

**SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE**

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MBABANE, Friday, October 27th, 1989

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PART B

THE MINING (AMENDMENT) ACT, 1989

(Act No. 9 of 1989)



1 ASSENT

MSWATI III

KING OF SWAZILAND

4th October, 1989

AN ACT

entitled

An Act to amend the Mining Act, 1958

ENACTED by the King and the Parliament of Swaziland.

Short Title.

1. This Act may be cited as the Mining (Amendment) Act, 1989 and shall be read as one with the Mining Act, 1958.

Amendment of Section 2.

2. Section 2 of the Mining Act, 1958 is amended in the definition "mineral" and "minerals" –

- (a) by deleting the proviso to paragraph (d);
- (b) by adding after paragraph (d) the following new paragraph –
 - “(e) such substances in their natural state as are commonly used for building, roadmaking or other construction purposes including clay, kaolin, limestone, shale, laterite, sand, stone, chalk or slate except when used by a natural person who is a citizen of Swaziland and who is the owner or occupier of the surface land for his construction purposes on such land;

Provided that the King may by notice in the Gazette declare any substance in its natural state not to be a mineral for the purposes of this Act.

And provided further that Part VI of this Act and any regulations made hereunder or under any other law relating to safety in mines or quarries shall apply to substances which have been so declared not to be minerals for the purposes of this Act’.

Addition of Section 98 bis.

3. The Mining Act, 1958 is amended by adding the following new section after section 98

“Exemption from payment of royalty, 98 bis. The Ngwenyama may exempt any person from the payment of a mineral royalty and such exemption shall be published by the Minister by Notice in the Gazette.

PART C

S3

LEGAL NOTICE NO. 77 OF 1989

THE CONSTITUTION OF THE KINGDOM OF SWAZILAND THE COURT OF APPEAL (AMENDMENT) RULES, 1989 (Under Section 112)

In exercise of the powers conferred by Section 112 of the Constitution, I hereby make the following Rules —

Citation.

1. These Rules may be cited as the Court of Appeal (Amendment) Rules, 1989 and shall be read as one with the Court of Appeal Rules, 1971.

Amendment of Rule 31.

2. Rule 31 of the Court of Appeal Rules, 1971 is amended —
 - (a) in sub-rule (1) by replacing the figure "21" with the figure "28";
 - (b) in sub-rule (3) by replacing the figure "10" with the figure "18".
 - (c) by the addition after sub-rule (4) of the following new sub-rule —

"(5) The foregoing time limits may be abridged with leave of a single judge of the Court of Appeal authorised by the Judge-President."

D.A. MELAMET
Judge President

Mbabane
20th October, 1989

S4

LEGAL NOTICE NO. 78 OF 1989

THE PATENTS, DESIGNS AND TRADE MARKS ACT, 1936

(Act No. 72 of 1936)

APPOINTMENT OF ASSISTANT REGISTRAR GENERAL FOR PATENTS,
DESIGNS AND TRADE MARKS

(Under Section 2)

In exercise of powers conferred by Section 2 of the Patents, Designs and Trade Marks Act 1936, the Honourable Minister for Justice hereby appoints:-

ERNEST VUSI TWALA

To be Assistant Registrar General of Patents, Designs and Trade Marks with effect from 5th October, 1989.

P.S. MNGOMEZULU
Principal Secretary

Mbabane
17th October, 1989