



# SWAZILAND GOVERNMENT GAZETTE

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VOL. XLVII]

MBABANE, Friday FEBRUARY 1<sup>ST</sup>, 2008

[No. 006

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PUBLISHED BY AUTHORITY

062

**NOTICE**

Notice is hereby given that **I, Mabhalane Sipho Ntshangase of Lubombo Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Zwane** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the newspapers circulating in the region, where I reside and designated for this purpose by the Regional Secretary for the **Lubombo Region** and in the government Gazette.

The reason I want to assume the surname **Zwane** is because it is my natural surname.

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

P.O. Box 50  
Vuvulane

J103 4x15-02-2008

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**NOTICE**

Notice is hereby given that **I, Themba Andy Matsenjwa of Lubombo Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Thabi** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the newspapers circulating in the region, where I reside and designated for this purpose by the Regional Secretary for the **Lubombo Region** and in the government Gazette.

The reason I want to assume the surname **Thabi** is because it is my natural surname.

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

P.O. Box 324  
Siteki

12428 4x01-02-2008

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**NOTICE**

**ESTATE LATE: ABEL VUSASIVE DLUDLU ESTATE NO. EM368/2007**

Debtors and Creditors in the above mentioned 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.

LUCKY DLUDLU & KENNY DLUDLU  
P.O. Box 71  
Matata

J106 01-02-2008

**NOTICE**

Notice is hereby given that we intend applying for a certified copy of: Deed of Transfer No. 238/1973 dated the 27<sup>th</sup> August 1973 in favour of **JERRY MASEKO** (born on the 24<sup>th</sup> December 1941) in respect of:

**CERTAIN** : Lot No. 70 situate in Msunduzi Township Extension No. 2 Mbabane urban area, District of Hhohho, Swaziland;

**MEASURING** : 422 (Four Two Two) 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 22<sup>nd</sup> DAY OF JANUARY, 2008.**

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

J102 2x01-02-2008

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**NOTICE**

SWAZILAND COMPANIES ACT NO. 7 OF 1912

Notice is hereby given that I have reasonable cause to believe that the under mentioned company:

**FIRSTCORP SWAZILAND INVESTMENTS (PTY) LTD**

Incorporated under the laws of Swaziland, is not carrying on business and is not in operation. The name of the aforesaid company has been struck off the Swaziland Register of Companies on the 24<sup>th</sup> January 2008 and the company is dissolved.

**G. D. NDLOVU**  
REGISTRAR OF COMPANIES

J104 01-02-2008

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**NOTICE**

SWAZILAND COMPANIES ACT NO. 7 OF 1912

Notice is hereby given that I have reasonable cause to believe that the under mentioned company:

**SUNLAND FOODS SWAZILAND (PTY) LTD**

Incorporated under the laws of Swaziland, is not carrying on business and the Directors and Shareholders have applied for its deregistration. The name of the aforesaid company will unless cause is shown to the contrary at the end of three months from the date hereof, be struck off the Swaziland Register of Companies and the company be dissolved.

**G. D. NDLOVU**  
REGISTRAR OF COMPANIES

J105 01-02-2008

064

**NOTICE**

**ESTATE LATE: MARCUS MATSEBULA ESTATE NO. EL4/2007**

Debtors and Creditors in the above mentioned 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.

JOEKIM N. MATSEBULA, NOMSA ZWANE  
CHAZILE MATSEBULA  
P.O. Box 663  
Siteki

J115 01-02-2008

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**NOTICE**

**ESTATE LATE: SIBUSISO MAZOCO DLAMINI ESTATE NO. ES240/2007**

Debtors and Creditors in the above mentioned 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.

XOLILE ZANELE SHIBA  
P.O. Box 48  
Lavumisa

J118 01-02-2008

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**NOTICE**

**ESTATE LATE: AARON TSELA: EH15/2008**

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.

M. J. MANZINI & ASSOCIATES  
Attorneys for the Executor Dative  
3<sup>rd</sup> Floor, Lilunga House  
Somhlolo Road  
Mbabane

J122 01-02-2008

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**NOTICE**

**ESTATE LATE: JABULANI NELSON MSIBI ESTATE NO. ES30/2008**

Debtors and Creditors in the above mentioned 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.

PHINDILE N. DLAMINI  
P.O. Box 20  
Hlathikhulu

J138 01-02-2008

065

**NOTICE**

**ESTATE LATE: FOCELA MAHHUNGA SHONGWE ESTATE NO. EL50/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

NOBUHLE THANDEKA SHONGWE  
P.O. Box 3910  
Mbabane

J107 01-02-2008

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**NOTICE**

**ESTATE LATE: BONGINKHOSI DONALD BONGANI MOTSA  
ESTATE NO. EM411/2006**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

BUSISIWE ANGELINE SOLANI MOTSA  
P.O. Box 554  
Manzini

J108 01-02-2008

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**NOTICE**

**ESTATE LATE: SIMON MFANOZWAYO MATSEBULA ESTATE NO. ES263/2002**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

NCOBILE MATSEBULA  
P.O. Box 506  
Nhlangano

J109 01-02-2008

066

**NOTICE**

**ESTATE LATE: MAKHOSIZWE THEMBINKOSI GWEBU  
ESTATE NO. EP35/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

HLOBIE SIZOLWETHU FAKUDZE  
P.O. Box 30  
Ntfontjeni

J110 01-02-2008

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**NOTICE**

**ESTATE LATE: JACOB MBHEKWA GULWAKO ESTATE NO. EL16/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

ELIAS NDODA GULWAKO  
P.O. Box 21  
Big Bend

J111 01-02-2008

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**NOTICE**

**ESTATE LATE: JEREMIAH MAPITI KHUMALO ESTATE NO. EM248/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

ANASTACIA NCINELENI KHUMALO  
P.O. Box 595  
Manzini

J112 01-02-2008

067

**NOTICE**

**ESTATE LATE: SHIYUMHLABA NICHOLAS SANIE DLAMINI  
ESTATE NO. EM275/2006**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the Third and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

MRS LUCY M. T. DLAMINI  
P.O. Box 296  
Eveni, Swaziland

J113 01-02-2008

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**NOTICE**

**ESTATE LATE: VELAPHI DOUGLAS DLAMINI ESTATE NO. EM 389/2006**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

SWANE CYNTHIA DLAMINI &  
SATISO LINDIWE DLAMINI  
P.O. Box 5997  
Manzini

J114 01-02-2008

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**NOTICE**

**ESTATE LATE: MANDLA JABULANE TFWALA ESTATE NO. ES135/2006**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

SIBONGISENI PORTIA TFWALA  
P.O. Box 36  
Gege

J116 01-02-2008

068

**NOTICE**

**ESTATE LATE: RICHARD THULASIZWE MSITSINI  
ESTATE NO. EP 56/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

ZANDILE BEATRICE MSITSINI  
P.O. Box 4  
Ebhuhleni, Hhohho

J117 01-02-2008

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**NOTICE**

**ESTATE LATE: FANI THOMAS XOLANI MNTSHALI  
ESTATE NO. ES88/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

NELISIWE MAUREEN MNTSHALI  
P.O. Box 58  
Hlatikulu

J119 01-02-2008

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**NOTICE**

**ESTATE LATE: LINDIWE GLORY MASILELA NEE NGIDI  
ESTATE NO. EH196/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

BHEKI ZAMA MASILELA  
P.O. Box 7511  
Manzini

J120 01-02-2008



**NOTICE**

**ESTATE LATE: NHLANHLA JOSEPH DLAMINI ESTATE NO. EH185/2006**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

THOKOZANI DLAMINI  
P.O. Box 316  
Lobamba

J121 01-02-2008

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**NOTICE**

**ESTATE LATE: BONGANI MESHACK MAZIYA ESTATE NO. EL90/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

MFANUFIKILE PATRICK MAZIYA  
P.O. Box 273  
Siteki

J123 01-02-2008

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**NOTICE**

**ESTATE LATE: DRUMMOND ZWELODUMO HLATSHWAYO  
ESTATE NO. ES204/2006**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

SARAPHINAH GCINAPHI HLATSHWAYO  
P.O. Box 415  
Hlathikhulu

J124 01-02-2008

070

**NOTICE**

**ESTATE LATE: THULANI COMFORT TSABEDZE ESTATE NO. EH45/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

ORMA DUDU MAVIMBELA  
P.O. Box 5164  
Mbabane

J125 01-02-2008

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**NOTICE**

**ESTATE LATE: ZABA DLAMINI ESTATE NO. EL30/2006**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

KHELLINAH NOMANZI DLAMINI  
P.O. Box 5830  
Manzini

J126 01-02-2008

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**NOTICE**

**ESTATE LATE: NHLANHLA SIBONDZA ESTATE NO. EL109/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

THANDI SIBONDZA NEE SHONGWE  
P.O. Box 7  
Siphofaneni

J127 01-02-2008

071

**NOTICE**

**ESTATE LATE: EMMANUEL VUSI NXUMALO ESTATE NO. EM221/2005**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

NOMVUYO NXUMALO  
P.O. Box 3355  
Manzini

J128 01-02-2008

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**NOTICE**

**ESTATE LATE: ZACHARIA ZIFOZONKE MADONSELA ESTATE NO. ES65/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

LAZARUS MPENDULO MADONSELA  
P.O. Box 20  
MAGUBHELENI

J130 01-02-2008

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**NOTICE**

**ESTATE LATE: JOHN MJONGO NDWANDWE ESTATE NO. EH242/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

GCINAPHI E. NDWANDWE  
P.O. Box 1021  
Mbabane

J129 01-02-2008

**NOTICE**

Notice is hereby given that I, **Petros Mduuzi Mbusiseni Masuku** of **Ebulekeni - Shiselweni Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Ndzinisa** after the fourth publication of this notice, in each of four consecutive weeks in the Times of Swaziland and The Swazi Observer, being the newspapers 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 **Ndzinisa** is because it is my natural surname.

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

P.O. Box 48  
Nhlangano

J131 4x22-02-2008

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**NOTICE**

**ESTATE LATE: LILLY NORAH MABUZA ESTATE NO. EM432/2004**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

SAMUEL MABUZA  
P.O. Box 268  
Malkerns

J133 01-02-2008

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**NOTICE**

**ESTATE LATE: PETROS CUCUBA GINA ESTATE NO. EL106/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

LUNGILE KHOLIWE GINA  
P.O. Box 534  
Siteki

J134 01-02-2008

073

**NOTICE**

**ESTATE LATE: DEEFORD SABELO MAMBA ESTATE NO. ES286/2006**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

SIBONGILE VERONICA DLAMINI  
P.O. Box 183  
Manzini

J135 01-02-2008

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**NOTICE**

**ESTATE LATE: THULISILE PATIENCE VILANE ESTATE NO. EM284/2004**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

NCAMSILE DLAMINI  
P.O. Box 5207  
Manzini

J136 01-02-2008

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**NOTICE**

**ESTATE LATE: ALBERT MFANUVELE DLAMINI ESTATE NO. EM320/2007**

Notice is hereby given in terms of Section 52 bis (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account in the above estate will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane for a period of Twenty One (21) days from the 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 the expiry of the said period.

NOMSA EUNICE DLAMINI  
P.O. Box 7215  
Manzini

J137 01-02-2008

**NOTICE****RATES DEBTORS 2001 / 02; 2002/03; 2003/04; 2004/05**

In terms of Section 32 (3) of the Rating Act No. 4 of 1995 an owner or mortgage of the below listed property is hereby called upon to pay the rate outstanding and any accruing penalties within two months from the date of this notice.

In default thereof an application shall be made to the court to order the property to be sold by public auction.

**E. N. WAMUKOYA**  
*ACTING TOWN CLERK*

**COATES VALLEY**

<b>Plot No:</b>	<b>Name</b>	<b>Outstanding Amount</b>
-----------------	-------------	---------------------------

REM 317	Dlamini Bongi	15,845.76
325	Ngwenya Lungani	12,461.97

**Extension 5**

<b>Plot No:</b>	<b>Name</b>	<b>Outstanding Amount</b>
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515	Emasime Investments	16,509.91
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**Extension 6**

<b>Plot No:</b>	<b>Name</b>	<b>Outstanding Amount</b>
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580	Dlamini P.	15,580.48
607	Nxumalo Nathaniel B.	15,863.25
609	Dlamini Kusa Mandlenkosi	8,590.73
618	Nunn P.E.	18,084.53

**Extension 7**

<b>Plot No:</b>	<b>Name</b>	<b>Outstanding Amount</b>
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635	Maziya Leo W.M.	13,098.48
641	Mthembu P.P.	2,563.52
650	Nxumalo Albert Vikimpi	14,903.51
669	Shabangu E.R.B.	42,296.99
671	Nkosi Samuel F.	18,789.89
672	Chrissie Agatha	8,485.81
676	Dlamini Wilson Mziyane	36,708.71
680	Dlamini A.K.	12,478.19
716	Dlamini I.M.	11,775.74
729	Dlamini Petros Gundwane	13,516.46

**Trelawney park (Farm 868)**

Plot No:	Name	Outstanding Amount
24	Khanyile H.	4,717.80
30	Buthlezi W.	15,902.16
32	Maphalala M.	24,037.60
36	Habedi V.P.	12,114.54
40	Zwane M.M.	21,959.21
58	Smith Family Trust	5,012.74
80	Dlamini M.T.	8,843.45
86	Intando Investments	11,034.03
87	Intando Investments	24,401.03

**Zakhele Extension 2**

Plot No:	Name	Outstanding Amount
317	Zwane A.A.	3,194.29
321	Mbuyisa Dingane	7,138.04
322	Nxumalo B.A. c/o E. khoza	13,069.75
546/21	Ndaba Buyisizwe Junice	2,066.26
546/23	Simelane Stanley P.	4,396.32

**Zakhele Extension 4**

Plot No:	Name	Outstanding Amount
530	Vilakati P.M.	12,438.87

**Mandonsa(Extension 13)**

Plot No:	Name	Outstanding Amount
1259	Simelane S.	8,710.13
1263	Dlamini A.	6,647.56
1277	Dlamini T.	6,934.39
1279	Mlambo Desmond	10,307.99
1282	Simelane Joshua	9,878.71
1287	Bens Investments	8,028.64
1297	Malaza Thenjiwe	5,697.22
1313	Msibi Amos Sigwalaza	10,830.20
1340	Mazibuko Dumsane	3,235.66
1357	Nkambule Johannes	19,900.52
1372	Gama R.S.	21,111.97

**Ntunja (Extension 15)**

Plot No:	Name	Outstanding Amount
267/4	Ngwane Properties	7,482.72
1423	Ntunja Estate	22,221.50
1424	Matsebula S.	22,221.50
1425	Ntunja Estate	21,657.85
1426	Matsebula Silvia D.	14,426.04
1430	Dlamini R.	15,500.25
1433	Dlamini.A.V.	20,211.49
1434	Ntunja Estate	17,704.43
1435	Ntunja Estate	24,849.49
1436	Ntunja Estate	21,240.25
1437	Ntunja Estate	18,919.71
1438	Ntunja Estate	17,353.92

1439	Ntunja Estate	18,700.61
1440	Ntunja Estate	17,063.33
1441	Ntunja Estate	18,783.27
1443	Ntunja Estate	19,814.80
1445	Ntunja Estate	16,421.83
1446	Ntunja Estate	16,342.90
1447	Ntunja Estate	25,143.57
1448	Ntunja Estate	20,782.45
1451	Ncongwane Z.C.	7,256.34
1452	Nkwanyane D.S.	41,212.21
1453	Simelane M.G.	10,601.49
1454	Hlatshwako E.P.	13,734.70
1456	Thwala S.A.M	6,287.08
1457	Ntunja Estate	6,917.30
1458	Ntunja Estate	21,424.56
1459	Ntunja Estate	18,549.61
1461	Ntunja Estate	22,125.56
1462	Ntunja Estate	18,927.50
1463	Ntunja Estate	19,147.96
1464	Ntunja Estate	18,043.31
1465	Ntunja Estate	2,817.54

**Zakhele Extension 1**

Plot No:	Name	Outstanding Amount
2	Nxumalo G.M.	8,665.27
8	Mtimandze John Mkwemela	19,430.56
11	Nquku John June	19,329.56
18	Mavimbela J.	16,410.41
20	Sikhosane Shadi Eric	31,844.74
22	Dlamini W.S.	20,542.72
24	Mkhonta Ronald	23,023.78
39	Nxumalo P.	12,725.18
51	Dlamini Mildred Tintfombi	2,974.79
68	Nxumalo S.M.	2,059.56
71	Myeni J.V.R.	2,148.52
79	Thandi Gwebu Family Trust	3,371.12
109	Dlamini M.J.	10,174.60
122	Hlubi V.	19,004.73
123	Nxumalo S.L.	5,644.71
139	Dlamini A.S.	7,098.85
142	Flett E.	6,213.34
167	Magagula K.C.M.	15,806.57
173	Council Of Swaziland	18,257.73
188	Dennis A.L.J.	13,796.55
189	Zwane S.M.	8,470.04
194	Ndlangamadla S.W.	6,266.62
202	Zwane M.	5,495.29
512	Dlamini D.S.	10,847.14
515	Jele P.S.	17,163.47
521	Khumalo M.	8,594.18

**Zakhele Extension 3**

Plot No:	Name	Outstanding Amount
360/4	Zwane M.M.	10,794.79
361	Zwane P.	10,513.16
366	Dlamini Mandla Israel	2,802.37



375	Msibi N.J.	5,725.13
383	Nkhleko D.R.	3,807.13
384	Khumalo Ephraem	2,743.03
385	Dlamini S.S.	1,448.62

**Phumula Township**

Plot No:	Name	Outstanding Amount
12	Ndlangamandla J.T.	3,076.85

**Moneni**

Plot No:	Name	Outstanding Amount
9/22	Xaba S.	112,488.75
9/30	Xaba S.	93,933.63
9/67	Peggy P.C.	13,096.15

**Sikhunyane**

Plot No:	Name	Outstanding Amount
1512	Coaster N.B.	9,626.78
1519	Thwala M.	7,503.30
1526	Mavuso G.	7,768.44
1535	Dlamini Sarah Sphiwe	10,196.48
1551	Bhembe E.	5,232.21
1556	Nkosi E.G.	3,562.83
1555	Simelane K.	4,229.75
1557	Khumalo V.	11,119.00
1558	Dlamini S.	5,730.97
1560	Vilakati F.	7,635.97
1561	Dlamini Elizabeth	6,102.38
1562	Shabangu W.	1,956.69
1565	Mhone J.	10,822.40

**Helemisi**

Plot No:	Name	Outstanding Amount
1574	Htshangase Tokyo Petros	15,153.10
1585	Sibanda Erick Sandile	8,011.47
1599	Tshabalala Jeffry	3,682.78
1610	Tsabedze Jabulane	3,175.15
1612	Msibi Amos Sgwala	7,733.43

**Sterkstroom**

Plot No:	Name	Outstanding Amount
1	Simelane Thandekile Elizabeth	20,423.14
2	Seravalle Holdings Pty Ltd	26,358.84
3	Maziya H.	13,914.97
6	Londani Lodge Pty Ltd	5,155.64
13	Dube Joseph	7,186.93
14	Middelton I.J.	13,168.01
17	Swd Holdings	28,744.14
26	Mbatha K.E.	44,268.37
29	Hlatshwako F.S.	17,807.00
31	Schotz Gert Daniel	21,504.56
34	Matsenjwa C.I.	18,229.09

43	Dlamini S.S.	8,866.06
61	K.E. MBATHA	94,876.09
54	RAMSELY	32,868.10
61	ANGUS GORDON WILFRED	25,735.68
62	H. DYMOND	24,291.99
68	B.W.A. NKOSI	4,255.66
69	VLIETST CHARLOTTE RASALIND	23,035.01

**Thomasdale(Extension 8)**

Plot No:	Name	Outstanding Amount
757	SEDCO SWAZILAND	4,278.88
771	THAMASADALE T/SHIP	2,476.58
780	S.J. DLAMIN	16,640.04
800	D. STEWART	6,892.26
801	MKOMBE MTHUNZI WINSTON	11,860.24
824/999	MAYWOOD	7,151.58
842	MABUZA SAZIKAZI	7,504.61

**Sicelwini (Extension 10)**

Plot No:	Name	Outstanding Amount
1205	S.M. HLATSHWAKO	8,465.45
1206	MATSENJWA RICHARD MAGEJA	14,404.81
1215	K. MNISI	3,122.21
1246	EMANTESIVE	61,057.85
1251	MESHACK T. DLAMINI	50,502.89

**Faitview Township**

Plot No:	Name	Outstanding Amount
33	COSMO LIZO NKONYENI	17,772.38
52	NICHOLAS NGCAMPHALALA	19,596.51
64	FRANCIS GEORGE MASHININI	23,866.89
77	M.N. FAKUDZE	2,700.39
90	JAMES NGCAMPHALALA	3,744.87
140	PHUMZILE LETTIE DLAMINI	14,180.11
178	M.T. NDLOVU	2,686.20
207	SAMUEL FRANCIS NKOSI	19,846.42
256/1	PHANUEL BONGANI VILAKATI	4,776.72
261	MATHANZIMA ZACHARIA DLAMINI	42,686.90
266	ESTATE LATE LAWRENCE LENCO	20,587.81
271	SIMANGALISO SIPHO MABUZA	7,936.00
279	TRUSTEES OF EVANGELICAL CHURCH	14,727.00

**Farms**

Plot No:	Name	Outstanding Amount
273/REM	V.SHONGWE & C& M SPRINGLE	96,542.28
281/13	M. MAMBA	18,166.96
281/19	E.N. NDLOVU	87,185.00
281/17	LIBANGA LELIHLE PTY LTD	15,703.00
281/18	LIBANGA LELIHLE PTY LTD	4,289.71
280/5	ROMAN CATHOLIC CHURCH	91,062.23
266/REM.	M.T. SHABALALA	164,452.47
272/REM	W. KELLY	27,594.59
435	GENERAL BOARD OF	8,488.25

NAZARENE CHURCH

266/2	A.N. SIKHUNYANE	158,418.82
272/5	W. GROENING	4,003.26
266/3	E. SIKHUNYANE	128,674.36

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# **SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE**

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VOL. XLVI]

MBABANE, Friday, FEBRUARY 1<sup>ST</sup> 2008

[No. 006

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**PUBLISHED BY AUTHORITY**

# PART C

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## LEGAL NOTICE NO. 3 OF 2008

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

### THE REGULATION OF WAGES (FOR MICRO AND MONEY LENDERS) ORDER 2008 (Under Section 11)

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

#### *Citation and Commencement*

1. (1) This Order may be cited as the Regulation of Wages For Micro and Money Lenders Order, 2008.

(2) This Order, shall be deemed to have come into force on the 1<sup>st</sup> October, 2007.

#### *Application.*

2. This Order shall apply to all persons employed in Micro and Money Lending sector in respect of basic conditions of employment and where such order is silent, the provisions of relevant legislation shall be applicable.

#### *Interpretation.*

3. In this order, unless the context otherwise requires -

“cleaner” means an employee who performs cleaning duties and may be called upon in some organisations to also serve refreshments to clients;

“office assistant” means an employee engaged in carrying out simple routine tasks in the employer’s office;

“debt collector” means an employee who performs field duties of physical visits to clients, for the purposes of debt collecting or reminders to debtors;

“junior clerk” means an employee who is the holder of a matriculation certificate of education, who is engaged in general clerical duties.

“senior clerk” means an employee who is the holder of a post-matriculation certificate of education and who is engaged in general clerical duties whether or not such employee also supervises the Junior Clerk;

“Redundancy” means a situation where, circumstances as outlined in the Employment Act 1980, or as it may be amended arise, which may result in reduction of the number of employees of that particular employer;

“micro lender” means a person leasing or borrowing money to people between E0.00 up to E60 000.00.

***Basic Minimum Wage.***

4. The basic minimum wage to be paid to the employee specified in the First Schedule shall -

- (i) be calculated at a rate not less than that specified in the schedule;
- (ii) not be reduced by any amount for housing or accommodation or transport which the employer, may provide.

***Hours of work.***

5. An employee shall work 45 hours a week, spread over 6 days exclusive of a lunch and break. Where there is need for variation to these hours, such must be agreed upon between the employer and the employee.

***Overtime Payment.***

6. (1) An employee who is required to be on duty and work in excess of the hours specified in regulation 5 shall be paid at one and half times the basic hourly rate, provided that time worked on Saturdays, shall be paid at one and a half-times the hourly rate and on Sundays or public Holidays shall be paid at twice the employees basic hourly rate.

(2) No employee shall be required to work overtime against his will unless it is understood by both parties that such overtime is necessary. Such overtime worked, may not exceed 8 hours a week.

***Annual Leave.***

7. (1) After twelve consecutive months' service with an employer an employee shall be entitled to twenty working days leave on full pay:

(2) Where employment is terminated after three months' service with an employee or after returning from annual leave as provided for in sub-regulation (1) or (2) an employee shall be entitled to one day's pay for each completed month of service following his initial engagement or following his return from leave as the case may be.

***Sick leave.***

8. (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 Practitioners Act, 1970, an employee shall be entitled to sick leave up to a maximum of fourteen days with full pay and thereafter to sick leave up to a maximum of fourteen days on half pay in each period of twelve months' continuous service.

(2) Notwithstanding sub-regulation (1),

- (i) an employee shall not be entitled to the benefits specified in regulation (1) if the sickness or accident causing his absence was as a result of his own negligence or misconduct;
- (ii) a certificate issued by a registered nurse shall be accepted in place of a medical certificate mentioned in sub-regulation (1) if a medical practitioner is not available.
- (iii) sick leave for an employee who has less than three months continuous service shall be at the discretion of the employer.

***Maternity Leave***

9. (1) Every female employee, whether married or unmarried, who has been in the continuous employment of her employer for twelve months or more shall be entitled to maternity leave for a period not exceeding twelve weeks (84 calendar days) except that one month shall be on full pay and the remaining months at the discretion of the employer upon delivering to her employer:

(a) a certificate issued by a medical practitioner or a midwife setting forth the expected date of the woman's confinement; or

(b) such other evidence in support of the entitlement to maternity leave as is reasonable, having regard to all the circumstances of the case.

(2) No employee shall be entitled to the maternity leave provided for under sub-regulation (1) for two (2) consecutive years.

(3) A female employee who has been on maternity leave in terms of this Order shall, on return to work, be entitled to a paid nursing break of one hour for a period not exceeding three months. Such nursing break shall not be in lieu of her luncheon break. The employer and employee may agree on the best suitable times for such break, with due regard being had to the interests of the employer and the breast feeding child

***Written Particulars 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.

***Public Holidays***

11. (1) The following days shall be Public Holidays with full pay -

Christmas Day;  
New Year's Day;  
Good Friday;  
Easter Monday;  
Ascension Day;  
King's Birthday;  
Somhlolo Day;  
Reed Dance Day;  
Flag Day;  
Incwala Day;  
July 22nd; and  
Workers' Day (1st May)

(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.



***Compassionate Leave.***

12. (1) An employee who has completed the probation period shall be entitled to compassionate leave as follows -

Widow	-	30 working days with full pay;
Widower	-	15 working days with full pay;
Biological parents	-	6 working days only 3 with full pay; and
Biological child	-	6 working days only 3 with full pay

(2) Entitlement to compassionate leave of any other relative in addition to the above shall be at the discretion of the employer;

(3) Where an employee takes compassionate leave as provided for in Section of the Employment (Amendment Act) 1997, the employer shall deduct such days from the employees annual leave.

***Retirement Age***

13. The retirement age for an employee shall be 60 years. An employee may apply for early retirement at the age of 55.

***Payment of Severance Allowance***

14. (1) Severance allowance calculated as outlined in Section 34 of the Employment Act, 1980 or as it may be amended, shall be payable to an employee who leaves service under the following circumstances:

On grounds of;

(a) age; or

(b) ill-health, subject to the production of a medical certificate signed by a Medical Practitioner registered under the Medical and Dental Practitioners Act, 1970, or as it may be amended; or

(c) On ground of employee's death in service paid to his estates.

(2) Other than as provided for in this Order, the payment of severance allowance under any other circumstances not mentioned in sub-regulation (1) shall be governed by Section 34 of the Employment Act 1980 or as it may be amended.

***Casual Work.***

15. An employee employed on casual basis shall be paid for each day or shift worked at a rate not less than the basic minimum wage applicable thereto.

***Redundancy.***

16. When an employee has been employed for a period of three years or more and his employment is terminated for reasons, which are beyond the control of either the employer or the employee, he will be paid either:

(a) a redundancy payment equal to two-thirds of his monthly wage multiplied by four; or

- (b) severance allowance required by the Employment Act 1980 or as it may be amended, whichever is greater, but he will not be entitled to be paid both severance pay and redundancy pay.

***Piece or task work***

17. An employee, engaged on task or piecework shall be entitled to wages and conditions of employment not less than those specified in this Order.

***Transport***

18. An employee, who by nature of his employment is requested on any day to remain on duty after 6 p.m or is required to start work before 6.30 a.m. shall be provided free of charge with transport between his place of work and his home or such point on a public road as may be mutually agreed upon between the employer and the employee.

***Continuous Service.***

19. (1) Continuous service is service in the employment of the employer interrupted only by the death, retirement or discharge of the employee concerned.

Provided that an employee who is re-engaged within two months of his discharge shall be deemed to be in the continuous service of that employer.

(2) 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.

***Savings.***

20. An employee who enjoys better benefits than are provided by this Order, shall not be disadvantaged by its coming into effect.

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**FIRST SCHEDULE**

**BASIC MINIMUM WAGE**

**(EMALANGENI PER MONTH)**

(A) Bhunya, Big Bend, Bulembu, Luyengo, Matata, Malkerns, Manzini, Mbabane, (including establishment situated along and within 5km on either side of the Mbabane /Manzini main road stretching 20 km from Mbabane); Matsapha Industrial Area, Mhlambanyatsi, Mhlume, Ngwenya, Nhlangano, Piggs Peak, Sidvokodvo, Simunye, Siteki, Tabankulu, Tshaneni, Vuvulane, Nsoko, Lavumisa, Mankayane, Lomahasha and Hlatikulu.

	A Urban Areas	B All other
Cleaner	1060.00	901.00
Office Assistant	1272.00	1060.00
Junior Clerk	1802.00	1590.00
Debt Collector	2120.00	1802.00
Senior Clerk	3180.00	2862.00

**NB:** Areas reflected against A above are, for the purposes of this Wages Regulations Order, deemed to be Urban Areas.

## SECOND SCHEDULE

### WRITTEN PARTICULARS OF EMPLOYMENT

1. Name of Employer .....
2. Name of Employee .....
3. Date 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 Holiday .....
11. Payment during sickness .....
12. Maternity Leave (if employee female).
13. Nursing Break Entitlement (for female employee).
14. Notice employee entitled to receive .....
15. Notice employer required to give .....
16. Pension Scheme, Provident Fund Gratuity Scheme etc. (if any, other than N.P.F. Scheme)  
.....
17. Any other matter either party wishes to include .....  
.....

**Notes:** (a) An Employee is free to join a union or staff association, which is recognised by the undertaking.

The address of the Union or Staff Association 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

**B. B. STEWART**  
*PRINCIPAL SECRETARY*  
*MINISTRY OF ENTERPRISE & EMPLOYMENT*

LEGAL NOTICE NO. 4 OF 2008

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

THE REGULATION OF WAGES (BUILDING AND  
CONSTRUCTION INDUSTRY) ORDER, 2008  
(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 (Building and Construction Industry) Order 2008 and shall be deemed to have come into effect on the 1<sup>st</sup> July, 2007.

***Interpretation.***

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

“clerk (without certificate)” means an employee who does not hold the Senior Certificate of Education or its equivalent and who is engaged in general clerical duties;

“clerk (with certificate)” means an employee who holds the Senior Certificate of Education and who is engaged in general clerical duties:

“cook” means an employee engaged in cooking and issuing of food to other employees;

“typist” means an employee mainly engaged in typing, checking figures and filing, and who is capable of typing a minimum of 30 words per minute;

“crane driver” (mobile) means an employee who operates a self propelled crane;

“crane driver (tower)” means an employee who operates a tower crane;

“continuous service” means service in the employment of the employer interrupted only by the death, retirement, completion on discharge of the employee concerned and an employee who is re-engaged within two months of his discharge shall be deemed to be in the continuous service of that employer.

“driver (light vehicle)” means an employee in possession of a light duty driver’s licence whose duties, in addition to being in charge of a motor vehicle of under 5 tons laden weight, include handling of cargo to and from the tailboard and the daily maintenance and cleaning of such vehicle;

“driver (heavy duty)” means an employee in possession of a heavy duty driver’s licence and whose duties, in addition to being in charge of a vehicle of between 5 tons and 10 tons laden, weight include the handling of cargo to and from the tailboard and the daily maintenance and cleaning of such vehicle;

“driver (extra heavy)” means an employee in possession of a heavy duty driver’s licence and who is in charge of a vehicle in excess of 10 tons laden weight including articulated vehicles and is responsible for the safety of the load;

“driver (tractor)” means an employee in possession of a tractor driver licence;

“family” means in relation to an employee, the wife and unmarried children under the age of eighteen.

“normal place” means a place where an employee resides when he applies for employment;

“general labourer” means an employee who performs general unskilled work;

“general tradesman” means an employee who does not hold a trade test certificate but has recognized ability in one of the following trades -

(a) block layer or plasterer;

(b) brick layer or tiler;

(c) joiner or cabinet maker;

(d) shutter hand or carpenter;

(e) painter or glazier;

(f) plumber or drain layer;

(g) welder

(h) reinforcement steel fixer

(i) electrician;

(j) wire-man;

(k) mechanic;

(l) plant fitter;

(m) structural steel erector;

(n) boiler maker;

(o) pipe fitter; and

(p) scaffolding erector

“induna” means an employee in charge of unskilled employees;

“plant” means any machinery used in contraction industry either than hand hold small tools;

“plant” means any machinery used in contraction industry either than hand held small tools;

“plant operator” means an employee who is placed in charge of operating either a concrete mixer, concrete dumper, walk-behind roller, plate compactor, power float machine and compressor any other plant used by operator;

“earthmover operator” means an employee who operates an earthmoving machine;

“reinforcement fixer” means an employee who cuts, bands and fixes reinforcement;

“scaffolding erector” means an employee who hold certificate in erecting scaffolding;

“storeman” means an employee who, apart from carrying out the duties of stores clerk, is responsible for ordering certain items on behalf of his employer;

“first aid officer” means an employee whose duty is to make sure all the sites has adequate first aid material;

“registered nurse” means a nurse registered under the Nurses and Midwives Act, 1965 or its successor;

“structure steel erector” means an employee who erects a steel structure;

“survey and soil technician assistant” means an employee who surveys the earth’s surfaces, natural topography and man-made structures, underground areas, and prepare maps and charts;

“tea maker” means an employee who is engaged to routinely clean offices and to prepare refreshments;

“normal working hours” means the hours of work specified in regulation 5;

“trade tested person or tradesman” means a person who holds a craft certificate indicating the degree of proficiency attained by the person as indicated by a trade test conducted by a trade testing officer duly appointed as such in the public service;

“watchman or security guard” means an employee who is engaged during the day or night to guard the premises or other property of his employer.

***Application.***

3. (1) Subject to sub-regulation (2), this Order shall apply to employees specified in the First Schedule who are employed in any undertaking or part of an undertaking which carries one or more of the following activities -

- (a) the construction, structural alteration, maintenance, of any railway line, siding, public or private road, thoroughfare, airfield, tunnel, bridge, viaduct, waterworks, lattice work, or other structure designed solely for the support of electric lines and or earth moving and any building and civil engineering works.
- (b) the construction, structural alteration, maintenance repair or demolition of any building, fencing and preparing or laying the foundation of a building or an intended building.
- (c) the construction, structural alteration, maintenance, repair or demotion of any electrical work, plumbing, fire protetion, sewerage reticulation and purification, or other services related to structures.

(2) This Order shall not apply to persons employed in any undertaking or part thereof operated by-

- (a) the Government;

(b) a local authority; or

(c) such charitable or religious organization, educational or medical institution as may be specified in writing by the Minister.

(3) This Order is subject to the Employment Act, 1980 and Part V of that Act is, for purposes of easy reference, found in the Third Schedule of this Order.

***Basic minimum wage (First Schedule).***

4. The employees specified in the First Schedule shall be paid a basic minimum wage calculated at a rate not less than that specified in that Schedule.

***Normal working hours.***

5. (1) The normal working week (other than for a watchman or security guard) shall be from Monday to Friday and shall consist of forty-five hours made up of nine working hours per twenty-four hour day.

(2) The normal working week for a watchman or security guard shall be seventy-two hours spread over six shifts, each of twelve hours, inclusive of meal breaks.

(3) No employee, other than a watchman or security guard shall be required to work for more than five hours without a break of not less than thirty minutes.

***Public holidays.***

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

- (a) Independence (Somhlolo) Day;
- (b) Good Friday;
- (c) Christmas Day;
- (d) Umhlanga (Reed Dance) Day;
- (e) King's Birthday;
- (f) Incwala Day;
- (g) Easter Monday; and
- (h) Workers Day (1st May)

(2) Where a public holiday, specified in sub-regulation (1) 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

***Payment of Overtime.***

7. (1) An employee, other than a watchman or security guard, shall be paid for overtime worked at the following rates -

- (a) during the normal working week for overtime worked, before midnight in excess of the normal working hours, at one and one third times the normal hourly rate of wages;
- (b) during the normal working week for overtime worked after midnight in continuation



of normal working hours or other overtime worked, at twice his employee's normal hourly rate of wages;

- (c) for any time worked on Saturday before 1.00 p.m. at one and half times his normal hourly rate of wages;
- (d) for any time worked on a public holiday specified in regulation 6(1), Sunday or after 1.00 p.m. on Saturday at twice his normal hourly rate of wages.

(2) Overtime in respect of a watchman or security guard shall be calculated at twice the normal hourly rate for all time worked on a public holiday specified in regulation 6 or any time worked in excess of twelve hours on any working day, and that any watchman or security guard who has been absent from work during any week without reasonable cause shall not be entitled to overtime in that week until the watchman or security guard has completed seventy-two hours of work.

***Annual Leave.***

7. (1) On completion of three months of continuous employment with the same employer, an employee shall be entitled to accrue one day of paid leave per month to a maximum of 13 days in a twelve month period.

(2) In each year of continuous employment, an employee shall be entitled to eleven days paid leave for eleven months and two days paid leave for the twelfth month of each year of employment.

(3) An employer and its employee(s) may agree, where it appears to them to be suitable, or convenient, on the time or period in which leave is to be taken.

(4) 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.

***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 Practitioners Act, 1970, an employee shall be entitled to sick leave up to a maximum of fourteen days on full wages and thereafter to a maximum of fourteen days on half wages in that period of twelve months continuous service.

(2) Notwithstanding sub-regulation (1);

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

***Maternity Leave***

10. After twelve months of continuous service with an employer, and subject to the production of a certificate signed by a registered nurse recommending that an employee should refrain from work because she is pregnant, an employee shall be entitled to thirty (30) working days maternity leave on full pay thereafter (30) without pay in respect of that pregnancy.

***Written particulars to be provided.***

11. An employer shall within six weeks of engagement of an employee, give such employee a completed copy of the form found in the Second Schedule of this Order or similar schedule.

***Continuous service.***

12. 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 unless otherwise agreed in writing by all the parties.

***Travelling and Subsistence Allowances.***

13. (1) Where an employee is temporarily employed at a place which is separated from his normal place of work by a distance of more than five kilometres by road his employer shall provide him with free transport to and from his normal place of work and the place of temporary employment.

(2) An employee required to travel on duty, other than in the circumstances set out in sub-regulation (1), shall be provided either with free transport or be paid by his employer the cost of travel by public transport.

(3) An employee who is absent on duty away from his normal place of employment for a longer period than twelve hours, and who returns to his normal place of residence without staying overnight shall be paid a subsistence allowance of E14.00 for each period of twelve hours or part thereof of such absence.

(4) An employee who is absent on duty overnight away from his normal place of employment, shall, in respect of each night's absence, be provided by his employer with;

- (a) free food and accommodation or a nightly allowance of E34.00 in lieu thereof, or
- (b) free accommodation and an allowance of E17.00 in lieu of food; or
- (c) free food and an allowance of E17.00 in lieu of accommodation;

(5) An entitlement to free food, accommodation or allowances under sub-regulation shall not cease until the employee is back to his normal place of employment.

(6) An employee entitled to subsistence allowance under sub-regulation (4), shall not be entitled to subsistence allowance under sub-regulation (3) in respect of the same period of absence.

(7) Where an employee is transferred to another project site and such transfer prevents him from returning to his normal place of employment, the employer shall provide him with free

accommodation and a transfer allowance of E85.00

(8) An employee, who is provided by his employer with accommodation at his place of permanent employment in which his family is residing with the consent of the employer, shall if so required by his employer to transfer to another place of employment other than for the purpose of seasonal employment, be moved at the expense of that employer.

***Lay-off.***

14. (1) Where an employer is unable to provide work for any employee due to-

- (a) unavailability of working materials; or
- (b) temporary cessation of work;

the employer may, subject to that employer giving the employee not less than twenty four hours notice, lay-off the employee without pay for a maximum period of thirty calendar days, not more than three times within a period of twelve months, in the circumstances mentioned in sub-regulations (a) and (b).

(2) At the expiry of thirty calendar days the employer shall either provide work for a minimum of 5 days for the employee, or terminate his employment under the provisions of the Employment Act;

(3) An employee who is engaged for the duration of a specific project or in connection with a specific project shall, upon commencement of work be notified of the date upon which it estimated the project shall terminate and the notification of such date of termination, shall constitute an adequate notice by the employer to the employee of the date of notice of termination of such contract of service.

***Lay-off due to weather.***

15. (1) An employee who reports for work at his place of employment at the normal time but who is unable to start work due to inclement weather the employee shall be entitled to a minimum of one and one half hours pay for that day.

(2) Where the employer, on consideration of inclement weather, orders an employee not to report for duty for a specific number of days shall reduce such order into writing and the employee shall be entitled to pay as specified under subsection (1)

(3) An employee who on any day commences work and who, in the opinion of his employer is unable to continue work due to inclement weather, shall be paid for the hours he has worked plus an additional one-and half hours wages.

***Protective clothing.***

16. (1) If it is necessary to protect an employee from physical, electrical or chemical injury which may arise from the work he is required to do, the employer shall supply that employee with adequate protective clothing and such employee shall use the protective clothing as instructed.

(2) The employer of a watchman or security guard shall provide him, free of charge, with boots or shoes, a police whistle, a club and a torch, and where the watchman or security guard is required to work in inclement weather, the employer shall, in addition, provide him with a hat, overcoat or rain coat.

(3) An employee other than a watchman or security guard, who is required to work in direct contact with mass concrete or similar matter which is likely to cause injury to his feet, shall be provided by his employer, without charge, with a pair of gumboots or safety boots.

(4) An employee either than a watchman who is required to work outdoors in inclement weather shall be provided by his employer, free of charge with a waterproof coat and cap or similar garment.

(5) The clothing and equipment supplied to an employee under this regulation shall be of high quality and shall remain the property of the employer.

(6) Where protective clothing, supplied to an employee under this regulation, is damaged or lost through the negligence of the employee, the employer may deduct the cost thereof, after due consideration of wear and tear, from wages due to the employee.

(7) Each employee who works on a section of a project which is a overhead activity shall be issued with a hard-hat when the work proceeds into the section of the double storey.

***Uniform and Non – protective Clothing***

17. (1) An employer shall, after the completion of a probationary period by the employee, issue such employee a pair of overalls and a pair of boots at half the cost price at least twice in a twelve month period.

(2) An employee within electrical field shall be provided with a sole safety boots.

***Retirement Age***

18. An employee shall retire at age 60.

***Payment of Severance Allowance.***

19. (1) Severance allowance calculated as outlined in Section 34 of the Employment Act, 1980, shall be payable to an employee who leaves service under the following circumstances-

(a) on grounds of age or ill-health, subject to the production of a medical certificate signed by a medical practitioner registered under the Medical and dental Practitioners act, 1970.

(b) resignation after 15 years of continuous service with the same employer with effect from 1<sup>st</sup> April 2004 until such time new employment Act, comes into operation.

(c) to the employee's beneficiaries, in the case of such employee's death in service.

(2) Notwithstanding sub-regulation(i) the payment of severance allowance under any other circumstances not mentioned in sub-regulation (i) shall be governed by Section 34 of the Employment Act 1980.

***Revocation of Legal Notice No. 55 of 2006.***

20. The Regulation of Wages (Building and Construction Industry) Order, 2006 is revoked.

**FIRST SCHEDULE**  
(REGULATION 3 AND 4)

Clerk (without a certificate) .....	E5.31p/h
Clerk (with certificate) .....	E5.48p/h
Cook .....	E5.31p/h
Crane driver (mobile) .....	E10.21p/h
Crane driver (tower) .....	E9.44p/h
Driver (light vehicle) .....	E5.77p/h
Driver (heavy duty) .....	E7.12p/h
Driver (extra heavy) .....	E7.79p/h
Earthmover operator .....	E11.02p/h
Reinforcement Fixer .....	E5.47p/h
General Labourer .....	E5.31p/h
General Tradesman .....	E5.47p/h
Grade III Trade Tested .....	E5.47p/h
Grade II Trade Tested .....	E7.76p/h
Grade I Trade Tested .....	E11.58p/h
Induna .....	E5.87p/h
Plant Operator .....	E5.87p/h
Storeman .....	E5.53p/h
Tea Maker .....	E3.31p/h
Typist .....	E5.47p/h
Watchman/Security Guard .....	E46.65 per shift
Survey and Soil Assistant .....	E5.47p/h
Structure Steel erector .....	E8.47p/h
Scaffolding erector .....	E5.47p/h

**SECOND SCHEDULE**

**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 Holiday .....

11. Payment during sickness .....
12. Maternity Leave (if employee female) .....
13. Notice employee entitled to receive .....
14. Notice employee required to give .....
15. Pension Scheme (if any, other than N.P.F Scheme) .....
16. Any other matter either party wishes to include .....

**Notes:** (a) An Industry Union is recognized 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

### THIRD SCHEDULE

#### APPLICATION OF PART V OF THE EMPLOYMENT ACT, 1980.

(Note: Sections 31 to 44 of the Act are the corresponding  
 section 1 to 14 of this Order)

#### *Application.*

1. This Part of the Act shall apply to every contract of employment made in Swaziland and to be performed wholly within Swaziland.

#### *Probationary period.*

2. (1) During period of probationary employment as stipulated either in the form to be given to an employee under section 22 of the Employment Act, 1980 or in a collective agreement governing

his terms and conditions of employment, either party may terminate the contract of employment between them without notice.

(2) No probationary period shall, except in the case of employee engaged on supervisory technical or confidential work, extend beyond three months.

(3) In case of employees engaged on supervisory, technical or confidential work, the probationary period shall be fixed in writing, between the employer and employee at the time of engagement.

***Periods of notice by employer and employee.***

3. (1) Subject to regulation 9, the minimum notice of termination of employment an employer may give an employee who has completed his probationary period of employment, and who has been continuously employed by that employer for more than one month shall be:-

- (a) if the period of continuous employment is three months or less, one week;
- (b) if the period of continuous employment is more than three months but less than twelve months, two weeks, or two days for each completed month of continuous employment up to and including the twelfth month, whichever is greater ;
- (c) if the period of continuous employment is more than twelve months, one month and an additional four days for each completed year of continuous employment after first year of such employment. (Amendment Act 4/1995)

(2) Notwithstanding any other provision of this section, 3, where an employee has completed his probationary period of employment and is employed on a contract of employment which provides for an employee wages at monthly or fortnightly intervals, the minimum period of notice of termination of employment to be given to that employee shall not be less than one month or a fortnight as the case may be.

(3) The minimum period of notice to be given by an employee who has been continuously employed by the same employer for a period of three months or more shall be two week, or such longer period as may be specified in the form at the Second Schedule to be given to the employee under section 22 of the Employment Act, 1980 or in a collective agreement covering the terms and conditions of employment of the employee.

(4) The period of notice to be given under sub-regulation (2) or (3) shall begin on the working day following that on which it is served by either party.

(5) Nothing in this section shall prevent either party terminating a contract of employment by paying to the other party, in lieu of notice, an amount equal to the basic wages which would have been earned by the employee during the period of notice.

(6) During the period of notice served by an employer on an employee under this scaffolding erector, the employee shall be entitled, without reduction in wages, to be absent from work for the purpose of seeking other employment for twelve hours each week, the timing of which shall be agreed between the employer and employee and which, in pursuance of such agreement, may be taken in one or more complete days during the period of notice.

(7) Nothing in this scaffolding scaffolding section shall prejudice the right of the employer to dismiss an employee summarily for a just cause and any employee who is dismissed for a just cause shall be paid the wages due to him up to and including the date of such dismissal.

(8) An employee shall not be dismissed without notice unless the reasons for the dismissal are such as to warrant the immediate cessation of the employer and employee relationship and where the employer cannot be expected to take any other course.

***Severance Allowance.***

4. (1) Subject to sub sections (2) and (3) if the services of an employee are terminated by the employer other than under the provisions of section 36 of the Employment Act, 1980, or regulation 13 the employee shall be paid, as part of the benefits accruing under his contract of service, a severance allowance amounting to ten working days' wages for each completed year in excess of the one year that he has been continuously employed by that employer.

(2) In calculating the amount of the severance allowance to which the employee is entitled under subsection (1) any employment by an employee with the employer concerned prior to the 1st January 1968 shall be discharged.

(3) If an employer operates or participates in, and makes any contribution to any gratuity pension or provident fund (other than the Swaziland National Provident Fund established by the Swaziland National Provident Fund Order, 1974) which is operated for the benefit of his employees, the employer on termination of employment of an employee, shall be entitled to repayment from the gratuity, pension or provident fund equal to the employers total contribution to that gratuity, pension or provident fund in respect of the employee to whom a severance allowance is to be paid under this section.

(4) The amount of the repayment under subsection (3) shall not exceed the total amount of the severance allowance paid by the employer under section subsection (1).

(5) For the purpose of this section, the term "wage" shall mean the wages payable to the employee at the time his services were terminated.

***Employees services not to be unfairly terminated.***

5. (1) This section shall not apply to -

- (a) an employee who has not completed the period of probationary employment provided for in section 32 of the Employment Act, 1980;
- (b) an employee whose contract of employment requires him to work less than twenty-one hours each week;
- (c) an employee who is a member of the immediate family of the employer;
- (d) an employee engaged for a fixed term and whose term of engagement has expired.

(2) No employer shall terminate the services of an employee unfairly,

(3) The termination of an employees services shall be deemed to be unfair if it takes place for any one or more of the following reasons -

- (a) the employees membership of an organisation or participation in an organisations activities outside working hours or with the consent of the employer, within hours;



- (b) because the employee is seeking office as , or is acting or has acted in the capacity of an employees representative;
- (c) the filling in good faith of a complaint or the participation in a proceeding against an employer involving alleged violation of any law or the breach of the terms and conditions of employment under which the employee is employed;
- (d) the race, colour, religious, marital status, sex, national origin, tribal, or clan extraction, political affiliation or social status of the employee;
- (e) where the employee is certified by a medical practitioner as being incapable of carrying out normal duties because of medical condition brought about by work carried out by the employee for his present employer except where the employer proves that he has no suitable alternative employment to offer that employee;
- (f) because of the employee's absence from duty due to sickness certified by a medical practitioner for a period not exceeding six months, or to accident or injury arising out of his employment, except where the employer proves that, in all the circumstances of the case, it was necessary for the employer permanently to replace the employee at the time his service are terminated.

***Fair reasons for the termination of an employee's service.***

6. It shall be fair for an employer to terminate the services of an employee for any of the following reasons -

- (a) because the conduct or work performance of the employee has, after written, been such that the employer cannot reasonably be expected to continue to employ the employee;
- (b) because the employee is guilty of a dishonest act, violence, threats or ill treatment towards his employer, or towards any member of the employer's family or any other employee of the undertaking in which the employee is employed ;
- (c) because the employee willfully causes damage to the buildings, machinery, tools, raw materials or other objects connected with the undertaking in which the employee is employed;
- (d) because of the employee, either by imprudence or carelessness, endangers the safety of the undertaking or any person employed or resident therein;
- (e) because of the employee has willfully revealed manufacturing secrets or matters of a confidential nature to another person which is, or is likely to be detrimental to the employer,
- (f) because the employee has absented himself from work for more than a total of three working days in any period of thirty days without either the permission of the employer or a certificate signed by a medical practitioner certifying that the employee was unfit for work on those occasions;
- (g) because the employee refuses either to adopt safety measures or follow instructions of his employer in regard to the prevention of accidents or disease;
- (h) because the employer has been committed to prison and thus prevented fulfilling his

obligations under his contract of employment;

- (i) because the employee is unable to continue in employment without contravening this regulation or any other law;
- (j) for any other reason which entails for the employer or the undertaking similar and detrimental consequences to those set out in this section . (Amended Act 11/1981, Act 4//1985).

***Certificate of employment.***

7. Any employee whose services are terminated shall be entitled to receive on request, at the time of such termination, a certificate from his employer specifying the dates of his engagement and termination and the nature of the work on which he has been employed.

***Suspension from employment.***

8. (1) An employer may suspend an employee from employment without pay where the employee is remanded in custody.

(2) Where an employee is subsequently acquitted of the charge for which he was placed in custody, the suspension shall be lifted, and subject to sub section 3, the employer shall not be obliged to pay any wages to the employee for the period he was in custody.

(3) Where the employee is remanded in custody as a result of a charge laid by employer and is subsequently acquitted of that charge, the employer shall pay to the employee an amount equal to the remuneration he would have been paid for the period spent in custody had he not been in custody.

***Employee to give notice of redundancies.***

9. (1) For the purpose of this regulation the term "employee" shall not include an employee -

- (a) engaged on a seasonal contract;
- (b) who is a casual employee

(2) Where an employer contemplates terminating the contracts of employment of five or more employees for reason of redundancy, he shall give not less than one months notice thereof in writing to the will which is a party to a collective agreement and information -

- (a) the number of employee likely to become redundant;
- (b) the occupations and remuneration of the employees affected;
- (c) the reasons for the redundancies ; and
- (d) the date when the redundancies are likely to take effect

***Remedies against unfair termination of services.***

10. (1) Where an employee alleges that his services have been unfairly terminated, or that the conduct of the employer towards him has been such that the employee can no longer be expected to continue in his employment, the employee may file a complaint with the Labour Commissioner,

whereupon the Labour Commissioner, using the powers accorded to him Part II of the Employment Act, 1980 shall seek to settle the complaint by such means as may appear to be suitable to the circumstances of the case.

(2) Where the Commissioner of Labour succeeds in achieving a settlement of the complaint, the terms of the settlement shall be recorded in writing, signed by the employer and by employee and witnessed by the Commissioner of Labour one copy of the settlement shall be given to the employer, one copy shall be given to the employee and the original shall be retained by the Commissioner of Labour.

(3) If the Commissioner of Labour is unable to achieve a settlement of the complaint within twenty-one days of it being filed with him, the complaint shall be treated as an unresolved dispute and the Commissioner of Labour shall forthwith submit a full report thereon to the Industrial Court which will then proceed to deal with the matter in accordance with the Industrial Relations Act.

***Burden of proof.***

11. (1) In the presentation of any complaint under Part V of the Employment Act, 1980 the employee shall be required to prove that at the time services were terminated that the employee was an employee to whom section 12 applied.

(2) The services of an employee shall not be considered as having been fairly terminated unless the employer proved -

- (a) that the reason for the termination was one permitted by section 13 and
- (b) that, taking into account all the circumstances of the case, it was reasonable to terminate the services of the employee.

***Repatriation of employees.***

12. (1) Where an employee has been brought to the place of the employment by the employer, or by a person acting on his behalf, and the employee's contract of employment is terminated by the employer for any cause, the employer shall be liable for the expenses of repatriating the employee by reasonable means to the place from which the employee was brought.

(2) The expenses of repatriation shall include -

- (a) the cost of travelling and subsistence expenses for the journey
- (b) subsistence expenses during the period, if any, between the date of the termination of the contract and date of repatriation.

***Offences under this Part***

13. Any employee who -

- (a) except where section 33 (8) of the Employment Act, 1980 (section 3 of this Schedule) applies, fails or refuses to give an employee whose services are being terminated the minimum period of notices required by that section;
- (b) fails or refuses to an employee whose services are being terminated to be absent from work for the purposes of seeking other employment as required by section 34 (6)

section 4 of this Schedule;

- (c) terminates the contracts of employment of five or more of his employees for reasons of redundancy without giving prior notice thereof as required by section 40 (section 10 of this Schedule); or
- (d) fails to pay the expenses of repatriating an employee as required by section 43 (section 12 of this Schedule);
- (e) fails to pay severance allowance as required by regulation 11 shall be guilty of an offence and liable on conviction therefore to a fine of two hundred and fifty Emalangeni or imprisonment for three months.

**B.B. STEWART**  
*PRINCIPAL SECRETARY*  
*MINISTRY OF ENTERPRISE AND EMPLOYMENT*

LEGAL NOTICE NO. 5 OF 2008

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

THE REGULATION OF WAGES (MANUFACTURING AND PROCESSING  
INDUSTRY) ORDER, 2008  
(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 (Manufacturing and Processing Industry) Order 2008 and shall be deemed to have come into effect on the 1st July, 2007.

***Application.***

2. This Order shall apply to all persons employed in the Manufacturing and Processing Industries including the Manufacture of Bricks, Dry Cleaning and Laundry, Timber Processing, Printing and Weaving who are engaged in the occupations specified in the First Schedule.

***Interpretation.***

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

“aligner” means an employee who aligns a finished product before final inspection with the aid of electronic test equipment;

“a.j.s Operator” means an employee who operates an automatic junior stitcher sewing machine;

“artisan” means an employee who is in possession of a Trade Test Certificate signed by a Trade Testing Officer appointed by the Government;

“assembler soldering” means an employee who solders and assembles components by hand;

“assembler-bottom components” means an employee who assembles good quality bottom components such as soles and insoles into specific batches according to the box loading plan;

“assembler-socks” means an employee who assembles good quality socks into batches according to article and size;

“assembler-upper components” means an employee who assembles good quality upper components such as vamps, quarters, etc into specific batches according to the box loading plan;

“assistant foreman baker” means an employee who is capable of manufacturing bread, adjusting bakery machinery and supervising the workers under his control;

“assistant foreman confectioner” means an employee who is capable of manufacturing and decorating several lines of confectionery, adjusting bakery machinery and supervising the workers under his control;

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

“backseam-reducer” means an employee who reduces the Beckom, join on leather quarters by means of a machine;

“binder assistant” means an employee who receives plain or printed matter from the machine for collating, stitching, padding, rounding corners, punching, folding, counting, numbering perforating, stapling, binding and basic guillotining, (although not essential)

“boiler operator” means an employee who operates a boiler;

“box folder” means an employee who folds and erects boxes ready for use;

“box labeller” means an employee who labels boxes with the information required to identify the contents thereof;

“box preparer” means an employee who collects and prepares boxes accordingly;

“blower” means an employee who carries out blowing duties in the manufacture of glassware according to specification;

“cabinet fitter” means an employee who fits accessories to a television cabinet;

“canteen assistant” means an employee who assists the canteen supervisor in preparing , cooking and dishing - up food in the employees canteen;

“canteen cashier” means an employee who assists the canteen supervisor in the control of cash receipts and also assists in the preparing, cooking and dishing-up of food in the employee’s canteen;

“carder” means an employee who operates a carder machine and carries out simple lubrication on it;

“carton sealer” means an employee who seals cartons of finished goods for despatch to customers;

“casual labourer” mean an employee who is not employed for more than twenty four hours at a time;

“cattle buyer” means an employee who buys livestock for his employer;

“charge hand” means an employee who assists a supervisor to supervise employees;

“chassis fitter” means an employee who fits chassis components to television sets;

“cementer” means an employee who applies adhesives to a surface by means of either a brush or machine;

“chef “ means an employee who is responsible for the cooking of food for the employee’s canteen;

“checker” means an employee who checks and records outgoing and incoming goods;

“cleaner” means an employee who is responsible for the cleaning of a factory, offices, toilets and canteen and /or tea-making duties;

“clerk/storeman (with Senior Certificate)” means an employee engaged in general clerical duties,

or storekeeping who holds a Senior Certificate of education;

"clerk/storeman (printing)" means an employee engaged in storekeeping duties who at least holds a junior certificate of education and has knowledge of printing materials and sundries;

"clerk/storeman assistant" means an employee engaged in general clerical duties or storekeeping duties who holds a Junior Certificate of education;

"clicker-high frequency" means an employee who cuts high frequency welds components;

"clicker-insoles/toepuffs/counters" means an employee who cuts insoles, toepuffs or counters by means of a clicking press;

"clicker-linings/trims/socks/Velcro" means an employee who cuts linings, trims, or velcro by means of a clicking press;

"clicker-textile" means an employee who cuts suede split by means of a clicking press;

"clicker-textile" means an employee who cuts textile by means of a clicking press;

"coilwinder" means an employee mainly engaged in winding coils;

"components-assembler" means an employee engaged in fitting electronic components on PC boards and includes an employee engaged in pre-assembly work;

"compositor" means an employee engaged in the setting of type including the operation of typesetting and typesetting machines and putting into position for printing and the make up of formes;

"confectioner assistant" means an employee who assists a confectioner;

"cook" means an employee who is engaged in cooking and issuing food to other employees;

"copy-typist" means an employee who is engaged in typing and is capable of typing a minimum of 25 words per minute, filing, checking and recording incoming mail;

"counter inserter" means an employee who dips and inserts the counter stiffener into the pocket at the heel of a machine;

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

"counter moulder" means an employee who moulds the newly inserted counter stiffener over a mould by means of a machine;

"darkroom attendant" means an employee who makes negatives, positives, contacts, spotting and obliteration of all marks and pinholes and including enlarging and reductions on the camera;

"de-boner" means an employee engaged in dissecting carcass;

"d-ring inserter" means an employee who inserts D-Rings into the shoe facing prior to being stitched;

"design draughtsman's assistant" means an employee who assists a draughtsman to design mechanical layouts;

"despatch clerk" means an employee who selects and packs goods according to customers' orders;

"despatch clerk (printing)" means an employee who selects, checks and packs goods according to instructions from job cards or any other source and assist with deliveries;

"digital/duplicator (operator)" means an employee engaged in operating a risograph or equivalent digital printer or duplicator;

"divider operator" means an employee who operates a divider machine and who checks the weight of dough pieces;

"dough mixer" means an employee who operates a dough mixer, including the adding of ingredients into the dough;

"dough panner" means an employee who places dough pieces into pans;

"driver (Heavy Duty Vehicle)" means an employee in possession of a current heavy duty driving licence who is in charge of a vehicle of over one and one half tons tare weight whose duties include handling cargo to and from the tailboard, and the daily maintenance and cleaning of such vehicle;

"driver (Light Duty Vehicle)" means an employee in possession of a current driving license who is in charge of a motor vehicle of less than one and one half tons tare weight whose duties include handling cargo to and from the tailboard, and the daily maintenance and cleaning of such vehicle;

"driver messenger" means an employee who is mainly engaged in carrying messages, who delivers and collects goods and/ or mail by vehicle or motor cycle and performs simple routine tasks in an office;

"driver salesman" means an employee in possession of a current driving license who sells and delivers bread, confectionery or other articles by motor vehicle and who is responsible for accepting written orders for goods and the collection and safe custody of cash for C.O.D Sales, and also canvass for orders;

"D. T. P. operator" means an employee engaged in typesetting and designing of documents on the computer and being able to operate lazer printers, scanners and allied equipment;

"driver salesman assistant" means an employee who marks components to assist closing department by means of a marking machine;

"electrical maintenance assistant" means an employee who assists an electrician in improving and repairing electrical installation;

"engraver" means an employee who engraves, smoothens, polishes the finished glassware, and carries out duties related thereto;

"engraver assistant" means an employee who engraves, smoothens, polishes the finished glassware and carries out duties given by the engraver;

"entrepreneur assistant grade I" means an employee who is capable of performing the work of an entrepreneur without the assistance of such an entrepreneur;



“entrepreneur assistant grade II” means an employee who assists a person who is capable of carrying out the work of the entrepreneur’s workshop;

“final aligner and tester” means an employee mainly engaged in the final alignment and testing of finished products, using electronic test equipment;

“final inspector/final tester” means an employee mainly engaged in the final inspection or testing of finished products, if necessary, using electronic equipment;

“finisher” means an employee who smoothens, trims carpets and makes knots on the fringes to make such carpets adaptable for sale;

“fitter” means an employee who repairs and maintains machinery;

“foam attacher” means an employee who attaches foam to the topline of the quarters for collar padding;

“foam strip cutter” means an employee who cuts foam into strips by means of a machine;

“folder” means an employee who folds the garment after pressing;

“flour sifter” means an employee who sifts flour;

“foreman baker” means an employee engaged in a supervisory capacity who is capable of carrying out all processes relating to the manufacture of bread;

“foreman confectioner” means an employee engaged in a supervisory capacity who is capable of carrying out all processes relating to the manufacture of confectionery;

“forklift operator” means an employee mainly engaged in operating a forklift;

“general labourer” means an employee engaged in unskilled work;

“grinder” means an employee who grinds, smoothens, and polishes a finished glassware product;

“guillotine operator (printing)” means an employee engaged in cutting paper/board to be printed and trimming of jobs to finish size for packing including working out paper cuts from full sheets, maintenance of machine and knowledge of paper and board stocks;

“handyman” means an employee who does not hold a trade test certificate, who carries out simple repairs and supervises and allocates work to subordinate staff under his control;

“hand trimmer” means an employee who trims by means of a pair of scissors, all excess threads, bindings and tapes after all closing operations have been done;

“heel seat laster” means an employee who lasts the heelpart of a shoe by means of a machine;

“hole perforator” means an employee who punches holes by means of a press;

“hoist operator” means an employee who operates a dough hoist;

“insole attacher” means an employee who attaches the insole to the last by means of a tacking machine;

"insole moulder/stamper" means an employee who moulds or stamps insoles by means of a machine;

"inspector" means an employee with not less than six months experience as an assembler who inspects the work on a production line;

"invoice clerk" means an employee who prepares and Issues invoices and Statements to customers for goods supplied;

"jumper" means an employee who has knowledge of several jobs and who is able to relieve any other worker on a production line;

"kardex clerk/storeman" means an employee who operates a kardex system of stock control;

"kiln operator" means an employee who is capable of operating and maintaining a kiln;

"laboratory assistant" means an employee who generally carries out unskilled work in a laboratory or who assists a laboratory technician;

"laboratory technician" means an employee qualified to carry out all duties allocated to him in a laboratory;

"lacer" means an employee who inserts and ties laces for footwear;

"last preparer" means an employee who prepares and loads lasts onto the conveyor according to the uppers loaded;

"last transporter" means an employee who returns last to last-bins after delasting;

"layer" means an employee who lays the material for cutting for a garment manufacture;

"learner finisher" means an employee who is learning on the job to become a finisher and who has not completed six months in the case of the weaving industry or three months for other industries;

"learner craftsperson" means an employee who is learning on the job to become a potter, screenprinter, silversmith or any craftwork for a period of not less than three months or more than six months;

"learner machine operator" means an employee with three months or less continuous service of operating a machine for other industries or not more than six months in the weaving and printing industry;

"leaner machine minder (printing)" means an employee with six months or less continuous service of operating a printing machine;

"learner spinner" means an employee who is learning on the job to become a weaver and who has not completed six months in the case of the weaving industry or three months for other industries;

"leather baler" means an employee who bales leather for storage purposes;

"leather sorter" means an employee who sorts leather by means of the point system;

"line feeder" means an employee mainly engaged in feeding the assembly line with components;

"Loader" means an employee who loads goods on to vehicle by hand.

"loader/packer" means an employee who packs bread or confectionery into or off a vehicle or who packs finished products into cartons, concluding the transfer of good material from large to smaller containers;

"lubricator" means an employee who has the responsibility of lubricating and greasing machines;

"machinist" means an employee who operates an electrical sewing machine to manufacture clothing/garment;

"machine attendant" means an employee, other than a learner machine operator, who attends and operates a guillotine machine, bending machine, spot welding machine or any other machine requiring similar skills;

"machine minder (printing)" means an employee engaged in operating a printing machine and capable of full colour printing, numbering and perforating, maintenance and cleaning;

"machine operator" means an employee, other than a learner machine operator, engaged in operating a machine;

"master screenprinter" means an employee who is capable of cutting screen, mixing pigments and has thorough knowledge of screenprinting techniques;

"master potter" means an employee who is skilled in making pots to any specification, who has a general knowledge of glazing and firing techniques;

"master silversmith" means an employee who is capable of working on silver to any specification;

"mechanical assistant" means an employee mainly engaged in the mechanical assembly of television and radio accessories and placement of products in the appropriate area of assemble or despatch;

"melter" means an employee who melts glasses in a glass factory;

"messenger" means an employee engaged in carrying messages, banking, collecting and delivering mail or carrying out simple tasks in an office;

"mono caster attendant" means an employee who attends a monotype caster under the supervision of a key board operator;

"office clerk" means an employee who does general clerical duties;

"painter" means an employee who cleans and paints equipment, machines and buildings;

"packer" means an employee who packs garments which are finished into cartons;

"personnel clerk" means an employee who controls and updates personnel records;

"Pc board trimmer" means an employee mainly engaged in trimming excess components lead on soldered board;

"photolithographer" means an employee who is capable of doing make-up, imposition and pasting (from artwork provided) darkroom work and plate making;

"picture tube assembler" means an employee mainly engaged in preparing picture tubes for the assembly line;

"plant assistant" means an employee who assists a plant attendant;

"plant attendant" means an employee mainly in operating a galvanizing plant and if necessary, taking of the plant;

"plate filer (printing)" means an employee who is responsible for the gumming and filing of printing plates.

"potter" means an employee who makes pots by hand or on pot wheels;

"presser attendant" means an employee who operates a pressing machine to iron materials or clothing;

"printers grade 1,11,111" means an employee who is in possession of a trade test certificate signed by a trade testing officer appointed by the government;

"printing machine minder(junior)" means a machine minder only able to operate printing machines for single or spot colour work;

"proof controller" means an employee mainly engaged in checking the quality and making reports on finished products;

"proof reader" means an employee who edits documents before final presentation, checking spelling, grammar and lay-out;

"quality section controller" means an employee who checks and controls the quality of goods leaving their section;

"rebate clerk" means an employee who controls the stocks and documentation for a rebate store;

"receiver -second stock" means an employee who checks, receives and controls the stock of factory seconds;

"reception clerk (printing)" means an employee who attends to customers, answering calls and queries, acting as telephonist, filling, opening job- cards, faxing and general office duties;

"repairs assistant" means an employee with a basic knowledge of electronics mainly engaged in making simple repairs on PC board;

"recutter" means an employee who arranges re-cuts and repairs poor quality work;

"riveter/buckler" means an employee who attaches rivets or bucklers;

"rougner-uppers" means an employee who reduces the bumps on the lasting margin by means of roughing machine;

"rougner-sole margin" means an employee who roughs the sole margin on rubber soles;

"rubber stamp maker" means an employee engaged in the making of rubber stamps;

"runner" means an employee who performs unskilled duties such as conveying from one point to the other, materials used in garment manufacture;

"saw sharpener" means an employee who sharpens saws and carries out simple maintenance work on them;

"salesman" means an employee engaged in promoting the sales of an employer's products;

"sales assistant" means an employee who assist customers when the salesman or sales-rep is not available;

• "salesman (senior)" means an employee engaged in promoting the sales of an employer's products and able to do quotations and in possession of a valid drivers licence.

• "stacker" means an employee who packs erected boxes into cartons and stacks, ready for transportation to the factory;

"seasonal labourer" means an employee engaged for the duration of a season to carry out unskilled work, canning fruit or vegetables;

"security guard or watchman" means an employee mainly engaged in the protection and security of his employers premises;

"senior watchman" means an employee who is in charge of other watchmen;

"sewer/binder" means a binder capable of doing thread sewn books;

"sewing machinist I" means an employee who has more than six months experience and turns stitches collars, stiches toecaps, facing, o/s counters, d-rings and attaches bindings;

"sewing machinist II" means an employee who has more than six months experience and stiches backseams, side flashes, collar toughies, velcro, brand tags and zig-zags pieces together;

"screenprinter" means an employee who screenprints by hand pulling a squeegee;

"semi-skilled kiln hand" means an employee who has limited knowledge in operating kiln and packs it according to specification;

"silver-smith" means an employee who is capable of working on silver by hand;

"seasonal labourer" means an employee engaged for the duration of a season to carry out unskilled work, canning fruit and vegetables;

• "side-laster" means an employee who lasts the waist section of a shoe by means of a shoe;

• "size painter" means an employee who colour-codes components according to size by means of a brush;

• "skiver-upper/toepuffs" means an employee who skives or reduces the thickness of the edge of components by means of skiving machine;

"slaughterman" means an employee engaged in stunning, bleeding, skinning eviscerating and splitting livestock;

"spinner" means an employee who carries out spinning operation of wool or other materials according to specification;

“soaking attendant” means an employee who operates solder bath, prepares fluxes, and checks solder levels;

“soaker” means an employee who applies adhesives and inserts socks into finished footwear;

“sole chlorinator” means an employee who chlorinates or halogenates a sole prior to cement application;

“sole presser” means an employee who, by means of a press, ensures that there is good bond between sole and upper;

“sole spotter” means an employee who places the precededented upper and sole accurately together prior to pressing;

“sorter R” means an employee who sorts goods into racks by item and size ready for despatch;

“sorter “ means an employee who puts together according to sizes the material, which is to be sewn;

“shoe boxer” means an employee who packs finished footwear into boxes;

“shoe repairer” means an employee who repairs subquality footwear;

“shop assistant” means an employee who assists a shop supervisor in the stock control, displays and selling of products in a retail shop;

“stonehand” means an employee with the knowledge of composition who places jobs set out by a compositor into steel frames locking them into printing machines ready for printing;

“stamper” means an employee who stamps logos/information onto components by means of stamping machine;

“staple extractor” means an employee who removes staples from the insole of a shoe;

“sticker attacher” means an employee who attaches stickers to indicate size or customer code;

“stitching machine operator (printing)” means an employee engaged in the operation of an automatic stitching machine including adjustments, changing wire thickness and maintenance;

“storeman (printing)” means an employee engaged in storekeeping who holds a senior certificate of education and a recognised certificate in storekeeping and competent knowledge of all printing papers, materials and sundries;

“string lacer” means an employee who strings uppers for toelasting;

“strips cutter” means an employee who cuts material into strips by means of a machine;

“supervisor” means an employee who supervises other employees under his/her control;

“switchboard operator” means an employee whose duties consists wholly or mainly in the operation of a telephone switchboard;

“tablehand” means an employee who prepares material and places them on the table for cutting or weaving according to specification ;

"tester" means an employee who tests the function of assembled PC Boards using electronic equipment;

"toecap positioner" means an employee who precements toecaps into position prior to toecap stitching;

"toelaster" means an employee who pulls the toe of the shoe over the last by means of a toelasting machine;

"toelaster feeder" means an employee who supplies the toelaster with uppers and on completion replaces them back to the conveyor;

"toepuff positioner" means an employee who positions and presses a toepuff onto the upper by means of a heated press;

"tool setter" means an employee who fits and sets tools on a machine;

"unlaster" means an employee who removes the last from the finished shoe;

"upper brusher" means an employee who brushes finished footwear so as to clean and improve the look of the shoe;

"upper cleaner" means an employee who cleans finished footwear by means of various cleaning material;

"upper primer" means an employee who primes the nylon upper at the lasting margin to ensure cement adhesion;

"upeight clerk per splitter" means an employee who splits uppers by means of a splitting machines;

"upper spotter" means an employee who places the correct upper onto the last prior to toelasting;  
 "upper\bottom preparer" means an employee who loads the sewn and corresponding bottom components onto the making conveyor;

"utility" means an employee who has the knowledge of jobs and who is able to relieve other workers on a production line;

"weaver" means an employee who carries out duties either by operating hand loom or other equipment to manufacture the required goods;

"wage clerk" means an employee who prepares and controls wage payments according to the time worked taken from clock cards or any other source and keeping relevant records related to pay;

"washer" means an employee who washes and dries material or wool and if necessary, mothproofs the wool;

"weight clerk" means an employee who weighs cartons of finished goods prior to despatch;

"workshop assistant" means an employee who assists the fitter and handyman in general maintenance.

***Basic Minimum Wage.***

4. The Basic Minimum wage inclusive of rations or cash in lieu thereof to be paid to employees specified in the First Schedule shall be calculated at a rate not less than that specified therein provided that-

- (a) an employee who, at the date of commencement of this Order, is in receipt of a higher wage than that prescribed by this Order, shall not suffer any reduction in such wage by reason of this Order;
- (b) where no definition of an employee duties exists, such employee shall be paid a basic minimum wage not less than that applicable to a general labourer; and
- (c) nothing in this regulation shall prevent an employer, if he so wishes from-
  - (i) supplying cooked or uncooked food to an employee in addition to his basic wage; and
  - (ii) providing free transport or free accommodation to an employee.
- (d) The basic hourly wage of an employee on a weekly wage shall be calculated by dividing such wage by the number of hours the employee normally works in a week.
- (e) The basic hourly wage of a casual labourer shall be calculated by dividing his daily wage by eight.

***Statement of conditions of employment.***

5. (1) The employer shall provide an employee with a written statement at the commencement of his employment, stating whether the employee is employed permanently or seasonally, the conditions of the employee's employment, the starting wage, including the learning period.

(2) The learning period referred to in sub-regulation (1) shall be -

- (a) six months in the case of the weaving industry; and printing industry and;
- (b) three months in the case of other occupations.

***Hours of work***

6. (1) The normal working week for employees other than security guards and casual labourers shall consists of not more than forty-eight hours of work.

(2) The normal working week for security guards shall consists of not more than six shifts of twelve hours each .

(3) The normal hours of work for a casual labourer shall consist of eight hours per day.

***Overtime***

7. (1) An employee who is engaged otherwise than on shift work or as a security guard and is required to work in excess of the normal hours specified in regulation 6 shall be paid as follows:-

- (a) for time worked in excess of the normal hours on a weekday, payment shall be at one and



a half times his basic hourly wage ; and

- (b) for time worked on a Sunday or a public holiday specified in regulation 8, payment shall be at twice his hour rate.

(2) An employee employed on shift work, or as a security guard who is required to work on his rest day or on a public holiday specified in regulation 8, may be paid for such overtime or alternatively, be given an equivalent amount of time off in lieu of overtime payment.

#### ***Transport***

8. An employee, who by nature of his employment is required on any day to remain on duty after 6 p.m shall be provided free of charge with transport between his place of work and his normal place of residence home or such point on a public road as may be mutually agreed upon between the employer and the employee.

#### ***Public Holiday.***

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

Incwala;  
Good Friday;  
Easter;  
Christmas Day;  
Boxing Day;  
Reed Dance Day;  
Somhlolo Day;  
Kings Birthday;  
New Year's Day; and  
May 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 a terms of this regulation.

#### ***Annual Leave***

10. (1) An employee shall have fourteen calendar days' leave with full pay after each period of twelve months continuous service with an employer.

Provided that in the case of a security guard annual leave shall be twenty-one calendar days with full pay after each period of twelve months continuous service with an employer.

(2) Where the employment of an employee is terminated after a period exceeding three months but 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 pay for each completed month of such period.

#### ***Sick Leave***

11. (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 Practitioners Act, 1970, an employee shall be entitled to sick leave up to a maximum of fourteen days on full wages and thereafter to a maximum of fourteen days on half wages on in each period of twelve months continuous service.

(2) Notwithstanding Sub-Regulation (1) -

- (i) An employee shall not be entitled to the sick leave specified in sub-regulation (1) if the sickness or accident causing his absence was caused by his own negligence or misconduct; and
- (ii) a certificate issued by a registered nurse shall be accepted in place of a medical certificate if a Medical Practitioner is not available.

***Compassionate leave.***

12. (1) An employee who has completed the probation period shall be entitled to compassionate leave as follows :

Widow	-	30 working days
Widower	-	7 working days
Biological Child	-	7 working days
Biological parents	-	7 working days.

(2) Entitlement to compassionate leave or other relatives in addition to the above shall be at the discretion of the employer.

(3) Nothing in this Order shall be construed as requiring any employer to pay an employee for any time spent on compassionate leave.

***Maternity Leave.***

13. An employee who has completed the probation period shall be entitled to 30 days maternity leave with full pay.

***Written particulars to be provided.***

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

***Continuous service.***

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

***Short time.***

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

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

employee's 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 his normal weekly hours of work during any week he has been placed on short time.

***Piece work.***

17. An employee engaged on piece work shall be entitled to wages and conditions of employment not less than those specified in this Order.

***Reimbursement of expenses.***

18. A salesman, driver or salesman assistant shall be reimbursed all expenses reasonably incurred on lodging and meals for periods of absence from his place of residence on duty.

***Lay-off.***

19. (1) Due to proved circumstances beyond the employer's control an employer may lay off employees for up to fourteen working days, on condition that no lay-off may be effected without the written consent of the Commissioner of Labour. Such consent shall be granted after the meeting between the employer and the workers or recognised workers organisation.

(2) During the period of any lay-off, the employer shall not engage other employees to replace the employees he has laid off.

(3) The employer shall give -

(a) a permanent employee fourteen days notice before the lay-off; and

(b) a seasonal employee twenty-four hours notice before the lay-off.

(4) An employer may apply to the Commissioner of Labour for a temporary exemption for a specified period according to the circumstance of the enterprise, from the application of regulation 17(3) (a), after negotiation with the employees organisation, for a reduction of the period of notice to be given to employees, before lay-off.

***Trade testing.***

20. (1) An employer shall grant unpaid leave to an employee who requests to undergo a trade test at the Swaziland College of Technology or any similar institution to enable him to take tests.

(2) An employee undergoing a trade test shall furnish the employer with the results of his examination.

***Revocation of Legal Notice No. 42 of 2006***

21. The Regulation of Wages (Manufacturing and Processing Industry) Order, 2006 is hereby revoked.

**FIRST SCHEDULE**  
(Paragraph 4)

**BASIC MINIMUM WAGE**  
(Emalangení per week)

Learner Craftsperson		
Learner Finisher		
Learner Spinner	162.37	
Learner Weaver		
Casual Labourer		
Seasonal Labourer		
Carder		
Checker		
Cleaner		
Cook		
<hr/>		
Engraver's Assistant		
Entrepreneur's Assistant		
Finisher		
Grinder		
Loader	207.74	
Potter		
Runner		
Trimmer		
Bagger		
Learner Machine Operator		
<hr/>		
Screenprinter		
Semi skilled kiln hand		
Silversmith		
Spinner		
Tablehand		
Presser (garment)		
Washer		
Weaver		
Layer	219.30	
Presser		
Folder		
Packer		
Box folder		
Canteen Assistant		
Carton Sealer		
Painter		
Despatch Clerk (Printing)		
<hr/>		
Upper Printer		
Backseam Reducer		
D-ring inserter		
Foam attacher		
Hand trimmer		
Lacer		
Stacker		

Receiver-Second Stock	
Sorter	228.56
Textile preparer	
Toecap positioner	
Toelaster Feeder	
Upper Brusher	
Workshop assistant	

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Assemble socks	
Box Preparer	
Cementer	
Edward Marker	
Foam Strip Cutter	
Hole perforator	
Lubricator/Riveter/Buckler	240.06
Sewing Machinist II	
Shoe Boxer	
Sole Chlorinator	
Stamper	
Staple extractor	
String lacer	
String Cutter	
Toepuff Positioner	
Unlaster	
Upper Cleaner	
Plate Filer (Printer)	

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Assembler-Botton Components	
Box labeller	
Canteen assistant /Cashier	
Insole Moulder/stamper	
Last Preparer	244.65
Last Transporter	
Rougher-sole Margin	
Shoe Repairer	
Sticker attacher	
Upper splitter	
Weighs Clerk	

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Coil Winder	
Component Assembler	
Copy Typist	
Dough Panner	
Driver Salesman's Assistant	
Entrepreneur's Assistant Grade I	
Flour sifter	249.33
General Labourer	
Hoist Operator	
Loader/Packer	
Messenger	
PC Board Trimmer	
Plant Assistant	
Security Guard/Stonehand	
Machinist	

Leaner Machine Minder (Printing)  
 Assistant Receptionist  
 Digital/Duplicator Operator (Riso)

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Assembler (soldering)  
 Binder Assistant  
 Compositor  
 De-Boner  
 Dark Room Attendant  
 Mechanical Assembler  
 Proof Reader  
 AJS Operator  
 Assembler Upper-Components  
 Counter inserter  
 Counter Moulder 259.23  
 Leather Baler  
 Loader F.O.F.  
 Recutter  
 Sewing Machinist 1  
 Shop Assistant  
 Clerk/Storeman (Printing)  
 Rubber Stamp maker  
 Stitching Machine Operator (Printing)  
 Sewer/ Binder  
 Skiver- Upper/toepuffs  
 Soaker

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Slaughterman  
 Driver\Messenger  
 Laboratory Assistant  
 Presser Attendant  
 Electrical Maintenance Assistant 270.35  
 Office Clerk  
 Rougher Uppers  
 Senior Watchman  
 Sole Presser  
 Printing Machine Minder (Junior)  
 Photolithographer  
 Reception Clerk (Printing)  
 Sales Assistant  
 Wages Clerk

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Cabinet Fitter  
 Chassis Fitter  
 Clerk\ Stores Assistant 286.21  
 Driver (L.D.V.)  
 Forklift Operator  
 Picture Tube Assembler  
 Soakline attendant  
 Switchboard Operator  
 Utility  
 D T P Operator  
 Printers Grade 111

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Baker's Assistant	
Blower	
Confectioner's Assistant	
Dough Mixer	
Engraver	290.87
Divider Operator	
Click-High Frequency	
Clicker- Insolers\toepuffs\Counters	
Clicker-Linings\ Trims\Socks\Velcro	
Despatch Clerk	
Heelseat Laster	295.48
Invoice Clerk	
Leather sorter	
Quality Controller	
Sole Spotter	
Kiln Operator	
Melter	
Saw Sharpener	
Design Draftman's Assistant	
Inspector	
Machine Operator	300.10
Machine Attendant	
Solder Bath Attendant	
Tester	
Guillotine Operator (Printing)	
Machine Minder (Printing)	
Boiler	
Driver(H.D.V.)	
Kardex Clerk\Storeman	
Aligner	307.02
Final Inspector\Tester	
Clicker-textile	
Rebater Controller	311.68
Repairer's Assistant	
Liner Feeder	
Repairers' Assistant	320.87
Baker	
Confectioner	
Handy-Man	
Chef	337.00
Clicker- Suede Split	
Chargehand	
Final Aligner and Tester	
Jumper	
Plant attendant	348.58
Tool Setter	
Fitter	

Personnel Secretary  
Sewing Mechanic  
Toelaster

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Printers Grade 11	355.51
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Clerk\Storeman Assistant(with Junior certificate)

Driver

Artisan Grade 111

Cattle buyer

Master Screenprinter

Master Potter

369.36

Master Silversmith

Salesman

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Salesman (Senior)

351.46

Storeman (Printing)

---

Assistant foreman Confectioner

Assistant Foreman Baker

Clerk\Storeman(with Senior Certificate)

447.80

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Printers Grade 1

537.06

---

Artisan Grade 11

658.02

Foreman Baker

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Foreman Confectioner

704.08

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Artisan Grade 1

965.02

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Laboratory Technician

1020.28

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Supervisor

25% above the wage to the highest paid employee  
under his direct supervision

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## SECOND SCHEDULE

### WRITTEN PARTICULARS OF EMPLOYMENT FORM

1. Name of Employer.....
2. Name of Employee.....
3. Date 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 Holiday.....
11. Payment during sickness.....
12. Maternity Leave.....
13. Notice employee entitled to receive.....
14. Notice employee required to give.....
15. Pension Scheme(if any, other than N.P.F Scheme).....
16. Any other matter either party wishes to include.....

**Notes:** (a) An Industry Union is required 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

**B. B. STEWART**  
*PRINCIPAL SECRETARY*  
 MINISTRY OF ENTERPRISE AND EMPLOYMENT

LEGAL NOTICE NO. 6 OF 2008

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

THE REGULATION OF WAGES (FOR PRE-SCHOOLS  
AND DAY-CARE CENTRES) ORDER, 2008  
(Under Section 11)

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

***Citation.***

1. This Order may be cited as the Regulation of Wages for Pre-Schools and Day-care Centres Order, 2008 and shall be deemed to have come into effect on the 1<sup>st</sup> October, 2007.

***Application.***

2. This Order shall apply to all persons employed in Pre-Schools or Day-care Centres in respect of basic conditions of employment.

***Interpretation.***

3. In this Order unless the context otherwise requires –

“Teacher” means an employee who is engaged as such, and is in possession of a Junior Certificate or preferable O’level certificate plus Pre-school Teachers Certificate.

“Assistant Teacher” means an employee who is engaged as such, and is in possession of a Junior Certificate or preferable O’level Certificate plus Pre-school Teacher’s Certificate, who may be in charge of a class in the absence of the class teacher.

“Clerk” means an employee who is the holder of a Junior Certificate or preferable O’level Certificate who is engaged in secretarial or other general clerical duties.

“Cleaner” means an employee who performs cleaning duties other than those of a labourer. Where a cleaner also performs the duties of a labourer, such employee shall be paid, in addition to such employee’s wages, ½ the wages applicable to a labourer.

“Labourer” means an employee who performs duties pertaining to the tidying of the grounds of the school.

“Maintenance Worker” means an employee who is engaged to service the electrical appliances, furniture, painting and other such duties.

“Cook” means an employee who is engaged to prepare all means for Pre-schools and Day-care centres.

***Basic Minimum Wage.***

4. The basic minimum wage to be paid to the employee specified in the First Schedule shall -

- (i) be calculated at a rate not less than that specified in the schedule;
- (ii) not be reduced by any amount for housing or accommodation or transport which the employer may provide.

***Hours of work.***

5. Subject to sub-regulations (2) and (3), the normal hours of work for an employee shall be from 0700hrs to 1330hrs, inclusive of a lunch break of one hour, from Monday to Friday for Pre-school employees. The hours shall be 0700hrs to 1700hrs (ten hours), inclusive of a lunch break of one hour from Monday to Friday for Day Care Centre employees.

***Overtime Payment.***

6. (a) An employee in Pre-school other than in a Day-care Centre who is required to work in excess of the hours specified in Regulation 5 shall be paid at one and half the basic hourly rate. Time worked on Saturdays, shall be paid at one and a half the hourly rate. Overtime worked on Sundays or Public Holidays shall be paid at twice the employees basic hourly rate.

- (b) Overtime shall be negotiated between the employer and employee.

***Annual Leave.***

7. (a) Pre-schools shall be paid annual leave for the days allocated by Government for the closure of schools. This means that any leave applied for during the period when schools are open may be at the discretion of the Employer unless it is for purposes specifically provided for in this Order or the Employment Act 1980 or as it may be amended.

- (b) Employees of Day-care Centres, which close when schools close, shall be entitled to annual leave as in (a) above. Day-care Centres that do not close when schools close shall be entitled to paid annual leave by the employer as follows:

- (i) for an employee who has worked for less than 12, months leave shall be at the employer's discretion;
- (ii) for an employee who has worked for 12, months but less than 3 years annual leave shall be 15 days;
- (iii) for an employee who has worked for more than 3 years, annual leave shall be 18 days.

- (c) Where employment is terminated after three months' service with an employer, an employee shall be entitled to one day's pay for each completed month of service following that employee's initial engagement.

***Sick leave.***

8. (a) After three consecutive months of continuous service with an employer, and subject to the submission 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 with full pay and thereafter to a maximum of fourteen days on half pay in each period of twelve months' continuous service.

- (b) Notwithstanding sub-Regulation (a):

- (i) an employee shall not be entitled to the benefits specified in Regulation (a) if the sickness or accident causing absence was as a result of the employee's negligence or misconduct;
- (ii) a certificate issued by a registered Nurse shall be acceptable in place of a Medical Certificate mentioned in sub-Regulation (a) if a Medical Practitioner is not available.

### ***Maternity Leave***

- 9. (a) Every female employee, whether married or unmarried, who has been in the continuous employment of her employer for twelve months or more shall be entitled to maternity leave for a period not exceeding twelve weeks (84 calendar days) but only 6 weeks on full pay, the rest at the discretion of the employer. A certificate issued by a Medical Practitioner or a Midwife shall be submitted stating the expected or actual date of her confinement.
- (b) No employee shall be entitled to maternity leave provided for under sub-regulation (a) for two (2) consecutive years.
- (c) A female employee who has been on maternity leave shall be entitled, on return from such leave, to a paid nursing break of one hour for a period not exceeding three months. Such nursing break shall not be in lieu of such employee's lunch break

### ***Written Particulars to be provided***

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

### ***Public Holidays***

- 11. (a) The following are Public Holidays with full pay:

Christmas Day;  
 New Year's Day;  
 Good Friday;  
 Easter Monday;  
 Ascension Day;  
 King's Birthday;  
 Somhlolo Day;  
 Reed Dance Day;  
 Flag Day;  
 Incwala Day;  
 July 22<sup>nd</sup>; and  
 Workers' Day (1<sup>st</sup> May)

- (b) Where a public holiday falls on a Sunday, the following day shall be a Public Holiday.
- (c) An employee who is absent without leave on the working day before or after a Public Holiday shall not be entitled to any payment.

***Compassionate Leave.***

12. (a) An employee who has completed the probation period shall be entitled to compassionate leave as follows:

Widows	-	37 working days with full pay;
Widower	-	10 working days with full pay;
Biological parents	-	10 working days with full pay; and
Biological child	-	10 working days with full pay

- (b) Entitlement to compassionate leave of any other relative in addition to the above shall be at the discretion of the employer.

***Retirement Age***

13. The retirement age for an employee shall be 60 years.

***Payment of Severance Allowance***

14. (i) Severance allowance calculated as outlined in Section 34 of the Employment Act 1980 or as it may be amended, shall be payable to an employee who leaves service under the following circumstances:

- (a) retirement age
- (b) ill-health, subject to the submission of a medical certificate signed by a Medical Practitioner registered under the Medical and Dental Practitioners Act, 1970, or as it may be amended; or
- (c) resignation after 10 years of continuous service with the same employer;
- (d) At the death of an employee, beneficiaries shall receive severance allowance.

- (ii) Other than as provided for in this Order, the payment of severance allowance under any other circumstances not mentioned in sub-regulation (1) shall be governed by Section 34 of the Employment Act 1980 or as it may be amended.

***Casual Work.***

15. An employee engaged on casual basis shall be paid for each day or shift worked at a rate not less than the basic minimum wage applicable thereto. An employee continuously employed by that employer for a period longer than three months shall not be considered as a casual employee.

***Redundancy.***

16. When an employee has been engaged for a period of three years or more and the employment is terminated for reasons redundancy the employee shall be paid either;

- (a) a redundancy payment equal to two-thirds of the monthly wage multiplied by four; or
- (b) severance allowance required by the Employment Act 1980 or as may be amended.

***Transport***

17. An employee who, by nature of the employment is required on any day to remain on duty after 1730hrs or is required to start work before 6.00 a.m., shall be provided with transport between the place of work and home or such point on a public road as may be mutually agreed upon between the employer and the employee.

***Continuous Service.***

18. (a) Continuous service is when employment of the employee is interrupted by death, retirement or discharge of the employee. A discharged employee who is re-engaged within two months of discharge shall be deemed to be in the continuous service.

(b) 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.***

19. The employer shall supply the employee with appropriate clothing to protect an employee from physical or chemical injury which may arise from work.

***Employee Protection Statement***

22. At the commencement of this order an employee who has been enjoying better conditions of employment than those provided for herein shall not suffer any reduction for that reason.

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**FIRST SCHEDULE**

BASIC MINIMUM WAGE  
(EMALANGENI PER MONTH)

**Urban Areas**

Bhunya, Big Bend, Bulembu, Hlatikulu, Lavumisa, Lomahasha, Luyengo, Malkerns, Mankayane, Manzini, Matata, Matsapha Industrial Area, Mbabane, (including establishment situated along and within 5km on either side of the Mbabane /Manzini main road stretching 20 km from Mbabane); Mhlambanyatsi, Mhlume, Ngwenya, Nhlangano, Nsoko, Piggs Peak, Sidvokodvo, Simunye, Siteki, Tabankulu, Tshaneni, and Vuvulane,

	Urban Areas	All other areas
Teacher	862.50	660.00
Assistant Teacher	747.50	550.00
Maintenance Employee	690.00	550.00
Cleaner/Labouer	575.00	440.00
Clerk	805.00	605.00
Cook	690.00	495.00

**NB:** Areas reflected against A above are, for the purposes of this Wages Regulations Order, deemed to be Urban Areas.

## SECOND SCHEDULE

### WRITTEN PARTICULARS OF EMPLOYMENT

1. Name of Employer .....
2. Name of Employee .....
3. Date 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 Holiday .....
11. Payment during sickness .....
12. Maternity Leave (if employee female).
13. Nursing Break Entitlement (for female employee).
14. Notice employee entitled to receive .....
15. Notice employer required to give .....
16. Pension Scheme, Provident Fund Gratuity Scheme etc. (if any, other than N.P.F. Scheme)  
.....
17. Nominated beneficiary.....
18. Any other matter either party wishes to include .....  
.....

**Notes:** (a) An Employee is free to join a union or staff association, which is recognised by the undertaking.

The address of the Union or Staff Association 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

**B. B. STEWART**  
*PRINCIPAL SECRETARY*  
*MINISTRY OF ENTERPRISE & EMPLOYMENT*



LEGAL NOTICE NO. 7 OF 2008

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

THE REGULATION OF WAGES (HOTEL, ACCOMMODATION,  
CATERING AND FAST FOODS TRADES) ORDER, 2008  
(Under Section 11)

In the exercise of the powers conferred 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 (Hotel, Accommodation, Catering and Fast Foods Trades) Order, 2008 and shall be deemed to have come into effect on the 1<sup>st</sup> October, 2007

***Application.***

2. This Order applies to persons specified in the First and Second Schedule employed in the Hotel, accommodation, Catering and Fast foods Trades.

***Interpretation.***

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

“assistant housekeeper” means a person who -

- (a) assists and carries out the instructions of a Housekeeper or the Management particularly in regard to the maintenance of linen, blankets and soft furnishings;
- (b) supervises room maids and similar staff-, and
- (c) is responsible for the cleaning of such areas of the establishment as are designated by the management;

“Assistant waiter/waitress” means a person who assists a waiter/waitress and carries out the duties of a waiter/waitress under his/her direction;

“barman” means a person other than a junior barman or a cocktail barman who -

- (a) prepares and serves drinks, other than cocktails, to wine stewards, bar stewards, waiters, and guests in a public bar;
- (b) collects and accounts for the payment of the drinks;
- (c) is responsible for the stocks and monies under his control; and
- (d) is responsible for the cleanliness of the bar and its surroundings;

“bar steward” means a person who accepts orders for drinks and serves them throughout the establishment;

“basic minimum wage” means the basic minimum wage payable to an employee excluding allowances in cash or in kind and overtime payments;

"banqueting waiter" means a person who sets up and prepares banqueting area for functions, conferences, meetings and banquets, serves food, beverages and cigarettes and clears the room ready for setting up the next function;

"billing clerk" means a person who prepares and controls guests accounts, receives and acts upon reception reports and may also be required to carry out the duties of a receptionist;

"butcher" means a person who prepares and cuts meat, fish and/or poultry in its raw state and carries out associated duties assigned by Head Chef or Assistant Chef,

"cashier" means a person who prepares bills of accounts, operates an accounting machine, cash register or a manual accounting system and is responsible for cash under his control;

"casino waiter" means a person who serves food, beverages and cigarettes etc, ordered by guests, prepares and polishes casino tables, empties ashtrays and assists in setting;

"Chips frier" means a person whose principal responsibility is working as a deep fat frier.

"cleaner" means a person who carries out the cleaning of any area or item required by a supervisor;

"cocktail barman" means a person other than a barman, who -

- (a) prepares and serves cocktails and drinks;
- (b) collects an accounts for the payment of the drinks;
- (c) is responsible for all the stocks and monies under his control; and
- (d) is responsible for the cleanliness of the bar and its surroundings.

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

"chef de partie/cook" means a person who -

- (a) compiles menus in consultation with the management;(b) prepares food;
- (c) supervises and allocates work in the kitchen;
- (d) checks the arrival of the foodstuffs and raw materials to be used in the kitchen particularly in regard to weight and quality; and
- (e) is responsible for the cleanliness and general hygiene of the kitchen;

"clerk" means a person who carries out clerical duties and is responsible for all monies and documents under his control;

"driver" means a person who is in possession of a licence to drive a vehicle allocated to him and who cleans the vehicle and carries out simple maintenance tasks on it;

"handyman" means a person who carries out maintenance work, supervises and allocates tasks to employees under his supervision and is responsible for all tools and stores under his control;

"head porter" means a person in charge of the porters' desk who supervises porters and luggage porters and carries out all duties allocated to him by reception staff or management;

“head waiter” means a person who -

- (a) is in charge of the dining room, and supervises waiters and dining room staff,
- (b) arranges table reservation for individual customers or parties;
- (c) ensures that a high standard of service is maintained and deals with customers' complaints concerning the food or service; and
- (d) may also be required to take customers' orders and pass them to the waiter;

“housekeeper” means a person who -

- (a) is responsible for cleaning bedrooms and public areas in a hotel and for the cleanliness and repair of all linen, blankets and soft furnishings under his control and advising management on the durability and replacement thereof; and
- (b) supervises room maids and other staff;

“kitchen assistant” means a person with mult tasked unskilled duties

“labourer” means a person who, under supervision, carries out manual work including irrigation, and who if so required, works as a pump house attendant;

“laundry worker” means a person who carries out laundry work involving the use of machinery other than flat irons;

“linen keeper” means a person who is responsible for the control and issue of linen and other stocks and cleaning materials in a linen room;

“lounge/pool waiter/waitress” means a person who serves food, beverages, cigarettes etc and clears/cleans tables in the lounge or pool area;

“luggage porter” means a person who carries out instructions given to him by a head porter, porter or reception staff, or the management and carries luggages;

“porter means a person who -

- (a) carries out the duties allocated to him by reception staff;
- (b) conducts guests to their rooms;
- (c) performs other duties as may be required by the management including the cleaning of shoes, selling newspapers and the collection of mail;

“receptionist” means a person who checks guests into and out of the establishment, and allocates rooms to guests and submits accounts to them for payments;

“room maid” means a person who cleans and prepare rooms for use by guests and who carries out associated duties allocated by the management, a housekeeper or assistant housekeeper;

“room service person” means a person who has knowledge of all items on the room service menu, who sets up room service tray, prepares the room area for service, delivers food and beverage orders to guests' bedrooms and offices, and clears bedrooms, corridors and offices of dirty cookery, cutlery, glasses and trays;

“security guard” means a person with a working knowledge of the laws relating to the sale of liquor and the hotel industry, who is responsible for the security of premises belonging to the establishment in which he is employed and carries out and prepares report on investigations as required by the management;

“short order cook” means a person who is responsible for the preparation and production of short orders and simple food on the instruction of the management or cook;

“stores assistant” means a person who, under instruction, checks and accounts for all items coming into, or being issued from a store and is responsible for the receipt and custody of all stores under his control;

“supervisor” means a person responsible for the supervision of any employees placed under his control by the management;

“telephonist” means a person who operates a Switchboard, who keeps a record of all outgoing calls ensuring that they are correctly charged to the person responsible for their payment and who receives and records guests’ messages;

“tractor driver” means a person who operates a tractor and implements assigned to him in order to carry out given tasks and who carries out simple maintenance of the tractor;

“waiter/waitress” means a person who -

- (a) has knowledge of all items on the menu, and receives orders from customers in dining room;
- (b) prepares and serves sandwiches, salads, snacks and other light refreshments throughout the establishment; and
- (c) is responsible for preparation of table and cleaning of the work/working station;

“wine steward” means a person who presents a wine list to guests, and advises on and serves wine and other drinks and serves light refreshments and snacks throughout the establishments;

“valet” means a person who is responsible for ironing, pressing, collection and the delivery of guests’ garments;

“watchman” means a person who guards the property of his employer against fire, theft and illegal entry and who watches or guards against any other irregularities.

***Basic minimum wage.***

4. The employees specified in the First Schedule shall be paid a basic minimum wage not less than that specified therein, which shall not be reduced by any amount for housing or accommodation.

***Rations.***

5. (1) At his expense, an employer shall supply weekly rations to an employee in accordance with the scale specified in the Third Schedule.

(2) Notwithstanding sub-regulation (1) an employer, with the consent of the employee and after notifying the Labour Commissioner, may pay the employee in lieu of rations, such allowances as may be approved by the Labour Commissioner from time to time.

***Hours of work.***

6. The normal working week shall consist of forty-eight hours (which shall exclude six hours duty free for meal breaks) spread over a period of six days.

***Overtime.***

7. (1) Overtime for all employees, other than those employed on casual basis, shall be paid for time worked in excess of forty-eight hours in any week, at one and half times the normal hourly rate.

(2) The normal hourly rate shall be not less than one over two hundred and thirty fourth (1/234) which is total hours per month of the employee's basic minimum wage.

***Annual leave.***

8. (1) After twelve months' continuous service with an employer, an employee shall be entitled to a minimum of twelve working days paid leave which period shall exclude any public holidays specified in Regulation 12 which occur during that leave -

Provided that -

(a) after two years of continuous service with an employer an employee shall be entitled to eighteen working days annual leave with full pay; and

(b) after three years of continuous service with an employer an employee shall be entitled to twenty one working days annual leave with full pay.

(2) Any employee who goes on annual leave, in addition to the payment for that leave, shall be paid an amount in cash equivalent in value to the rations he would have received during the period of his annual leave had he had not taken leave.

(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.

***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 Practitioners Act, 1970, an employee shall be entitled to sick leave up to a maximum of fourteen days on full wages, and thereafter to a maximum of fourteen days on half wages in each period of twelve months continuous service.

(2) Notwithstanding Sub-Regulation (1)

(i) An employee shall not be entitled to the benefits provided for under that Sub-Regulation 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 Practitioner's certificate if a Medical Practitioner is not available.

(3) An employee may, on production of evidence that she is about to give birth to a child, take the sick leave provided for in this Regulation as part of maternity leave.

(4) Where an employer grants four or more weeks paid maternity leave, an employee may not take sick leave provided for in this Regulation as part of maternity leave.

***Maternity Leave:***

10 (1) A female employee, whether married or unmarried shall be entitled to twelve weeks' maternity leave, so arranged that she gets six weeks before the date of confinement and six weeks after confinement, the employer is not obliged to pay for the full period.

(2) During the period of confinement an employer is required to pay to an employee who has completed the probation period of 30 days maternity leave with full pay.

***Compassionate Leave***

11. An employee who has completed the probation period shall be entitled to compassionate leave with full pay as follows -

widow	-	37 working days with pay
widower	-	7 working days with pay
biological parents	-	7 working days with full pay
biological child	-	7 working days with full pay

***Written particulars to be provided.***

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

***13. Retirement Age***

An employee shall retire at age of 60, but may take early retirement at 50.

***14. Payment of Severance Allowance***

(i) Severance allowance calculated as outlined in Section 34 of the Employment Act, 1980, shall be payable to an employee who leaves service under the following circumstances:

(a) On grounds of age or ill-health, subject to the production of a medical certificate signed by a medical practitioner registered under the Medical and dental Practitioners act, 1970.

(b) To the employee's beneficiaries, in the case of such employee's death in service.

(ii) Notwithstanding sub-regulation (i)

the payment of severance allowance under any other circumstances not mentioned in sub-regulation (i) shall be governed by Section 34 of the Employment Act 1980.

***Continuous Service.***

15. 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.

***Paid Public Holidays.***

16. The following shall be public holidays with full pay: Christmas Day;

Christmas Day  
Boxing Day  
Incwala Day  
Umhlanga (Reed Dance) Day  
Good Friday  
The Kings birthdayNational Flag Day;  
Somhlolo (independence) Day; and  
Workers Day

***Rest Day.***

17. An employee shall be entitled to one rest day with full pay in every period of seven days. Provided that with the agreement of his employer, he may accumulate two such rest days in any period of seven days.

***Casual Work***

18. A person employed on casual basis shall be paid for each hour worked not less than one two hundredth of the basic minimum wages as specified in First Schedule.

***Transport Arrangement.***

19. Where an employer does not provide accommodation for an employee and such employee is required to start work on or before 7.00 a.m. or to remain on duty after 5.30 p.m., the employer shall either:-

- (a) provide free transport between the place of work and such other place not exceeding sixteen kilometres and accessible by road, as may be agreed by the employer and the employee concerned; or
- (b) pay to the employee in addition to wages, an amount equivalent to the cost of public transport between the place of work and such other place as may be agreed by the employer and the employee.

***Uniforms.***

20. (1) Uniforms shall be provided by the employer to all employees who are handling foodstuffs or drink who are in direct contact with guests, but such uniforms shall remain the property of the employer.

(2) An employee shall, unless otherwise permitted by the employer, wear the supplied uniforms only during working hours.

***Inclement weather (field workers only).***

21. An employee who reports for work at the normal time, but who is prevented from working by inclement weather, shall receive full basic wages for the first day of such interruption and half basic wage for the subsequent two days of such interruption and thereafter receive no wage for

the duration of the interruption if it continues.

***Training period.***

22. No employee shall be engaged as a trainee for more than six months for jobs appearing in the Second Schedule, which shall also include the probation period of three months.

***Revocation of Legal Notice No. 41 of 2006.***

23. The Wages Regulation (Hotel and Catering Trades) Order, 2006 is hereby revoked.

---

**FIRST SCHEDULE**  
(For the purpose of the Schedule)

**Group A** shall mean any undertaking licenced under the Casino Act, 1963 or having 75 or more bedrooms for guests;

**Group B** shall mean any hotel, motel, guesthouse, restaurant, bar or club with or without a liquor licence or which serves food, which is not included in Group A; and which is situated in Mbabane or Manzini urban areas or within 8 km, of the road joining Mbabane and Manzini.

**Group C** shall mean any hotel, bar, motel, restaurant or club with a liquor licence, which is not included in Group A or B.

**Group D** shall mean any hotel, take-away, motel, restaurant or guesthouse undertaking without a liquor licence and any accommodation establishment or caravan park not included in Group A, B, or C.

(Emalangeni per Month)

	A	B	C	D
Assitant Cook	1159.91	912.05	779.00	633.18
Assistant housekeeper	859.47	792.95	773.63	
Bar steward	750.03	604.10	577.28	
Billing Clerk	1552.63	1015.06	906.69	
Butcher	1800.49	1231.80	935.66	620.19
Cashier	915.27	908.83	885.23	885.23
Chips frier	1159.91	907.76	779.00	632.00
Clerk	885.23	811.19	801.51	801.51
Cleaner	657.75	614.83	574.06	574.06
Cocktail Barman	1563.63	1182.45	1096.61	
Barman	1443.19	1063.34	978.58	
Cook/Chef de partie	1800.49	1231.80	935.66	602.19
Dressmaker	1001.11	805.82	655.60	
Driver	853.04	814.41	784.36	759.68
Head Porter	938.88	908.83	683.50	
Handyman	1111.63	806.83	747.88	747.88
Head Waiter	1408.85	806.90	769.34	769.34
Housekeeper	1408.85	893.81	792.95	792.94
Junior Barman	1012.91	792.95	746.81	
Kitchen Assistant	1001.11	759.68	725.35	689.94
Labourer	655.60	616.98	574.06	574.06



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Laundry Worker	806.90	781.14	574.06	574.06
Banquet Waiter	824.06	691.01	609.46	
Linen keeper	733.93	713.55	773.63	708.18
Luggage Porter	655.60	616.98	575.13	
Porter	885.23	773.63	639.51	
Receptionist	1024.72	944.93	907.76	
Room Maid	566.60	616.98	574.06	574.06
Room Service Person	824.06	655.60	574.06	574.06
Seamstress	752.17	752.17	752.17	
Security Guard	853.04	819.77	779.00	769.34
Short Order Cook	752.17	691.01	604.10	604.10
Storeman	1619.16	1237.17	833.72	794.95
Stores Assistant	805.82	807.97	710.33	704.96
Supervisor	773.63	713.55	691.01	691.01
Telephonist	824.06	672.77	609.46	609.46
Tractor Driver	769.34	769.34	767.20	674.92
Waiter/Waitress	810.12	691.01	575.13	632.00
Watchman	805.82	655.60	632.00	632.00
Wine Steward	819.77	691.01	632.00	
Valet	794.02	574.06	574.06	

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**TRAINING PERIOD**  
SECOND SCHEDULE (EMALANGENI PER MONTH)

Trainee Assistant Housekeeper	735.01	707.11	692.09	609.46
Trainee Bar Steward	691.01	574.06	574.06	
Trainee Billing Clerk	806.90	752.17	733.93	
Trainee Cashier	784.36	773.63	733.93	
Trainee Handyman	824.06	775.78	666.33	664.19
Trainee Receptionist	811.19	775.78	664.19	664.19
Trainee Telephonist	738.22	616.98	574.06	574.06
Trainee Barman	691.01	574.06	574.06	

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**THIRD SCHEDULE**

(Monthly Ration Scale)

Minimum Ration Scale

I. Mealie Meal	6.36kg
Meat	1.36kg
sugar	0.45kg
Dry Beans, peas or Groundnuts	0.68kg
Fresh Vegetables	0.90kg
Salt	0.114kg
Oil	0.75ml

2. Alternative -

The following weekly rations may be supplied in lieu of the items of food mentioned in paragraph I -

(a) Mealie Meal -

For every 9.53 kgs of mealie, 45kgs of Bread, 373  
Grams of rice or .23 kgs of Sweet Potatoes;

(b) Meat -

(i) For the First 249 grams of offal; or

(ii) For the .45kgs of Fish or 249 grams of Cheese

(c) Fresh Vegetables

For every .45kgs of Fresh Vegetables, .45kgs of Fresh Fruit or a proportionate ration of  
Dehydrated Vegetables;

3. Permitted Variations,

(a) The Drink known as "Mahewu", or

(b) appropriately vitamised drink, if either drink is issued in the week to the employee  
by the Employer.

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**FOURTH SCHEDULE**

(Written Particulars of Employment Form)

1. Name of Employee.....
2. Name of Employer.....
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. Pensions Scheme (if any, other than SNPF Scheme).....

16. Any other matter either party wishes to include .....

17. Accommodation Arrangement

18. Transport Arrangement.....

19. Agreed Transport delivery.....

**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

Signature: .....Employer

.....Employee

.....Witness

.....Date

**B. B. STEWART**  
*PRINCIPAL SECRETARY*  
 MINISTRY OF ENTERPRISE AND EMPLOYMENT

LEGAL NOTICE NO. 9 OF 2008

THE CENTRAL BANK OF SWAZILAND ORDER, 1974

THE CENTRAL BANK OF SWAZILAND STATEMENT OF  
ASSETS AND LIABILITIES AS AT 30 SEPTEMBER 2008  
(Under Section 52(3))

In exercise of the powers conferred upon me by the Central Bank of Swaziland Order, 1974,  
I am pleased to publish for general information the Statement of Assets and Liabilities in the  
Schedule to this Notice.

**MAJOZI V. SITHOLE**  
*MINISTER OF FINANCE*

MBABANE  
January, 2008

## CENTRAL BANK OF SWAZILAND

STATEMENT OF ASSETS AND LIABILITIES AS  
AT 30 SEPTEMBER, 2007

	2007 E'000	2006 E'000
<b>LIABILITIES</b>		
Capital	113,768	21,768
General Reserve	46,255	31,419
Building Revaluation Reserves	46,843	-
Currency in circulation	359,093	334,922
Allocation of SDR'S	69,153	73,862
Domestic Deposits	2,719,371	1,997,050
External Liabilities	43,521	40,186
Other Liabilities	72,881	118,298
	<u>3,470,885</u>	<u>2,617,505</u>
<b>ASSETS</b>		
Claim on Swaziland Government	42,778	178,626
Property, Plant and Equipment	85,231	34,074
External Assets	3,213,627	2,304,267
Claims on Private Sector	7,054	7,483
Other Assets	122,195	93,055
	<u>3,470,885</u>	<u>2,617,505</u>

**M.G. DLAMINI**  
GOVERNOR

LEGAL NOTICE NO. 10 OF 2008

THE CENTRAL BANK OF SWAZILAND  
(Order No. 6 of 1974)

RATES FOR DISCOUNTS, REDISCOUNTS AND ADVANCES  
NOTICE, 2008  
(Under Section 38)

In exercise of the powers conferred by Section 38 of the Central Bank of Swaziland Order, 1974, the Central Bank of Swaziland has determined that its rates for discounts, rediscounts and advances shall be 10.5% with effect from 15 October 2007 until further notice.

**M. G. DLAMINI**  
GOVERNOR

LEGAL NOTICE NO. 11 OF 2008

ANIMAL DISEASE ACT, 1965

THE STOCK DISEASE REGULATIONS 2008  
(Under Section 3)

In exercise of the powers confirmed by Section 3 of the Animal Disease Act, 1965 the Minister for Agriculture and Cooperatives hereby makes the following regulations.

***Citation and Commencement***

1. These Regulations may be cited as the Stock Disease Regulations, 2005 and shall be deemed to have come into force on 14<sup>th</sup> January, 2008.

***Declaration of Rabies Guard Areas***

2. The areas specified in the Schedule are declared to be Rabies Guard Areas.

***Isolation and Confinement of Dogs***

3. Every owner of a dog or cat in a guard area shall isolate and confine his dog or cat so as to prevent it from escaping from such guard areas and such confinement and isolation shall remain in force until further notice.

***Presentation of Dogs and Cats for Vaccination***

4. A person who owns a dog or cat and lives within the area specified in the schedule to this Notice shall present his pets for inoculation at the designated vaccination centre and the time specified in the Schedule.

***Offence and Penalty***

5. An owner of a dog or cat who fails to comply with regulation 3 and 4 commits an offence and is liable on conviction, to a fine not exceeding E300-00 and in default of payment, to imprisonment for a period not exceeding 3 months.

***Destruction of Dogs and Cats in Rabies Guard Areas***

6. (1) A Government Veterinary Officer may destroy a dog or cat in any of the Rabies Guard areas if in his opinion, the dog or cat has not been confined so as to prevent it from escaping from such guard areas.

(2) In pursuance of sub-regulation (1) a Government Veterinary Officer may ask for the assistance of the Royal Swaziland Police in carrying out the provision of that sub-regulation.

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**SCHEDULE**

MBABALA

TIKANE

DABUZA

MACINYANE

MPUNZINI

LOGOBA

MGANWINI

EMPHISINI

KA-SHABANGU

KA-LOMPHALA

ESIKOLWENI

EMAKHWAKHWENI

KAMTHEWU

MKAHLIPHI

KA-ALBERTINA

DATE	NAME OF TANK AREA	T / A NO:	TIME	CENTRE OF VACCINATION
14/01/2008	MBABALA	370	6AM-6:30AM	LOGOBA STORE
14/01/2008	MBABALA	370	6:45AM-7:17AM	KASHABANGU
14/01/2008	MBABALA	370	7:30AM-8:00AM	EMPHISINI
14/01/2008	MBABALA	370	8:15AM-8:45AM	KAMATEWU
14/01/2008	MBABALA	370	9:00AM-9:30AM	KALOMPHALA SCHOOL
14/01/2008	MBABALA	370	9:45AM-10:15AM	EMKHWAKHWENI
14/01/2008	MBABALA	370	10:30AM-11:00AM	KA-ALBERTINA
15/01/2008	NGCAMPHALALA	309	6:00AM-6:30AM	ENDVUNDVUMENI



DATE	NAME OF TANK AREA	T/A NO:	TIME	CENTRE OF VACCINATION
15/01/2008	NGCAMPHALALA	309	6:45AM-7:15AM	KAMCASHI
15/01/2008	NGCAMPHALALA	309	7:30AM-8:00AM	EMPHAKATSI
15/01/2008	NGCAMPHALALA	309	8:15AM-8:45AM	EDIBHINI
15/01/2008	NGCAMPHALALA	309	9:00AM-10:15AM	KA-AARON
15/01/2008	NGCAMPHALALA	309	9:45AM-10:15AM	KA-MANYOVU
16/01/2008	LUVATSI	314	6:00AM-6:30AM	KA-GUMBI
15/01/2008	LUVATSI	314	6:45AM-7:15AM	KA-LUGODVO
16/01/2008	LUVATSI	314	7:30AM-8:00AM	KAMDOLOMBA (PRE-SCHOOL)
16/01/2008	LUVATSI	314	8:15AM-8:45AM	KA-MADLOZI STORE
16/01/2008	LUVATSI	314	9:00AM-9:30AM	KAMAVIMBELA
15/01/2008	LUVATSI	314	9:45AM-10:15AM	KA-MNISI

**M. W. FAKUDZE (MP)**  
*MINISTER FOR AGRICULTURE AND COOPERATIVES*

LEGAL NOTICE NO. 12 OF 2008

ANIMAL DISEASE ACT, 1965

THE STOCK DISEASE REGULATIONS 2008  
(Under Section 3)

In exercise of the powers confirmed by Section 3 of the Animal Disease Act, 1965 the Minister for Agriculture and Cooperatives hereby makes the following regulations.

***Citation and Commencement***

1. These Regulations may be cited as the Stock Disease Regulations, 2008 and shall be deemed to have come into force on 3<sup>rd</sup> November, 2008.

***Declaration of Rabies Guard Areas***

2. The areas specified in the Schedule are declared to be Rabies Guard Areas.

***Isolation and Confinement of Dogs***

3. Every owner of a dog or cat in a guard area shall isolate and confine his dog or cat so as to prevent it from escaping from such guard areas and such confinement and isolation shall remain in force until further notice.

***Presentation of Dogs and Cats for Vaccination***

4. A person who owns a dog or cat and lives within the area specified in the schedule to this Notice shall present his pets for inoculation at the designated vaccination centre and the time specified in the Schedule.

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6. (1) A Government Veterinary Officer may destroy a dog or cat in any of the Rabies Guard areas if in his opinion, the dog or cat has not been confined so as to prevent it from escaping from such guard areas.

(2) In pursuance of sub-regulation (1) a Government Veterinary Officer may ask for the assistance of the Royal Swaziland Police in carrying out the provision of that sub-regulation.

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**SCHEDULE**

DWALENI

LUKHONDVO

DATE	NAME OF TANK AREA	T/A NO:	TIME	CENTRE OF VACCINATION
03/12/2007	DWALENI		7:00AM-12NOON	DIPTANK
03/12/2007	LUKHONDVO		7:00AM-12NOON	DIPTANK

**M. W. FAKUDZE (MP)**

*MINISTER FOR AGRICULTURE AND COOPERATIVES*

The Government Printer, Mbabane

