

14

SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

VOL. XVI]

MBABANE, Friday, July 7th. 1978

[No. 896

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THE WAGES ACT, 1964

(No. 16 of 1964)

REGULATION OF WAGES (MANUFACTURING AND
PROCESSING INDUSTRIES) ORDER, 1978

(Under Section 11(5))

(Date of commencement: 7th July 1978)

In exercise of the powers conferred upon him by the above-mentioned Act, the Honourable the Deputy Prime Minister is pleased to make the following Order:—

Citation.

1. This Order may be cited as The Regulation of Wages (Manufacturing and Processing Industries) Order, 1978.

Interpretation.

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

“Artisan Grade I” means an employee in possession of a Grade I Trade Test Certificate;

“Artisan Grade II” means an employee in possession of a Grade II Trade Test Certificate or has served a recognized apprenticeship;

“Artisan Grade III” means an employee in possession of Grade III Trade Test Certificate;

“Baker” means an employee with not less than four years experience in baking bread;

“Baker/confectioner” means an employee with not less than four years experience in making bread and confectionary;

“binder assistant” means an employee whose duty is to receive printed matter from the machine, to collate, stitch, pad round corner, punch, fold, count, number, perforate;

“boiler operator” means an employee engaged in operating a boiler;

“casual employee” means an employee the terms of whose engagement provide for his payment at the end of each day and who is not engaged for a longer period than 24 hours at a time;

“cattle buyer” means an employee who buys livestock for himself or for any other party and includes any person employed by him;

“clerk” means an employee who is engaged full-time employment on general clerical duties;

“checker” means an employee who inspects garments for quality and finish, and who sorts them into their groups;

- “collection clerk” means an employee who collects money and who may, in addition, take orders;
- “compositor” means an employee engaged in the type (including the production of typesetting the typelasting machine) block, plates and other necessary material into a position for printing, or the making of rubber stamps and the distribution of such material after use;
- “cutter” means an employee wholly or mainly engaged in the cutting to pattern laid-up fabric by scissors or by cutting machine;
- “darkroom attendant” means an employee who makes negatives, sports and obliterates all marks and pinholes from negatives caused by dust;
- “de-boner” means an employee engaged in dissecting a carcass into final parts;
- “deliveryman” means an employee wholly or mainly engaged in the delivery of goods;
- “dispatcher” means an employee who packs or dispatches finished garments;
- “driver” means an employee in possession of a current driving licence for the class of vehicle concerned and who is in charge of a light motor vehicle;
- “drivers’ mate” means an employee who accompanies a driver, loads and unloads goods and articles;
- “driver/salesman” means an employee in possession of a current driving licence for the class of vehicle concerned, who, by means of a motor vehicle driven by himself, is engaged in delivering casually made up orders of bread or confectionary or letters, other articles or messages from an establishment, and who may collect cash in the case of cash on delivery sales and accept written orders and who is responsible for goods taken out and cash received and, who may sell bread and confectionary or canvas for orders;
- “driver/salesman assistant” means an employee who accompanies or assists a driver/salesman on his duties;
- “foreman” means an employee who is engaged in a supervisory capacity and who adjusts machines, instructs the workers, training of personnel and capable of operating all processes in a bakery;
- “fork lift operator” means an employee who is engaged wholly or mainly in operating a forklift;
- “general labourer” means an employee who is engaged as a sweeper, cleaner or general unskilled duties;
- “hand-packer” means an employee who is engaged in packing material by hand from a bulk or loose or large container into a smaller container and who may or may not measure and seal the container;
- “handyman” means an employee who is engaged to carry out any repairs required of him, bearing in mind the limitation of his qualifications and who has responsibility for any tools or stores entrusted to him, who supervises any subordinate staff in his department and to be responsible for the allocation of their work, but does not hold a trade test certificate;

- “heavy duty driver” means an employee in possession of a current heavy duty driving licence and in charge of a vehicle of over one and one half tons and whose duties include handling to and from the taiboard, and the daily maintenance and cleaning of such vehicle;
- “induna” means an employee who supervises the workers employed in the manufacturing and processing of tobacco;
- “laboratory assistant” means an employee who assists a technician in a laboratory;
- “laboratory technician” means an employee qualified to carry out all duties in a laboratory without supervision;
- “layer” means an employee who prepares or places material for a cutter;
- “learner machine operator” means an employee engaged to operate a machine, but who may remain in this category up to a maximum period of 3 months;
- “machinist” means an employee wholly or mainly engaged in sewing by any type of machine any one or more types of garment or portion of such garment or wearing apparel, or altering or repairing any second hand clothing;
- “machine operator” means an employee engaged in operating a machine;
- “master hand” means an employee who is engaged in a supervisory capacity and who adjusts machines, instructs machinists, training of personnel and capable of operating all processes in a factory;
- “messenger” means an employee wholly or mainly engaged in carrying out errands, delivering or fetching mail, and doing simple routine tasks in an employer’s office or any establishment;
- “mono-caster attendant” means an employee whose duties are to attend to a mono type caster under the supervision of a key board operator;
- “presser” means an employee who uses a sad iron steam iron or pressing machine;
- “Proof reader” means an employee whose duties are to read the proof for any errors in spelling and lay out and to mark such errors for corrections;
- “quality supervisor” means an employee engaged in checking the quality of incoming raw material and supervising the work done by a layer and the making of necessary reports;
- “runner” means an employee who carries materials used in garment manufacture to a machinist or any other place where they are required;
- “salesman” means an employee who is engaged in promoting the sales of an employer’s products;
- “sewing machine mechanic” means an employee engaged in repairing sewing machines;
- “storeman” means an employee who in addition to the duties of a stores clerk, is responsible for ordering certain items on behalf of his employer;

“skilled machine operator” means an employee engaged in operating any machines unaided in the printing industry;

“slaughter man” means an employee engaged in stunning, bleeding, skinning, eviscerating and splitting of an ox;

“store hand” means an employee whose duties are to place the jobs as set out in the compositor into steel frames, locking up and placing them onto the printing machines ready for printing; his duties also include the knowledge of imposition;

“telephone/clerk” means an employee whose duties consists wholly or mainly in the operation of a telephone switch-board and other general clerical duties;

“watchman” means an employee who is engaged during the day or night guarding the premises or other belongings of his employer.

Application.

3. This Order shall apply to all persons employed in the Manufacturing and Processing Industries, including laundry, dry cleaning and dyeing trades and the brick/block making industry and who are engaged in the occupations specified in the First Schedule:

Provided that undertakings already covered by any of the existing Regulation of Wages Orders still in force promulgated under section 11(5) of the Wages Act No. 16 of 1964 shall be excluded.

Basic Minimum Wage.

4. The basic minimum wage to be paid to employees specified in the First Schedule which shall be deemed to include housing and transport costs, shall be calculated at a rate not less favourable than that specified therein, and shall not be reduced by any amount for transport, if any, provided by the employer:

Provided that:—

- (a) in the case of female employees engaged as general labourers or general (fruit and vegetable canning) the rate shall not be less than three fourths ($\frac{3}{4}$) of that applicable to male employees;
- (b) that an employee who, at the date of commencement of this Order, is in receipt of a higher wage for his particular occupation than the one prescribed in terms of this regulation, shall not by reason of this Order suffer reduction in such wage;
- (c) that where an employer provides accommodation for his general labourer by mutual agreement with his employees, he may deduct rental up to one lilangeni and twenty-five cents (E1.25) per week;
- (d) that all employees shall at the commencement of their employment enter into a written agreement with their employers, stating whether they are employed permanently or seasonally, and also embodying the conditions of employment with regard specially to housing and rations including specification of previous experience in the industry and the amount of their starting wage;
- (e) that casual and seasonal labourers in the fruit and vegetable canning industry shall be paid not less favourable than 80% of the rate applicable to a general labourer;

- (f) that where no adequate definition of a certain category is in existence an employer shall pay a basic wage not less favourable than that applicable to a general labourer.

Rations.

5. An employer shall, as a condition of employment, supply at his own expense weekly rations to each employee in accordance with the appropriate scale specified in the Second Schedule:

Provided that the employer may, with the consent of the employee and after having notified the Labour Commissioner, pay in lieu of such rations cash payments of not less than that specified by the Labour Commissioner from time to time.

Hours of Work.

6. (1) *Tailoring, garment making and associated Trades.*

The normal working week shall consist of forty-five hours of work.

(2) *All other Trades.*

The normal working week shall consist of forty eight hours of work with a maximum of eight hour per day or a maximum of nine hours per day where five days are worked per week:

Provided that no female employee shall be called upon to work after 6.00 p.m. in summer and 5.00 p.m. in winter or before 6.00 a.m. in summer and 7.00 a.m. in winter without her consent:

Provided further that in the case of watchmen the working week shall not be more than six shifts of twelve hours each shift.

Overtime.

7. Overtime for all employees except watchmen, shall be payable at the following rates:—

- (a) for the time worked in excess of the normal hours per week specified in regulation 6, at one and half times the basic hourly rate;
- (b) in the case of a casual labourer, for time worked in excess of eight hours, per day, at one-and-half times the basic hourly rate;

Provided that:—

- (i) no employee shall be called upon to work overtime in excess of ten hours per week without his consent;
- (ii) where shifts are maintained, overtime shall not be payable for Sundays unless an employee is working on his day of rest, such day being a period of twenty-four consecutive hours which shall be granted by every employer to each employee in every week of seven days.

Annual Leave.

8. An employee shall be entitled after each period of twelve months continuous service with an employer to fourteen calendar days as annual leave with full pay:

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

Sick Leave.

9. After continuous service for six months with an employer, an employee shall be entitled to sick leave with full pay up to a maximum of fourteen days, and to fourteen days with half pay, in each period of twelve months continuous service:

Provided that an employee shall not be entitled to such pay unless he produces to the employer a certificate of incapacity covering the period of sick leave signed by a medical practitioner duly registered under the Medical and Dental Practitioner's Act No. 3 of 1970:

Provided further that an employee shall not be eligible for sick leave under this regulation in respect of any incapacity due to gross neglect on his part.

Piece, Task or Casual Work.

10. An employee engaged on piece, task or casual work shall be entitled to wages and conditions of employment not less favourable than those specified in this Order.

Special Provisions.

11. (1) For periods of absence from his place of residence on journeys undertaken in the performance of his duties, a salesman, or driver/salesman's assistant shall be reimbursed all expenses reasonably incurred on lodging and meals during each period of absence.

(2) No female employee shall be called upon to do heavy manual work unsuited for her sex and condition.

Lay-Off.

12. (1) A lay-off due to circumstances beyond an employer's control shall not extend beyond fourteen working days but at the end of the period of lay-off employees shall be re-employed in their original categories or given notice of termination of service in accordance with the provisions of the Employment Act No. 51 of 1962:

Provided that during the period of lay off the employer shall not engage other employees to fill in the vacancies created by those laid off.

(2) In the case of permanent employees, the employer shall give lay-off notices fourteen days before the occurrence of the lay-off.

(3) In the case of seasonal employees, the employer shall give lay-off notices twenty-four hours before the occurrence of the lay-off.

Trade Testing.

13. An employer shall allow any employee unpaid leave of absence to undergo trade testing at the Swaziland College of Technology at the employee's request on a date fixed by the College:

Provided that the employee shall be required to furnish the employer with the results of his examination.

Repeal.

14. Legal Notice No. 31 of 1977 is hereby repealed.

A. R. SHABANGU
Permanent Secretary.

Mbabane
26th. June 1978.

FIRST SCHEDULE

(REGULATION 4)

BASIC MINIMUM WAGE

(Emalangi Per Week)

	<i>E C</i>
General Labour	12.90
Brick/Block Moulder	12.90
General Labourer (Fruit & Vegetables)	10.63
Watchman	10.63
Light-duty Driver	15.18
Heavy-duty Driver	22.77
Clerk	15.18
Machinist/Cutter (Garment making industry)	
1st 6 months	12.14
2nd 6 months	12.90
3rd 6 months	13.66
4th 6 months	14.42
5th 6 months	15.18
6th 6 months	15.94
7th 6 months	16.70
8th 6 months	17.46
9th 6 months	18.22
10th 6 months	18.98
Layer	12.14
Table Hand	12.14
Checker	12.14
Presser	12.14
Runner	12.14
Dispatcher	12.14
Master Hand	53.13
Baker's Assistant (Baking Industry)	
1st 3 months	11.13
1st 6 months thereafter	11.76
2nd 6 months thereafter	12.52
3rd 6 months thereafter	13.28
4th 6 months thereafter	14.04
5th 6 months thereafter	14.80
6th 6 months thereafter	15.56
7th 6 months thereafter	16.33
Baker	18.22
Baker/Confectioner	22.77
Driver/Salesman (Light-duty Vehicle)	19.73
Driver/Salesman (Heavy-duty Vehicle)	27.32
Driver's Mate	12.90

Driver/Salesman's Assistant	12.90
Deliveryman	12.90
Handyman	21.25
Telephonist	15.18
Foreman	53.13
Hand Packer	12.90
Collection Clerk	19.73
Machine Operator	16.70
Supervisor/Induna/Quality Supervisor	25% extra to the highest paid category of persons being supervised or persons handling material being supervised.
Boiler Operator	22.77
Storeman	22.77
Messenger	12.90
Laboratory Assistant	19.73
Laboratory Technician	75.90
Salesman	30.36
Forklift Operator	15.18
Skilled Machine Operator (Printing)	22.77
Binder Assistant	13.92
Compositor	13.92
Proof Reader	18.98
Darkroom Attendant	18.98
Mono Caster Attendant	18.98
Stonehand	13.92
Slaughterman	13.92
De-boner	13.66
Cattle Buyer	30.36
Artisan Grade I	72.86
Artisan Grade II	49.34
Artisan Grade III	30.36
Artisan Grade IV	24.92
Sewing Machine Mechanic	19.32
Learner Machine Operator	12.90
(Emalangenani per month — Television Manufacturers)	
Electrical Repairer	230.00
Unit Repairer	172.50
Final Inspector	149.50
Small Board Repairer	138.00
Adjuster	120.75
Repairer Adjuster	120.75
Initial Adjuster	104.65

Final Mechanic Inspector	104.65
Quality Controller	104.65
Mechanic Repairer	104.65
Test Line Inspector	104.65
Monitor Inspector	104.65
General Office Clerk	104.65
Soldering Machine Attendant	74.98
Wiring Machine Attendant	74.98
Small Board Inspector	74.98
Componet Inspector	74.98
Cabinet Inspector	74.98
Mechanic Assembly Inspector	74.98
Cabinet Fitter	68.66
Assembler by Soldering	62.33
Printed Circuit Assembler	56.01
Rear Fitter	56.01
Packer/Warehouse Labourer	56.01
Messenger/Cleaner	56.01
Auxiliary Labour	56.01
Jumper	8.00 Extra to wages of group being relieved.

SECOND SCHEDULE

(REGULATION 5)

WEEKLY RATION SCALE

Mealie Meal	6. 35 kg.	(14 lbs.)
Meat	1. 36 kg.	(1 lbs.)
Sugar	. 45 kg.	(1½ lbs.)
Dry Beans or Groundnuts	. 65 kg.	(2 lbs.)
Fresh Vegetables	. 9 kg.	(2 lbs.)
Salt	.113 kg.	(4 ozs.)

Alternatives.

The following rations may be supplied in lieu of the items of food mentioned in paragraph 1:—

(a) *Mealie Meal.*

For every .9 kg. (2 lbs.) of mealie meal, .45 kg. (1 lb.) of bread, .34 kg. (12 of rice or 23 kg. (½ lb.) of ordinary or sweet potatoes.

(b) *Meat.*

For the first .45 kg. (1 lb.) of meat .45 kg. (1 lb.) of fish or .23 kg. (8 ozs.) of cheese.

(c) *Fresh Vegetables.*

For every .45 kg. (1 lbs. of fresh vegetables, .45 kg. (1 lb.) of fresh fruit or a proportionate dehydrated vegetables.

Permitted Variations.

The ration of mealie meal shown in paragraph 1 may be reduced by an amount not exceeding 2.72 kg. (6 lbs.), equivalent to the amount of meal used in the preparation of:—

- (a) The drink known "Mahewu".
- (b) A proprietary vitaminised drink, if either drink issued in a week to the employee by the employer.

THIRD SCHEDULE

(REGULATION 7)

STATUTORY PUBLIC HOLIDAYS

Incwala Day
 Good Friday
 Easter Monday
 Christmas Day
 Reed Dance Day
 Somhlolo Day
 King's Birthday

LEGAL NOTICE NO. 48 OF 1978

THE WATER ACT 1967

(No. 25 of 1967)

DECLARATION OF CONTROL AREA

(Under Section 66(2))

(Commencement: 7th. July, 1978)

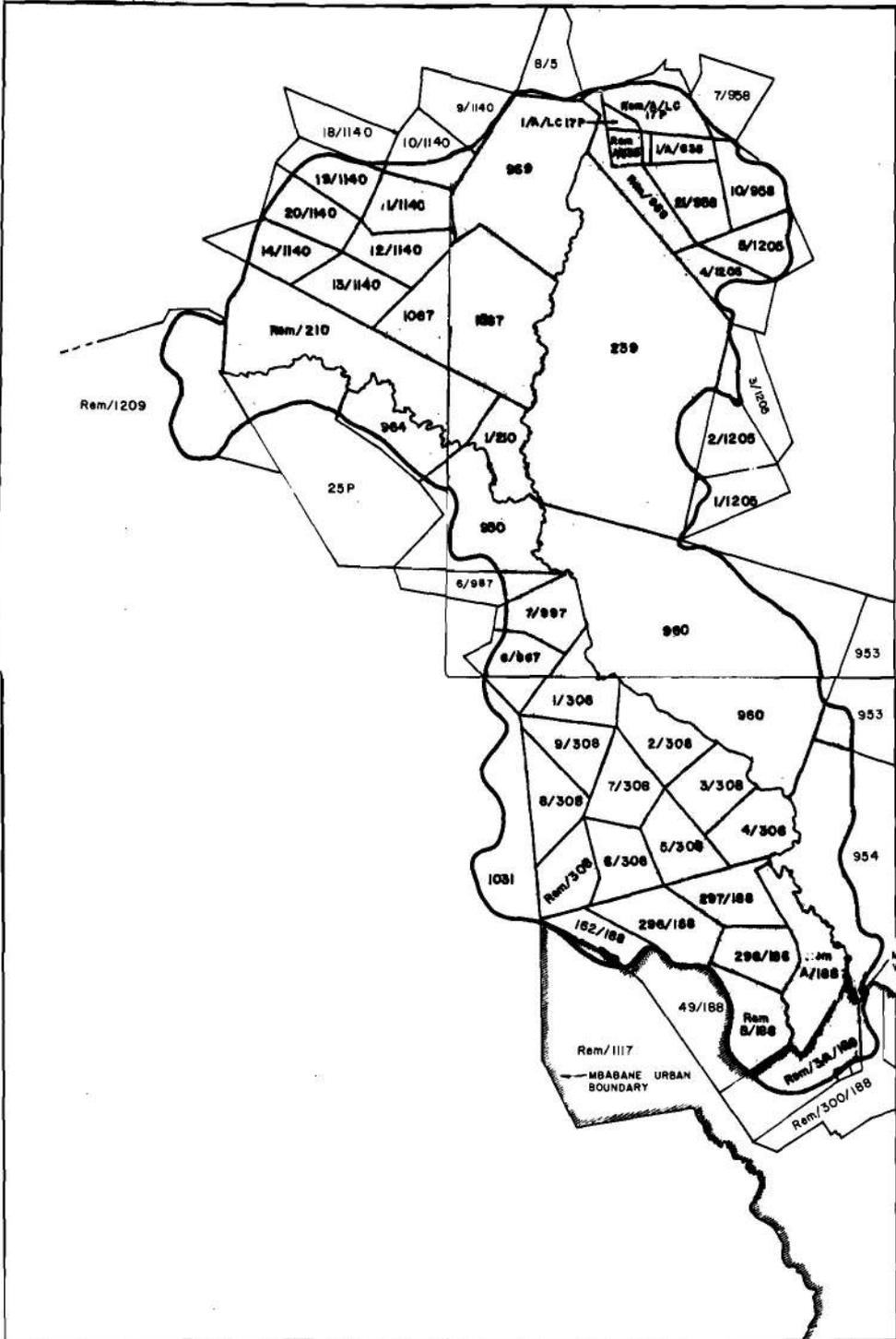
Serious concern has arisen at the prospect of untoward Development being proposed or undertaken in that part of the catchment of the Black Imbuluzi River upstream of the point from which water is taken for Mbabane Water Supply. Any unplanned or ill considered development such as buildings, roads, mining, industry, or agricultural practises not suited to the environment, may result in noxious effluents being discharged or seeping into the river, and cause a gross pollution of the water supply to Mbabane. The resultant costs that would be incurred in order either to prevent or remove such pollution could be very great.

Therefore, in exercise of the powers conferred upon him by the above mentioned Act, the Honourable the Minister for Works, Power and Communications is pleased to declare the catchment of the Black Umbuluzi River upstream from the pump station located on Farm Rem 3/A/188 to be a Catchment Control Area, wherein there shall be no further, road construction or mining operation, urban or industrial development unless such development or operation has been agreed to by the Water Apportionment Board.

The Catchment Control Area is depicted in the schedule attached hereto and the numbers of the farms wholly or partly affected are listed.

S. J. S. SIBANYONI*Permanent Secretary.*

BLACK UMBULUZI CATCHMENT CONTROL AREA



SCHEDULE

FARMS (Wholly Within the Control Area)				FARMS (Partly Within the Control Area)			
Ptn	11	Farm	1140	Ptn	8	Farm	5
"	12	"	"	"	9	"	1140
"	13	"	"	"	10	"	"
"	21	"	958	"	14	"	"
"	1	"	210	"	18	"	"
"	1	"	308	"	19	"	"
"	2	"	"	"	20	"	"
"	3	"	"	"	7	"	958
"	4	"	"	"	10	"	958
"	5	"	"	"	1	"	1205
"	6	"	"	"	2	"	"
"	7	"	"	"	3	"	"
"	8	"	"	"	4	"	"
"	9	"	"	"	5	"	"
"	149	"	188	"	6	"	978
"	296	"	"	"	7	"	"
"	297	"	"	"	8	"	"
"	298	"	"	"	162	"	188
				"	299	"	188
Rem. Ptn	A	Farm	635	Rem. Ptn	A	Farm	17P
Rem. Ptn	A	Farm	188	Rem. Ptn	3/Ptn A	Farm	188
Rem. Ptn	B	Farm	188	Rem. Ptn	300	Farm	188
Rem.	Farm	958		Rem.	Farm	1209	
Rem.	Farm	635		Rem.	Farm	1117	
Rem.	Farm	308		Farm	960		
Rem.	Farm	210		Farm	964		
Rem. Ptn	1/Ptn A	L.C.	17P	Farm	25 P		
Rem. Ptn	1/Ptn A	Farm	635	Farm	950		
Farm	969			Farm	239		
Farm	1087			Farm	953		
				Farm	954		
				Farm	1031		

THE MONETARY AUTHORITY OF SWAZILAND

STATEMENT OF ASSETS AND LIABILITIES AS AT 30TH JUNE, 1978

<i>Liabilities</i>	<i>Emalangi</i>		<i>Assets</i>	<i>Emalangi</i>
CURRENCY IN CIRCULATION			EXTERNAL RESERVES	
Notes	10,753,132		Notes and Coin	203,220
Coin	<u>736,015</u>	11,489,147	Banks	46,451,184
			Treasury Bills	965,827
DEPOSITS			Investments	8,071,612
Government		3,795,915	Spec. Drawing Rights	1,039,401
Bankers		35,401,162	Reserve Position in I.M.F.	<u>3,023,961</u>
International		463,551		59,755,205
Others		6,917,908		
ALLOCATION OF S.D.R.s		2,923,358	GOVERNMENT SECURITIES	2,061,335
OTHER LIABILITIES AND PROVISIONS		3,235,716	UNCLEARED EFFECTS	1,074,388
CAPITAL		1,000,000	OTHER CURRENT ASSETS	2,600,494
GENERAL RESERVE		1,317,733	FIXED ASSETS	1,053,068
		<u>66,544,490</u>		<u>66,544,490</u>

THE SWAZILAND NATIONAL PROVIDENT FUND ORDER, 1974

(No. 23 of 1974)

THE SWAZILAND NATIONAL PROVIDENT FUND (PRIVATE
SCHEMES WITHDRAWAL BENEFIT) REGULATIONS, 1978

(Under Section 29(6))

(Date of Commencement: 21st July, 1978)

In exercise of the powers conferred upon him by the above-mentioned Order, the Honourable the Deputy Prime Minister is pleased to make the following regulations —

Citation.

1. These regulations may be cited as the Swaziland National Provident Fund (Private Schemes Withdrawal Benefit) Regulations, 1978.

Authority for payment of withdrawal benefit.

2. (1) Authority is hereby given to the Chief Executive Officer of the Fund to pay to an employee of any contributing employer, and who applies for such payment, a withdrawal benefit equal to forty per cent of any capital sum paid into the Fund on his behalf by such employer in terms of section 41(4) of the Order, and each such payment made in pursuance of this regulation is hereby approved.

(2) An applicant for a withdrawal benefit under paragraph (1) hereof shall lodge his claim on a form approved by the Chief Executive Officer at the head office of the Fund not less than twenty-one days before the payment is required.

A. R. SHABANGU

Permanent Secretary.

MBABANE
6th. July, 1978.

S31

LEGAL NOTICE NO. 49 OF 1978

THE EXTRADITION ACT

(No. 13 of 1968)

(Under section 22(2))

(Date of Commencement: 14th July, 1978)

Under the powers conferred on me by the above section I do hereby designate the Principal Magistrate of Swaziland and all Senior Magistrates of Swaziland as Magistrates to preside over any Court of Committal for the purposes of the Extradition Act No. 13 of 1968 with immediate effect.

D. COHEN

Acting Chief Justice.

Mbabane
5th July, 1978

THE UMBUTFO SWAZILAND DEFENCE FORCE ORDER 1977

(No. 10 of 1977)

APPOINTMENT OF COMMISSIONED OFFICER TO THE UMBUTFO
SWAZILAND DEFENCE FORCE

(Under section 13)

(Commencement: 1st June, 1978)

In exercise of my powers under the abovementioned Order, I SOBHUZA II King of Swaziland and by virtue of the authority vested in me as Ngwenyama of the Swazi Nation do hereby appoint with effect from 1st June, 1978 —

COMPANY SERGEANT MAJOR SHADRACK SIBANYONI

as 2nd Lieutenant in the Umbutfo Swaziland Defence Force.

SIGNED at LOZITHEHLEZI on the 1st day of June, 1978.

SOBHUZA II

King of Swaziland.

Mbabane
7th July, 1978.

LEGAL NOTICE NO. 51 OF 1978

THE ANIMAL DISEASE ACT, 1965

(No. 7 of 1965)

THE STOCK DISEASES (RABIES) (AMENDMENT) (NO. 1)
REGULATIONS, 1978.

(Under Section 3)

(Commencement: 11th July, 1978)

In exercise of the powers conferred on him by the above-mentioned Act, the Honourable the Minister for Agriculture is pleased to make the following regulations:—

1. These regulations may be cited as the Stock Disease (Rabies (Amendment) (No. 1) Regulations, 1978.
2. Legal Notice No. 2 of 1978 is hereby replaced.

A. R. V. KHOZA

Permanent Secretary.

Mbabane
11th. July, 1978.