

eSwatini

## Statutes of Swaziland Act, 1970

Act 14 of 1970

Legislation as at 1 December 1998

FRBR URI: /akn/sz/act/1970/14/eng@1998-12-01

There may have been updates since this file was created.

PDF created on 21 February 2024 at 16:44.

*Collection last checked for updates: 1 December 1998.*

[Check for updates](#)



### About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from the Laws.Africa Legislation Commons, a collection of African legislation that is digitised by Laws.Africa and made available for free.

[www.laws.africa](http://www.laws.africa)  
[info@laws.africa](mailto:info@laws.africa)

There is no copyright on the legislative content of this document.  
This PDF copy is licensed under a Creative Commons Attribution 4.0 License (CC BY 4.0). Share widely and freely.

Statutes of Swaziland Act, 1970

Contents

- 1. Short title ..... 1
- 2. Interpretation ..... 1
- 3. Powers of revision vested in Attorney-General ..... 1
- 4. Mode of dealing with alterations of substance ..... 2
- 5. Chronological tables and index ..... 3
- 6. Form of publication ..... 3
- 7. Commencement of Statutes ..... 3
- 8. Construction of Statutes ..... 3
- 9. Laws made after 1 January, 1970 ..... 4
- 10. Construction of reference to repealed or affected laws ..... 4

## eSwatini

# Statutes of Swaziland Act, 1970

## Act 14 of 1970

Assented to on 4 February 1970

Commenced on 13 February 1970

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

### An Act to make Provision for the Preparation and Publication of the Statutes of Swaziland.

#### 1. Short title

This Act may be cited as the Statutes of Swaziland Act, 1970.

#### 2. Interpretation

In this Act, unless the context otherwise requires—

“**law**” means an Act of Parliament of the United Kingdom, Order of Her Majesty in Council, Act of the Parliament of Swaziland, Law Proclamation, Ordinance, Legal Notice, High Commissioner’s Notice, Government Notice, proclamation, rule, regulation, order, Local Government Notice, bye-law and other instrument made under statutory authority (including enactments of the legislative authorities of the South African Republic and the Colony of the Transvaal) having effect as part of the law of Swaziland on the first day of January, 1970, and includes a part of a law; and

“**Statutes**” means the edition of the laws to be known as the “Statutes of Swaziland” published under the authority of this Act.

#### 3. Powers of revision vested in Attorney-General

- (1) The Attorney-General shall in accordance with this Act prepare and publish an edition to be known as the “Statutes of Swaziland”, containing all the laws and from time to time maintain and revise the edition.
- (2) For this purpose the Attorney-General may—
  - (a) omit from the Statutes—
    - (i) a law which has been repealed expressly or by necessary implication, or which has expired, or has become spent, or has had its effect;
    - (ii) a preamble or long title or an enacting clause or introductory words in a law where such omission can in his opinion be conveniently made;
    - (iii) repealing provisions contained in a law;
    - (iv) an amending law where the amendments effected by that law has been embodied by him in the law to which it relates;
    - (v) an Appropriation or Supplementary Appropriation law;
    - (vi) a loan law or loan guarantee law;
    - (vii) a law either of a temporary nature or which is subject to continual alteration or obsolescence, provided he is satisfied that copies of the matter so omitted are kept up-to-date by the Government and are available for inspection by the public at all reasonable times and places;

- (b) at any time, revise any decision made under paragraph (a);
- (c) consolidate into one law any two or more laws in *pari materia*, making the alterations thereby rendered necessary in the consolidated law, and affixing such date thereto as may seem most convenient;
- (d) alter the order of sections in any law, and in all cases where it is necessary to do so, renumber the sections of any law;
- (e) alter the form of arrangement of any section of a law, either by combining it in whole or in part with another section or by dividing it into two or more subsections;
- (f) divide any law, whether consolidated or not, into parts or other divisions;
- (g) add a short title to any law which may require it, and, if necessary, alter the short title;
- (h) shorten and simplify the phraseology of any law;
- (i) correct grammatical and typographical errors in an existing law, and for that purpose make verbal additions, omissions or alterations not affecting the meaning of a law;
- (j) make such amendments, modifications, adaptations, qualifications, and exceptions to a law as may be necessary or expedient for bringing it into conformity with the provisions of the Constitution and with the status of Swaziland as an independent sovereign state;
- (k) make such adaptations of, or amendments in, any law as may appear necessary or proper as a consequence of constitutional changes in Botswana and Lesotho or in any other Government or country;
- (l) make such formal alterations as to names of localities, offices and otherwise as may be necessary to bring any law into conformity with the circumstances of Swaziland;
- (m) transfer any provision contained in any law from that law to any other law to which he considers that it more properly belongs;
- (n) arrange a law whether consolidated or not in any sequence or group that may be convenient, irrespective of the date of enactment;
- (o) classify or arrange laws under headings or otherwise and add to, alter or abolish any such classification or arrangement;
- (p) rename laws giving a law a number for a year notwithstanding that a revised law is a consolidation of several laws or that it originally had no number, or that it was enacted in a different year;
- (q) do all other things relating to form and method which may be necessary for perfecting the revised edition.

#### 4. Mode of dealing with alterations of substance

- (1) The powers conferred upon the Attorney-General in [section 3](#) shall not be taken to imply any power in him to make alterations or amendments in a matter of substance in any law.
- (2) Where, in order to carry out the objects of this Act the Attorney-General is of opinion that an amending law should be made he shall with the concurrence of the Minister responsible for the law which would be affected by the amending law cause such amending law to be submitted to Parliament or the authority empowered to make it.

## 5. Chronological tables and index

The Attorney-General shall prepare and keep up-to-date in such manner as he deems fit, as part of the Statutes—

- (a) a chronological table of the laws indicating the constituent parts of a consolidated law and laws which have been omitted under [section 3\(a\)\(v\)-\(vii\)](#); and
- (b) a comprehensive index.

## 6. Form of publication

- (1) The Statutes shall be published in loose leaf form and shall comprise only such pages as are identified in a notice under [section 7\(3\)\(d\)](#).
- (2) The Attorney-General shall make such arrangements as he deems fit for the printing, binding and publication of the Statutes.

## 7. Commencement of Statutes

- (1) The Statutes may be published by the Attorney-General in instalments from time to time as he deems fit.
- (2) The Attorney-General shall, by notice in the *Gazette*, fix a date not less than two months from the date of the notice on which an instalment of the Statutes shall come into force.
- (3) The notice shall—
  - (a) specify the laws contained in;
  - (b) cite the laws consolidated or incorporated in;
  - (c) cite the laws omitted under [section 3](#) from;
  - (d) indicate how the pages of the instalment are identified in; and
  - (e) be itself included in,  
that instalment.
- (4) A notice under subsection (2) may specify a law not then in force.

## 8. Construction of Statutes

- (1) The date of commencement of a law as stated in the Statutes shall be deemed to be the date of commencement of that law.
- (2) A law omitted from the Statutes under [section 3](#) and which is cited in the table referred to in [section 5](#) or in a notice under [section 7\(3\)\(c\)](#) shall have the same force and effect as if it had not been so omitted.
- (3) After the date fixed by a notice under section seven (2)—
  - (a) a law specified in that notice in terms of [section 7\(3\)\(a\)](#) shall form part of the Statutes and shall for all purposes whatsoever be deemed to be accurate and authentic to the exclusion of any other publication of that law; and
  - (b) no law cited in that notice in terms of [section 7\(3\)\(b\)](#) shall be of any force or effect.

## 9. Laws made after 1 January, 1970

- (1) A law made after 1 January, 1970 shall be published in the *Gazette* in such form as will facilitate its incorporation in the Statutes published in accordance with this Act.
- (2) Not later than 31 March in each year after 1970 the Attorney-General shall publish all laws made since 1 January, 1970 and not incorporated in the Statutes in a form in which they can be so incorporated.
- (3) The provisions of Section 3(2)(a), (b), (d), (i), (k), (l) and (q), and sections 4, 5, 6, 7, 8, and 10 shall apply with the necessary modifications to the incorporation of laws in the Statutes in accordance with this section.

## 10. Construction of reference to repealed or affected laws

Where in any law or in any document of any kind whatsoever reference is made to any law repealed or otherwise affected by the operation of this Act, such reference shall be deemed to apply to the corresponding law in the revised edition.