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SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE

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THE ROAD TRANSPORTATION (AMENDMENT) BILL, 1985

(Bill No. 3 of 1985)

(To be presented by the Minister for Works & Communications)

MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to amend the Road Transportation Act, 1963 by re-defining motor vehicles registered in Swaziland and engaged in the transportation of material to be used in connection with public works as public service vehicles and to require such vehicles to comply with the provisions of the Act in respect of road transportation service permits.

D.P. MAKANZA
Attorney-General

A BILL

entitled

An Act to amend the Road Transportation Act, 1963.

Short title.

1. This Act may be cited as the Road Transportation (Amendment) Act, 1985 and shall be read as one with the Road Transportation Act, 1963.

Amendment of section 2.

2. Section 2 of the Road Transportation Act, 1963 is amended in section 2 —
- (a) by deleting paragraph “(a) (iv)” in the definition “public service vehicle”;
 - (b) by re-numbering paragraph “(v)” as “(iv)”.

LEGAL NOTICE NO. 20 OF 1985

THE ROAD TRANSPORTATION ACT, 1963

(Act No. 37 of 1963)

THE MAXIMUM BUS AND TAXI FARES REGULATIONS, 1985

(Under section 28)

In exercise of the powers conferred by section 28 of the Road Transportation Act, 1963, the Minister for Works and Communications, after consultation with the Road Transportation Board and the Chairman of the Swazi Commercial Amadoda, hereby makes the following Regulations —

Citation.

1. These Regulations may be cited as the Maximum Bus and Taxi Fares Regulations, 1985, and shall come into force on the 25th May, 1985.

Maximum bus and taxi fares.

2. The maximum fares to be charged for the conveyance of passengers by bus or taxi shall be as follows —

- (a) buses operating within an urban area shall charge 47.7% above the current fares;
- (b) buses operating long distances shall charge 4.7 cents per passenger kilometer;
- (c) for the conveyance of a passenger by taxi —
 - (i) for a distance not exceeding one kilometer from a taxi rank the fare shall be 120.86 cents;
 - (ii) for a distance exceeding one kilometer from a taxi rank the fare shall be 56 cents per kilometer;
- (d) a taxi awaiting for a passenger —
 - (i) for not more than 2 minutes shall not charge such a passenger;
 - (ii) for not more than 10 minutes shall charge such passenger 29.48 cents and for every 5 minutes thereafter, up to 30 minutes, shall charge 14.74 cents;
 - (iii) for more than 30 minutes but not exceeding 60 minutes shall charge such passenger E8.84 and for every half-hour thereafter shall charge E11.79.

Revocation of Legal Notice No. 72 of 1981.

3. The Maximum Bus and Taxi Fares Regulations, 1981 are hereby revoked.

G.M. MABILA
Principal Secretary

MBABANE,
5th March, 1985.

LEGAL NOTICE NO. 21 OF 1985

THE WAGES ACT, 1964

(Act No. 16 of 1964)

THE REGULATION OF WAGES (DOMESTIC EMPLOYEES) ORDER, 1985

(Under section 11)

In exercise of the powers conferred upon him by section 11 of the Wages Act, 1964 the Minister for Labour hereby makes the following order —

Citation.

1. This Order may be cited as the Regulation of Wages (Domestic Employees) Order, 1985 and shall come into force on the 8th March, 1985.

Interpretation.

2. In this Order, unless the context otherwise requires:—

“casual employee” means a domestic employee who is employed for not more than one day at a time and who is paid at the end of the day’s work;

“children’s nurse” means a person who takes care of children and oversees their activities, gives children all necessary assistance, carries out such other duties in connection with the care of children, including the washing of their clothes, as may be required;

“cook” means a person who is capable of, and is mainly or wholly engaged in, preparing and cooking meals suitable to the dietary and other requirements of the household in which he is employed and who may be required to assist in other household duties;

“domestic employee” means any person employed in or about any private household or part thereof in the capacity of cook, house attendant, waiter, butler, children’s nurse, valet, groom, gardener, laundress, or watchman;

“gardener” means a person who carries out all gardening activities, including the planting and cultivation of flowers, shrubs and vegetables, maintains lawns and paths and attends to cleanliness of compounds and yards and, who may be required to carry out other duties such as cleaning vehicles;

“house attendant” means a person who carries out domestic duties including the preparation of food, washing of dishes, cleaning rooms, dusting and polishing furniture, washing windows, washing clothes and textiles by hand and ironing them, making beds etc;

“Laundress” means a person who is mainly employed to carry out washing of clothing using either the washing machine or washing the clothing by hand and ironing them using any kind of iron;

“part time employee” means a domestic employee, other than a casual employee, who is employed for less than twenty four hours in any week;

“public holiday” means a public holiday specified in the Second Schedule;

“watchman” means a person who is responsible for the safeguard of his employer’s property against fire, theft and illegal entry, carries out such other duties as are ancillary to these responsibilities, as required by his employer;

Application.

3. This Order shall apply to all persons employed as domestic employees as specified in the First Schedule.

Basic minimum wage.

4. (1) The basic minimum wage to be paid to employees specified in the First Schedule shall be calculated at a rate not less favourable than that specified therein.

(2) The daily and hourly rates specified in the First Schedule shall be the basic minimum wage applicable to part time and casual employees only.

Conditions of employment.

5. As a condition of employment, an employee may enter into a written agreement with his employer.

Hours of work.

6. The normal working week shall consist of forty-eight hours, exclusive of meal breaks, spread over six days of the week each of either eight hours or as may be agreed between the employer and the employee.

Annual leave.

7. (1) After twelve months of continuous service with an employer, an employee shall be entitled to twelve working days leave and shall be paid for such leave the wages (excluding overtime) he would have earned had he worked during the period of such leave.

(2) Where a public holiday occurs during the period of annual leave granted to an employee under the provisions of this paragraph, the employee will be paid a day’s wages for that public holiday in addition to the wages payable to him in respect of his annual leave.

(3) Where the employment of an employee is terminated after a period exceeding three months from the date of its commencement, or after a period following the date on which annual leave granted under this paragraph ended, the employee shall be paid, in addition to any other entitlement, an amount equal to one day’s pay for each month of service during which he has earned, but has not taken annual leave.

Sick leave.

8. (1) After three months service with an employer, and subject to the production of a medical certificate of incapacity signed by a registered medical practitioner or registered nurse covering the period of absence, an employee shall be entitled during each period of twelve months employment, to fifteen working days sick leave on full pay.

(2) Sick leave granted under the provisions of this paragraph shall not be cumulative and shall not be carried forward from one year to another.

(3) An employer may in lieu of the medical certificate referred to in sub-paragraph (1) accept such other evidence of incapacity as he considers appropriate in the circumstances of the case.

Maternity leave.

9. (1) After nine months of continuous service with an employer, and subject to the production of a certificate signed by a registered medical practitioner or a registered nurse recommending that an employee should refrain from work because she is pregnant, an employee shall be entitled to thirteen working days maternity leave on full pay and thereafter without pay in respect of that pregnancy.

(2) Such leave shall be in addition to any sick leave to which the employee may be entitled under paragraph 8.

Public holidays.

10. An employee required to work on a public holiday specified in the Second Schedule shall be paid, in addition to the wages he would normally earn on that day, an additional day's wages or, alternatively, by mutual agreement between himself and his employer, he may be granted another day off work on full pay at a time suitable to both parties.

Uniforms.

11. An employer shall, as a condition of employment, provide suitable uniform for the domestic employee, other than a domestic employee employed as a casual employee, or part time employee. Such uniform shall remain the property of the employer.

Rest day.

12. Every employee shall be granted one rest day each week; such day to be fixed by mutual agreement between the employee and his employer.

Overtime.

13. An employee required to work in excess of the normal hours of work referred to in paragraph 6 on any day or as agreed between the employer and the employee, shall be paid for such overtime at the rate of one and half times his normal rate of wages.

Accommodation.

14. Where an employer requires an employee to occupy accommodation provided by the employer as part of his conditions of employment, such accommodation shall be provided free of charge to the employee.

Revocation of Legal Notice No. 34 of 1982.

15. The Regulation of Wages (Domestic Employees) Order, 1982 is hereby revoked.

FIRST SCHEDULE

Basic Minimum Wage

Cook	77.00	2.96	37 cts
Watchman	77.00	2.96	37 cts
Gardener	72.00	2.80	35 cts
Gardener (under eighteen years)	59.00	2.24	28 cts

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House attendant	72.00	2.80	35 cts
House attendant (under eighteen years)	59.00	2.24	28 cts
Laundress	72.00	2.80	35 cts
Laundress (under eighteen years)	59.00	2.24	28 cts
Children's nurse	72.00	2.80	35 cts
Children's nurse (under eighteen years)	59.00	2.24	28 cts

The monthly rate specified in the first column of the Schedule shall be the basic minimum wage for employees engaged on a monthly contract inclusive of the ration element.

The daily rate specified in the second column of the Schedule shall be the basic minimum wage for part time employees engaged on a daily contract inclusive of the ration element.

The hourly rate specified in the third column of the Schedule shall be the basic minimum wage for casual employees employed casually and paid by the hours inclusive of the ration element.

SECOND SCHEDULE

Paid Public Holidays

Ascension Day

Easter Monday

Good Friday

Incwala Day

King's Birthday

Umhlanga (Reed Dance) Day

Somhlolo (Independence) Day

Christmas Day

National Flag Day

J.D. MNGOMEZULU

Principal Secretary/Ministry of Labour

LEGAL NOTICE NO. 14 OF 1985

THE STAMP DUTIES ACT, 1970

(Act No. 37 of 1970)

DESIGNATION OF INSTRUMENTS EXEMPT FROM STAMP DUTY

(Under Section 5)

In exercise of the powers conferred by section 5 of the Stamp Duties Act, 1970, the Minister for Finance hereby designates the instruments in the Schedule hereto as exempt from stamp duties.

K. MBULI
PRINCIPAL SECRETARY

MBABANE.
20th February, 1985.

SCHEDULE

INSTRUMENTS EXEMPT FROM STAMP DUTIES

The issue by the Royal Swaziland Sugar Corporation Limited of 118 470 000 Non Cumulative Redeemable Preference Shares of E1.00 each, comprising 97 339 000 "A" Non Cumulative Redeemable Preference Shares and 21 131 000 "B" Non Cumulative Redeemable Preference Shares.

LEGAL NOTICE NO. 15 OF 1985

THE ROAD TRAFFIC ACT, 1965

(Act No. 6 of 1965)

THE ROAD TRAFFIC (AMENDMENT) REGULATIONS, 1985

(Under Sections 137 and 148)

In exercise of the powers conferred by section 137 and 148 of the Road Traffic Act, 1965, the Minister for Works and Communications hereby makes the following Regulations—

Citation and commencement

1. These Regulations may be cited as the Road Traffic (Amendment) Regulations, 1985, shall be read as one with the Road Traffic Regulations, 1966 and shall come into force on the 1st April, 1985.

Amendment of regulation 85 bis

2. Regulation 85 *bis* of the Road Traffic Regulations, 1966 is amended in subsection (1) by deleting paragraph (b) and by renumbering paragraphs (a), (c), (d), (e), and (f) as paragraphs (a), (b), (c), (d), and (e), respectively.

G.M. MABILA
PRINCIPAL SECRETARY

MBABANE
15th February, 1985

LEGAL NOTICE NO. 16 OF 1985

THE CIVIL SERVICE ORDER, 1973

APPOINTMENT OF ACTING PRINCIPAL SECRETARY

(Under Section 8)

In exercise of the powers vested in me and in accordance with section 8 of the Civil Service Order, 1973, I hereby appoint **AMBROSE NIMROD NJOBO MASEKO** to be Acting Principal Secretary in the Ministry of Natural Resources, Land Utilization and Energy with effect from 1st December, 1984 to 16th December, 1984.

Signed at PHONDVO (KANYAMAZANE) this 18th day of December, 1984.

**NTOMBI
NDLOVUKAZI AND REGENT OF THE
KINGDOM OF SWAZILAND**

LEGAL NOTICE NO. 17 OF 1985

THE CIVIL SERVICE ORDER, 1973

APPOINTMENT OF ACTING PRINCIPAL SECRETARY

(Under Section 8)

In exercise of the powers vested in me in accordance with section 8 of the Civil Service Order, 1973, I hereby appoint MRS MUSA FAKUDZE to be Acting Principal Secretary in the Ministry of Finance with effect from 20th December, 1984 to 31st January, 1985.

Signed at PHONDVO (KANYAMAZANE) this 16th day of January, 1985.

**NTOMBI
NDLOVUKAZI AND REGENT OF THE
KINGDOM OF SWAZILAND**

LEGAL NOTICE NO. 18 OF 1985

THE PRICE CONTROL ORDER, 1973

(Order No. 25 of 1973)

THE MAXIMUM WHOLESALE AND RETAIL PRICES OF BREAD NOTICE, 1985

(Under Section 5)

In exercise of the powers conferred by section 5 of the Price Control Order, 1973, I hereby issue the following Notice –

Citation and commencement.

1. This Notice may be cited as the Maximum Wholesale and Retail Prices of Bread Notice, 1985 and shall come into force on 1st March, 1985.

Maximum prices of bread.

2. The Maximum Wholesale and Retail Prices of Bread other than fancy bread, be as set out in the Schedule hereto.

Revocation of Legal Notice No. 118 of 1984.

3. The Maximum Wholesale and Retail Prices of Bread Notice, 1984 is hereby revoked.

SCHEDULE

TYPE OF BREAD	MASS G.M.	MAXIMUM WHOLESALE (PRICE) CENTS	MAXIMUM RETAIL (PRICE) CENTS
WHITE	900	65	68
	450	–	34
BROWN	900	59	62
	450	–	31

NOTE: All bread must be sold in plastic bags.

C.M. MKHONZA
Price Controller

MBABANE.
18th February, 1985