

124

SUPPLEMENT TO  
THE  
SWAZILAND GOVERNMENT  
GAZETTE

---

---

VOL. XXVI]

MBABANE, Friday, October 28th., 1988

[No. 625

---

---

CONTENTS

No.

Page

**PART C — LEGAL NOTICES**

111.	Corrigendum—The Sugar Export Levy (Amendment) Notice, 1988 .....	S1
119.	The Regulation of Wages (Mining and Quarrying Industries) Order, 1988 .....	S2
120.	The Swaziland Royal Insurance Corporation (Directors' Fees) Regulations, 1988 .....	S12
121.	Appointment of Pigg's Peak Town Board Members .....	S13

---

PUBLISHED BY AUTHORITY

**CORRIGENDUM**

---

**THE SUGAR EXPORT LEVY (AMENDMENT) NOTICE, 1988**

**(Legal Notice No. 111 of 1988)**

The Sugar Export Levy Notice, 1988 should be corrected in section 2 by replacing the figure "395" with the figure "595".

LEGAL NOTICE NO. 119 OF 1988

THE WAGES ACT, 1964

(Act No. 16 of 1964)

THE REGULATION OF WAGES (MINING AND QUARRYING  
INDUSTRIES) ORDER, 1988

(Under section 11)

In exercise of the powers conferred by section 11 of the Wages Act, 1964 the Minister for Labour and Public Service hereby makes the following Order:—

*Citation and Commencement.*

1. This order may be cited as the Regulation of Wages (Mining and Quarrying Industries) Order, 1988 and shall be deemed to have come into force on 1st October, 1988.

*Interpretation.*

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

“Clerk A1” means a clerical worker capable of simple reading minimal writing, collecting and carrying items, for example, date stamps, keeping calendars up to date, recording times of arrival and departure, receiving and carrying documents and correspondence internally and acting as a messenger;

“Clerk A2” means a clerical worker capable of performing all the functions of a clerk A1 and writing, copying, simple filing and operating simple office machines, for example, entering petty cash payments and receipts, transcribing information into registers and on to forms and cards without analysis, also sorting mail, photocopying and duplicating;

“Clerk B1” means a clerical worker capable of analysing, accounting, operating Office machines, scrutinising and utilising information not directly available but based on past experience, interviewing according to prescribed procedure, interpreting, supervising the work of clerks A1 and A2;

“Unqualified Tradesman” means a person who undertakes such tasks as rough glazing, painting and simple mechanical work on rock drills, locos, pumps, simple vehicle servicing and similar uncomplicated work requiring skill below the artisan’s standard;

“Supervisor” means a person who oversees the work of gangs working in gardens, slimes, dams, lamp rooms, screening plants, siding mills, forests stores, aerial ropeways, conveyors, tippers construction work and painting;

“Drivers Grade 1” means Drivers of:

- (a) Ambulances;
- (b) Heavy duty vehicles (in excess of five tons capacity);
- (c) Power-driven earth moving equipment; and
- (d) Primary hoists.

"Drivers Grade 2" means Drivers of:

- (a) Light duty vehicle other than ambulances;
- (b) Secondary hoists;
- (c) Rocker arm loaders;
- (d) Tractor; and
- (e) Locomotives.

*Application.*

3. (1) This order shall apply to all persons, other than articulated apprentices, employed in any undertaking or any part of an undertaking which carries on one or more of the following activities for gain—

- (a) Mining and Quarrying operations;
- (b) Winning of sand and gravel from any source; or
- (c) Ancillary work connected with the running of a mineral extraction operation.

(2) Notwithstanding subsection (1) this order shall not apply to an employee who is in receipt of a basic remuneration aggregating E600,00 or more per month and who has authority to—

- (a) Give orders to employees under his control;
- (b) Recommend transfer, suspend, discipline, discharge or promote workers under his control; and
- (c) Adjudge and make recommendations in connection with grievances of employees under his control.

*Hours of work.*

4. (1) The basic working week shall be a maximum of six days.
- (2) Notwithstanding subsection (1) where shifts are maintained.

The basic working week shall—

- (a) Consist of six-twelve hour shifts in the case of a Security guard; and
- (b) Six eight-hour shifts in all other cases.

Except That—

- (i) with the consent of his employer, an employee may extend his daily hours of work by up to one hour in order to reduce the hours of his last shift for his own convenience without the entitlement to overtime payment.
- (ii) Subject to section 10(2) where an employer requires an employee to work in excess of the hours specified in this section, an employee shall be paid for overtime in accordance with the provision of Section 9.

*Work Stoppage*

5. (1) In the even of a temporary stoppage of any employer's operations whether partial or complete, occasioned by circumstances beyond the control of the employer or of the employee, but excluding stoppage occasioned by a strike, lockout, sit-in or other form of labour action or dispute, whether concerted or individual an employee who is present, available, capable and willing to work for the normal period during normal working hours at times appointed by the employer, shall be paid at the full rate applicable to the job—

- (a) In the case of watchman or security guard, for a minimum of 72 hours in any week; and
- (b) In the case of all other employees for a minimum of 48 hours in any week.

Provided that:

- (i) An employee shall perform any task appointed by the employer;
- (ii) Such task shall not expose or subject an employee to peculiar risk or substantially more arduous conditions than those pertaining to his original or normal form of employment; and
- (iii) The provision of such alternative work shall not prejudice the employer's right to terminate the employee's contract of service in terms of his normal conditions of employment and in accordance with the law.

(2) Where the employer cannot appoint a productive task and the employee is present, available, capable and willing to work, the employer shall pay the employee full daily wages for two days immediately succeeding the day upon which work was stopped and thereafter pay the employee half his daily rate until work is resumed or his employment is lawfully terminated.

*Static and worsening conditions.*

6. (1) The rates of pay and other conditions of employment set forth in this order are the least or minimum permitted by the Government of Swaziland and shall not be represented as otherwise and no part of this order shall be construed as justifying non advancement or denying advancement to, or freezing the wages of an employee.

(2) No employer affected by this order shall reduce his rates of remuneration or other conditions of service from those which were applicable to his employee at the effective date of this order, except where the nature of work has been changed.

*Categories of work.*

7. Employees affected by this order shall be graded into categories. A1, A2, B1, B2, B3, C1, and C2 as set out in the schedule hereto.

*Basic minimum wage.*

8. (1) The basic minimum wage for the various categories set forth in section 7 shall be in respect of a shift of eight hours except in the case of watchmen, where the shift shall be twelve hours and shall be as set out in the table hereunder.

(2) The basic minimum wage per shift for the categories of employees graded in accordance with section 7 and the schedule hereto shall be as follows.

A1	A2	B1	B2	B3	C1	C2
8.57	9.95	11.08	12.67	14.71	17.26	19.47

*Overtime.*

9. Overtime shall be paid to daily rated workers at the following rate—
- (a) For time in excess of 15 minutes after the specified hours per shift as specified in Section 4 at one and half times the basic rate reduced to an hourly rate, except as provided in paragraph (B);
  - (b) For time worked on Sundays, where Sunday is not a working day, or on an employee's rest day where Sunday is a normal working day, or on a holiday specified in Section 10, at double the basic wage reduced to an hourly rate.

*Public Holidays.*

10. (1) Subject to Section 9(b) the following public holidays shall be regarded as holidays with full pay.

Christmas Day  
 Boxing Day  
 Easter Monday  
 King's Birthday  
 Umhlanga (Reed Dance)  
 Somhlolo National Day  
 Incwala Day

(2) If so required by his employer, an employee shall work extra shifts at basic rates upon three days to be appointed by the employer for the purpose of maintaining production which the employer may find to have been lost by reason of any three of the holidays set out in subsection (1):

Provided that payment shall not be made to an employee who absents himself from his normal place of work without authority on days preceding the specified holidays.

*annual Leave.*

11. On completion of each period of twelve months' continuous service with an employer an employee shall be entitled to annual leave of not less than fifteen working days excluding the public holidays and the employee's rest days with full pay.

*Sick Leave.*

12. An employee who, after three months' continuous service with his employer becomes ill through no fault of his own and become incapable of performing his duties, shall have one or other of the following sick benefits in respect of each period of twelve months' continuous service on production of a certificate issued by a Medical Practitioners registered under the Medical and Dental Practitioners Act, 1970—

- (a) Fourteen days leave with full pay and thereafter fourteen days with half pay;
- (b) Thirty days leave of which the first three days in any period of sickness shall be without pay and the remainder with pay; or
- (c) Thirty days of free hospitalization and medical treatment with free food whilst in hospital and a daily sum of money equivalent to the cash value of any employee's rations as may be approved by the Labour Commissioner from time to time.

*Maternity Leave.*

13. Pregnancy shall entitle an employee to—

- (a) A total of thirty days leave, on full pay in each period of twelve months' continuous service with the same employer in respect of prenatal, confinement and postnatal care; or
- (b) Alternatively, at the option of the employer and in lieu of payment referred to in paragraph (a)—
  - (i) Free pre-natal medical Care;
  - (ii) Confinement in hospital with free food, free medical treatment including all medicines prescribed by the Medical Practitioner in charge of her; and
  - (iii) Three weeks unpaid leave following delivery.

*Redundancy.*

14. (1) In the case of redundancy by reason of closure, cessation or curtailment of an employer's operation each affected employee shall receive—

- (a) One month's notice of termination of service or one month's pay in lieu of such notice;
- (b) (i) One month's wage at his latest basic minimum rate where he has been in the employer's continuous service up to 6 months.
- (ii) Two months' wages as provided in paragraph (b)(i) where he has been in the employer's continuous service for more than 6 months but less than 12 months; or
- (iii) Three months' wages as provided in paragraph (b)(i) where he has been in the employer's continuous service for 12 months or more.

(2) The benefits provided in this Section shall be a minimum but shall be deemed to be included in any terminal benefits provided by any written law.

*Pay advances.*

15. On a day to be appointed by his employer, which day shall be approximately half way through the pay month, an employee whose basic wages exceed E100.00 per month shall be entitled to draw an advance of his wages to an amount of E20.00:

Provided that—

- (a) There are funds standing to the credit of the employee to meet the amount of the required advance; and
- (b) His acceptance of the advance shall be deemed to be an authorisation to the employer to deduct the full amount advanced to him at the end of the pay month from his salary.

*Revocation of Legal Notice No. 101 of 1987.*

16. The Regulation of Wages (Mining and Quarrying Industry) Order, 1987 is hereby revoked.

## SCHEDULE

Category A1 includes employees whose principal duties comprises any of the following occupations:

Asbestos Packers  
Beer Makers  
Block Makers  
Belt Maintenance Helper  
Belt Sorters  
Bag Printer  
Plaster's Labourers  
Boiler Attendants  
Chimney Sweepers  
Conveyor Attendants  
Clerk A1  
Cleaners  
Changehouse Attendants  
Coal Cutters Grade 3  
Dracco Plant Attendants  
Fuel Issuers  
Haulage Labourers  
House Maids  
Kitchen Hands  
Lashers  
Laundry Workers  
Messengers  
Siding Labourers  
Sweepers  
Samplers (Supervised)  
Survey Assistant (Grade 2)  
Sanitation Workers  
Stone Sorters  
Tippler Attendants  
Trammers  
Tally Check Tip Attendants  
Tamping Makers  
Ventilation Labourers  
Whitewashers  
Waiters  
Underground Transport Labourers.

Category A2 includes employees whose principal duties comprise of the following occupations:-

Artisan's Assistants  
 Battery Charging Attendants  
 Blasting Licence Holder's Assistants  
 Box Operators  
 Clerk A2 (As Defined in Paragraph 2)  
 Cooks  
 Compressor Attendants  
 Coal Samplers  
 Driller's Assistants  
 Ellison Freeder Attendants  
 Forklift Operators  
 First Aid Attendants  
 Geological Sampling Assistant/Drivers  
 Golf Club Attendants  
 Greaser  
 Jackhammer Operators' Assistants  
 Laboratory Attendants (Grade A2)  
 Lamproom Attendants (Uncertificated)  
 Loco Shunters  
 Loading Hands  
 Nursing Aids  
 Onsetters  
 Pest Control Workers  
 Power Station Maintenance Care (Supervised)  
 Portable Saw Operators  
 Pump Attendants  
 Receptionist  
 Roof Bolters  
 Rotary and Drifter Helpers  
 Shortcrete Nozzlemen  
 Sporters  
 Scraper Winch Drivers  
 Section Rail Workers  
 Section Timber Workers  
 Section Bar Workers  
 Stockpile Attendants  
 Sawmill Assistants (Supervised)  
 Sample Plant Attendants

Security Guards/Watchmen  
 Toolroom Attendants  
 Tracers  
 Torch Cutters  
 Lower Dryer Attendants  
 Typist (Copy)  
 Tub Loaders  
 Tyre Inspectors  
 Water Purification Plant Attendants  
 Winch Operators  
 X-Ray Orderlies

Category B1 include employees whose principal duties comprise any of the following occupations:

Accounting Machine Operator  
 Analysts  
 Barman  
 Boiler Operators (Power Station)  
 Blocklayers (Without Trade Qualification)  
 Beer Makers (Chargehands)  
 Crusher Shiftsmen  
 Clerk (Grade B1)  
 Carpenters (Without Trade Qualification)  
 Coal Cutter (Grade 2)  
 Driver (Grade 2)  
 Domestic Science Instructors  
 Dust Samplers  
 Electric Drill Operators  
 Gardening Supervisors  
 Guesthouse Attendants  
 Geological Samplers (other than coal)  
 Gang Bosses (Grade 2 Surface)  
 General Gang Supervisors  
 Hospital Clerks  
 Jack Hammer Operators  
 Lampmen (Coal Certificated)  
 Plant Operators  
 Rock Mechanic Observers  
 Rotary/Drifter Operators  
 Supervisors (as Defined Hereunder)  
 Service Bay Attendants

Security Sergeant  
Stenographer Typist  
Switchboard Operator (Internal and External)  
Telex Operators  
Theatre Orderlies  
Tradesmen (Without Formal Qualifications)  
Training Instructors  
Welfare Assistants

Category B2 includes employees whose principal duties comprise any of the following occupations:-

Blasting Licence Holder  
Coal Cutters (Grade 1)  
Drillers (mobile Rig and Core)  
Drivers (Earth Moving)  
Dyke Gang Supervisors  
Electricians (to 380 volts)  
Gangbosses (Grade 1 Surface)  
Gangbosses (Grade 3 Underground)  
Laboratory Assistant (Asbestos)  
Mechanics (Grade 1)  
Medical Orderlies  
Truck Busters  
Village Administration Clerk  
Welders  
Weighbridge Clerk

Category B3 includes employees whose principal duties comprise any of the following occupations:-

Artisans (Grade 2)  
Blasting Supervisors (Iron Ore)  
Drill Supervisor  
Electricians (to 550 volts)  
Gang Bosses (Grade 1 Underground)  
Hospital Clerks  
Personnel Assistants  
Section Supervisors  
Section Bosses (Surface/Village Induna)  
Stores/Accounts Clerk  
Transport Controllers  
Washing Supervisors (Iron Ore)  
X-Ray Clerks.

Category C1 includes employees whose principal duties comprise any of the following occupations other than qualified artisans who have served the prescribed period of apprenticeship or passed a Government recognised Trade Test:-

Carpenters  
Mason/Furnance Bricklayers  
Mechanic (Vehicle Maintenance)  
Plumber/Sheet Metal Workers  
Ropeway Servicemen  
Sewage/Water Supervisors  
Section Bosses (Underground)  
Storekeepers.

Category C2 includes employees whom Management consider to have such qualities as to warrant categorisation above category C1.

K MBULI

*Principal Secretary, Ministry of Labour and Public Service*

LEGAL NOTICE NO. 120 OF 1988

---

THE SWAZILAND ROYAL INSURANCE CORPORATION ORDER, 1973

(Order No. 32 of 1973)

THE SWAZILAND ROYAL INSURANCE CORPORATION (DIRECTORS' FEES) REGULATIONS, 1988

In exercise of the powers conferred by Section 12 of the Swaziland Royal Insurance Corporation Order, 1973 the Minister for Finance hereby makes the following Regulations—

*Citation and commencement.*

1. These Regulations may be cited as the Swaziland Royal Insurance Corporation (Directors' Fees) Regulations, 1988 and shall be deemed to have come into force on 1st July, 1988.

*Payment of fees to Directors.*

2. (1) (a) A fee of E2,000 and E2,500 per annum shall be paid to a Director and Chairman respectively of the Swaziland Royal Insurance Corporation appointed as such under section 7 of the Swaziland Royal Insurance Corporation Order, 1973.  
(b) In addition to the amounts in paragraph (a) an amount of E60 and E75 shall be paid quarterly to the Director and Chairman respectively for full attendance.
- (2) If a Director or Chairman serves for less than one year, he shall be paid the prorata proportion of the amount specified in sub-regulation (1) for the period of such service.
- (3) Nothing in these Regulations shall be construed to mean that any remuneration shall be paid to a public officer appointed as such to act as a Director.

*Revocation of Legal Notice No. 2 of 1985.*

3. The Swaziland Royal Insurance Corporation (Directors' Fees) Notice, 1985 is hereby revoked.

A.M. FAKUDZE  
*Principal Secretary*

MBABANE,  
Date: 12th October, 1988.

LEGAL NOTICE NO. 121 OF 1988

---

THE URBAN GOVERNMENT ACT, 1969

(Act No. 8 of 1969)

APPOINTMENT OF PIGG'S PEAK TOWN BOARD MEMBERS

(Under Section 112)

In exercise of the powers conferred on me by Section 112 of the Urban Government Act, 1969, I hereby appoint the following Persons—

- |    |                    |   |          |
|----|--------------------|---|----------|
| 1. | King Mtsetfwa      | — | Chairman |
| 2. | Robert P. Stephens | — | Member   |
| 3. | Joseph Masuku      | — | "        |
| 4. | Evelyn Masilela    | — | "        |
| 5. | Calvin Ndlovu      | — | "        |

To be Pigg's Peak Town Board Members with effect from 1st November, 1988.

SOTSHA E. DLAMINI  
*Prime Minister*