

eSwatini

Swazi Graves Act, 1909

Act 18 of 1909

Legislation as at 1 December 1998

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Swazi Graves Act, 1909

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Swazi Graves Act, 1909

Act 18 of 1909

Commenced on 31 July 1909

[This is the version of this document at 1 December 1998.]

1*

An Act to grant to Swazis access to the sites of graves of certain Chiefs or the relations of Chiefs.

1. Short title and interpretation

- (1) This Act may be cited as the Swazi Graves Act, 1909.
- (2) “**Minister**” means the Deputy Prime Minister.

2. Declaration of site

Any land in the neighbourhood of the graves of chiefs or the relations of chiefs enclosed in accordance with the provisions of the Swazi Graves Proclamation (^{2†}) with a substantial fence to the satisfaction of the Minister may be declared by the Minister by notice in the *Gazette* to be a grave site, and such site shall thereafter as long as such fence is maintained in proper order to the satisfaction of the Minister be deemed to be land set apart for the sole and exclusive use and occupation of the Swazi nation under section 2 of the Concessions Partition Act [No. 28 of 1907](#).

3. Rights of way

The Swazi nation shall have such right of way over neighbouring land as may reasonably be necessary for the purpose of obtaining access to any grave site as long as their rights in respect of such site continue in force and such right of way shall be defined by the Minister if he considers such definition necessary.

4. Termination of rights

If the fence round any grave site is not maintained in proper order to the satisfaction of the Minister, he may by notice in the *Gazette* declare that the rights of the Swazis to such grave site shall cease and determine whereupon such rights shall determine accordingly, and any rights in respect of such site which belonged to any person at the date when such site was declared to be a grave site shall revert to such person or to his successor in title.

5. Compensation

No compensation shall be payable to any person in respect of rights held by such persons to land declared to be a grave site under this Act.

1*

See also section 6 of the Concessions Partitions Act and the Mining Act

2†

The provisions of this law relating to enclosure were not repealed in this Act but are retained in force by a notice of the Attorney-General issued under section 7(3)(c) of the Statutes of Swaziland Act, [No. 14 of 1970](#).