

SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE

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CORRIGENDUM

LEGAL NOTICE NO. 8 OF 1978

THE CONTROL OF NATURAL THERAPEUTIC PRACTITIONERS
REGULATIONS, 1978

(Published at Page S2 Part "C" of the Supplement to the Government Gazette of Friday, February 24th, 1978, No. 877 Vol. XVI).

*Amendment of Regulation 10 of the Registration and Control of
Para-Medical Practitioners Regulations, 1972.*

4. "10 (2) should read —

"(2) Sections 22, 23 and 33 of the Act shall *mutatis mutandis* apply to the calling of a para-medical practitioner and to a natural therapeutic practitioner as they apply to a medical practitioner or dentist".

Mbabane
1st March, 1978.

LEGAL NOTICE NO. 17 OF 1978

MAGISTRATE'S COURT ACT,

(No. 66 of 1938)

MAGISTRATE'S COURTS (AMENDMENT) RULES, 1978

(Under section 95)

In exercise of the powers conferred upon me by the abovementioned Act, I, CHARLES JOSEPH MANFRED NATHAN the Chief Justice of Swaziland, am pleased to make the following Rules.

(Date of commencement: 10th March, 1978)

Citation.

1. These Rules may be cited as the Magistrates's Courts (Amendment) Rules, 1978.

Amendment of Table B of the Second Annexure to the Magistrate's Courts Rules.

2. Table B of the Second Annexure to the Magistrate's Courts Rules is repealed and the following Table is substituted:

TABLE B

Tariff of Fees of Messengers

- "1. (a) Service or attempted service of any process other than processes provided for in paragraphs 24 to 27 hereof: E2.00
 Provided that if more persons than one have to be served with the same process at the same place, 50 cents may be added for service or attempted service on each additional person.
- (b) If any document to be served with a process is mentioned in such process, no fee shall be charged for the service or attempted service of such document; otherwise a fee of 50 cents may be charged for the service or attempted service of each separate document on each person.
- (c) Endorsement and notification under Order II Rule 4 and 5. Also entering into Messenger's record book. E1.0
- (d) A flat rate of E6 on all summonses.
2. (a) Travelling allowance shall not be charged for service or attempted service of any process within 5 kilometres from the Court house, but subsistence allowance shall be paid in addition to travelling allowance at the rate of E3.00 per day for service over 5 kilometres from the Court house,

- (b) Travelling allowance for service or attempted service of any process shall be at the rate of 20 cents per kilometre or part thereof travelled from the Court house to the place of service and back.

- (c) Travelling allowance shall be payable on each separate service:

Provided that if the same process is to be served on more than one person at the same address only one charge for travelling shall be made.

- (d) If it is necessary for a Messenger to convey any person under arrest from any distance, the travelling allowance payable to the Messenger from the place of arrest to the place of custody shall be doubled.

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|--------|--|-------|
| 3. (a) | Inventory per 100 words or part thereof | E1.00 |
| (b) | Each necessary copy thereof (if actually made) | 50 |
| 4. (a) | Notice of attachment | E1.00 |
| (b) | Each necessary copy thereof (if actually made) | 50 |
| 5. (a) | Drawing advertisement for sale of goods attached | E2.00 |
| (b) | Costs of advertisement shall be charged as per amount reflected on a receipt produced by the Messenger. | |
| (c) | Any notice of a sale published at the Court house and any other public places. | E1.50 |
| 6. (a) | If a writ is paid in full or part on presentation of 3% of the amount paid. | |
| (b) | If a writ is stayed or withdrawn by the Judgment creditor or the Judgment debtor's estate is sequestrated before attachment of any movable property, 2% of the amount of the writ. | |
| (c) | If a writ is stayed, withdrawn by the Judgment creditor or the Judgment debtor's estate is sequestrate after attachment of any movable property but before the sale of the property, 3% of the amount of the writ: | |

Provided that if a sale subsequently takes place in consequence of such attachment the amount so paid shall be deducted from the commission payable under paragraph 7.

- (d) If a writ is paid by the Judgment debtor to the Messenger or the party issuing it after attachment of any movable property but before the sale of the property, 4% of the amount of the writ.
7. Commission on the sale of movable property attached, 5% on the amount realised.
 8. If immovable property has been attached but the writ is stayed, withdrawn by the Judgment creditor or the Judgment debtor's estate is sequestrated before sale, 4% of the amount of the writ plus proved expenses in connection with attempted sale.
 9. Commission on immovable property which has been sold in execution, 5% of the amount realised.
 10. Fee for ascertaining whether or not an immovable property is subject to a claim ranking in priority. E1.00
 11. Notice requiring a judgment debtor to deliver all documents in his possession or under his control relating to his title of an attached immovable property. E1.00
 12. Notice of Judgment creditor of a claim to any attached property movable or immovable by a third party. E1.00
 13. Preparing and issuing interpleader summons as per scale applicable to attorneys:

Provided that such fees shall be based on the valuation of the attached property as shown in the inventory.
 14. Vendu Roll E5.00
 15. Costs of transfer of immovable property, as per scale applicable to conveyancers.
 16. Fees payable to a custodian (other than the debtor), or the Messenger for keeping possession of or storing property attached per day. E1.00
 17. Fee for removing or conveying attached goods per motor vehicle, 40 cents per mile from place of attachment to the place of storage or sale.
 18. Driving livestock from place of attachment to place of custody or sale (5 people only at E1.00 each per day).
 19. Herding and preserving attached livestock as per fees charged by the Ministry of Agriculture at cattle holdings.

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20.	Insuring attached movable property if necessary, and or on instructions of the party issuing a writ, or in addition to the premium paid.	
21.	Effecting arrest.	E5.00
22.	Conveying an arrested person from the place of custody to Court 20c per mile travelled between Court house and the place of custody.	
23.	Drawing a Bail Bodn, Deed of Security or Indemnity.	E4.00
24.	Executing a writ of attachment of movable property.	E3.00
25.	Executing a writ of ejectment.	E4.00
26.	Executing a writ of attachment of immovable property or attachment suspectus de fuga, including notices incidental thereto.	E3.00
27.	Executing a writ of attachment of pension, salary, wages and inheritance of rights of similar character and each notice to the parties concerned.	E3.00
28.	Notice of Registrar of Deeds withdrawing an attachment on immovable property.	E3.00
29. (a)	In addition to the above fees Messengers shall be entitled to postage and telephone calls paid by them.	
29. (b)	For all necessary letters and memos etc. to attorneys, per letter.	E1.00
30.	For time enquiring or obtaining stock removal permits.	E3.00
31.	For waiting or standing when transport has been hired to remove property (per hour or part thereof) added.	E4.00
32.	For any delay caused to a Messenger engaged in serving any process (including travelling by foot, where no other means practicable, per hour or part thereof	E2.00
33.	The fees and charges for all work reasonably and necessarily done in the service or execution of processes for which no provision may be made in this tariff, shall be assessed and every question arising under or relative to such tariff shall be determined by the Taxing officer".	

C. J. M. NATHAN

Chief Justice.

Mbabane
28th. February, 1978.

The Government Printer, Mbabane