subsection (1) to the respondents named in that application in such manner as the Attorney-General may deem reasonable.

(4) If a judge is satisfied, on a balance of probabilities, that the property which is the subject of the application is terrorist property, the judge shall order that the property be forfeited to the Government.

(5) Where a judge refuses an application under subsection (1), the judge shall make an order that describes the property and declare that it is not property referred to in that subsection.

(6) On an application under subsection (1), a judge may require notice to be given to any other person who in the opinion of the judge, appears to have an interest in the property, and that person shall be entitled to be added as a respondent to the application.

(7) If a judge is satisfied that a person referred to in subsection (6) -

(a) has an interest in the property which is the subject of the application;

(b) has exercised reasonable care to ensure that the property -

(i) is not the proceeds of a terrorist act;

(ii) would not be used to commit or facilitate the commission of a terrorist act; and,

(iii) would not be used by a terrorist group; and

(c) is not a member of a terrorist group,

the judge shall order that the interest shall not be affected by the order and also declare the nature and extent of the interest in question.

(8) A person who claims an interest in property that has been forfeited and who has not been given notice under subsection (6) may make an application to the High Court to vary or set aside an order made under subsection (4) not later than 60 days after the day on which the forfeiture order was made.

(9) A person who intends to appeal against an order under subsection (4) or a decision under subsection (8) shall do so within 45 days of the date of that order or decision.

(10) Pending the determination of an appeal against an order of forfeiture made under this section -

- (a) property restrained under section 32 shall continue to be so restrained;
- (b) property seized under a warrant issued under section 32 shall continue to be so detained; and,
- (c) any person appointed to manage, control or otherwise deal with the property under section 32 shall continue in that capacity.

(11) The provisions of this section, unless otherwise expressly stated, shall not affect the operation of any other provision of this Act respecting forfeiture.

#### **PART VI EXTRADITION AND MUTUAL ASSISTANCE IN CRIMINAL MATTERS**

##### ***Exchange of information relating to terrorist groups and terrorist acts***

34. The Commissioner may, on a request made by the appropriate authority of a foreign State, disclose to that authority any information in the possession of the Commissioner or in the possession of any other government department or agency, relating to any of the following-

- (a) the actions or movements of terrorist groups or persons suspected of involvement in the commission of terrorist acts;
- (b) the use of forged or falsified travel papers by persons suspected of involvement in the commission of terrorist acts;
- (c) trafficking in weapons and sensitive materials by terrorist groups or persons suspected of involvement in the commission of terrorist acts;
- (d) the use of communications technologies by terrorist groups;

##### ***Counter-terrorism conventions to be used as basis for extradition***

35. (1) Where Swaziland becomes a party to a counter terrorism convention and there is in force an extradition arrangement between the Government of Swaziland and another State which is a party to that counter- terrorism convention, the extradition arrangement shall be deemed, for the purposes of the Extradition Act, to include provision for extradition in respect of offences falling within the scope of that counter terrorism convention.

(2) Where Swaziland becomes a party to a counter terrorism convention and there is no extradition arrangement between the Government of Swaziland and another State which is a party to that counter-terrorism convention, the Minister may, by notice published in the Gazette, treat the counter – terrorism convention, for the purposes of the Extradition Act, as an extradition arrangement between the Government of Swaziland and that State, providing for extradition in respect of offences falling within the scope of that counter-terrorism convention.

***Counter terrorism convention for mutual assistance in criminal matters***

36. (1) Where Swaziland becomes a party to a counter-terrorism convention and there is in force an arrangement for mutual assistance in criminal matters between the Government of Swaziland and another State which is a party to that counter-terrorism convention, that arrangement shall be deemed, for the purposes of the Mutual Assistance in Criminal Matters Act, to include provision for mutual assistance in criminal matters in respect of offences falling within the scope of that counter terrorism convention.

(2) Where Swaziland becomes a party to a counter-terrorism convention and there is no arrangement for mutual assistance in criminal matters between the Government of Swaziland and another State which is a party to that counter-terrorism convention, the Minister may, by notice published in the Gazette, treat that counter-terrorism convention as an arrangement between the Government of Swaziland and that other State provided for mutual assistance in criminal matters in respect of offences falling within the scope of that counter- terrorism convention.

***Offences under this Act not political offences for extradition***

37. Notwithstanding anything in the Extradition Act, an offence under this Act shall, for the purposes of extradition under the Extradition Act, be deemed not to be an offence of a political character or an offence connected with a political offence or an offence inspired by political motives.

***Death, serious bodily harm and damage to property not political offences for extradition***

38. Notwithstanding anything in the Extradition Act, an offence under this Act which causes death or serious bodily harm to a person, or serious damage to property shall, for the purposes of extradition under the Extradition Act, be deemed not to be an offence of a political character or an offence connected with a political offence or an offence inspired by political motives.

**PART VII  
MISCELLANEOUS**

***Refusal and revocation of registration of charities linked to terrorists.***

39. (1) The Minister or the Minister responsible for finance may sign or direct the Minister responsible for charitable or similar organisations to sign a certificate stating that, based on information received including any security or criminal intelligence reports, there are reasonable grounds to believe that a registered charity or an applicant for registration as a registered charity (in this section referred to as "the applicant") has made, is making or is likely to make, available any resources, directly or indirectly, to a terrorist group.

(2) A copy of the signed certificate shall be served on the applicant or the registered charity physically or by registered post sent to the last known address of the charity or the applicant.

(3) The certificate or any matter arising out of the certificate shall not be subject to review or be restrained, prohibited, removed, set aside or otherwise dealt with, except in accordance with this section.

(4) Seven (7) days after service under subsection (2) or as soon as practicable thereafter the Minister or a person authorised by the Minister shall -

- (a) file a copy of the certificate in the High Court for the Court to make a determination under subsection (5); and



- (b) cause the applicant or registered charity to be served, physically or by registered letter sent to the last known address, with a notice informing the charity or applicant of the filing of the certificate.

(5) Upon the filing of a certificate in the High Court under subsection (4), the judge of that court -

- (a) shall examine in chambers, the information, including any security or criminal intelligence reports, considered by the Minister and or the Minister responsible for finance before signing the certificate; and,
- (b) shall hear any evidence or information that may be presented by or on behalf of those Ministers (whether or not that information is admissible in a court of law); and,
- (c) may, on the request of the Minister, hear all or part of that evidence or information in the absence of the applicant or registered charity, or any counsel representing the applicant or the registered charity,

if the judge is of the opinion that the disclosure of the information would be prejudicial to national security or endanger the safety of any person;

- (d) shall provide the applicant or the registered charity with a statement summarising the information available to the judge so as to enable the applicant or the registered charity to be reasonably informed of the circumstance giving rise to the certificate, without disclosing any information which would, in the opinion of the judge, be prejudicial to national security or endanger the safety of any person;
- (e) shall provide the applicant or registered charity with a reasonable opportunity to be heard; and
- (f) shall determine whether the certificate is reasonable on the basis of all the information available to the judge or if found not reasonable, quash the certificate.

(6) A determination under subsection (5) shall not be subject to appeal or review by any court.

(7) Where the judge determines, under subsection (5), that a certificate is reasonable, the Minister shall cause the certificate to be published in the Gazette.

(8) A certificate determined to be reasonable under subsection (5), shall be deemed for all purposes to be sufficient ground for the refusal of the application for registration or de-registration of the charity referred to in the certificate.

***Information relating to passengers in motor vehicles, vessels and aircrafts***

40. (1) An operator of an aircraft departing from Swaziland, owner or driver of a motor vehicle within Swazi territory or master of a vessel registered in Swaziland departing from any place outside Swaziland may, subject to regulations made under subsection (5), provide to-

- (a) the Commissioner any information in the possession of the provider, relating to persons on board, or expected to be on board, the aircraft, motor vehicle or vessel, as the case may be;
- (b) the competent authority in a foreign State, any information in the possession of the provider, relating to persons on board, or expected to be on board, the aircraft, motor vehicle or vessel, as the case may be, and required by the laws of that foreign State.

(2) The Chief Immigration Officer or other authorised officer under the laws relating to immigration may, subject to regulations made under subsection (5), provide to the competent authority in a foreign State any information in the possession of the officer relating to persons entering or leaving Swaziland by land which may be required by the laws of that foreign State.

(3) The provision of any information under subsection (1) or (2), subject to regulations made under subsection (5), shall be deemed not to be a contravention of any provision of law prohibiting the disclosure of the information.

(4) The information provided to the Commissioner under subsection (1) shall not be used or disclosed by the Commissioner except for the purpose of protecting national security or public safety.

(5) The Minister may make regulations generally to give effect to the purposes of this section, including regulations -

- (a) respecting the types of classes of information that may be provided;
- (b) specifying the foreign States to which the information may be provided; and
- (c) for any matter the Minister may deem fit.

***Power to prevent entry and order the removal of persons***

41. (1) The Chief Immigration Officer or other authorised officer under the laws relating to immigration shall not grant an endorsement or other authority permitting a person to enter Swaziland if that officer has reasonable grounds to believe that that person has been, is, or will be, involved in the commission of a terrorist act.

(2) Where the Minister responsible for immigration has reasonable grounds to believe that a person in Swaziland has been, is or will be, involved in the commission of a terrorist act, that Minister may make an order requiring that person to leave Swaziland, and so long as the order is in force, remain out of Swaziland.

(3) A person with respect to whom an order under subsection (2) is made may be detained in such manner as may be directed by the Minister responsible for immigration and may be placed on a vessel or aircraft leaving Swaziland.

(4) A person who does any act in contravention of an order made under this section, commits an offence and on conviction, shall be liable, in addition to any punishment provided under the immigration laws, to imprisonment for a term not exceeding five (5) years or to such fine as may be determined by the court.

***Power to refuse application***

42. The Minister responsible for immigration may, having regard to the interests of national security and public safety, refuse the application of any person applying for status as a refugee, if that Minister has reasonable grounds to believe that the applicant has committed a terrorist act or is or is likely to be involved in the commission of a terrorist act.

***Power to make Regulations***

43. (1) The Minister may make regulations in respect of all matters for which regulations are required or authorised to be made under this Act.

(2) Every regulation made under subsection (1) shall be published in the Gazette and shall come into operation on the date of such publication or on such later date as may be specified in the regulation.

(3) Every regulation made under this section shall, as soon as convenient after approval by the Cabinet, be laid before Parliament in the manner applicable to regulations.

*Commissioner to authorise certain officers.*

44. The Commissioner may, by notice published in the Gazette, authorise senior officers not below the rank of assistant superintendent to perform the duties entrusted the Commissioner in terms of this Act.

