



SWAZILAND GOVERNMENT GAZETTE EXTRAORDINARY

Vol. XXXI]

MBABANE, Friday, March 26th., 1993

[No. 937

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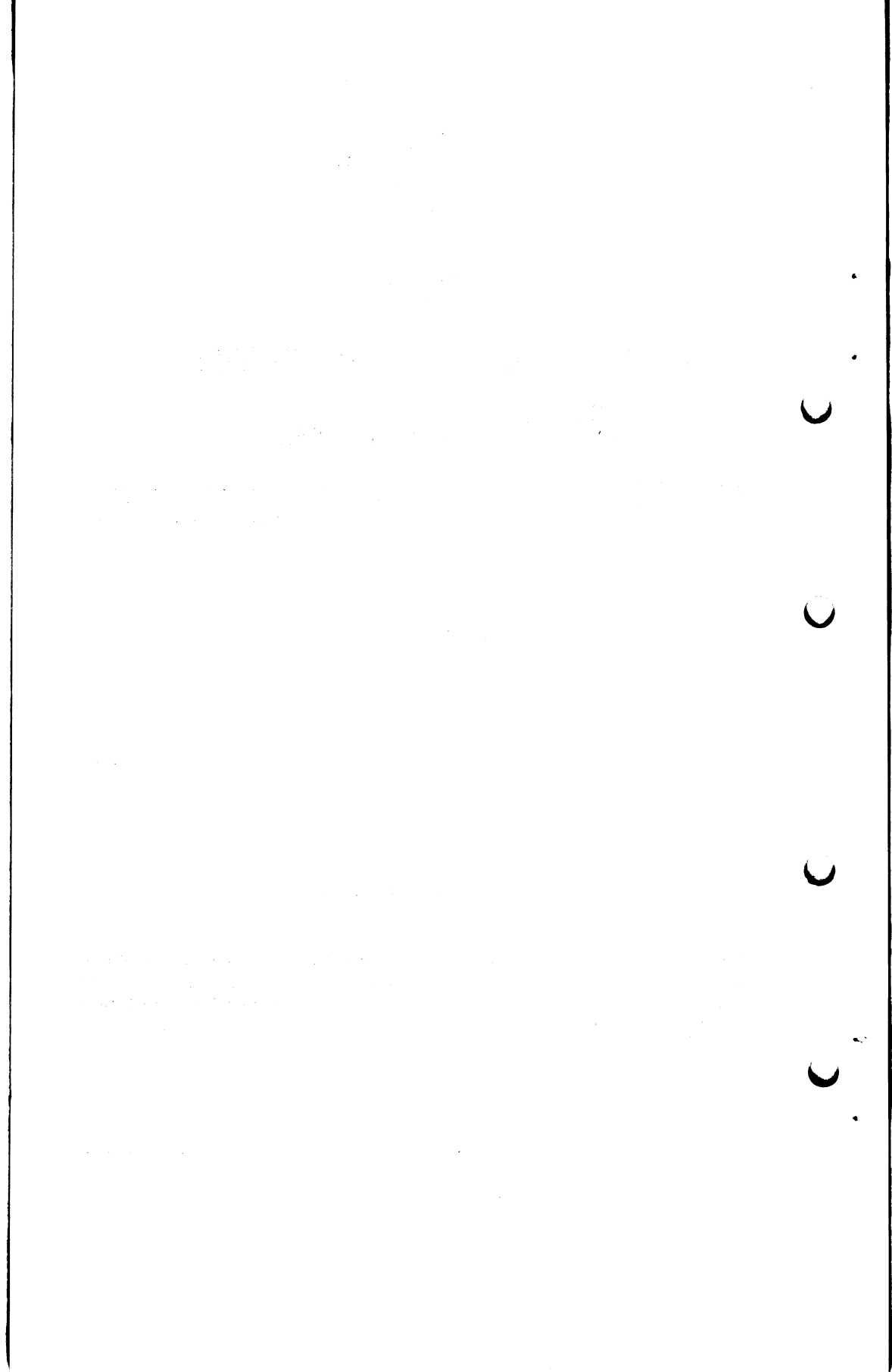
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PUBLISHED BY AUTHORITY



SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE
EXTRAORDINARY

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LEGAL NOTICE NO. 40 OF 1993

THE COMMISSION OF ENQUIRY ACT, 1963

(Act No. 35 of 1963)

THE COMMISSION OF ENQUIRY INTO THE PUBLIC SERVICE CONDITIONS OF
SERVICE AND SALARIES NOTICE, 1993

(Under Section 3)

In exercise of the powers conferred by section 3 of the Commissions of Enquiry Act, 1963, I hereby issue the following Notice -

Citation and commencement.

1. This Notice may be cited as the Commission of Enquiry Into the Public Service Conditions of Service and Salaries Notice, 1993 and shall be deemed to have come into force on the 17th March, 1993.

Establishment and composition of Commission.

2. (1) There is established a Commission to be called the Commission of Enquiry Into the Public Service Conditions of Service and Salaries (hereinafter called "the Commission").

- (2) The Commission shall consist of the following -

Professor Pieter G. Steyn	-	Chairman
Dr. Xolile Guma	-	Member
Mr. James H. Obaso	-	Member
Mr. Zacheus Nkosi	-	Secretary

Functions of Commission.

3. (1) The Commission shall examine and inquire into, and make recommendations on, the structure, conditions of service and remuneration of all employees in the Public Service and in the process, take into account Government's fiscal position in relation to the Swaziland economy.

- (2) Without prejudice to the generality of sub-paragraph (1), the Commission shall particularly examine and inquire into -

- (a) The Public Service salary structure, in particular:

- (i) the suitability of a 28 grade structure;
- (ii) whether separate pay structures should be introduced for some or all cadres;
- (iii) the degree that pay scales should overlap, the number of incremental pay points (notches) for each grade and the value of incremental pay points;
- (iv) the introduction of fixed scales for senior positions;
- (v) whether there are unacceptable gaps in the salary structure;
- (vi) the introduction of an allowance to take care of increased responsibilities.

- (b) The pay scales for implementation (taking into account cost of living data) on 1st April, 1993;

- (c) Whether a "breadline" minimum wage should be introduced and, if so, at what level;
- (d) The part that qualifications should represent in determining Public Service salaries;
- (e) Recruitment and Retention Allowances, their impact as a mechanism to minimize "brain drain", and whether they should be built into salaries or should be extended to other cadres, changed or abolished;
- (f) The linkage between increases or changes in Government pay scales and increases for pensioners;
- (g) The present range and value of allowances with comments on their effectiveness and proposals for changes and revisions;
- (h) Methods to improve the performance and productivity of the Service with consideration given to the introduction of incentive or reward systems as appropriate;
- (i) The size of the civil service in relation to productivity;
- (j) The incentives provided for contract or expatriate staff, and whether these should be changed, abolished or also made available to certain local staff;
- (k) Amendments to the Conditions of Service to reflect different working arrangements (hours of work, standby, overtime, shift work, on-call etc);
- (l) Whether special Conditions of Service should be introduced for the uniformed disciplined services (i.e. Royal Swaziland Police Force, Prisons Department and Fire and Emergency Services), excluding the Swaziland Umbutfo Defence Force;

and shall in the light of its findings make appropriate recommendations addressing all the issues.

4. In the performance of its functions and in the exercise of its powers, the Commission may -
 - (a) hold meetings and interview people individually or in groups;
 - (b) co-opt any person with technical or expert knowledge which could be of assistance to the Commission's functions;
 - (c) accept documents that it considers to have relevance and could assist in its functions; and
 - (d) commission either consultants or a joint committee to undertake surveys or studies as required.

Quorum.

5. The quorum of the Commission shall be two members including the Chairman and the Secretary.

Venue and address of the Commission.

6. (a) The enquiry shall be held at the Ministry of Education's Conference room, Mbabane, or at such other places and at such times as the Chairman may determine;
- (b) The address of the Commission shall be P.O.Box 2701, Mbabane.

Enquiry in camera.

7. Except where the Minister otherwise directs in writing, the enquiry shall be in camera.

Submission of report.

8. The Commission shall submit its report to the Minister by the end of May, 1993 or on such later date as the Minister may determine in writing.

D.E. MOTSA

Minister for Labour & Public Service

Mbabane

24 March, 1993

LEGAL NOTICE NO. 41 OF 1993

THE COMMISSION OF ENQUIRY ACT, 1963
(Act No. 35 of 1963)

THE COMMISSION OF ENQUIRY INTO THE AWARD OF TENDER NO. 19 OF 1992/93
OF THE CENTRAL TRANSPORT ADMINISTRATION NOTICE, 1993
(Under section 3)

In exercise of the powers conferred by section 3 of the Commission of Enquiry Act, 1963, I hereby issue the following Notice:

Citation and commencement.

1. This Notice may be cited as the Commission of Enquiry into the Award of Tender No. 19 of 1992/93 of the Central Transport Administration Notice, 1993, and shall be deemed to have come into force on 24th March, 1993.

Establishment and composition of Commission.

2. (1) There is hereby established a Commission of Enquiry into the Award of Tender No. 19 of 1992/93 of the Central Transport Administration (hereafter in this Notice referred to as "the Commission").
- (2) The Commission shall consist of the following persons:
 - (a) Mr. Thulani Masina - Chairman
 - (b) Mrs. G.C. Hlanze - Member leading evidence
 - (c) Mr. Maxwell Lukhele - Secretary

Functions of the Commission.

3. (1) The Commission shall examine and enquire into the Award of Tender No. 19 of 1992/93 of the Central Transport Administration and all matters related and incidental thereto and shall, without prejudice to the generality of the foregoing, enquire particularly in the following:
 - (a) how Tender No. 19 of 1992/93 was considered and eventually awarded;
 - (b) any irregularities regarding the process of considering and awarding of this tender;
 - (c) any irregular involvement of any person or persons and the possible benefits for that person or persons as a result of such involvement;
 - (d) any person and examine his business including records and financial transactions.
- (2) The Commission shall, in the light of the findings of its enquiry in terms of subparagraph (1) make appropriate recommendations for such further action as may be required including recommendation regarding disciplinary and legal action against anyone that may have acted in contravention of proper processes, procedures or any law.

Quorum.

4. The quorum of the Commission shall be the two members including the secretary.

Enquiry in public.

5. Except where the Minister otherwise directs in writing, the enquiry shall be held in public.

Venue.

6. The enquiry shall be held at the Ministry of Transport and Communications, Mbabane, or at such other place and at such times as the chairman may direct.

Submission of report.

7. The Commission shall present to the Minister its report not later than 16th April, 1993 or on such other later date as the Minister may determine in writing.

ALBERT H.N. SHABANGU

Minister for Transport and Communications

Mbabane

24th March, 1993