



SWAZILAND

GOVERNMENT GAZETTE

VOL. XXIX]

MBABANE, Friday, January 18th., 1991

[No. 769

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GENERAL NOTICE NO. 7 OF 1991

THE HIGH COURT ACT, 1954

(Act No. 20 of 1954)

THE HIGH COURT CALENDAR FOR 1991

(Under Section 7)

It is notified for general information that in accordance with Section 7 of the High Court Act, 1954 and Rule 3(2) of the High Court Rules, the Chief Justice has determined the following to be commencement and termination dates of the Sessions of the High Court for 1991.

First Session	14th January to 28th March
Second Session	15th April to 5th July
Third Session	23rd July to 27th September
Fourth Session	14th October to 13th December

M.N. FAKUDZE

Registrar of the High Court

GENERAL NOTICE NO. 8 OF 1991

THE CENTRAL BANK OF SWAZILAND ORDER, 1974

(Order No. 6 of 1974)

RATES FOR DISCOUNTS, REDISCOUNTS AND ADVANCES

(Under Section 38)

In accordance with Section 38 of the above-mentioned Order, the Central Bank of Swaziland hereby announces that its rate for discounts, rediscounts and advances shall be 13% with effect from 14th January, 1991.

M.G. DLAMINI

Deputy Governor

MBABANE,
10th January, 1991.

GENERAL NOTICE NO. 9 OF 1991

It is notified for general information that the officers listed below have been confirmed in their respective appointments and admitted to the permanent and pensionable establishment in the Civil Service.

A.J.V. SITHOLE
Secretary, Civil Service Board

Dept.	Name of Officer	Date Confirmed	Date Admitted
Fire	Dum'sani Malinga	1/3/90	1/3/88
	Robert Simelane	7/3/90	7/3/88
	Isaac Z. Masina	24/2/90	24/2/88
	David J. Mdluli	7/12/90	7/12/88
	Mark S. Mdluli	25/2/90	25/2/88
	Victor M. Mbuli	25/11/90	25/11/88
	Nelson M. Motsa	13/7/84	13/7/82
Health	Vera T. Ndwandwe	1/10/65	1/10/63
	Nomsa M. Mkhweli	1/2/90	1/2/88
	Nokuthula H. Mahlalela	1/2/90	1/2/88
	Maria F. Zondi	26/8/87	26/8/85
	Leslie L. Mtetwa	1/7/64	1/7/62
	Virginia S. Vilakati	26/6/89	26/6/87
	Thulisile T. Ginindza	10/5/90	10/5/88
	Sarah M. Simelane	1/6/90	1/6/88
	Thulisile M. Makhanya	1/9/90	1/9/88
	Thabisile M. Maziya	10/6/87	10/6/85
Treasury	Eunice Vilakati	26/9/90	26/9/88
	Winnie T. Kunene	7/5/88	7/5/86
	Winfred A. Makhanya	24/6/90	24/6/88
Works	Florence M. Sibeko	4/10/90	4/10/88
	Nonhlanhla M. Mdziniso	30/5/90	30/5/88
	Philemon Mlota	1/10/86	1/10/84
	Thembisile S. Mavundla	11/4/90	11/4/88
	Alpheus Khumalo	1/4/87	1/4/85
	Philemon Maseko	1/4/87	1/4/85
Foreign	Grace K. Maseko	1/4/87	1/4/85
	Christian M. Nkambule	17/12/87	17/12/85
Water & Sew.	Caleb Mavuso	15/9/89	15/9/87
Education	Lindiwe L. Nzuza	1/12/89	1/12/87

C.T.A.	Johannes M. Masuku	11/11/87	11/11/85
	Sandile H. Mhlanga	1/8/89	1/8/87
	Johannes Zwane	1/4/85	1/4/83
	Thamsanqa Makhanya	10/9/88	10/9/86
	Ntombikayise N. Dlamini	31/10/90	31/10/88
	Samuel B. Khumalo	25/8/89	25/8/87
	Michael S. Mndzebele	27/4/84	27/4/81
	Robert Gama	21/4/83	21/4/81
	David M. Shandu	4/3/84	4/3/82
	Patrick C. Shabangu	21/1/87	21/1/85
	Ambrose Banda	24/11/88	24/11/86
	James S. Dube	1/9/81	1/9/79
	Harry B. Khumalo	29/11/85	29/11/83
	Henry Nkambule	1/4/89	1/4/87
	Elias N. Mamba	3/11/84	3/11/82
	Antonio Makwakwa	1/4/84	1/4/82
	Funda Nzima	22/1/83	22/1/81
	Laurence Masinga	1/4/84	1/4/82
	Herry Khumalo	1/4/89	1/4/87
	Kelvin Littler	1/8/89	1/8/87
	Philip M. Nxumalo	22/7/88	22/7/86
	Classen Maseko	1/1/88	1/1/86
	Thomas N. Gina	4/1/90	4/1/88
	Reuben B. Sibanyoni	2/11/90	2/11/88
	Jeremiah Masilela	28/11/85	28/11/83
	Elphas Masinga	18/8/78	18/8/76
	Solomon Dlamini	9/5/88	9/5/86
	John Bhembe	1/4/89	1/4/87
Agriculture	Nelson N. Dlamini	1/12/86	1/12/84
	Robert M. Nhlengethwa	1/7/86	1/7/84
	Thomas S. Sibanyoni	15/12/82	15/12/80
	Freddy V. Magagula	29/12/88	29/12/86
	Andries G. Khanyile	16/11/89	16/11/87
Commerce	Lucas Masina	24/9/87	24/9/85
	Themba V.N. Simelane	24/9/87	24/9/85
	Cyprian S. Khoza	24/9/87	24/9/85
Justice	Sibongile B. Nkonyane	1/10/89	1/10/87
	Khulile P. Sikhondze	22/10/89	22/10/87
	Bob B. Sigwane	22/10/89	22/10/87
	Mary-Lois P. Vilakati	1/10/89	1/10/87
	Maurice Von Groening	1/5/86	1/5/84

GENERAL NOTICE NO. 10 OF 1991

THE CHANGE OF NAME ACT 1962

(Act No. 67 of 1962)

AUTHORISATION OF CHANGE OF SURNAME

(Under Section 3)

In exercise of the powers conferred by Section 3 of the Change of Name Act 1962, the Minister for Justice having satisfied himself that the provision of the said Act have been complied with hereby authorises;-

SIBONGILE NONHLANHLA MBULI

A follower of Chief Mabhedla of Kalamgabhi in the Hhohho Region to assume Surname SIBANDZE.

P.S. MNGOMEZULU
Principal Secretary

MBABANE,
9th January, 1991.

GENERAL NOTICE NO. 11 OF 1991

THE CHANGE OF NAME ACT 1962

(Act No. 67 of 1962)

AUTHORISATION OF CHANGE OF SURNAME

(Under Section 3)

In exercise of the powers conferred by Section 3 of the Change of Name Act, 1962, the Minister for Justice having satisfied himself that the provision of the said Act have been complied with hereby authorises;-

SIMON MINI HLOPHE

A follower of Chief Mvandazi of Luhlendlweni in the Shiselweni Region to assume Surname DLAMINI.

P.S. MNGOMEZULU
Principal Secretary

MBABANE,
9th January, 1991.

GENERAL NOTICE NO. 12 OF 1991

THE CHANGE OF NAME ACT 1962

(Act No. 67 of 1962)

AUTHORISATION OF CHANGE OF SURNAME

(Under Section 3)

In exercise of the powers conferred by Section 3 of the Change of Name Act 1962, the Minister for Justice having satisfied himself that the provision of the said Act have been complied with hereby authorises;—

XOLILE BEN DLAMINI

A follower of Chief Nkhosini of Logoba Area in the Manzini Region to assume Surname LUKHELE.

P.S. MNGOMEZULU

Principal Secretary

MBABANE,
9th January, 1991.

GENERAL NOTICE NO. 13 OF 1991

THE CHANGE OF NAME ACT 1962

(Act No. 67 of 1962)

AUTHORISATION OF CHANGE OF SURNAME

(Under Section 3)

In exercise of the powers conferred by Section 3 of the Change of Name Act 1962, the Minister for Justice having satisfied himself that the provision of the said Act have been complied with hereby authorises:—

ELPHAS NDZABUKELWAYO

A follower of Chief Maseko of Zondwako in the Manzini Region to assume Surname MBUYISA.

P.S. MNGOMEZULU

Principal Secretary

MBABANE,
9th January, 1991.

GENERAL NOTICE NO. 14 OF 1991

THE CHANGE OF NAME ACT 1962

(Act No. 67 of 1962)

AUTHORISATION OF CHANGE OF SURNAME

(Under Section 3)

In exercise of the powers conferred by Section 3 of the Change of Name Act 1962, the Minister for Justice having satisfied himself that the provision of the said Act have been complied with hereby authorises:-

ELIAS MALINDANE KUNENE

A follower of Chief Nguduza of Mbangweni in the Shiselweni Region to assume Surname SHONGWE.

P.S. MNGOMEZULU

Principal Secretary

MBABANE,
9th January, 1991.

GENERAL NOTICE NO. 15 OF 1991

THE CHANGE OF NAME ACT 1962

(Act No. 67 of 1962)

AUTHORISATION OF CHANGE OF SURNAME

(Under Section 3)

In exercise of the powers conferred by Section 3 of the Change of Name Act 1962, the Minister for Justice having satisfied himself that the provision of the said Act have been complied with hereby authorises:-

NHLANHLA OBERT NDABA

A follower of Chief T.V. Mtetwa of Zombodze in the Manzini Region to assume Surname DLAMINI.

P.S. MNGOMEZULU

Principal Secretary

MBABANE,
9th January, 1991.

GENERAL NOTICE NO. 16 OF 1991

THE CHANGE OF NAME ACT 1962

(Act No. 67 of 1962)

AUTHORISATION OF CHANGE OF SURNAME

(Under Section 3)

In exercise of the powers conferred by Section 3 of the Change of Name Act 1962, the Minister for Justice having satisfied himself that the provision of the said Act have been complied with hereby authorises:-

PATRICK MFANUKHONA MAVUSO

A follower of Chief Mvandazi of Luhlendlweni in the Hhohho Region to assume Surname NCWANE.

P.S. MNGOMEZULU

Principal Secretary

MBABANE,
11th January, 1991.

NOTICE

ESTATE LATE: CHARLES SIGCAGCAZA NGWENYA

ESTATE NO. E18/90

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 & CO.,
Attorneys for Executrix Dative.

Mbabane House,
Lot 17 Allister Miller Street,
P.O. Box 24,
MBABANE, Swaziland.

C37 18.1.91

NOTICE

ESTATE LATE: SANAH STANFORD

ESTATE NO. E108/90

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 & CO.,
Attorneys for Executors/Dative.

Mbabane House,
Lot 17 Allister Miller Street,
P.O. Box 24,
MBABANE, Swaziland.

C38 18.1.91

NOTICE

ESTATE LATE: LEAH MEIDLINGER

ESTATE NO. E153/90

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 & CO.,
Attorneys for/Testamentary Executrix

Mbabane House,
Lot 17 Allister Miller Street,
P.O. Box 24,
MBABANE, Swaziland.

C39 18.1.91

NOTICE

ESTATE LATE: JEMINAH B. DLAMINI — E.120/90

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

SHILUBANE, LITTLER & PARTNERS
Attorneys for Executor/Trix
P.O. Box A93,
Swazi Plaza,
MBABANE.

C40 18.1.91

NOTICE

ESTATE LATE: DENNIS GEORGE CROWIE — E110/90

Notice is hereby given in terms of Section 51 bis of the administration of Estate Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will be open for inspection at the office of the Master of the High Court of Swaziland at Mbabane and the office of the Regional Administrator Manzini District for a period of 21 (twenty one) days from the date of appearance of this notice.

Any person objecting to the account may lodge his objection in writing in duplicate and by stating his reasons therefore with the Master of the High Court at any time before expiry of the said period.

CARLSTON AND COMPANY
Attorneys for the Executrix/Executor
New CCU Building
Ngwane/Mahleka Street
P.O. Box 143,
MANZINI.

C27 18.1.91

NOTICE

Notice is hereby given that I, Moses Malombo Nhleko of Nkoyoyo area in the Hhohho Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Mthembu, after the fourth publication of this Notice in each of four consecutive weeks in the Times of Swaziland and Swazi Observer Newspapers, being two newspapers circulating in the region where I reside and designated for this purpose by the Regional Secretary for the Hhohho Region and in the Government Gazette. The reason I want to assume the surname Mthembu is because it is my Father surname, and Nhleko is my Mother surname.

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

Moses M. Nhleko,
P.O. Box 79,
Mbabane.

C16 4x1/2/91

NOTICE

LOST TITLE

Notice is hereby given that we intend applying for a certified copy of Certificate of Registered Title No. 203/1963 in respect of Certain Portion 7 of Farm No. 308 Hhohho District, Swaziland; Measuring 114 Morgen 16 square roods made in favour of JOHANNES PETRUS JOUBERT on the 5th December, 1963.

All persons having objections to the issue of the aforesaid copy are hereby requested to lodge the same with the Registrar of Deeds for Swaziland at Mbabane within a period of three weeks from date of the first publication of this Notice.

CARLSTON AND COMPANY
Applicant's Attorneys
P.O. Box 143,
MANZINI.

C24 2x18/1/91

NOTICE

APPLICATIONS FOR GENERAL DEALERS LICENCE - GEMINI INVESTMENTS (PTY.) LTD.

Notice is hereby given that an application has been made by GEMINI INVESTMENTS (PTY.) LTD. of P.O. Box 447, Mbabane for the grant of a General Dealer's Licence to operate under the style "VISION CENTRE" at Shop No. 8; The Mall (O.K. Road) Mbabane, District of Hhohho. The application will be heard in the Regional Secretary's Conference Room, Mbabane on the 29th January, 1991.

Any objections, if any, must be lodged in writing to the undersigned and the Applicant's Attorneys, Shilubane, Littler & Partners, P.O. Box A93, Swazi Plaza, Mbabane.

The Licensing Officer

P.O. Box 45,
MBABANE.

C25 18.1.91

NOTICE

ESTATE LATE: ANNASTASIA NOBESWAZI SIKUNYANA — E87/90

Debtors and Creditors of the above Estate are hereby called upon to pay their debts or submit their claims to the undersigned within 30 days of the date of publication of this Notice.

CARLSTON AND COMPANY
Executor's/Executrix's Attorneys
P.O. Box 143,
MANZINI.

C26 18.1.91

NOTICES

TRADING LICENCE ORDER NO. 20 OF 1975

Notice is hereby given that an application by Sorghum Breweries Marketing (Swd.) (Pty) Limited c/o Carlston (and Company, P.O. Box 143, Manzini for grant of a Wholesale Dealer in African Beer and Import and Export Licences to operate the business at Certain Shop premises next to Mahlanya Market, Manzini District. The application will be heard on the 12th February, 1991 at 10 00 a.m. at the Regional Secretary offices Manzini.

Notice is hereby given that an application by Dekex System (Swd) (Pty) Limited c/o Carlston and Company, P.O. Box 143, Manzini for a grant of a General Dealer Licence to operate the business at Lot No. 151 Detroit Street, Room C. Manzini District. The application will be heard on the 12th February, 1991 at 10.00 a.m. at the Regional Secretary Offices, Manzini not later than the 8th February, 1991.

CARLSTON AND COMPANY
New C.C.U. Building
Ngwane/Mahleka Street
P.O. Box 143,
MANZINI.

C34 18.1.91

NOTICE

ESTATE LATE: ERIC BOY M. MAPHALALA — E.69/90

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

SHILUBANE, LITTLER & PARTNERS
Attorneys for Executor/Trix
P.O. Box A93,
Swazi Plaza,
MBABANE.

C41 18.1.91

NOTICE

TRADING LICENCE ORDER NO. 20 OF 1975

Notice is hereby given that Application will be made by Kelly Trading (Pty) Ltd. for the transfer of a Restaurant Licence held by GARTH JACOBS trading as O.K. Restaurant to Kelly Trading (Pty) Ltd. to operate at Shop No. 2 Lot No. Ngwane Street Manzini under the style "OK RESTAURANT" will be heard on the 5th February 1991 at the Regional Secretary's Offices Manzini at 10.00 a.m.

Objections thereto must be lodged in writing with the Applicant's Attorneys and the Regional Secretary P.O. Box 13, Manzini not later than 28th January, 1991.

WILLIAM F. MTHEMBU & ASSOCIATES
Applicant's Attorneys
1st Floor Enterprise Building
Ngwane Street
P.O. Box 1301,
MANZINI.

C33 18.1.91

NOTICE

ESTATE LATE: NDLELENI FRANCIS MAGAGULA — E.56/90

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open at the office of the Master of the High Court of Swaziland Mbabane for a period of twenty one (21) days from date of appearance of this Notice.

Any person objecting to the account may lodge his objection in writing in duplicate to the Master of the High Court at any time before expiry of the said period.

SHILUBANE, LITTLER & PARTNERS
Attorneys for the Executrix
P.O. Box A93,
Swazi Plaza,
MBABANE.

C32 18.1.91

NOTICE

ESTATE LATE: GILBERT BHENGU — E.92/90

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

SHILUBANE, LITTLER & PARTNERS
Attorneys for Executor/Trix
P.O. Box A93,
Swazi Plaza,
MBABANE.

C31 18.1.91

NOTICE

TONKWANE SAWMILL COMPANY LIMITED (IN LIQUIDATION)

Notice is hereby given in terms of Section 133 of the Companies Act 1912 that the Second Liquidation Account will be open for inspection at the office of the Master of the High Court Mbabane for a period of 21 days from the date of publication of the notice.

J. HAYTER
Liquidator

18th January, 1991.

C30 18.1.91

SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE

VOL. XXIX]

MBABANE, Friday, January 18th., 1991

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PART C — LEGAL NOTICES

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PUBLISHED BY AUTHORITY

LEGAL NOTICE NO. 2 OF 1991

THE WAGES ACT, 1964

(Act No. 16 of 1964)

**THE REGULATION OF WAGES (MANUFACTURE AND SALE OF HANDI-
CRAFTS INDUSTRY) ORDER, 1991**

(Under Section 11)

In exercise of the powers conferred by Section 11 of the Wages Act, No. 16 of 1964 the Minister for Labour and the Public Service makes the following Order—

Citation and Commencement.

1. This Order may be cited as the Regulation of Wages (Manufacture and Sale of Handicrafts Industry) Order 1991 and shall be deemed to have come into force on 1st December 1990.

Application.

2. This Order shall apply to all persons employed in any undertaking which consists wholly or mainly in the carrying on of one or more of the following activities, that is to say—

- a) the manufacture primarily by hand, with minimal use of powered machines of spinning, weaving, knitting, sewing, carving, dying, casting, forging, pottery, tanning, painting and drawing of goods to be sold as handicrafts of Swaziland.
- b) the sale of handicrafts of Swaziland in establishments associated with and/or part of undertakings for the manufacture of goods described in the preceding sub-section (a).

Provided that this Order shall not apply to persons employed by—

- i) the Government of Swaziland;
- ii) a local authority;
- iii) such charitable or religious organisations or medical institutions declared in writing, by the Minister, to be exempt from its provisions.

Interpretation.

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

“Bobbin Winders” means an employee who winds yarn into a bobbin in preparation for weaving or with hand;

“carder” means an employee who cards by hand or machine;

“casual labour” shall have the same meaning as that ascribed to it in the employment Act;

“checker” means an employee who checks the receipt of unfinished goods and raw materials or the despatch of finished or unfinished goods and checks quality and quantity;

“clerk/storeman” means an employee who undertakes clerical duties, correspondence preparation, filing and despatch, stores and stock control, invoicing and the handling of petty cash;

“craftsman” means a person who, after concluding a period of employment as a trainee craftsman is appointed to be a craftsman in spinning, weaving, knitting, sewing, carving, dying, casting, forging, moulding, pottery tanning, painting, drawing or in whatever other aspect of handicraft he may be assigned to exercise his skill or skills;

“cleaner” means an employee who is responsible for the cleaning of the factory, offices, toilets or canteen;

“cook” means an employee who is engaged in cooking and issuing food to other employees;

“driver (LDV)” means an employee in possession of a current driving licence who drives a vehicle of not more than 3 tons tare weight, and whose responsibilities include the care and cleanliness of the vehicle, simple maintenance, the handling of cargo to and from the vehicle and such other duties as, from time to time, may be required;

“dyer” means an employee who prepares dyes, mixes and supervises dying materials;

“engraver” means an employee who engraves, smoothens, polishes the finished glassware, and carries out duties related thereto;

“engraver assistant” means an employee who engraves, smoothens, polishes the finished glassware and carries out duties given by the engraver;

“entrepreneur” means a person who carries on business under financial assistance, policy and guidance of the small enterprises development company;

“entrepreneur assistant Grade I” means an employee who is capable of performing the work of an entrepreneur without the assistance of such an entrepreneur;

“entrepreneur assistant Grade II” means an employee who assists a person who is capable of carrying out the work of the entrepreneur in the entrepreneur’s workshop;

“finisher” means a person who is employed to complete the manufacture of any article and makes final preparations for its sale or display;

“general labourer” means a person employed to perform tasks not calling for the exercise of particular skills or scholastic attainment;

“handyman” means an employee who does not hold a trade test certificate, who carries out simple repairs and supervises and allocates work to subordinate staff under his control;

“machinist” means an employee who operates an electrical sewing machine to manufacture clothing/garment;

“machinist attendant” means an employee, other than a learner machine operator, who attends and operate a guillotine machine, bending machine, spot welding machine or any other machine requiring similar skills;

“machine operator” means an employee, other than a learner machine operator, engaged in operating a machine;

“master screenprinter” means an employee who is capable of cutting screen mixing pigments and has thorough knowledge of screenprinting techniques;

“master potter” means an employee who is skilled in making pots to any specification, who has a general knowledge of glazing and firing techniques;

“master silversmith” means an employee who is capable of working silver to any specification;

“melter” means an employee who melts glasses in a glass factory;

“outworker” shall have the same meaning as that ascribed to it in the Employment Act;

“office clerk” means an employee who does, general clerical duties including typing and answering the telephone;

“piece work” shall have the same meaning as that ascribed to it in the Employment Act;

“potter” means an employee who makes pots by hand or pot wheels;

“security guard” or “watchman” shall mean a person employed to protect his employer’s premises and property and, generally, to safeguard the livelihood of the employer’s work force;

“shop assistant” shall mean a person employed to sell goods to the public, to transact business with customers, to display goods that are for sale, to prepare invoices and receipts, to receive and disburse cash and remittances, to pack goods purchased by customers and to ensure the cleanliness and good appearance of the sales premises;

“supervisor” means a person employed to oversee the work, quality of work and productivity of the personnel placed in his charge and to be responsible for their conduct and discipline;

“screenprinter” means an employee who screenprints by hand pulling a squeegee;

“semi-skilled kiln hand” means an employee who has limited knowledge in operating kiln and packs it according to specification;

“silver-smith” means an employee who is capable of working silver by hand;

“spinner” means an employee who carries out spinning operation of wool or other materials according to specification;

“trainee craftsman” means a person who, after successful conclusion of the probation period has been appointed to be a “trainee craftsman” and who serves in that capacity in whatever skill or craft he may be assigned for a period, not exceeding 6 months from the date of appointment;

“weaver” means an employee who carries out duties either by operating hand loom or other equipment to manufacture the required goods;

“washer” means an employee who washes and dries material or wool and if necessary moth-proof the wool;

Basic Minimum Wage.

4. The basic minimum wage inclusive to rations or cash in lieu thereof to be paid to employees specified in the First Schedule shall be calculated at a rate not less favourable than that specified therein provided that—

- a) an employee who, at the date of the commencement of this Order, is in receipt of a wage higher than that prescribed by this Order, shall not suffer any reduction in such wages by reason of this Order;
- b) where no definition of an employee’s duties are provided for in this Order such employee shall be paid a basic wage not less favourable than that applicable to a general labourer.

Hours of Work.

5. The normal working hours of employees, other than those engaged as outworkers, piece workers and casual labour and subject to the provisions of Section 6 of this Order shall be—

- a) for those engaged, other than as watchman or casual labour, forty five hours in a week;
- b) for those engaged as security guards or watchman, seventy two hours in six shifts of twelve hours each in a week.

Overtime.

6. (1) An employee required to work hours in excess of the weekly hours specified in Section 5 shall be remunerated as follows for any hours so worked —

- a) for hours worked on a day, other than Sunday or a Public Holiday specified in the Second Schedule, in excess of those specified in Section 5(a) payment shall be at the rate of one and half times the hourly rate;
- b) for hours worked on a Sunday or a Public Holiday specified in the Second Schedule, in excess of those specified in Section 5(a) payment shall be at the rate of twice the hourly rate.

(2) An employee engaged as a security guard or watchman required to work hour in excess of those specified in Section 5(b) or who is required to work on a public holiday specified in the Second Schedule shall be remunerated for the hours so worked at twice the hourly rate or, by agreement between the employee and the employer, shall be granted an equivalent amount of time off on another occasion in lieu thereof.

(3) The basic hourly rate of wages shall be calculated—

- a) in respect of employees whose hours are specified in Section 5(a) by the division of the monthly rate of wages specified in the First Schedule by two hundred and eight;
- b) in respect of employees whose hours are specified in Section 5(b) by the division of the monthly rate of wages specified in the First Schedule by three hundred and twelve.

Public Holidays.

7. Where a public holiday specified in the Second Schedule is not granted as a day off with full pay, payment for hours of work performed on that holiday shall be at the rate of twice the basic hourly rate of pay.

Annual Leave.

8. On completion of a period of twelve months continuous service an employee, other than a security guard, shall be granted fourteen calendar days leave with full pay.

A Security guard, on completion of a period of twelve months continuous service, shall be granted twenty one calendar days leave with full pay.

Piece Work.

9. An employee engaged on piece work shall be remunerated at a rate no less favourable than that specified in the First Schedule.

Lay-Off.

10. Employees may be laid off for a period not exceeding fourteen days without pay, if, for circumstances beyond the employer's control, work ceases to be available. Provided that, at the conclusion of the period of fourteen days, the employer shall either restore the employees to their employment at the normal rate of wages or declare them redundant in terms of Section 40 of the Employment Act.

Employees shall be given fourteen days notice by the employer of any intention to lay them off.

FIRST SCHEDULE

(Paragraph 4)

BASIC MINIMUM WAGE

(Emalangen per month)

General Labourer	
Cleaner	
Trainee Craftsman	
Outworker	E141.90
Piece Worker	
Washer	
Cook	
Casual Labourer	
Carder	
Bobbin Winder	
Spinner	
Silversmith	
Potter	
Handyman	
Finisher	E160.82
Driver	
Melter	
Engraver Assistant	
Entrepreneur Assistant	
Machinist Attendant	
Screenprinter	
Semi-skilled Kiln hand	
Security Guard	

Office Clerk
 Shop Assistant
 Machine Operator
 Machinist
 Weaver
 Entrepreneur
 Engraver
 Master Screenprinter E201.03
 Master Silversmith
 Master Potter
 Dyer
 Clerk/Storeman
 Checker
 Craftsman
 Entrepreneur Grade I
 Supervisor.

SECOND SCHEDULE

(Section 7)

PAID PUBLIC HOLIDAYS

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

H.F. KUHLASE
Acting Principal Secretary
Ministry of Labour & Public Service

LEGAL NOTICE NO. 3 OF 1991

THE WAGES ACT, 1964

(Act No. 16 of 1964)

THE REGULATION OF WAGES (RETAIL AND WHOLESALE DISTRIBUTIVE TRADES) ORDER, 1991

(Under Section 11)

In exercise of the powers conferred on 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 (Retail & Wholesale Distributive Trades) Order, 1991 and shall be deemed to have come into force on the 1st November 1990.

Application.

2. This Order shall apply to all persons employed in the Retail and Wholesale supply of goods or merchandise of any description or in any operation such as ware-housing, storing, packing, clerical or other work which is associated with such Retail or Wholesale supply.

Interpretation.

3. In this Order unless the context otherwise requires:—

“Blockman” means a person employed in a butcher’s shop whose duties are the cutting, dressing and preparation of meat, but may include attending to customers;

“Cashier Grade 2” means a person responsible for issuing, receiving and checking money and who has been employed as such for a continuous period of not more than two years;

“Cashier Grade 1” means a person responsible for issuing, receiving and checking money, and who has more than two years experience in such a job;

“Clerk (with no certificate)” means an employee who does not possess a junior certificate of education and who is engaged in general clerical duties;

“Clerk (with Senior Certificate)” means an employee who is the holder of a Senior Certificate of Education and who is engaged in general clerical duties;

“Clerk (with Junior Certificate)” means an employee who is the holder of a Junior Certificate of Education and who is engaged in general clerical duties;

“Copy Typist” means an employee wholly or mainly engaged in typing, checking figures and filing and who is capable of typing a minimum of 25 words per minute;

“Deliveryman” means an employee wholly or mainly engaged in the delivery of goods;

“Driver (heavy vehicle)” means an employee in charge of a vehicle of over 1½ tons whose duties include handling to and from the tailboard and daily maintenance and cleaning of such vehicle;

“Driver (Light vehicle)” means an employee in charge of a vehicle of 1½ tons or less whose duties include handling to and from the tailboard and the daily maintenance and cleaning of such vehicle;

“General Labourer” include a person employed as a sweeper, cleaner or shopman;

“Heavy duty Labourer” means an employee wholly or mainly engaged in the handling, loading, unloading and stacking of heavy packages of goods or items of 75 pounds weight or more and who has been specially engaged for such work;

“Junior Shop Assistant” means a person employed in a place where goods are exhibited for sale to the public and who assists a shop assistant or other person serving customers, including the making up of orders and checking goods inwards and who has not acquired two years experience in such activities;

“Lorryman” means an employee wholly or mainly engaged in a vehicle conveying goods or merchandise whilst in transit, and assisting in their loading and unloading and whose duties may be interchangeable with those of a general labourer;

“Messenger” means an employee wholly or mainly engaged in carrying out errands, delivering or fetching mail, making bank deposits, and carrying out simple routine task in the employer’s office or shop;

“Petrol Pump Attendant” means a person wholly or mainly employed at a petrol pump selling fuel and oil;

“Pre-packer” means an employee wholly or mainly employed in the pre-packing of goods for display or for sale to the public;

“Redundancy” means a situation where, due to the operational or financial requirements or circumstances of the employer, the need for workers of a particular kind has ceased or diminished;

“Shop Assistant” means a person wholly or mainly employed for purposes of transacting business with customers or displaying goods on a place where such goods are exhibited for sale to the public in a supermarket or similar establishment who has acquired two years experience in such work;

“Telephone Switchboard operator” means an employee whose duties consist wholly or mainly in the operation of a telephone switchboard;

“Trainee Cashier” means a person responsible for issuing and receiving money and who has been employed as such for a continuous period of not more than one year;

“Watchman” means an employee who is engaged during the day or night to guard the premises or property of his employer;

Basic Minimum Wage.

4. The basic minimum wage to be paid to the employee specified in the First Schedule shall:-

- (i) be calculated at a rate not less than that specified in the schedule;
- (ii) be deemed to include the ration element;
- (iii) not be reduced by any amount for housing or accommodation which may be provided by the employer;

Provided 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 wage prescribed by this Order shall not by reason of this Order suffer reduction in such wage.

Hours of work.

5. (1) Subject to sub-section (2) and (3) the normal hours of work for employees shall, subject to the provisions of section 7, consist of forty-eight hours per week divided into eight and one half per day excluding a rest period of one hour on Mondays to Fridays inclusive.

(2) The normal hours of work for petrol pump attendants shall, subject to the provisions of section 7, be forty-eight hours of work spread over a period of 6 days.

(3) The normal hours of work for a watchman shall be seventy-two hours per week divided into six shifts each of twelve hours.

Public Holidays.

6. Public Holidays shall mean the days specified in the Second Schedule and shall, subject to the provisions of section 7, be holidays with full pay.

Overtime.

7. (1) An employee, other than a petrol pump attendant and a watchman, who is required to be on duty and work in excess of the hours specified in section 5 shall be paid at one and half times the basic hourly rate;

Provided that overtime worked on Sundays or Public Holidays or after 1.00 p.m. on Saturday shall be paid for at twice the employee's basic hourly rate.

(2) Overtime shall be paid to petrol pump attendants as follows:

- (i) for all time worked in excess of the normal hours of work (other than on a public holiday) at one and one half times the employee's basic hourly rate;
- (ii) for all time worked in excess of the normal hours of work on a public holidays at twice the employee's basic hourly rate.

(3) For the purpose of calculating the employee's basic hourly rate the employee's monthly basic rate shall be divided by two hundred and eight.

Annual Leave.

8. (1) After twelve consecutive months' service with an employer an employee shall be entitled to twelve working days leave on full pay;

Provided that on completion of three years continuous service with an employer an employee shall be entitled to fifteen working days leave on full pay;

(2) Where employment is terminated after three months' initial service with an employer, or after returning from annual leave as provided for in sub-section (1) an employee shall be entitled to one day's pay for each completed month of service following his initial engagement or following his return from leave as the case may be.

Sick Leave.

9. (1) After three consecutive months' service with an employer, an employee shall be entitled to sick leave up to a maximum of twenty-one days with full pay, and thereafter to sick leave up to a maximum of seven days with half pay in each period of twelve months' continuous service, subject to him producing a certificate of incapacity covering the period claimed as sick leave and signed by a medical practitioner.

(2) An employee shall not be eligible for sick leave in respect of any incapacity due to his own neglect or misconduct.

(3) Sick leave taken by an employee in terms of this section shall not be construed as a break in service for purposes of determining his entitlement to annual leave.

(4) An employee, who produces a certificate signed by a medical practitioner recommending her absence from work for reason of pregnancy, shall be entitled to sick leave of not less than thirty days with full pay.

Casual Work.

10. An employee employed on casual basis shall be paid for each day or shift worked at a rate not less than one twenty-fourth of the basic minimum wage applicable thereto.

Watchman's clothing and equipment.

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

- (a) boots, a police whistle and a club and;
- (b) a hat, overcoat or rain coat as are reasonably necessary in prevailing weather conditions.

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

Redundancy.

12. When an employee has been employed for a period of three years or more and his employment is terminated for reasons which are beyond the control of either the employer or the employee he will be paid either;

- (a) A redundancy payment equal to two-thirds of his monthly wage multiplied by four; or
- (b) Severance allowance required by the Employment Act whichever is the greater but he will not be entitled to be paid severance pay and redundancy pay.

Peace or task work.

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

14. An employee, who by nature of his employment is required on any day to remain on duty after 6 p.m. or is required to start work before 7.00 a.m. shall be provided free of charge with transport between his place of work and his home or such point on a public road as may be mutually agreed upon between the employer and the employee.

Revocation.

15. The Regulation of Wages (Retail and Wholesale Distributive Trades) Order, 1989 (Legal Notice No. 83 of 1989) is hereby revoked.

FIRST SCHEDULE
BASIC MINIMUM WAGE
(EMALANGENI PER MONTH)

- A) Bhunya, Big Bend, Havelock Mine, Hlatikulu, Luyengo, Matata, Malkerns, Manzini, Mbabane, (including establishments situated along and within 5 km. on either side of the Mbabane/Manzini main road stretching 20 km. from Mbabane); Matsapha Industrial Areas, Mhlambanyatsi, Mhlume, Ngwenya, Nhlangano, Pigg's Peak, Sidvokodvo, Simunye, Siteki, Tambankulu, Tshaneni, Vuvulane, Nsoko Shopping Complex, Ngonini Shopping Complex, Ebuhleni Shopping Complex, Lavumisa, Mankayane, Lomahasha Shopping Complex.

	A	B
	Urban Areas	All other areas
General Labourer	249.98	216.20
Lorryman	249.98	216.20
Watchman	249.98	216.20
Messenger	249.98	216.20
Deliveryman	249.98	216.20
Heavy Duty Labourer	249.98	216.20
Pre-Packer	249.98	216.20
Clerk (with no certificate)	270.25	229.71
Clerk (with Junior Certificate)	286.46	240.52
Clerk (with Senior Certificate)	304.03	252.68
Junior Shop Assistant	270.25	229.71
Telephone Switchboard Operator	270.25	229.71
Copy Typist	270.25	229.71
Driver (light vehicle)	286.46	240.52
Petrol Pump Attendant	286.46	240.52
Driver (heavy Duty)	304.03	252.68
Shop Assistant	304.03	252.68
Blockman	304.03	252.68
Cashier Grade I	351.32	270.25
Trainee Cashier	270.25	229.71
Cashier Grade 2	304.03	252.68

*NB: Areas reflected against A above are, for the purposes of this Regulation Order, declared Urban Areas.

SECOND SCHEDULE

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

H.F. KUHLASE (MRS)

Acting Principal Secretary Ministry of Labour & Public Service