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SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE

VOL. XXVI]

MBABANE, Friday, December 9th., 1988

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PUBLISHED BY AUTHORITY

S1

LEGAL NOTICE NO. 136 OF 1988

THE JUDICIAL SERVICE COMMISSION ACT, 1982

(Act No. 13 of 1982)

APPOINTMENT OF MAGISTRATE

(Under Section 5)

In exercise of the powers conferred by section 5 of the Judicial Service Commission Act, 1982 the Judicial Service Commission hereby appoints—

MUSA LUCAS MAZIYA

to be Magistrate to preside over Magistrate's Courts of 1st Class with effect from the 1st January, 1989.

P.S. MNGOMEZULU

Principal Secretary

MBABANE,
2nd November, 1988.

S2

LEGAL NOTICE NO. 137 OF 1988

THE JUDICIAL SERVICE COMMISSION ACT, 1982

(Act No. 13 of 1982)

APPOINTMENT OF MAGISTRATE

(Under Section 5)

In exercise of the powers conferred by section 5 of the Judicial Service Commission Act, 1982 the Judicial Service Commission hereby appoints—

MCABANGO DLAMINI

to be Magistrate to preside over Magistrate's Courts of 1st Class with effect from the 1st February, 1989.

P.S. MNGOMEZULU
Principal Secretary

MBABANE,
29th November, 1988.

S3

LEGAL NOTICE NO. 138 OF 1988

THE JUDICIAL SERVICE COMMISSION ACT, 1982

(Act No. 13 of 1982)

TERMINATION OF APPOINTMENT OF MAGISTRATE

(Under Section 5)

In exercise of the powers conferred by section 5 of the Judicial Service Commission Act, 1982 the Judicial Commission hereby terminates the appointment of—

TIMOTHY THEMBA BUSENGA

as Magistrate, with effect from the 30th November, 1988.

P.S. MNGOMEZULU

Principal Secretary

MBABANE,
29th November, 1988.

LEGAL NOTICE NO. 139 OF 1988

KING'S PROCLAMATION NO. 1 OF 1981

REVOCATION OF APPOINTMENT OF JUDGE OF THE HIGH COURT

(Under Section 2)

In exercise of the powers conferred on me by Section 2 of the King's Proclamation No. 1 of 1981 as read with section 106 of the repealed Constitution, I, MSWATI III KING OF SWAZILAND, am pleased to revoke with effect from 26th Day of November, 1988 the appointment of—

JAINUL A. HASSANALI

as Judge of the High Court of Swaziland.

THUS DONE UNDER MY HAND AT LUDZIDZINI ON THIS 29TH DAY OF MARCH, 1988.

MSWATI III
KING OF SWAZILAND

LEGAL NOTICE NO. 140 OF 1988

THE WAGES ACT, 1964

(Act No. 16 of 1964)

THE REGULATION OF WAGES (WATCHING AND PROTECTIVE SERVICES INDUSTRY) ORDER, 1988

(Under Section 11)

In exercise of the powers conferred upon him by section 11 of the Wages Act, 1964, the Minister for Labour hereby makes the following Order—

Citation.

1. This Order may be cited as the Regulation of Wages (Watching and Protective Services Industry) Order, 1988 and shall come into force on the 1st January, 1989.

Application.

2. (1) This Order shall apply to all persons employed in detective, investigative, patrolling and nightwatching services providing protection against Burglary, Fire, Personal Injury and similar services connected with or related to the foregoing.

(2) This Order shall not apply to persons employed by:—

- (a) The Government;
- (b) A local Authority.

Interpretation.

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

“Clerk” means an employee engaged on full time general Clerical duties;

“Group A” means an employee, other than a patrol supervisor, with three months or less continuous service;

“Group B” means an employee with more than three months’ but less than twelve months’ continuous service;

“Group B1” means an employee with more than twelve months’ continuous service;

“Group C” means a patrol supervisor Grade II;

“Group D” means a patrol supervisor Grade I;

“Telephonist” means any person who is literate, fluent in the siSwati and English Languages and able to operate a telephone in a courteous and efficient manner.

Basic Minimum wage.

4. The Basic Minimum Wage to be paid to an employee to whom this order applies shall be deemed to include a ration allowance and shall be calculated at a rate not less favourable than that specified in the Schedule hereto.

Hours of Work.

5. The Basic Working Week shall consist of seventy two working hours spread over a period of six days.

Overtime.

6. An employee who is required to be on duty and work in excess of the hours specified in section 5 shall be entitled to be paid for such overtime at the rate of one and half times his normal hourly rate of wages. Normal hourly rate shall mean his monthly rate of wages divided by three hundred and twelve.

Annual Leave.

7. (1) On completion of each period of twelve months' continuous service, an employee shall be entitled to an annual leave of twelve days with full pay plus nine days with full pay in compensation for public holidays worked.

(2) Where the employment of an employee is terminated before he has taken his entitlement of leave under this section, he shall be paid, in lieu of such leave, a sum equal to one and three quarter days wages in respect of each month he has earned but not taken leave.

Sick Leave.

8. After three months' continuous service with his employer, an employee shall be entitled to fourteen days sick leave with full pay and a further period of fourteen days on half pay in each of twelve months' employment, subject to him submitting to his employer a medical certificate covering the period of absence, signed by a Medical Practitioner registered in Swaziland.

Day Off.

9. An employee shall be entitled to one day off-work in each week: Provided that the employer and employee may mutually agree that the day-off may be deferred so as to allow the employee to accumulate a total of four days off-work.

Maternity Leave.

10. A female employee who becomes pregnant during the period of her employment shall be entitled to resume duty in the position she occupied prior to such leave. The timing of such leave shall be subject to the mutual agreement of the employer and the employee.

Travelling expenses.

11. (1) Any employee who travels on duty and remains away from his place of residence shall be reimbursed all expenses of lodging and meals incurred through such travel on production of receipts covering the expenditure:

Except where an employee who is required to remain away from his place of employment thereupon the payment of expenses under this section shall cease and the employer shall thereafter provide him with suitable accommodation or payment in lieu thereof.

Lay-off.

12. (1) A lay-off due to circumstances beyond an employer's control shall not exceed fourteen working days. Such lay-off shall be without pay and at the end of such period the employer shall either re-instate an employee or terminate his employment in accordance with the Employment Act, 1980.

(2) During the lay-off the employer shall not engage any other employee to fill a vacancy created by the lay-off.

(3) The employer shall give a lay-off notice of not less than twenty-four hours to an employee before the lay-off.

13. An employee shall be paid not later than three days after the end of a pay period.

Savings.

14. An employee, who, at the commencement of this Order, is entitled to benefits greater than those specified in this order, shall not suffer any reduction in such benefits by reason of this order.

Uniforms Etc.

15. (1) The employer of a guard or watchman shall provide him free of charge with:-

- (a) boots (shoes for female guards) a police whistle, a club and torch; and
- (b) a hat and overcoat when reasonably required under the prevailing weather conditions.

(2) Any clothing or requirement referred to in sub-paragraph (1) shall be of reasonable quality and shall remain the property of the employer.

Revocation of legal Notice 124 of 1987.

16. The Regulation of wages (Watching and Protective Services Industry) Order 1987 is hereby revoked.

FIRST SCHEDULE

(Paragraph 4)

(Per Month)

Group A	E 165.60
Group B	179.40
Group B1	193.20
Group C	200.10
Group D	241.50
Telephonist	165.60
Clerk	241.50

SECOND SCHEDULE

(Paragraph 7(1))

New Year's Day
Good Friday
Easter Monday
National Flag Day
King's Birthday
Somhlolo Day
Reed Dance Day
Incwala Day
Christmas

K. MBULI

Principal Secretary—Ministry of Labour