



# SWAZILAND GOVERNMENT GAZETTE

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VOL. XLVI]

MBABANE, Friday JUNE 6<sup>th</sup>, 2008

[No. 78

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## CONTENTS

No.	Page
<b>GENERAL NOTICE</b>	
31. Authorization of Change of Surname Notice, 2008 .....	510
32. Authorization of Change of Surname Notice, 2008 .....	510
33. Authorization of Change of Surname Notice, 2008 .....	511
34. Authorization of Change of Surname Notice, 2008 .....	511
35. Authorization of Change of Surname Notice, 2008 .....	512
36. Authorization of Change of Surname Notice, 2008 .....	512
37. Appointment of Marriage Officers Notice, 2008 .....	513
<b>ADVERTISEMENTS</b> .....	
<hr/>	
<b>PART A - BILL</b>	
12. The Swaziland Nursing Council Bill, 2008 .....	S1
<b>PART C - LEGAL NOTICE</b>	
110. The Appointment of a Member of the Natural Resources Board Notice, 2008 .....	S17

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PUBLISHED BY AUTHORITY

GENERAL NOTICE NO. 31 OF 2008

THE CHANGE OF NAME ACT 1962  
(Act No. 67 of 1962)

AUTHORIZATION OF CHANGE OF NAME NOTICE, 2008  
(Under Section 3)

In exercise of the powers conferred upon him by Section of the Change of Name Act, 1962 the Minister of Justice having satisfied himself that the provisions of the said Act have been complied with hereby authorizes: -

**NOKUTHULA ZWANE**

a resident of **Ensingweni Royal Kraal** in the Manzini Region to assume the surname **MAMBA**.

**S. M. DLAMINI**  
*PRINCIPAL SECRETARY*

Mbabane  
22<sup>nd</sup> May, 2008

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GENERAL NOTICE NO. 32 OF 2008

THE CHANGE OF NAME ACT 1962  
(Act No. 67 of 1962)

AUTHORIZATION OF CHANGE OF NAME NOTICE, 2008  
(Under Section 3)

In exercise of the powers conferred upon him by Section of the Change of Name Act, 1962 the Minister of Justice having satisfied himself that the provisions of the said Act have been complied with hereby authorizes: -

**MOSES CELANI SIPHEPHO**

a resident of **Mashobeni South Royal Kraal** in the Shiselweni Region to assume the surname **NKABINDE**.

**S. M. DLAMINI**  
*PRINCIPAL SECRETARY*

Mbabane  
22<sup>nd</sup> May, 2008

GENERAL NOTICE NO. 33 OF 2008

THE CHANGE OF NAME ACT 1962  
(Act No. 67 of 1962)

AUTHORIZATION OF CHANGE OF NAME NOTICE, 2008  
(Under Section 3)

In exercise of the powers conferred upon him by Section of the Change of Name Act, 1962 the Minister of Justice having satisfied himself that the provisions of the said Act have been complied with hereby authorizes: -

**HENDRICK VUSI MASANGO**

a resident of **Qomintaba Royal Kraal** in the Shiselweni Region to assume the surname **NGCAMPHALALA**.

**S. M. DLAMINI**  
*PRINCIPAL SECRETARY*

Mbabane  
22<sup>nd</sup> May, 2008

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GENERAL NOTICE NO. 34 OF 2008

THE CHANGE OF NAME ACT 1962  
(Act No. 67 of 1962)

AUTHORIZATION OF CHANGE OF NAME NOTICE, 2008  
(Under Section 3)

In exercise of the powers conferred upon him by Section of the Change of Name Act, 1962 the Minister of Justice having satisfied himself that the provisions of the said Act have been complied with hereby authorizes: -

**ELIJAH KOPPIE MHLANGA**

a resident of **Magele Royal Kraal** in the Shiselweni Region to assume the surname **MASHILOANE**.

**S. M. DLAMINI**  
*PRINCIPAL SECRETARY*

Mbabane  
22<sup>nd</sup> May, 2008

**GENERAL NOTICE NO. 35 OF 2008**

**THE CHANGE OF NAME ACT 1962**  
(Act No. 67 of 1962)

**AUTHORIZATION OF CHANGE OF NAME NOTICE, 2008**  
(Under Section 3)

In exercise of the powers conferred upon him by Section of the Change of Name Act, 1962 the Minister of Justice having satisfied himself that the provisions of the said Act have been complied with hereby authorizes: -

**MNIKELO CHOCOLATE SHONGWE**

a resident of **Sicilweni Royal Kraal** in the Shiselweni Region to assume the surname **MNGOMETULU**.

**S. M. DLAMINI**  
*PRINCIPAL SECRETARY*

Mbabane  
22<sup>nd</sup> May, 2008

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**GENERAL NOTICE NO. 36 OF 2008**

**THE CHANGE OF NAME ACT 1962**  
(Act No. 67 of 1962)

**AUTHORIZATION OF CHANGE OF NAME NOTICE, 2008**  
(Under Section 3)

In exercise of the powers conferred upon him by Section of the Change of Name Act, 1962 the Minister of Justice having satisfied himself that the provisions of the said Act have been complied with hereby authorizes: -

**NKOSINATHI EMMANUEL MADIE MHLONGO**

a resident of **Lobamba Lomdzala Royal Kraal** in the Manzini Region to assume the surname **MOTLAGOMANG**.

**S. M. DLAMINI**  
*PRINCIPAL SECRETARY*

Mbabane  
22<sup>nd</sup> May, 2008

GENERAL NOTICE NO. 37 OF 2008

THE MARRIAGE ACT OF 1964  
(Act No. 47 of 1964)

APPOINTMENT OF MARRIAGE OFFICERS NOTICE, 2008  
(Under Section 16)

In exercise of the powers conferred by Section 16 of the Marriage Act No. 47 of 1964, the Honourable Minister for Justice and Constitutional Affairs hereby appoints the following persons to be marriage officers for the Kingdom of Swaziland:

1. **ABEDNEGO MFANUFIKILE DLAMINI**  
Swaziland Association of Jehovah's Witnesses  
P. O. Box A383  
Swazi Plaza  
Mbabane
2. **OBADIAH OBED MTHUPHA**  
Swaziland Association of Jehovah's Witnesses  
P. O. Box A383  
Swazi Plaza  
Mbabane
3. **MOSES JABULANI GUMEDZE**  
Swaziland Association of Jehovah's Witnesses  
P. O. Box A383  
Swazi Plaza  
Mbabane
4. **FELTON THOKOZANI MHLONGO**  
Swaziland Association of Jehovah's Witnesses  
P. O. Box A383  
Swazi Plaza  
Mbabane
5. **VINCENT SIHLOBO MAMBA**  
Swaziland Association of Jehovah's Witnesses  
P. O. Box A383  
Swazi Plaza  
Mbabane
6. **CYPRIAN MAVELA DLAMINI**  
Swaziland Association of Jehovah's Witnesses  
P. O. Box A383  
Swazi Plaza  
Mbabane
7. **RONNIE MATHAMBO VILANE**  
The Apostolic Kindness Church in Zion in  
South Africa (Emseni)  
Zikhotheni (Mhlosheni)  
Shiselweni

8. **MARTIN VUYISILE FAKUDZE**  
Swaziland Association of Jehovah's Witnesses  
P. O. Box A383  
Swazi Plaza  
Mbabane
9. **SAMUEL MBHUTI NKAMBULE**  
Kwaluseni Congregation of Jehovah's Witnesses  
P. O. Box 2577  
Manzini
10. **ALBERT JOBE MKHONTFO**  
Dynamic Miracle Gospel Church  
P. O. Box 1619  
Mbabane
11. **JOACHIM MACHAWE MANANA**  
Pentecost East Star  
Jerusalem Church Sabbath  
P. O. Box 6  
Manzini
12. **NKOSENHLE GILBERT ZWIDE NXUMALO**  
Christian Family Centre International  
P. O. Box 2338  
Manzini
13. **HEBSON BHEKITHEMBA NKABINDE**  
Enhlanhlani Church  
P. O. Box 94  
Kwaluseni
14. **JOHN MKHETFWA DLAMINI**  
Tholomaya C. O. G in Zion  
P. O. Box 1484  
Manzini
15. **LUCKY EARNEST HLATSHWAYO**  
Elohim Assemblies  
Mbabane and Siteki
16. **ESAW SABELO DLAMINI**  
Ekuphiweni Church in Zion  
P. O. Box 109  
Nhlangano
17. **MOSES MANKENE HLANDZE**  
Salvation United Apostle Church  
P. O. Box 1  
Sithobela
18. **CANAAN GEORGE MATHABELA**  
Zion Apostolic New Jerusalem Church  
P. O. Box 1005  
Mbabane

19. **SONNYBOY MTHOKOZISI DLAMINI**  
The Swazi Christian Church in Zion (IGAGASI)  
P. O. Box 2533  
Mbabane
20. **NKOSINATHI JOEL DLAMINI**  
Centre of Life Fellowship  
P. O. Box 993  
Manzini
21. **BONGINKOSI CYPRIAN DLAMINI**  
Joy of Salvation International Church  
P. O. Box 1747  
Manzini
22. **NHLANHLA HENDRICK MNISI**  
Zion Apostolic New Jerusalem  
P. O. Box 1005  
Mbabane
23. **TIMOTHY BAMBELELA MYENI**  
Ncandweni Evangelical Church  
P. O. Box 1612  
Manzini
24. **DUMSANE BHEKI MAMBA**  
The Church of Christ (Itshe le Gumbi)  
P. O. Box 69  
Motshane
25. **VINCENT STADIUM MATSEBULA**  
Mthonjeni Zion Church  
Private Bag  
Manzini
26. **DAVID SIPHO MAMBA**  
The Church of the Holy Vine  
P. O. Box 172  
Buhleni
27. **JOHN VELIE GAMEDZE**  
The Free Christian Church in Zion  
P. O. Box 47  
Mankayane

28. **SABELO MATHOKOZA SIBANDZE**  
Manzini Apostolic Faith Mission International  
P. O. Box 1251  
Manzini
29. **DUNCAN SUKUMANI MAVUSO**  
Centre of Life Fellowship  
Mkhulamini (Mbazweni)
30. **ERNEST MFANA GWEBU**  
Ekuthokozeni Church in Zion  
P. O. Box 5369  
Manzini
31. **JOHANNES MPUYA NGOBESE**  
Mthonjeni Pentecoste Apostolic Church  
P. O. Box 158  
Nhlangano
32. **KELLINAH THEMBEKILE VILAKATI**  
The Free Gospel Mission  
Ekuphileni Free Gospel  
P. O. Box 12  
Nhlangano
33. **BENJAMIN MFANZILE MAMBA**  
Bethsaida Church of God  
Tholomoya Church of God  
P. O. Box 10  
Manzini
34. **NKOSINATHI EMMANUEL MDLULI**  
Christian Catholic Church in Zion  
P. O. Box 1628  
Manzini
35. **ELMON BHEKINKHOSI MAGONGO**  
Centre of Life Fellowship  
Ndlinilembi  
Manzini
36. **TIMOTHY GCINA MTSETFWA**  
Sibane Church of Christ (Zion)  
P. O. Box 69  
Lobamba
37. **SIYABONGA KENNETH TSIKATI**  
Nkonjaneni Alliance Church  
P. O. Box 3199  
Mbabane
38. **PHETSA MFANAWEKHAYA DLAMINI**  
Oasis of Hope International  
P. O. Box 235  
Eveni

39. **NHLANHLA EMMANUEL MAGONGO**

St. Job Church in Zion  
P. O. Box 1747  
Manzini

40. **SIPHO CITY TEMBE**

Jordan Church in Zion  
P. O. Box 969  
Matsapha

The effective date for the Marriage Officers is the ..... 2008.

**S. D. MASILELA**  
*ACTING PRINCIPAL SECRETARY*

**NOTICE**

Notice is hereby given that **I, Maziya Sibusiso Cyprian of Mankayane - Manzini Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Msibi** 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 **Manzini Region** and in the government Gazette.

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

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

P. O. Box 123  
Mankayane

J887 4x13-06-2008

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**NOTICE**

Notice is hereby given that **I, Themba Michael Matsenjwa of Lubombo Region** intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname **Khoza** 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 **Khoza** is because it is my natural surname.

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

P.O. Box 158  
Siteki, L300

J853 4x06-06-2008

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**NOTICE**

**ESTATE LATE: CHRISTINAH CARMICHAEL ESTATE NO. EH71/2003**

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.

BRANHAM CARMICHAEL  
P.O. Box 12  
Siteki

J964 06-06-2008

**NOTICE**

Notice is hereby given that we intend applying for a certified copy of Deed of Transfer No. 329/1980 dated the 23<sup>rd</sup> day of December, 1980 made in favour of: **JOSEPH MATHANGEZULE MASUKU (Born during 1936)** in respect of the undermentioned property:

CERTAIN : Erf No. 6 situate in the Township of Hlatikulu, District of Shiselweni, Swaziland;

MEASURING : 2855 (Two Eight Five Five) Square metres.

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

**DATED AT MBABANE ON THIS 9<sup>TH</sup> DAY OF MAY, 2008.**

**S.V. MDLADLA & ASSOCIATES**  
Lot No. 306, Lomadvokola Chambers,  
Cnr. Lomadvokola & Nukwase Streets  
Mbabane

J913 2x06-06-2008

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**NOTICE**

Notice is hereby given that we intend applying for a certified copy of Tittle Deed No. 139/1977 dated the 4<sup>th</sup> day May, 1977 in favour of: **V. H. LAND AND CATTLE COMPANY (PROPRIETARY) LIMITED**, which company was formerly known as Van Herden Properties (Proprietary) Limited in respect of:

CERTAIN : Portion 28 (a portion of portion B) of Farm No. 11 situate in the Manzini District.

MEASURING : 15,8216 (Fifteen comma Eight Two One Six) Hectares.

Any person having an objection to the issuing of such copy is hereby required to lodge it in writing with the Registrar of Deeds within three (3) weeks from the date of the last publication of this notice.

**DATED AT MANZINI ON THIS 27<sup>TH</sup> DAY OF MAY, 2008.**

**MLANGENI AND COMPANY**  
3<sup>rd</sup> Floor, Lihaga Building  
Nkoseluhlaza Street  
P.O. Box 3311  
Manzini

J953 2x06-06-2008

**NOTICE**

**ESTATE LATE: DANIEL FRANK PACKARD ESTATE NO. EM456/2007**

Debtors and Creditors in the above Estate are hereby called upon to lodge their claims with and pay their debts to the undersigned within thirty (30) days from date of publication of this notice.

**CLOETE / HENWOOD / DLAMINI / MAGAGULA  
- ASSOCIATED**  
Executors Attorneys  
1<sup>st</sup> Floor, Nedbank Building Centre  
Cnr Plaza - Mall Street  
P.O. Box A972  
Swazi Plaza  
Mbabane

J963 06-06-2008

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**NOTICE**

**ESTATE LATE: LEONARD CHARLES HUDSON  
MASER'S REFERENCE NUMBER EH44/2007**

Notice is hereby given in terms of Section 51 bis of this Administration of Estate Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland at Mbabane and the office of the Regional Administrator's office, 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 objection in writing in duplicate with the Master of the High Court at any time before expiry of the said period.

**TO: EARL JOHN HENWOOD**  
The Executor  
c/o Cloete/Henwood/Dlamini - Associated  
Executors Attorneys  
P.O. Box A972  
Swazi Plaza H101  
Mbabane

J961 06-06-2008

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**NOTICE**

**ESTATE LATE: SIPHIWE HYCYNTHIA MAVUSO NEE DLAMINI  
ESTATE NO. EL43/2008**

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.

GCEBILE DESIREE MAVUSO  
P.O. Box 100  
Lobamba

J965 06-06-2008

**NOTICE**

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 310/08

In the matter between-

SWAZILAND DEVELOPMENT AND SAVINGS BANK

Plaintiff

AND

ELIAS KHELI DLAMINI

Defendant

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**NOTICE OF SALE**

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**NOTICE** is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff, outside the New High Court Building, Hospital Hill, Mbabane at 11:30 a. m. on Friday the 27<sup>th</sup> day of June, 2008.

CERTAIN : Lot No. 1577, Extension No. 12, Mbabane, in the District of Hhohho, Swaziland;

MEASURING : 1855 (One Eight Five Five) Square Metres;

RESERVE PRICE : E200,000.00 (Two Hundred Thousand).

Conditions of Sale are available for inspection at the office of the Sheriff in the High Court Building in Mbabane and at the offices of Regional Administrator, Hhohho.

Further particulars may be obtained from the undersigned.

**DATED AT MBABANE THIS 29<sup>TH</sup> DAY OF MAY, 2008.**

**REGISTRAR OF THE THE HIGH COURT  
MBABANE**

J960 06-06-2008

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**NOTICE**

**ESTATE LATE: NOMSA LAVINIA MASUKU ESTATE NO. ES299/2006**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the First and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor 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 or her objection in writing with the executor and with the Master of the High Court at any time before the expiry of the said period.

BERYL MAPULA MASUKU  
P.O. Box A669  
Swazi Plaza

J974 06-06-2008

**NOTICE**

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 30/2008

In the matter between:

SWAZILAND BUILDING SOCIETY

Plaintiff

and

THE TRUSTEES FOR THE TIME BEING OF  
SIBONISO CLEMENT DLAMINI FAMILY TRUST

Defendant

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**NOTICE OF SALE**

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**NOTICE** is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Hhohho, outside the High Court Building, Hospital Hill, Mbabane, at **11:30 a.m. on FRIDAY the 27<sup>th</sup> day of JUNE 2008.**

**CERTAIN** : Lot No. 45 Mukela Township situate in the Ezulwini urban area, District of Hhohho Swaziland;

**MEASURING** : 1005 (One Zero Zero Five) Square Metres;

**RESERVE PRICE** : E720,000.00 (Seven Hundred and Twenty Thousand Emalangeni);

**IMPROVEMENTS** : A four bedroom house, main bedroom ensuite, kitchen, dining room, lounge and single garage. Fenced with a lockable gate;

Conditions of Sale are available for inspection at the office of the Sheriff in the High Court Building in Mbabane and at the offices of the Regional Administrator, Hhohho.

The Society may in its sole discretion lend 90% (Ninety per centum) to suitable borrowers and interested parties are advised to seek advice from the Society in this regard prior to the date of the sale.

Further particulars may be obtained from the undersigned.

**DATED AT MBABANE ON THIS THE 16<sup>TH</sup> DAY OF MAY 2008.**

**LORRAINE HLOPHE**  
Sheriff of Swaziland  
c/o The Registrar of the High Court  
Mbabane

**NOTICE**

Notice is hereby given that we intend applying for the cancellation of an entry in the Deeds Office register relating to: Surety Mortgage Bond No. 353/1988 dated the 1<sup>st</sup> day of July, 1988 for an amount of E1,300,000.00 (One Million Three Hundred Thousand Emalangeni) passed by **DUMISAS ESTATES (PROPRIETARY) LIMITED** in favour of **SWAZILAND DEVELOPMENT AND SAVINGS BANK**.

Any person having objection to the cancellation of such entries in the Deeds Register is hereby requested to lodge such objection in writing with the Registrar of Deeds, Mbabane, within three (3) weeks of the last publication of this notice.

**DATED AT MBABANE ON THIS 28<sup>TH</sup> DAY OF MAY, 2008.**

**M. J. MANZINI & ASSOCIATES**  
Attorneys for Applicant  
3<sup>rd</sup> Floor, Lilunga House  
P. O. Box A204  
Swazi Plaza  
Mbabane

J969 2x13-06-2008

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**NOTICE**

**ESTATE LATE: GCINA RONALD DLAMINI ESTATE NO. EH182/2006**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the Second and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor 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 or her objection in writing with the executor and with the Master of the High Court at any time before the expiry of the said period.

**MRS PHUMZILE DLAMINI &  
MICHAEL DLAMINI**  
P.O. Box 258  
Mbabane

J967 06-06-2008

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**NOTICE**

**ESTATE LATE: FOZI AMBROSE DLAMINI ESTATE NO. EM109/2008**

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.

**DUMSILE SIGWANE &  
MAWENZI DLAMINI**  
P.O. Box 163  
Eveni

J966 06-06-2008

**NOTICE**

**ESTATE LATE: NELLIE SICELIWE PHINDILE VILAKATI  
ESTATE NO. EP70/2006**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the Second and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor 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 or her objection in writing with the executor and with the Master of the High Court at any time before the expiry of the said period.

DENNIS M. & PHANUEL B. VILAKATI  
P.O. Box 6908  
Manzini

J975 06-06-2008

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**NOTICE**

**ESTATE LATE: JAPHTER SABELO SIMELANE ESTATE NO. EM14/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the Second and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor 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 or her objection in writing with the executor and with the Master of the High Court at any time before the expiry of the said period.

MARBLE NCAMSILE SIMELANE  
P.O. Box 136  
Luyengo

J976 06-06-2008

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**NOTICE**

**ESTATE LATE: ABRAHAM MFANISENI MDLULI ESTATE NO. ES46/2008**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the Second and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor 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 or her objection in writing with the executor and with the Master of the High Court at any time before the expiry of the said period.

REJOICE LOTJIWE MDLULI  
P.O. Box 32  
Mhlosheni

J978 06-06-2008

**NOTICE**

**ESTATE LATE: DUDUZILE MURIEL VILAKATI ESTATE NO. EM122/2008**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the Second and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor 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 or her objection in writing with the executor and with the Master of the High Court at any time before the expiry of the said period.

NOMPUMELELO SIJABULILE VILAKATI  
P.O. Box 807  
Manzini

J983 06-06-2008

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**NOTICE**

**ESTATE LATE: SABELO GOGODLA DLAMINI ESTATE NO. EP4/2006**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the Second and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor 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 or her objection in writing with the executor and with the Master of the High Court at any time before the expiry of the said period.

PHUMZILE T. DLAMINI  
P.O. Box 202  
Nkamanzi

J989 06-06-2008

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**NOTICE**

**ESTATE LATE: JABULANI MICHAEL NTSHAKALA ESTATE NO. EM80/2008**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the Second and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor 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 or her objection in writing with the executor and with the Master of the High Court at any time before the expiry of the said period.

SIPHIWE F. SHONGWE  
P.O. Box 1066  
Mbabane

J990 06-06-2008

**NOTICE**

**ESTATE LATE: ABEL FANYANA MOTSA ESTATE NO. ES84/2004**

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.

EVELYN BOSHIWE MOTSA  
P.O. Box 367  
Nhlangano

J968 06-06-2008

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**NOTICE**

**ESTATE LATE: LINAH ZODWA MADOLO ESTATE NO. EH48/2008**

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.

SAMUEL MDLOVU  
P.O. Box 169  
Lobamba

J970 06-06-2008

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**NOTICE**

**ESTATE LATE: SIZWE CYRIL DLAMINI ESTATE NO. EM483/2006**

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.

THULIE BELINDA MKHABELA  
P.O. Box 295  
Mhlambanyatsi

J971 06-06-2008

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**NOTICE**

**ESTATE LATE: SELLINAH NTOMBIZINI JIYANE ESTATE NO. ES88/2008**

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.

MAKHOSAZANA QUEEN JIYANE  
P.O. Box 1872  
Manzini

J972 06-06-2008

**NOTICE**

**ESTATE LATE: JABULANI JAMES ZIKALALA ESTATE NO. EM04/2008**

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.

JABULILE P. ZIKALALA  
P.O. Box 1476  
Manzini

J973 06-06-2008

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**NOTICE**

**ESTATE LATE: SAMUEL JABULANI MAPHALALA ESTATE NO. EH42/2008**

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.

THOKO FAITH MAPHALALA  
P.O. Box 214  
Hlatsi

J977 06-06-2008

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**NOTICE**

**ESTATE LATE: CASINO MANDLA KHUMALO ESTATE NO. EH274/2007**

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.

BONGEKILE ZANELE KHUMALO  
P.O. Box 1854  
Mbabane

J979 06-06-2008

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**NOTICE**

**ESTATE LATE: MANDLA JABULANI DLAMINI ESTATE NO. EM69/2008**

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.

JABU DUMSILE KUNENE  
P.O. Box 122  
Mhlambanyatsi

J980 06-06-2008

**NOTICE**

**ESTATE LATE: MUSA RAPHAEL SHONGWE ESTATE NO. EL44/2008**

Debtors and Creditors in the above mentioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within twenty one (21) days after the date of publication of this Notice.

NOMSA BEKEZELE SHONGWE  
P.O. Box 160  
Nsoko

J981 06-06-2008

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**NOTICE**

**ESTATE LATE: MFANZILE COLLEN MABUZA ESTATE NO. EP30/2008**

Debtors and Creditors in the above mentioned estate are hereby asked to lodge their claims and pay their debts with the undersigned within twenty one (21) days after the date of publication of this Notice.

MFANASIBILI PHILANTO MABUZA  
P.O. Box 113  
Mhlume

J982 06-06-2008

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**NOTICE**

**ESTATE LATE: BONGIWE PRINCESS MATSEBULA ESTATE NO. EP86/2007**

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.

ELIZABETH MATSEBULA  
P.O. Box 132  
Piggs Peak

J984 06-06-2008

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**NOTICE**

**ESTATE LATE: BONGINKOSI MUSA DLAMINI ESTATE NO. ES90/2008**

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.

PHUMZILE JANE DLAMINI  
P.O. Box 147  
Nhlangano

J985 06-06-2008

**NOTICE**

**ESTATE LATE: PAULOS MCOSHWI SIMELANE ESTATE NO. EH116/2008**

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.

CECILIA LOMTHANDAZO SIMELANE  
NEE MAGAGULA  
P.O. Box 548  
Zulwini

J986 06-06-2008

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**NOTICE**

**ESTATE LATE: THABSILE GLADYS DLAMINI ESTATE NO. ES91/2008**

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.

MDUDUZI C. DLAMINI  
P.O. Box 850  
Nhlangano

J987 06-06-2008

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**NOTICE**

**ESTATE LATE: VIVIAN ALVINAH DLAMINI NEE MHLANGA  
ESTATE NO. EH119/2008**

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.

CALISILE NOTHILE DLAMINI  
P.O. Box 6145  
Manzini

J988 06-06-2008

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**NOTICE**

**ESTATE LATE: ALBERTINAH LAYILAYI MAVUSO NEE NGOZO  
ESTATE NO. EM125/2005**

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.

SANELE SIZAKELE MANANA  
P.O. Box 316  
Matsapha

J991 06-06-2008

**NOTICE**

**ESTATE LATE: BUSISIWE SYLVIA MABUZA ESTATE NO. EM57/2008**

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.

SAMUEL BEBI MABUZA  
P.O. Box 3112  
Manzini

J992 06-06-2008

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**NOTICE**

**ESTATE LATE: SHADRACK MAHHELANE NKAMBULE ESTATE NO. EH44/2008**

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.

MAVELA HANDRY NKAMBULE  
P.O. Box A179  
Swazi Plaza

J995 06-06-2008

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**NOTICE**

**ESTATE LATE: KENNETH SIKELELA MABUZA ESTATE NO. EM70/2008**

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.

BONGANI ANDREAS MABUZA  
P.O. Box 290  
Luve

J998 06-06-2008

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**NOTICE**

**ESTATE LATE: MBONGENI BARNABAS MZILENI ESTATE NO. EH71/2008**

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.

MZILENI POULETTE NTOMBIFUTHI  
P.O. Box 132  
Hluthi

J999 06-06-2008

**NOTICE**

**ESTATE LATE: FUNDISIWE PATIENCE KHUMALO NEE SIFUNDZA  
ESTATE NO. EM169/2007**

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.

CHARLES DUMISA KHUMALO  
P.O. Box 4763  
Manzini

J1001 06-06-2008

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**NOTICE**

**ESTATE LATE: ALFRED THOLISIMANGA MTFUPHA ESTATE NO. EH251/2007**

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.

PETROS GWECE & SAMSON L. MTHUPHA  
P.O. Box 13  
Mbuluzi

J1002 06-06-2008

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**NOTICE**

**ESTATE LATE: DUMSANE PETROS GULE ESTATE NO. EH120/2008**

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.

NELILE GULE  
P.O. Box 41  
Ntfontjeni

J1003 06-06-2008

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**NOTICE**

**ESTATE LATE: ROBERT NCAMISO MGUNCUZA MATSEBULA  
ESTATE NO. EM72/2008**

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.

BUSISIWE JANE MNDZEBELE  
P.O. Box 125  
Mahlanya

J1004 06-06-2008

**NOTICE**

**ESTATE LATE: SAMSON MAJAHODVWA SHABANGU  
ESTATE NO. EM2/2008**

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.

DUMSILE CONSTANCE SHABANGU  
& NTOMBIKAYISE S. SHABANGU  
P.O. Box 1484  
Manzini

J1005 06-06-2008

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**NOTICE**

**ESTATE LATE: LUCKY MUZI SIMELANE ESTATE NO. EM75/2008**

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.

LOMALANGENI PRECIOUS SIMELANE  
P.O. Box 7307  
Manzini

J1006 06-06-2008

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**NOTICE**

**ESTATE LATE: HENRY MPOPOLI DLAMINI ESTATE NO. ES167/2007**

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.

MAUREEN SESI DLAMINI  
P.O. Box 36  
Mhlosheni

J1007 06-06-2008

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**NOTICE**

**ESTATE LATE: DAVID MNIKENI MDLULI ESTATE NO. EH59/2008**

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.

MUSA D. MDLULI  
P.O. Box 150  
Mhlosheni

J1009 06-06-2008

**NOTICE**

**ESTATE LATE: MILTON MAKHOSINI DLAMINI ESTATE NO. EM327/2001**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the Second and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor 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 or her objection in writing with the executor and with the Master of the High Court at any time before the expiry of the said period.

SABELO DLAMINI  
P.O. Box 1911  
Manzini

J993 06-06-2008

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**NOTICE**

**ESTATE LATE: MUSA MOSES DLAMINI ESTATE NO. EM410/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the Second and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor 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 or her objection in writing with the executor and with the Master of the High Court at any time before the expiry of the said period.

THOKOZILE MIRRIAM SHABANGU  
P.O. Box 480  
Manzini

J994 06-06-2008

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**NOTICE**

**ESTATE LATE: LUCAS LOMAFINI SHABANGU ESTATE NO. EH65/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the Second and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor 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 or her objection in writing with the executor and with the Master of the High Court at any time before the expiry of the said period.

ABRAHAM SHABANGU  
P.O. Box 609  
Mbabane

J996 06-06-2008

**NOTICE**

**ESTATE LATE: ISAAH BHEKINKHOSI ZWANE ESTATE NO. EH50/2007**

Notice is hereby given in terms of Section 51 (2) of the Administration of Estates Act No. 28/1902 that the Second and Final Liquidation and Distribution Account will lie open for inspection at the Office of the Master of the High Court of Swaziland, Mbabane Miller's Mansion 1<sup>st</sup> Floor 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 or her objection in writing with the executor and with the Master of the High Court at any time before the expiry of the said period.

CELANI PAUL ZWANE  
P.O. Box 407  
Mbabane

J997 06-06-2008

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**NOTICE**

**NOTICE TO ALL CREDITORS OF SWAZI NEWS AGENCY  
(In Liquidation)**

Notice is hereby given to all Creditors in the above named Estate, to attend the First meeting of the Creditors at the Master of the High Court's Office, 1<sup>st</sup> Floor Millers Mansion, Gwamile Street, Mbabane, at 9:00 a.m. on the 19<sup>th</sup> day of June, 2008.

All Creditors who wish to prove their claims are reminded that they should proceed to the Liquidator's office c/o Robinson Bertram Attorneys, Lot 44 & 45 Ingcongwane Building, Mbabane, to collect their forms and must submit them 24 hours before the meeting, failing which they will not be permitted to vote at the said meeting.

J1000 06-06-2008

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**NOTICE**

**ESTATE LATE: MICHAELIHAH NCANE KUNENE ESTATE NO. EM203/2004**

Debtors and Creditors in the above Estate are hereby called upon to lodge their claims with and pay their debts to the undersigned within thirty (30) days from date of publication of this notice.

ROBINSON BERTRAM  
Attorneys for Executors / Testamentary  
Executrix / Dative  
First Floor, Ingcongwane Building  
Ngwamile Street  
P.O. Box 24  
Mbabane

J1010 06-06-2008

**The Government Printer, Mbabane**

# **SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE**

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VOL. XLVI]

MBABANE, Friday, JUNE 6<sup>th</sup> 2008

[No. 78

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## **CONTENTS**

<b>No.</b>	<b>Page</b>
<b>PART A - BILL</b>	
12. The Swaziland Nursing Council Bill, 2008 .....	S1
<b>PART C - LEGAL NOTICE</b>	
110. The Appointment of a Member of the Natural Resources Board Notice, 2008 .....	S17

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**PUBLISHED BY AUTHORITY**

THE SWAZILAND NURSING COUNCIL BILL, 2008  
(Bill No. 12 of 2008)

(To be presented by the Minister for Health and Social Welfare)

MEMORANDUM OF OBJECTS AND REASONS

The objects of this bill are to-

- (a) provide for the regulation of nursing education and practice and protecting the public from unsafe health practices;
- (b) establish the Swaziland Nursing Council and to define the powers and functions of the Council.
- (c) promote, preserve and protect the health, safety and welfare of the community by and through effective control and regulation of nursing education and practice;
- (d) ensure that a person practising or offering to practise nursing, as defined in this Act, or using the title of registered nurse, nurse specialist, enrolled nurse or nursing assistant after the effective date of this Act, within the country shall, before entering upon practice, be licensed as provided in this Act;
- (e) repeal the Nurses and Midwives Act of 1965; and
- (f) provide for other matters incidental to the above objects.

**J. M. DLAMINI**  
*ATTORNEY GENERAL*

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**A BILL**  
Entitled

An Act to make provision regarding nursing education and practice in Swaziland.

**ENACTED** by the King and the Parliament of Swaziland.

***Arrangement of sections***

1. Short title and commencement
2. Interpretations
3. Establishment of the Council
4. Objects of the Council
5. Composition of the Council
6. Tenure of office
7. Meetings of the Council

8. Powers of the Council
9. Functions of the Council
10. Appointment of committees
11. Appointment of the registrar
12. Control of nursing education and training
13. Registration of nursing students
14. Registration
15. Temporal registration
16. Enrolment of enrolled nursing students
17. Enrolment
18. Protection of the title "nurse"
19. Restriction and suspension from practice of a registered or enrolled person
20. Financing of the Council
21. Reporting and auditing
22. Offences
23. Penalties
24. Inquiry into improper or disgraceful conduct
25. Proceedings at an inquiry
26. Proof of improper or disgraceful conduct
27. Penalties for improper and disgraceful conduct
28. Review to the high court
29. Power of Council after award of penalty
30. Limitation of liability
31. Regulations
32. Repeal of the Nurses and Midwives Act of 1965
33. Savings

***Short title and commencement***

1. (1) This Act may be cited as the Swaziland Nursing Council Act, 2008.

(2) This Act shall come into force on the date of publication.

***Interpretation***

2. In this Act unless the context otherwise requires -

**"approval"** means the process by which the Swaziland Nursing Council grants official recognition to nursing education programmes and practising institutions;

**"chairperson"** means, as appropriate, chairperson of the Council or other committees under this Act;

**"Council"** means the Swaziland Nursing Council established in section 3;

**"Director of Education"** means Director of Education as defined in the Education Act No.9 of 1981;

**"education officer"** means an educator in the Ministry of Education;

**"enrolled nurse"** means a person who has successfully completed a programme of enrolled nursing education and is authorised by the Swaziland Nursing Council to practise as an enrolled nurse in Swaziland;

**"health care setting"** means a facility where health care services may be rendered by a person authorised under the provisions of this Act;

**"health care professional"** includes a registered nurse and a person registered with the Swaziland Medical and Dental Council;

**"inquiry"** means an inquiry under Section 24 of this Act;

**"licence"** means a written permission granted by Council to qualifying a person, an institution or an agency to perform nursing functions;

**"licensure"** means the process by which the Swaziland Nursing Council grants permission to a person meeting the predetermined qualifications to practise nursing, and to institutions or agencies to perform specific nursing functions;

**"Minister"** means the Minister responsible for Health;

**"nurse"** means a person who is qualified as a nurse and authorised to practice as such by the Swaziland Nursing Council;

**"nurse manager"** means a nurse registered with the Swaziland Nursing Council and who is practising in a managerial position;

**"nurse educator"** means a nurse registered with the Swaziland Nursing Council and holds a recognised qualification and is currently practising nursing education;

**"nurse specialist"** means a nurse who is qualified beyond the level of a registered nurse and is authorised by the Swaziland Nursing Council to practise in a specialised branch of nursing;

"nursing" means a profession which is an art and caring science which -

- (a) is an integral part of the health care system, encompassing autonomous and collaborative care of individuals of all ages, families, groups and communities, sick or well in all settings; and,
- (b) includes the promotion of health, prevention of illness, therapeutic, palliative and rehabilitative care, utilizing the nursing process as a basis for provision of quality health care;

"nursing assistant" means a person who has successfully completed a programme of nursing assistant education and is authorised by the Swaziland Nursing Council to practise as nursing assistant in Swaziland;

"nursing education institution" means a school of nursing authorized by the Swaziland Nursing Council to offer a programme of study in nursing;

"nursing practice" means the provision of care to a person in a variety of health care settings to maintain and attain optimum health status through assessment, nursing diagnosis, planning, and implementing strategies of care to accomplish defined goals, and evaluating responses to care;

"nursing student" means a person who is undergoing a training programme in nursing, in an institution recognized by the Council, and whose name appears in a register or roll of nursing students;

"register" means a register kept in accordance with section 14;

"registered" means entered in any of the registers kept under section 14;

"registered nurse" means a person who has successfully completed a programme of generalised nursing education and is authorised by the Swaziland Nursing Council to practise as a professional nurse in Swaziland;

"registration" means the process of being entered in the register or roll under sections 14 and 17 of this Act;

"registrar" means a person appointed under section 11 of this Act;

"roll" means the roll kept in accordance with sections 17;

"temporary registration" means registration as provided by the Swaziland Nursing Council under section 15 of this Act;

#### ***Establishment of the Council***

3. (1) There is established a "Council" called the Swaziland Nursing Council.

(2) The Council is a body corporate with perpetual succession and a common seal and is capable of suing and being sued in its corporate name and to do all such things as a body corporate may do.

#### ***Objects of the Council***

4. (1) The objects of the Council are to -

- (a) regulate nursing education and practice and protect the public from unsafe practices;
- (b) set standards for nursing education and practice to ensure quality care;
- (c) confer accountability, dignity and status on the profession; and
- (d) advise the Minister on matters falling within the scope of this Act.

***Composition of the Council***

5. (1) The Council shall be composed of the following persons -

- (a) the Chief Nursing Officer who shall be an ex-officio member and shall convene the first meeting of the first term of office, at which the Council shall elect the Chairperson and Vice Chairperson from among the members;
- (b) a nurse educator from the Nursing Education Department of the University of Swaziland appointed by the Vice Chancellor;
- (c) an education officer who will be appointed by the Minister;
- (d) a nurse educator elected by the nurse educators;
- (e) an enrolled nurse elected by enrolled nurses;
- (f) a nursing assistant elected by nursing assistants;
- (g) two health professionals, who shall be nominated by the Minister;
- (h) three registered nurses elected by registered nurses;
- (i) a nursing student elected by nursing students;
- (j) a legal practitioner appointed by the Attorney General;
- (k) two members to represent public interests, nominated by the Consumer Association;

(2) The Council may co-opt for service in Council, for a specified period, a person having special knowledge or experience of the nursing profession but such person shall not exercise a vote at a meeting of the Council or count for the quorum.

(3) The Minister shall give notice in the gazette of the appointment of all persons to the Council, and the date of commencement of membership.

***Tenure of office***

6. (1) A member of the Council shall, subject to this section, hold office for a period not exceeding four years and shall be eligible for re-appointment.

(2) A member of the Council shall vacate office where the member -

- (a) resigns from the office;
- (b) is absent from three consecutive meetings of the Council without leave of Chairman;

- (c) becomes unable to perform Nursing Council duties due to ill health, absence from Swaziland or any other cause;
- (d) becomes insolvent under any law and has not been rehabilitated;
- (e) has been convicted of a criminal offence by a Court of Law; or
- (f) ceases to hold office or qualifications by virtue of which the member was appointed.

(3) Where a member of the Council ceases to be a member before the expiry of term of office, the member may be replaced by appointing or electing another person to hold office for the unexpired term of the predecessor.

#### ***Meetings of the Council***

7. (1) The Chairperson shall preside in all meetings of Council and where the Chairperson is absent, the Vice Chairperson shall preside.

(2) The Council shall hold at least two ordinary meetings annually.

(3) The Chairperson may in consultation with the Registrar call an additional or a special meeting.

(4) The Chairperson may convene a special meeting upon written request of at least one third of the membership of the Council and that request shall state clearly the purpose for which the meeting is requested.

(5) At least two thirds of the membership including the Chairperson or Vice Chairperson shall constitute a quorum of the Council.

(6) The decision of the majority of the members present and voting at a meeting shall be the decision of the Council and the chairperson shall also have a casting vote.

#### ***Powers of the Council***

8. (1) The Council has power to -

- (a) regulate nursing education and practice for purpose of enforcing the provisions of this Act;
- (b) develop, adopt and amend rules and regulations;
- (c) educate the public about provisions of this Act;
- (d) discipline enrolled persons, registered nurses, enrolled nurses and nursing assistants for professional misconduct;
- (e) set up committees for the purpose of carrying out work of the Council;
- (f) inspect health care facilities to ensure satisfactory conditions for the practice of nursing;
- (g) approve and withdraw approval of private clinics and nursing agencies owned and operated by registered nurses;

- (h) define and prescribe the scope of nursing practice;

(2) The Council may communicate to the Minister information on matters of public importance acquired by the Council in the course of the performance of its functions under this Act.

***Functions of the Council***

9. (1) The Council shall -

- (a) develop guidelines and standards for nursing education and practice;
- (b) maintain and publish up to date register and roll of all persons mentioned in this Act;
- (c) prescribe the conditions for the removal, suspension from the register or roll, and where necessary the restoration of the names to the register or roll;
- (d) prescribe distinguishing devices indicating the status of persons registered or enrolled by the Council;
- (e) approve nursing education institutions in accordance with the prescribed conditions;
- (f) inspect nursing education institutions and health care facilities, withdraw or suspend approval of any such institutions not complying with prescribed conditions;
- (g) develop standards for approval of private facilities and nursing agencies owned and operated by registered nurses;
- (h) conduct periodic assessment of clinics privately owned and operated by a registered nurse;
- (i) employ such staff officers and others as may be necessary for the discharge of its duties and, prescribe their functions and conditions of service;
- (j) set fees and allowances paid to persons who provide services to the Council;
- (k) set fees for registration, restoration, approval of educational institutions, programmes, private clinics and any other services carried out by the Council;
- (l) conduct investigations and hearings into any alleged violations of this Act, code of professional conduct, rules and regulations and to discipline any violators according to the provisions of this Act;
- (m) designate and regulate nursing assistants, enrolled nurses, registered nurses and nurse specialists;
- (n) develop terms of reference for standing committees and any other committees for more effective functioning of the Council; and
- (o) perform such other functions as may be prescribed, and generally do all such things, as it may deem necessary or expedient to achieve the objects of this Act.

(2) Subject to the provisions of this Act, the Council may consider all matters affecting nursing education and practise, and make such recommendations to the Minister as it considers advisable.

*Appointment of committees*

10. (1) The Council shall appoint the following standing Committees -

- (a) financial;
- (b) educational and licensure;
- (c) administrative;
- (e) ethics and standards; and
- (d) disciplinary.

(2) The Council may appoint such other standing or ad hoc Committees as it may deem necessary.

(3) Any committee appointed by the Council under subsection (1) or (2) shall consist of such persons as the Council may deem necessary.

(4) Except where the Council has by resolution authorized a Committee to manage, regulate, or conclude any matter, no act of a Committee shall be binding on the Council until it has been approved by the Council.

(5) A decision of a committee may be reviewed, corrected or set aside by the Council.

(6) Any Committee appointed under this section shall elect its own chairperson, vice chairperson and secretary.

*Appointment of the registrar*

11. (1) The Council shall appoint a Registrar for purposes of carrying out its functions under this Act, as well as such functions and duties as may from time to time be assigned to, or imposed upon the Registrar by the Council.

(2) The Registrar shall be a person who possesses the necessary nursing qualifications as may be approved by the Council.

*Control of nursing education and training*

12. (1) Notwithstanding anything to the contrary in any law, a person or institution shall not offer or provide any nursing education or training which is intended to qualify any person to practise nursing to which the provisions of this Act apply, unless that education or training has been approved by the Council.

(2) A person or institution intending to offer or to provide the education and training referred to in subsection (1) shall, before offering or providing the education and training, apply to the Council in writing for approval of the education and training and shall furnish such particulars regarding the education and training as the Council may require.

(3) The Council may approve or refuse any application made in terms of subsection (2) and may, where it approves the application determine any condition or requirement it deems fit, to which the education or training shall be subject.

(4) A decision made by the Council in terms of subsection (3) shall be final.

(5) A person who contravenes or fails to comply with any provision of this section or any condition or requirement determined there under, commits an offence and shall be liable on conviction to a fine not exceeding twenty thousand Emalangeni or imprisonment for a period not exceeding five years or to both such fine and such imprisonment.

### ***Registration of nursing students***

13. (1) A person shall, on commencing education and training as a nursing student at an approved institution, apply for registration with the Council.

(2) The Council shall register as a nursing student, a person undergoing education and training at an approved nursing education institution, who has complied with the prescribed conditions and has furnished the prescribed particulars.

(3) A person in charge of an approved nursing institution shall forthwith notify the Council of the termination of the education and training of a nursing student whether by reason of abandonment, completion of education and training or a transfer or for any other reason.

### ***Registration***

14. (1) The Registrar shall under the direction of the Council, compile and keep the following registers -

- (a) nursing students;
- (b) registered nurses;
- (c) each nursing specially recognized by Council;
- (d) temporary register; and
- (e) such other registers as may from time to time be required by the Council.

(2) Subject to the payment of a registration fee, there shall be entered and maintained in the appropriate register the names and addresses of all persons entitled to be registered under this Act together with the "professional qualifications" of those persons and any other particulars as may be prescribed by Council.

(3) Except as otherwise provided in this Act or any regulation made under this Act a person shall be entitled to be registered in the appropriate register after satisfying the Council that the person -

- (a) is undergoing an approved nursing education programme; or
- (b) has undergone an approved nursing education programme, and has passed the appropriate examination.

(4) A person who intends to be registered, in terms of this Act as a registered nurse or nurse specialist, as the case may be, shall apply to the Council and submit the qualification which, entitles that person to registration, together with such proof of identity, authenticity and validity of the qualification as may be required by the Council.

(5) A person shall not be entitled to practise as a registered nurse or nurse specialist or as a nursing student unless that person is registered in accordance with the provisions of this Act.

(6) If the Council is satisfied that the qualifications and the other documents submitted in support of the application comply with the requirements of this Act, the Council may register the applicant, upon payment of the prescribed fee.

(7) The applicant may upon registration, subject to this Act or any other law, practise the profession in respect of which the applicant has applied.

***Temporary registration***

15. The Council may register, as a nurse for a period not exceeding two years, a person who is -

- (a) registered as a nurse in a country or state outside the Kingdom of Swaziland by virtue of qualifications obtained in that country or state after undergoing education and training for the prescribed period;
- (b) a nursing student in a country or state outside the Kingdom of Swaziland and is not entitled to enrolment as a nursing student in terms of section 16 because that person is not undergoing education and training as prescribed by Council;
- (c) required to undergo further education and comply with the requirements prescribed in respect of the nature of the education and training.

***Enrolment of nursing students***

16. (1) Every person shall, on commencing or resuming education and training as an enrolled nursing student at an approved institution, apply for enrolment with the Council.

(2) The Council shall enroll as an enrolled nursing student a person undergoing education and training at an approved nursing education institution, who has complied with the prescribed conditions and has furnished the prescribed particulars.

(3) The person in charge of an approved nursing institution shall forthwith notify the Council of the termination of the education and training of an enrolled nursing student, whether by reason of abandonment or completion of education and training or a transfer or for any other reason.

***Enrolment***

17. (1) The Registrar shall, under the direction of the Council, compile and keep the following rolls of -

- (a) enrolled nursing students;
- (b) enrolled nurses;
- (c) nursing assistants;

(2) Subject to the payment of an enrolment fee, there shall be entered and maintained on the appropriate roll the names and addresses of all persons entitled to be enrolled under this Act together with the qualifications of those persons and such other particulars as may be prescribed by Council.

(3) Except as otherwise provided in this Act or regulations made under this Act, a person shall be entitled to enroll on the appropriate roll and satisfy the Council that the person -

- (a) is undergoing an approved enrolled nursing programme;

- (b) has undergone an approved enrolled nursing programme;
- (c) has undergone an approved nursing assistant programme;
- (d) has passed the appropriate examination.

***Protection of the title "nurse"***

18. The title "Nurse" shall only be used by a person legally authorised to practise within the scope of nursing under this Act.

***Restriction and suspension from practice of a registered or enrolled person***

19. (1) Where it appears to the Council that a person registered or enrolled under this Act has -

- (a) become mentally or physically unfit to such an extent that it would be detrimental to the public interest to allow the person to continue to practise;
- (b) become addicted to the use of any habit-forming substance; or
- (c) used, possessed, prescribed, administered or supplied any drug for other than medical purpose.

the Council may restrict or suspend that person from practice pending a full enquiry in terms of subsection (2).

(2) The Council shall investigate and may, if it deems it necessary, hold an inquiry, subject to necessary charges in accordance with the provisions of section 24 and 25 and the regulation, in respect of that person.

(3) If the Council after holding an inquiry under subsection (2) finds that circumstance contemplated in subsection (1) exists -

- (a) in case of a person in respect of whom any circumstances contemplated in paragraph (a) of subsection (1) exist, the council may by order -
  - (i) suspension of such a person for a specific period from practising the profession or performing an act pertaining to the profession or,
  - (ii) imposition of such conditions as the council may deem fit, subject to which such a person shall be entitled to continue practising the profession.
  - (iii) restriction of such a person from practising nursing.
- (b) where the Council after holding an inquiry under subsection (2) find that circumstances contemplated under subsection (1) (b) or (c) exist, the council may order -
  - (i) impose upon that a person any of the penalties referred to in section 27; or
  - (ii) impose for a specific period such conditions as the council may deem fit, subject to which that person shall be entitled to purchase, acquire, keep, use, administer, prescribe, order, supply or possess any substance.

(4) The Council may extend for any period of operation any order made under subsection (3) or withdraw or in any other manner amend such an order.

### ***Financing of the Council***

20. (1) All registration, enrolment, examination, licence, inspection, approval of fees and any other fees payable under this Act shall be paid to the Council and shall constitute funds of the Council and the Council shall utilise those funds for defraying expenses incurred in connection with the performance of the functions of the Council.

(2) The Council may invest any unexpended portion of its monies and may establish such reserve funds and pay into those funds such amounts, as the Council may deem necessary or expedient.

(3) The Council may purchase assets, borrow money, use the assets as security, seek and accept any donation and administer any trust.

(4) The Council may make a donation to any body or institution the Council may deem necessary.

(5) The Council shall set fees and allowances to be paid to persons who provide services to the Council.

### ***Reporting and auditing***

21. (1) The Council shall, as soon as possible after the end of each financial year, submit to the Minister -

- (a) a report in respect of the discharge of its functions; and
- (b) an audited financial statement during the past year.

(2) The Minister shall lay the report and financial statement before Parliament for consideration during budget debates.

### ***Offences***

22. (1) A person who is not registered or enrolled as such shall not -

- (a) make use of the title "nursing student, enrolled nursing student or enrolled nurse, nursing assistant, registered nurse, or nurse specialist";
- (b) hold that person out, directly or indirectly, as being so registered or enrolled; or
- (c) wear a uniform, badge or other distinguishing device prescribed for registered nurses, enrolled nurses, nursing assistant or nurse specialists or a colourable imitation of such a device.

(2) A person who is not registered or enrolled, although qualified to be registered or enrolled, shall not practise for gain as a registered nurse, enrolled nurse, nursing assistant or nurse specialist in any of the qualifications recognised by Council under this Act.

(3) A person shall not -

- (a) engage in the practice of nursing as defined in this Act without a valid and current licence, except as otherwise permitted under this Act or regulations;

- (b) practise nursing during the time when the licence is suspended, revoked, surrendered, inactive or lapsed;
- (c) employ or assign unlicensed persons in the practice of nursing;
- (d) withhold or fail to report information relating to violations of this Act;
- (e) practise nursing under the cover of any certificate, licence or record illegally or fraudulently obtained, signed or issued unlawfully or under fraudulent representation;
- (f) use any words, abbreviations, figures, letters, titles, signs, cards or devices tending to imply that the person is a registered nurse, enrolled nurse, nursing assistant or nurse specialist unless such a person is duly licenced so to practise under the provisions of this Act;
- (g) fraudulently obtain or furnish a licence by or for money or any other thing of value;
- (h) take, use or publish a name, title, description or symbol indicating, or calculated to lead persons to infer, that the person possesses a qualification not registered or enrolled as the case may be in respect of the name of that person; or
- (i) otherwise violate or aid or abet another person to violate any provision of this Act.

#### ***Penalties***

23. (1) A person who contravenes section 22 (1) and (2) commits an offence and is liable on conviction to a fine not exceeding fifteen thousand Emalangeni or to a term of imprisonment of three years or both fine and imprisonment.

(2) A person who contravene section 22 (3) (a), (b), (c) and (d) commits an offence and is liable on conviction to a fine not exceeding ten thousand Emalangeni or to a term of imprisonment of two years or both fine and imprisonment.

(3) A person who contravene section 22 (3) (e), (f), (g), (h), and (i) commits an offence and is liable on conviction to a fine not exceeding five thousand Emalangeni or to a term of imprisonment of one year or to both fine and imprisonment.

#### ***Inquiry into improper or disgraceful conduct***

24. Without prejudice to any proceedings for an offence under this Act the Council may, in the prescribed manner, inquire into a complaint, charge or other allegation of improper or disgraceful conduct against a registered or enrolled person whether that complaint, charge, allegation or conduct relates to the profession of that person or whether the complaint, charge, allegation or conduct is prescribed as constituting improper or disgraceful conduct (professional misconduct) in terms of this Act.

#### ***Proceedings at an inquiry***

25. (1) Proceedings at an inquiry shall be fair and observe rules of natural justice.

(2) All proceedings of every inquiry shall be conducted in public unless otherwise decided by all parties and the outcome of the proceedings shall be made public.

(3) The Council may exclude from the proceedings persons other than the parties to the proceedings and the legal representatives of those parties to such an extent as the Council may by law be -

(a) empowered to do or may consider necessary or expedient in the circumstances where publicity will prejudice the interest of justice or in interlocutory proceedings or in the interest of morality, the welfare of persons under the age of 18 years or the protection of the private lives of persons concerned in the proceedings; or

(b) required to do in the interest of defence, public safety, public order or morality.

(4) For the purpose of such inquiry, the Council may -

(a) collect evidence;

(b) subpoena, under the hand of the chairperson or the member presiding, any person to give evidence or to produce records or documents and items;

(c) through the chairperson or the member presiding administer an oath or accept an affirmation or declaration in lieu of an oath; and

(d) examine any record, document or item produced.

(5) A subpoena mentioned in sub-section (4) (b) shall be -

(a) in a form approved by the Minister; and

(b) served in the same manner as a subpoena is served in a criminal case in a magistrate's court or by registered post.

(6) A person subpoenaed in connection with an inquiry under this Act shall -

(a) not be bound to incriminate that person; and

(b) be entitled to the same privileges and fees, at the expense of the Council, as those of a witness in a criminal case before a magistrate's court.

(7) A person who is subpoenaed and -

(a) without reasonable excuse, fails to comply with terms of the subpoena; or

(b) saving any lawful objections, refuses to be sworn or to take an oath or to make an affirmation or declaration or to answer fully and satisfactorily, a question lawfully put to him,

commits an offence and is liable on conviction to a fine not exceeding two thousand Emalangeni or imprisonment for six months or both such fine and imprisonment.

(8) Any person who having taken an oath or made an affirmation or declaration, gives false evidence at an inquiry knowing the evidence to be false, or not believing it to be true, commits an offence and is liable on conviction to a penalty to be determined by the Court.

(9) Where the evidence in support of an allegation is documentary, or where the Council thinks fit, the Registrar may, as a nominal complainant, institute an inquiry.

(10) The Council may appoint a Legal Adviser as an assessor to be present at an inquiry to advise the Council on matters of law, procedure and evidence.

(11) Where a complainant or defendant expresses to the Council a desire to have persons subpoenaed to give evidence, or to produce records or other documents or items, the Council may exercise the powers under subsection (4) (b).

(12) Where the Council serves a subpoena on a person, it may, if the Council thinks fit, require that person, at whose instance the subpoena is issued to deposit a sum sufficient to cover the costs incurred and pay those costs out of the amount so deposited.

***Proof of improper or disgraceful conduct***

26. The conviction, by a court, of a registered or enrolled person of an offence the commission of which, in the opinion of the Council, constitutes improper or disgraceful conduct shall for the purpose of an inquiry, under this Act unless the contrary is proved, be proof of improper or disgraceful conduct by that person.

***Penalties for improper or disgraceful conduct***

27. Where, at an inquiry, the Council finds the allegation of an improper or disgraceful conduct to have been proven, it may impose on the person -

- (a) a caution or reprimand or both;
- (b) a suspension, for a specified period, from practising in Swaziland in the capacity in which the person is registered or enrolled;
- (c) a cancellation of the registration or enrolment and the removal of the name of that person from the register or roll; or
- (d) a fine not exceeding five thousand Emalangeni.

***Review by the High Court***

28. A person aggrieved by the decision of the Council may within thirty days (30) apply for a review at the High Court.

***Council's power after award of penalty***

29. Upon application by a person who was convicted in terms of section 27 (b) or (c), Council may if it thinks fit -

- (a) before the expiry of the period specified under section 27 (b) terminate the suspension, or
- (b) restore to a register or roll a name removed under section 27 (c).

***Limitation of liability of the Council or Committee***

30. Save as provided in this Act, the Council or a committee of the Council or any member or officer of the Council shall not be liable in a personal capacity in respect of any act done or omitted to be done in good faith or duty performed in accordance with the provisions of this Act.

***Regulations***

31 .The Minister may make regulations for the better carrying out of this Act.

***Repeal of the Nurses and Midwives Act, 1965***

32. The Nurses and Midwives Act, 1965 is repealed.

***Savings***

33. Regulations or rules made under the Nurses and Midwives Act, 1965 shall remain in force unless amended or revoked or otherwise in conflict with this Act.

# PART C

S17

## LEGAL NOTICE NO. 110 OF 2008

### THE NATURAL RESOURCES ACT, 1951 (Act No. 71 of 1951)

#### THE APPOINTMENT OF A MEMBER OF THE NATURAL RESOURCES BOARD NOTICE, 2008 (Under Section 3)

In exercise of the powers conferred by Section 3 of the Natural Resources Act, 1951, the Minister makes the following Notice -

#### *Citation and Commencement*

1. (1) This Notice may be cited as the Appointment of a Member of the Natural Resources Board Notice, 2008.

(2) This Notice shall be deemed to have come into force on the 19 March, 2008.

#### *Appointment of Member*

2. Dumsane Z. Mngomezulu is appointed as a member of the Natural Resources Board with effect from the 19 March, 2008 for a period of three years.

**LUCY T. DLAMINI**  
*PRINCIPAL SECRETARY*  
*MINISTRY FOR NATURAL RESOURCES AND ENERGY*