



SWAZILAND GOVERNMENT GAZETTE

VOL. XXXVIII]

MBABANE, Friday, September 8th., 2000

[No. 602

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PUBLISHED BY AUTHORITY

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NOTICE

Notice is hereby given that I, Mfiki Themba Simelane of Shiselweni Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Mthembu after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland Newspaper, being the only newspaper circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Shiselweni Region and in the Government Gazette.

The reason I want to assume the surname is because Mthembu is my natural surname.

Any person or persons likely to object to my assuming the surname Mthembu should lodge their objections in writing with me at the address given below and with the Regional Secretary for Shiselweni Region.

P. O. Box 56
Hlatikulu

B1192 4x08-09-2000

NOTICE

Notice is hereby given that I, Albert Mlahleni Masuku of Shiselweni Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Mamba after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland Newspaper, being the only newspaper circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Shiselweni Region and in the Government Gazette.

The reason I want to assume the surname is because Mamba is my natural surname.

Any person or persons likely to object to my assuming the surname Mamba should lodge their objections in writing with me at the address given below and with the Regional Secretary for Shiselweni Region.

P. O. Box 1227
Nhlangano

B1220 4x15-09-2000

NOTICE

Notice is hereby given that I, Almon Mbuyisa of Manzini Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Mkhwanazi after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland Newspaper, being the only newspaper circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Manzini Region and in the Government Gazette.

The reason I want to assume the surname is because Mkhwanazi is my natural surname.

Any person or persons likely to object to my assuming the surname Mkhwanazi should lodge their objections in writing with me at the address given below and with the Regional Secretary for Manzini Region.

P. O. Box 9
Mankayane

B1245 4x22-09-2000

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NOTICE

Notice is hereby given that we intend applying for a certified copy of: Deed of Transfer No. 278/1987 dated the 30th April 1987 in favour of HERBERT FELIX SCHWAIGER FELLINGER (born on the 3rd January 1942) in respect of :

CERTAIN : Lot No. 1032 situate in the Mbabane Township Extension No. 9, District of Hhohho, Swaziland;

MEASURING : 1506 (One Five Zero Six) square metres;

Any person having objections to the issue of such copy is hereby requested to lodge it in writing with the Registrar of Deeds within three (3) weeks of the last publication of this notice.

DATED AT MBABANE THIS 23RD DAY OF AUGUST 2000.

ROBINSON BERTRAM
Attorneys for Applicant
P. O. Box 24
Mbabane

B1231 2x08-09-2000

NOTICE

Notice is hereby given that I, Themba Robson Sithole of Shiselweni Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Mtsweni after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland Newspaper, being the only newspaper circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Shiselweni Region and in the Government Gazette.

The reason I want to assume the surname is because Mtsweni is my natural surname.

Any person or persons likely to object to my assuming the surname Mtsweni should lodge their objections in writing with me at the address given below and with the Regional Secretary for Shiselweni Region.

P. O. Box 52
Mbabane

B1253 4x29-09-2000

NOTICE

ESTATE LATE: SMANGA MBUSO DLAMINI ESTATE NO. EM146/2000

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication of this Notice.

Any person objecting to the Account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

SAMUEL TFWALA
P. O. Box 799
Matsapha

B1254 08-09-2000

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NOTICE

ESTATE LATE: WILLIAM MNTANETHU GAMA ESTATE NO. EH130/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication of this Notice.

Any person objecting to the Account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

ENOCK B. GAMA
P. O. Box 1129
Mbabane

B1255 08-09-2000

NOTICE

ESTATE LATE: MANGABA SIMON DLAMINI ESTATE NO. EL130/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication of this Notice.

Any person objecting to the Account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

JOHN M. DLAMINI
P. O. Box 4
Malkerns

B1257 08-09-2000

NOTICE

ESTATE LATE: NOMSA ADELAIDE SHONGWE ESTATE NO. EM245/97

Notice is hereby given in terms of Section 51 bis of the administration of estates Act No. 28 of 1902 that the First and Final Distribution account will lie open for inspection in the office of the Master of the High Court of Swaziland at Mbabane and the office of the Regional Administrator for a period of Twenty one (21) days from the date of appearance of this notice.

Any person objecting to the account may lodge his objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

ZONKE MAGAGULA & CO.
Executor's Dative for the above Estate
1st Floor, Bhunu Mall
Nkoseluhlaza Street
P. O. Box 590
Manzini

B1258 08-09-2000

NOTICE

ESTATE LATE: BOY NELSON MATSEBULA ESTATE NO. ES50/2000

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication of this Notice.

Any person objecting to the Account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

SINELISIWE MATSEBULA
P. O. Box 105
Nhlangano

B1259 08-09-2000

NOTICE

ESTATE LATE: MFELAFUTSI M. MASEKO ESTATE NO. EL154/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication of this Notice.

Any person objecting to the Account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

AMOS MASEKO & DUDU MASEKO
P. O. Box 226
Manzini

B1262 08-09-2000

NOTICE

ESTATE LATE: VINCENT R. DLAMINI ESTATE NO. EP72/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication of this Notice.

Any person objecting to the Account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

MAVELEMINI J. DLAMINI
P. O. Box 122
Bhunya

B1264 08-09-2000

NOTICE

Notice is hereby given that we intend applying for a certified copy of: Deed of Transfer No. 27/1969 dated the 13th February, 1969 in favour of J & I INVESTMENTS LIMITED in respect of:-

CERTAIN : Lot No. 109 situate in Johnston Street in the town of Mbabane, District of Hhohho, Swaziland;

MEASURING : 495 (Four Nine Five) square metres

Any person having objection to the issue of such copy is hereby requested to lodge it in writing with the Registrar of Deeds within Three (3) weeks of the last publication of this Notice.

DATED AT MBABANE THIS 31ST DAY OF AUGUST, 2000.

ROBINSON BERTRAM
Attorneys for Applicant
Sokhamlilo Building
P. O. Box 24
Mbabane

B1269 2x15-09-2000

NOTICE

Notice is hereby given that I, Thandiwe Muntuza Cathrine Mazibuko of Manzini Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Mlambo after the fourth publication of this notice in each of the four consecutive weeks in the Times of Swaziland Newspaper, being the only newspaper circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Manzini Region and in the Government Gazette.

The reason I want to assume the surname is because Mlambo is my natural surname.

Any person or persons likely to object to my assuming the surname Mlambo should lodge their objections in writing with me at the address given below and with the Regional Secretary for Manzini Region.

P. O. Box 642
Manzini

B1263 4x29-09-2000

NOTICE

ESTATE LATE: PHINDILE E. HLATSHWAKO ESTATE NO. EM200/2000

Debtors and Creditors for the abovementioned Estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this Notice.

NORMAN HLATSHWAKO
P. O. Box 16
Mankayane

B1252 08-09-2000

NOTICE

ESTATE LATE: GEORGE N. HLATSHWAKO ESTATE NO. EP35/98

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication of this Notice.

Any person objecting to the Account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

JENET HLATSHWAKO
P. O. Box 343
Piggs Peak

B1275 08-09-2000

NOTICE

ESTATE LATE: GEORGE V. SILINDZA ESTATE NO. EH30/2000

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication of this Notice.

Any person objecting to the Account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

ANNA HLATSHWAYO
P. O. Box 3753
Mbabane

B1276 08-09-2000

NOTICE

ESTATE LATE: GOOD ENOUGH SIGASINI SIMELANE ESTATE NO. ES9/2000

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication of this Notice.

Any person objecting to the Account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

MARTIN SIMELANE
P. O. Box 501
Manzini

B1277 08-09-2000

NOTICE

ESTATE LATE: PHINEAS ZENZE NGCAMPHALALA ESTATE NO. EL4/99

Notice is hereby given in terms of Section 52 bis of the administration of estates Act No. 28 of 1902 that the First and Final Distribution account will lie open for inspection in the office of the Master of the High Court of Swaziland at Mbabane and the office of the Regional Administrator for a period of Twenty one (21) days from the date of appearance of this notice.

Any person objecting to the account may lodge his objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

ZONKE MAGAGULA & CO.
Executor's Dative for the above Estate
1st Floor, Bhunu Mall
Nkoseluhlaza Street
P. O. Box 590
Manzini

B1278 08-09-2000

NOTICE

ESTATE LATE: JAMESON M. DLAMINI ESTATE NO. EM143/2000

Debtors and Creditors in the abovementioned Estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this Notice.

MINAH SIMELANE
P. O. Box 235
Manzini

B1256 08-09-2000

NOTICE

ESTATE LATE: POLYCARP M. B. MKHONTA ESTATE NO. EH45/2000

Debtors and Creditors for the abovementioned Estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this Notice.

VUSI MKHONTA
P. O. Box 1109
Mbabane

B1260 08-09-2000

NOTICE

ESTATE LATE: SISAN JABULILE HLATSHWAKO ESTATE NO. ES95/2000

Debtors and Creditors in the abovementioned Estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this Notice.

MR MESHACK KUNENE
P. O. Box 176
Nhlangano

B1261 08-09-2000

881

NOTICE

ESTATE LATE: CHRISTINAH MKHETHI RUSSEL ESTATE NO. EM382/99

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within 30 (thirty) days from date of publication hereof.

ANNITA NGWENYA
P. O. Box 81
Luve

B1265 08-09-2000

NOTICE

ESTATE LATE: JOHANNES NKENKE DLAMINI ESTATE NO. EL37/2000

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within 30 (thirty) days from date of publication hereof.

ISAAC DLAMINI
P. O. Box 38
Siphofaneni

B1266 08-09-2000

NOTICE

ESTATE LATE: SMALL BOY S. NDLOVU ESTATE NO. EM55/2000

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within 30 (thirty) days from date of publication hereof.

SIPHO NDLOVU
P. O. Box 112
Mankayane

B1267 08-09-2000

NOTICE

ESTATE LATE: ALVINAH NTOMBI MNGOMEZULU ESTATE NO. ES118/98

Debtors and Creditors in the abovementioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this notice.

PHUMLILE MNGOMEZULU
P/B Lulakeni

B1268 08-09-2000

882

NOTICE

ESTATE LATE: MANKWENTJANE JOSEPH VILAKATI ESTATE NO. EM63/2000

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication of this Notice.

Any person objecting to the Account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

MBONGISENI SIYAYA
P. O. Box 5474
Mbabane

B1270 08-09-2000

NOTICE

ESTATE LATE: TIMOTHY MFANAWEMPI KHUMALO ESTATE NO. EM415/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication of this Notice.

Any person objecting to the Account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

GIRLY KHUMALO
P. O. Box 3146
Manzini

B1271 08-09-2000

NOTICE

ESTATE LATE: CAROLINE L. DLADLA ESTATE NO. EH66/99

Notice is hereby given in terms of Section 52 bis of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of 21 days (twenty one days) from date of publication of this Notice.

Any person objecting to the Account may lodge his/her objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

GCINILE P. SIGUDLA
P. O. Box B93
Mbabane

B1274 08-09-2000

NOTICE

ESTATE LATE: BEAUTY NGONI MATSEBULA ESTATE NO. ES101/2000

Debtors and Creditors for the abovementioned Estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this Notice.

MTHUNZI MATSEBULA
P. O. Box 1720
Mbabane

B1272 08-09-2000

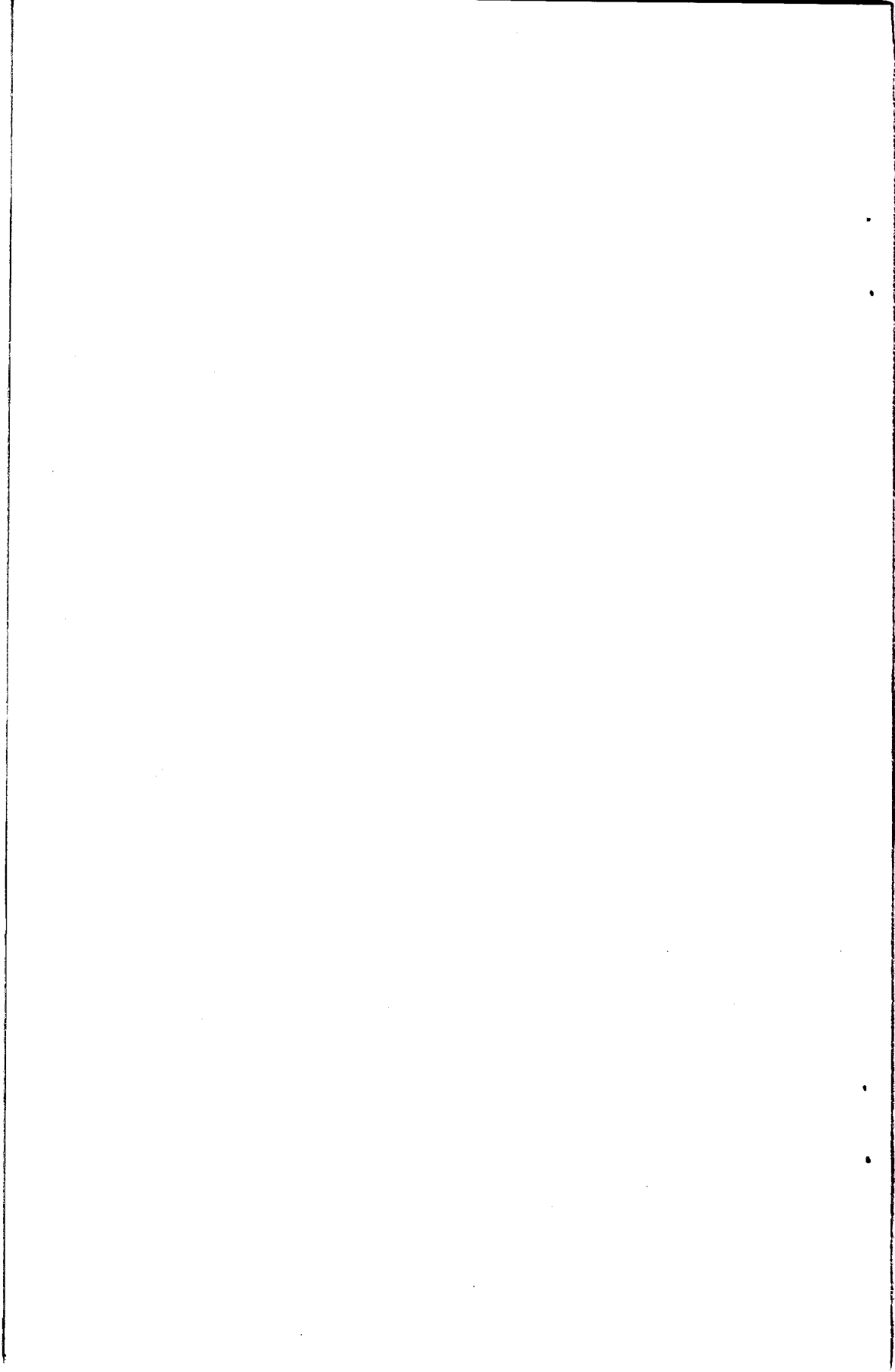
NOTICE

ESTATE LATE: DANIEL VELAPHI HLATSHWAKO ESTATE NO. EM248/2000

Debtors and Creditors for the above Estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

LINDIWE HLATSHWAKO
P. O. Box 31
Kwaluseni

B1273 08-09-2000



SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

VOL. XXXVIII]

MBABANE, Friday, September 8th., 2000

[No. 602

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PUBLISHED BY AUTHORITY

PART A

S1

THE UNIVERSITY OF SWAZILAND (AMENDMENT) BILL, 2000 (Bill No. 9 of 2000)

(TO BE PRESENTED BY THE MINISTER FOR EDUCATION)

MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to amend the University of Swaziland Act so as to provide for-

- (a) the establishment of an additional post of a second Pro Vice-Chancellor;
- (b) the functions and responsibilities of the two Pro Vice-Chancellor;
- (c) the re-definition of the powers and functions of the Council of the University; and
- (d) incidental matters relating thereto.

P. M. DLAMINI
Attorney-General

A BILL Entitled

An Act to amend the University of Swaziland Act, 1983 so as to establish an additional post of second Pro Vice-Chancellor and re-define the powers and functions of the Council of the University.

Citation and commencement.

1. This Act may be cited as the University of Swaziland (Amendment) Act, 2000 and shall be read as one with the University of Swaziland Act, 1983 (hereinafter referred to as the "Principal Act") and shall come into operation on the date of publication.

Amendment of section 4.

2. Section 4 of the Principal Act is amended in subsection (1) by replacing paragraph (e) with the following new paragraph-

- (e) "the Pro Vice-Chancellors;"

Amendment of section 10.

3. Section 10 of the Principal Act is amended by replacing it with the following new section 10-

- "10. (1) There shall be two Pro Vice-Chancellors, one being responsible for administration matters and the other being responsible for academic matters.
- (2) Any one of the Pro Vice-Chancellors, who has been in writing so designated by the Vice-Chancellor and in default, by the Council, shall act as Vice-Chancellor during a vacancy in that office or during the absence, inability or incapacity of the Vice-Chancellor."

Insertion of Section 13 bis.

4. The Principal Act is amended by inserting the following new section immediately after section 13 -
“creation of addition posts

13 bis. The Council, may on the recommendation of Senate, establish posts in addition to those already established in terms of Sections 9, 10, 11, 12 and 13 of this Act”.

Amendment of section 14.

5. Section 14 of the Principal Act is amended in subsection (2) by replacing paragraph (c) with the following new paragraph-

“(c) the two Pro Vice-Chancellors;”

Amendment of section 17.

6. Section 17 of the Principal Act is amended in subsection (2) by replacing paragraph (b) with the following new paragraph-

“(b) the two Pro Vice-Chancellors;”

CORRIGENDUM

PART C

THE CIVIL SERVICE ORDER, 1973
(Order No. 16 of 1973)

APPOINTMENT OF HIGH COMMISSIONERS
(Legal Notice No. 73 of 2000)

and

(Legal Notice No. 74 of 2000)

The Appointment of High Commissioners Notice, No. 73 of 2000 and No. 74 of 2000 are corrected by inserting the words -

“5th Day of November, 1999” between the words “from” and “2000”.

LEGAL NOTICE NO. 96 OF 2000

THE COTTON ACT, 1967
(Act No. 26 of 1967)THE COTTON (DESTRUCTION AND PLANTING DATE) REGULATIONS, 2000
(Under Section 10 and 17)

In exercise of the Powers Conferred by Section 10 and 17 of the Cotton Act, 1967, the Minister of Agriculture and Co-operatives after consulting the Cotton Board, hereby makes the following Regulations:-

Citation.

1. These Regulations may be cited as the Cotton (Destruction and planting Dates) Regulations, 2000.
2. The 31st August 2000 is the date for the whole of Swaziland before which all cotton plants shall be destroyed.

Method of destruction.

3. The method of destruction to be used by growers for their cotton plants under these Regulations shall be as follows:
 - (a) The removal of the upper portion of the plant by severing it at a point not more than 10cm above the surface of the ground and burning of the portion so removed.
 - (b) By means of an agricultural implement, so lacerating and burying the plant as to prevent its growth.
 - (c) By ploughing in or causing to be destroyed any portion of the cotton plant which remains above the surface of the ground.

Default in destruction.

4. (1) The owner of land of which is grown a cotton plant to be destroyed as required by Regulation 3 shall ensure that the grower complies with these Regulations.
(2) If a grower or an owner of the land fails to comply with Regulation 3 the Principal Secretary of the Ministry of Agriculture and Co-operatives or the Cotton Board shall cause the Cotton plants to be destroyed and recover from the grower the full expense of the destruction.

Planting of Cotton.

5. No Cotton shall be planted before the 15th October, 2000.

Penalties.

6. A grower or owner who:-
 - (a) fails to destroy a cotton plant as required by Regulation 3 or.
 - (b) plant Cotton in contravention of Regulation 5, shall be guilty of an offence and liable on conviction to a fine not exceeding One Thousand Emalangeni or imprisonment for a period not exceeding 6 months, and the Court may order the destruction of such plants within such times as it may determine.

Revocation of Legal Notice No. 143 of 1997.

7. The Cotton (Destruction and Planting Dates) Regulations, 1997 are hereby revoked.

N. M. NKAMBULE
Principal Secretary

LEGAL NOTICE NO. 97 OF 2000

THE WAGES ACT, 1964
(Act No. 16 of 1964)

THE REGULATION OF WAGES (MOTOR ENGINEERING TRADES) ORDER, 2000
(Under Section 11)

In exercise of the powers conferred on him by Section 11 of the Wages Act, the Minister for Enterprise and Employment makes the following Order -

Citation and Commencement.

1. This Order may be cited as the Regulation of Wages (Motor Engineering Trades) Order, 2000 and shall be deemed to have come into force on the 1st July, 2000.

Interpretation.

2. In this Order unless the context requires -

“artisan” means an employee who has undergone a trade test and obtained a certificate showing the employee’s grade;

“artisan assistant” means an employee who has been assisting an artisan for three continuous years in the workshop or can show proof of three years relevant experience with a previous employer;

“assistant batteryman” means an employee who assists a batteryman;

“assistant greaseman” means an employee who assists a greaseman;

“assistant tyreman” means an employee who assists a tyreman;

“batteryman” means an employee wholly or mainly engaged in the servicing and maintenance (including charging) of batteries either solely or in charge of the employees;

“casual labourer” means an employee whose wages are actually paid to the employee at the end of the day or shift;

“junior clerk” means an employee who does not possess a Junior Certificate of education and who is engaged in general clerical duties;

“clerk” means an employee who is a holder of a Junior Certificate of education and is engaged in general clerical duties;

"senior clerk" means an employee who is a holder of a Senior certificate of education and who is engaged in general clerical duties;

"continuous service" means service in the employment of the employer interrupted only by death, retirement or discharge of the employee concerned. Provided that an employee who is re-engaged within two months of the employee's discharge shall be deemed to be continuous service in the employment of that employer;

"driver" means an employee whose duties, in addition to being in charge of a motor vehicle includes the handling to and from the tailboard, and daily maintenance and cleaning of the vehicle;

"general labourer" includes a person employed as a sweeper, cleaner, or spannerman;

"greaseman" means an employee who lubricates vehicles including operating the necessary equipment either solely or in charge of other employees;

"petrol pump attendant" means a person wholly or mainly employed at a petrol pump selling fuel and oil;

"semi-skilled labourer" means a person who is employed to perform duties other than sweeping and cleaning;

"switchboard operator" means an employee whose main duties consists in the operation of telephone switchboard;

"tyreman" means an employee wholly engaged in repairing tyres and tubes;

"trainee switchboard operator" means an employee whose main duties consists in the operation of telephone switchboard under training instructions for a period not exceeding three months;

"watchman" means an employee whose engaged during the day or night guarding and protecting premises, property or belongings as directed by the employer;

Application.

3. This Order shall apply to all persons employed in an undertaking or part of an undertaking which consist in the carrying on for gain or more of the following activities -

- (a) the retail, supply of motor vehicles, fuel and oil;
- (b) the retail, supply of agricultural or mobile construction plant; and
- (c) the repair, servicing or assembly or adapting of such vehicles, machinery or plant on behalf of other persons or undertaking.

Basic Minimum Wage.

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

(2) Any employee who, at the date of the commencement of this Order is in receipt of a higher wage, or enjoys better conditions of employment than those prescribed by the Order shall not suffer a reduction in such wage or condition by reason of this Order.

(3) The normal hourly rate for a watchman, shall not be less than one hundred and twelfth of his monthly wage.

Hours of Work.

5. (1) The normal weekly hours of work for an employee other than a watchman and a petrol pump attendant shall not be more than forty-five hours exclusive of meal breaks, spread over five and half days.

(2) The normal weekly hours of work for watchman shall be seventy-two hours spread over six shifts, each of twelve hours.

(3) the normal monthly hours of work for a petrol pump attendant shall not be more than one hundred and ninety-four hours a month.

Overtime.

6. (1) Overtime in excess of the normal hours by an employee other than a watchman shall be paid at the following rate -

- (a) any normal working day on a Saturday before 1.00 p.m at one and one half times the employee's normal rate of wages;
- (b) after 1.00 p.m. Saturdays, or public holidays specified in regulation 8 at twice the employee's normal rate of wages.

(2) Overtime in excess of the normal hours worked by a watchman shall be paid at one and one half times the employee's normal rate of wages; but where such overtime is worked on a rest day or on a public holiday specified in Regulation 8, the overtime shall be paid at twice the employee's normal rate of wages.

(3) An employee shall not be required to work overtime against his will unless it is understood by both parties that such overtime is necessary.

Annual Leave.

7. (1) An employee shall, be entitled after each period of twelve months continuous service with an employer, to annual leave for a period totalling 10 working days with full pay.

(2) An employee who has completed 5 years continuous service with the same employer shall be granted 15 working days or 21 calendar days, with full pay.

(3) Where the employment of an employee is terminated after a period exceeding three months from the date of commencement or after a period following her return from annual or sick leave, 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 had not taken annual leave.

Paid Public Holiday.

8. (1) The following shall be public holidays with full pay -

New Year's Day;

Good Friday;

Easter Monday;

King's Birthday;

May Day;

Ascension Day;

Umhlanga Day (to be announced);

Somhlolo Day;

Christmas Day;

Boxing Day; and

Incwala Day (to be announced)

(2) No employee shall be entitled to payment under sub-regulation (1) unless the employee is available for work on a working day immediately before and after the public holiday.

Sick Leave.

9. (1) After three consecutive months of continuous service with an employer and subject to the production of a Medical Certificate signed by a Medical Practitioner, registered under the Medical and Dental Practitioner's Act, 1970, an employee shall be entitled to a maximum of fourteen days with full pay and thereafter to a maximum of fourteen days on half pay in each period of one year.

(2) Notwithstanding Sub-Regulation (1) -

- (i) an employee shall not be entitled to the benefits specified under-regulation (1) if the sickness or accident causing his absence was caused by his own negligence or misconduct;
- (ii) a certificate issued by a Registered Nurse shall be accepted in place of a Medical Certificate if a Medical Practitioner is not available.

(3) Where the employment of an employee is terminated after a period exceeding three months but not amounting to one year from the date of its commencement the employer shall pay to the employee a sum not less than one day's wages for each completed month of such period.

Written particulars of employment to be provided.

10. An employer shall on engagement of an employee give such employee a completed copy of the form in the Second Schedule of this Order.

Continuous Service.

11. Where, following upon a change of ownership of an establishment or undertaking an employee enters the service of the owner without interruption, his service shall be deemed to be continuous service in the employment of the new owner.

Subsistence allowance.

12. For period of absence from the employee's place of employment on journey undertaken in the performance of the employee's duties, an employee shall be re-imbursed all expenses reasonably incurred on lodging and or meals during each period of such absence on production of receipts covering such expenditure.

Revocation of Legal Notice No. 92 of 1998.

13. The Regulation of Wages (Motor Engineering Trades) Order, 1998 is revoked.

FIRST SCHEDULE
(Regulation 4)

<u>Occupation</u>	<u>Rate per hour</u> <u>New rate</u>
Office Attendant	1.99
Casual Labourer	2.10
General Labourer	2.89
Semi-skilled labourer	3.31
Driver (up to 2 tons per load)	3.31
Driver (above 2.5 tons per load)	3.60
Greaseman	3.41
Assistant Greaseman	3.31
Batteryman	3.31
Assistant Batteryman	2.81
Tyreman	3.31
Assistant Tyreman	2.89
Clerk	3.31
Junior Clerk	3.20
Senior Clerk	3.41
Trainee (Switchboard Operator)	2.81
Switchboard	3.20
Artisan Assistant	3.20
Artisan (Trade Tested) Grade III	3.61
Artisan (Trade Tested) Grade II	5.08
Artisan (Trade Tested) Grade I	7.75
Watchman per month	615.70
Petrol pump attendant per month	601.93

SECOND SCHEDULE
(Regulation 10)

WRITTEN PARTICULARS OF EMPLOYMENT FORM

1. Name of Employer
2. Name of Employee
3. Date of Employment began
4. Wage and method of calculation
5. Interval at which wages are paid
6. Normal hours of work
7. Short description of employee's work

-
-
8. Probation Period
9. Annual Holiday Entitlement
10. Paid Public Holidays
11. Payment during sickness
12. Maternity Leave (if employee female)
13. Notice employee entitled to receive
14. Notice employee required to give
15. Notice Scheme (if any, other than N.P.F. Scheme)
-
16. Any other matter either party wishes to include
-

- Notes (a) An Industry Union is recognised by this undertaking any employee is free to join it.
The address of the Industry Union is:
- (b) The grievance procedure in this undertaking requires that a grievance should be first
referred to
- (c) When any heading is inapplicable enter nil.

Signed Employer

..... Employee

..... Witness

..... Date

M.E. VILAKATI
Principal Secretary
Ministry of Enterprise & Employment

LEGAL NOTICE NO. 98 OF 2000

THE WAGES ACT, 1964
(Act No. 16 of 1964)

THE REGULATION OF WAGES (ROAD TRANSPORTATION) ORDER, 2000
(Under Section 11)

In exercise of the powers conferred on him by Section 11 of the Wages Act, 1964, the Minister for Enterprise and Employment hereby makes the following Order.

Citation and commencement.

1. This Order may be cited as the Regulation of Wages (Road Transportation) Order, 2000 and shall be deemed to have come into effect on the 1st July, 2000.

Interpretation.

2. In this Order, unless the context otherwise requires -

“assistant mechanic” means an unskilled employee who assists a mechanic;

“cleaner” means a person who is employed to clean vehicles or the premises of the employer;

“clerk grade II” means a clerk from one day to 3 months continuous service with the same employer;

“clerk grade III” means a clerk above 3 months up to 12 months, continuous service with the same employer;

“clerk grade IV” means a clerk from 13 months up to 24 months continuous service with the same employer;

“clerk grade V” means a clerk from 25 months service who is engaged in general clerical duties, with the same employer;

“conductor” means a person who is employed to sell tickets on a public service vehicle and who is responsible for the control of passengers on that vehicle;

“driver” means a person who is employed to drive a goods vehicle, public service vehicle, car hire or taxi as the context may require;

“grade” means any grade listed in the First Schedule;

“greaser” means an employee who greases vehicles and trailers;

“general worker” means an employee who performs manual tasks of simple routine nature, requiring mainly physical effort and little or no experience, which is not performed by workers classified elsewhere;

“head driver” means an employee who supervises other drivers;

“public holiday” means a day prescribed as a paid public holiday in regulation 11;

“artisan” means an employee who has completed an apprenticeship or who has been awarded a trade grade certificate;

"lay over" means a period of duty performed by a driver for the purpose of booking-off his vehicle which shall not include driving duty;

"Loader" means an employee engaged in the loading or off-loading of vehicles or rail transport;

"lorrymate" means an employee who assists in the execution of driver's duties other than driving;

"messenger" means an employee engaged to convey messages and to carry out elementary office jobs;

"mobile crane driver" means an employee who operates a mobile crane to load or off-load materials;

"night" means the period between the hours of 6.00 p.m and 6 a.m;

"overtime" means any time worked outside the ordinary hours of work as defined in regulation 6;

"senior clerk" means an employee engaged in general clerical duties including supervisory work;

"short time" means the employment of employees on short time working at not less than fifty percent of their basic wage;

"suitable accommodation" means a weatherproof structure containing bed or camp bed with a palliasse or similar covering;

"switchboard operator" means an employee who operates a telephone switchboard;

"tyre hand" means a person who is employed in the repairing of tyres and tubes, including the use of equipment necessary for such work;

"journeyman/mechanic" means any employee who completed an apprenticeship;

"watchman" means an employee who guards property or premises of the employer;

"working day" means any day other than a day-off or a public holiday listed in regulation 11.

Application.

3. This Order shall apply to all persons employed in any undertaking involving the carriage, for hire or reward, of passengers or goods by a motor vehicle required to be licenced under the Road Transportation Act, 1963.

Basic Minimum Wage.

4. (1) The basic minimum wage to be paid to the employees specified in the First Schedule shall be calculated at a rate specified therein in relation to the employee's grade;

(2) A casual employee shall not be paid less than one and third ($\frac{1}{3}$) times the basic minimum wage for the occupation and grade in which he is employed.

Protection of Wages.

5. (1) An employee who is required to perform duties in a lower grade than that in which he is normally employed, shall be paid the wages applicable to the grade in which he is normally employed.

(2) Any employee who is required to temporarily perform duties in a higher grade than that in which he is normally employed, shall be paid the wage applicable to such higher grade on and after the third day of such work.

(3) Except in the case of short time, no employer shall reduce the wages of any employee who is able and willing to work and who presents himself for work at the appointed time and place but for whom the employer is unwilling or unable to provide work.

Hours of work.

6. (1) The ordinary hours of work, subject to the provisions of regulation 8 shall not exceed forty eight hours per week, spread over 6 days.

(2) Except in case of emergency, no employer shall require or permit an employee, other than a watchman or taxi-driver, to work more than sixty hours, including overtime, in any week or for more than five continuous hours without a break of at least thirty minutes.

(3) Every employee shall receive one day off work in each week and no employee shall be required to work on his day-off in successive weeks unless mutually agreed to by prior arrangement.

(4) Where two drivers are engaged in driving a vehicle, the total driving hours per day for both drivers shall not exceed sixteen hours and each driver shall be paid for driving time only, which driving hours shall be appointed equally between both drivers.

(5) A driver of a Public Transport vehicle shall be allowed breaks amounting in aggregate to not less than forty minutes in a period of eight consecutive hours working time, and in the event of him working more than eight consecutive hours, he shall, in addition to aggregate break of forty minutes, be given a thirty minutes rest period at the end of eight hours.

(6) No driver shall be required or permitted to drive for eleven or more hours in one day except in the case of an emergency.

Conversions Rates.

7. For purposes of converting a weekly wage to -

- (a) an hourly rate, the weekly wages shall be divided by the number of hours ordinarily worked in a week;
- (b) a daily rate, the weekly wage shall be divided by the number of days ordinarily worked in a week; and
- (c) a monthly rate, the weekly wages shall be multiplied by four and one third.

Payment of Overtime.

8. (1) Subject to the provisions of regulation 6 an employer may require an employee to work overtime and, whenever possible, shall give twenty-four hours notice of such requirements.

(2) The first thirty minutes of overtime worked on any day shall qualify for payment at the employee's normal rate of wage applicable to that day.

(3) Overtime in excess of thirty minutes on any normal working day shall qualify for payment at the rate of one and half/times the employee's normal rate of wages.

(4) Overtime worked by an employee on his day off or on a public holiday qualify for payment at double the employee's normal wages.

Allowances.

9. (1) A driver other than a taxi-driver, who is required to drive on a night shift shall be paid at one and one quarter times his normal wage rate.

(2) A taxi driver shall be paid, in addition to his normal wage, a commission of not less than two percent, on his money intake during any month worked.

(3) A driver who has been in the continuous employment of the same employer for more than six months and who is required to obtain an annual public driver's licence, shall be reimbursed by his employer the cost of any medical examination required as a condition for the issue of that licence.

(4) An employee who is on duty outside his normal station or principal place of employment shall be paid subsistence allowance in respect of each continuous period of 12 hours up to a maximum of six days the following -

- (a) thirteen emalangeni, twenty cents (13.20) where the employer provides suitable accommodation and food;
- (b) eighteen emalangeni, ninety eight cents (18.98) where the employer does not provide food, but provides suitable accommodation or where the accommodation is available on the vehicle; and
- (c) thirty three emalangeni (33.00) where the employer provides neither food nor accommodation.

(5) An employee who is absent on duty from his principal place of employment for more than seven days but not exceeding thirty days, shall be paid the following subsistence allowance in respect of each absence -

- (a) twenty six emalangeni, forty cents (26.40) if the employer provides suitable accommodation and food;
- (b) eighteen emalangeni, ninety eight cents (18.98) where the employer does not provide food, but provides suitable accommodation or where the accommodation is available on the vehicle; and
- (c) thirty nine emalangeni sixty cents (39.60) if the employer provides neither food nor accommodation.

(6) Whenever a transfer is envisaged to be permanent in nature from the outset, a transfer allowance of E60.00 shall be paid to the transferee.

Annual Leave.

10. (1) During the first two years of continuous service with an employer, an employee shall earn leave at the rate of one and a quarter working days for each completed month of service.

(2) After the completion of two years service but not exceeding seven years continuous service with an employer, an employee shall earn at the rate of two working days for each completed month.

(3) An employee with more than seven years continuous service with an employer shall earn leave at the rate of two and a half working days for each completed month.

(4) Where the services of an employee is terminated after a period exceeding three months but not amounting to one year from the date of commencement, the employer shall pay to the employer a sum not less than one day's wages for each completed month of such period.

(5) A period of unpaid leave or unpaid sick leave shall not be counted as employment earning leave.

(6) an employer who observes a holiday other than a public holiday in regulation 11, shall not off-set such holiday against an employee's leave.

Public Holiday.

11. (1) The following shall be public holidays with full pay -

New Years' Day;

Good Friday;

Easter Monday;

National Flag Day;

Ascension Day

Public Holiday;

King's Birthday;

Umhlanga (Reed dance) Day;

Somhlolo Day;

Incwala Day;

Christmas Day; and

Boxing day.

(2) Where a public holiday falls on a Sunday, the following day shall be deemed to be a public holiday.

(3) An employee who is absent without leave on the working day before or the working day after a public holiday, shall not be entitled to any payment in respect of that public holiday in terms of this regulation.

Sick Leave.

12. (1) After three consecutive months continuous service with an employer and subject to the production of a medical certificate signed by a medical practitioner, registered under the Medical and Dental Practitioners Act, 1970, an employee shall be entitled to sick leave up to a maximum of fourteen days on full wages and thereafter to maximum of fourteen days on half wages in each period of one year.

(2) Notwithstanding sub-regulation (1),

- (a) an employee shall not be entitled to the benefits specified under sub-regulation (1) if the sickness or accident causing his absence was a result of his own negligence or misconduct; and
- (b) a certificate issued by a registered nurse shall be accepted in place of a medical certificate if a medical practitioner is not available.

Written Particulars of employment to be provided.

13. An employer shall on engagement of an employee, give such an employee a completed copy of the form in the Second Schedule of this Order.

Continuous Service.

14. Where, following upon a change of ownership of an establishment or undertaking an employee enters the service of the new owner without interruption, his service shall be deemed to be continuous service in the employment of the new owner.

Protective Clothing.

15. (1) Subject to sub-regulation (2), an employer shall supply, free of charge and without payment of any deposit by the employee, the following items -

- (i) in the case of employees who are normally exposed in their employment to inclement weather, a waterproof cap, overcoat or other suitable protective clothing;
- (ii) two dust coats, two overalls or two uniforms per annum, in the case of drivers and conductors; and
- (iii) in the case of artisans assistant mechanics and employees engaged in the loading, unloading and delivery of goods to or from vehicles, suitable overalls or other protective clothing.

(2) Any clothing supplied to an employee in terms of this regulation shall remain the property of the employer and shall subject to fair wear and tear, be returned to the employer in good condition on the resignation, retirement or discharge of an employee.

Short Time.

16. (1) If an employer finds it necessary, for reasons beyond that employers control, to employ an employee on short time, that employer may do so, subject to the Labour Commissioner consenting in writing to such an arrangement and on the undertaking that the employer intends resuming full time working within three weeks.

(2) Where an employee has been placed on short time under sub-regulation (1), that employee shall be paid not less than fifty percent of the weekly wages where the employee is employed for periods which, in aggregate, are equivalent to or less than fifty percent of his normal weekly hours of work.

(3) No reduction shall be made in an employee's earnings where the employee has been placed on short time, and works, in aggregate, more than fifty percent of normal weekly hours of work during any week the employee has been placed on short time.

Revocation of legal Notice No. 152 of 1997.

17. The Regulation of Wages (Road Transportation Industry) Order, 1997 is revoked.

FIRST SCHEDULE
(Regulation 4)

BASIC MINIMUM WAGE PER WEEK

GRADE I:

Cleaner	
Greaser	
Loader	
Lorry mate	
Messenger	127.94
Conductor	
General worker	

GRADE II:

Fuel issuer	
Tyre hand	
Watchman	
Clerk	
Driver of vehicles up to 200kg tare weight or A public transport Licenced to carry 1 to 16 passengers	187.92

GRADE III:

Driver of vehicles from 2001kg to 7000kg tare weight or Public Transport Licenced to carry 17 to 36 passengers	201.47
Assistant mechanic	
Clerk	

GRADE IV:

Driver of mobile cranes, vehicles from 7001kg to 12000kg tare weight or public transport licenced to carry 37 to 59 passengers	208.86
Clerk	

GRADE V:

Driver of vehicles 12001kg to 20000kg tare weight or public transport licenced to carry 60 passengers and more	222.63
Clerk	

GRADE VI:

Driver of (vehicles of 20001 kg tare weight and above Senior Clerk	223.80
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GRADE VII:

Driver Supervisor	402.21
Journeyman	

SECOND SCHEDULE
(Regulation 10)

WRITTEN PARTICULARS OF EMPLOYMENT FORM

1. Name of Employer
 2. Name of Employee
 3. Date of Employment began
 4. Wage and method of calculation
 5. Interval at which wages are paid
 6. Normal hours of work
 7. Short description of employee's work
.....
.....
 8. Probation Period
 9. Annual Holiday Entitlement
 10. Paid Public Holidays
 11. Payment during sickness
 12. Maternity Leave (if employee female)
 13. Notice employee entitled to receive
 14. Notice employee required to give
 15. Notice Scheme (if any, other than N.P.F. Scheme)
.....
 16. Any other matter either party wishes to include
.....
- Notes (a) An Industry Union is recognised by this undertaking any employee is free to join it.
The address of the Industry Union is:
- (b) The grievance procedure in this undertaking requires that a grievance should be first
referred to
- (c) When any heading is inapplicable enter nil.

S18

Signed Employer
..... Employee
..... Witness
..... Date

M.E. VILAKATI
Principal Secretary
Ministry of Enterprise & Employment

The Government Printer, Mbabane

