



SWAZILAND GOVERNMENT GAZETTE

VOL. XXXIII]

MBABANE, Friday, April 7th, 1995

[No. 83

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CORRIGENDUM

ELECTION OF BUCOPHO BETINKHUNDLA MEMBERS NOTICE, 1995

(General Notice No. 13 of 1995)

The Election of Bucopho Betinkhundla Members Notice, 1995 should be corrected by adding the words "with effect from 19th October, 1994" after the words, "opposite his name."

GENERAL NOTICE NO. 16 OF 1995

THE PUBLIC HOLIDAYS ACT, 1938

(Act No. 71 of 1938)

APPOINTMENT OF A PUBLIC HOLIDAY (EASTER MONDAY) NOTICE, 1995

Short title.

1. This Notice may be cited as the Appointment of a Public Holiday (Easter Monday) Notice, 1995.

Appointment of Holiday.

2. In exercise of the powers conferred by Section 2 of the Public Holidays Act, 1938, the Minister of Home Affairs hereby appoints Easter Monday as a Public Holiday in Swaziland.

Revocation of General Notice No. 12 of 1995.

3. General Notice No. 12 of 1995 is hereby revoked.

ELLIOT BHEMBE

Principal Secretary

NOTICE

Notice is hereby given that I, LUKE SIMON DLAMINI of Manzini Region intend to apply to the Honourable Minister for justice of the Kingdom of Swaziland for authorisation to assume the surname Sibeko after the fourth publication of this Notice in each of four consecutive weeks in the Observer and Times of Swaziland newspapers, being two newspapers circulating in the region where I reside and designated for this purpose by the Regional Secretary for the Manzini Region and in the Government Gazette.

The reason I want to assume the surname is because Sibeko is my natural surname.

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

P.O. Box 2177

Mbabane

G355 4x14-4-95

NOTICE

Notice is hereby given that I, PETROS MAJAWONKE NDZIMANDZE of Manzini Region intend to apply to the Honourable Minister for justice of the Kingdom of Swaziland for authorisation to assume the surname Dlamini after the fourth publication of this Notice in each of four consecutive weeks in the Observer and Times of Swaziland newspapers, being two newspapers circulating in the region where I reside and designated for this purpose by the Regional Secretary for the Manzini Region and in the Government Gazette.

The reason I want to assume the surname is because Dlamini is my natural surname.

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

P.O. Box Khalangilile Primary School

P.O. Luyengo

G359 4x14-4-95

NOTICE

Notice is hereby given that I, DANIEL MFANAWESONTO METHULA of Lubombo Region intend to apply to the Honourable Minister for justice of the Kingdom of Swaziland for authorisation to assume the surname Tsabedze after the fourth publication of this Notice in each of four consecutive weeks in the Observer and Times of Swaziland newspapers, being two newspapers circulating in the region where I reside and designated for this purpose by the Regional Secretary for the Lubombo Region and in the Government Gazette.

The reason I want to assume the surname is because Tsabedze is my natural surname.

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

P.O. Box Bafanele General Dealer

P.O. Sithobela

G358 4x14-4-95

NOTICE

Notice is hereby given that we intend applying for a certified copy of the following title deeds:

Certified Copy of Crown Grant No. 46/1988 registered on the 4th day of October 1988 in respect of:-

CERTAIN: Lot No. 180 situate in Hlobile Street Siteki Township, Lubombo District, Swaziland;

MEASURING: 511 (Five One One) square metres;

HELD by Samuel Zokwana Dlamini (Born on the 18th day of November 1946)

Any person having objection to the issued of such a copy is hereby requested to lodge it in writing with the Registrar of Deeds within Three (3) weeks of the last publication of this notice.

DATED at Mbabane this day of March 1995.

Robinson Bertram & Keyter
Attorneys for Applicant
P.O. Box 24
Mbabane

G395 2x7-4-95

NOTICE

CITY COUNCIL OF MBABANE

(pursuant to Section 79 (2) of the Urban Government Act 1969)

Notice is hereby given that the City Council of Mbabane intends to make bye-Laws and or amend bye-Laws in force with respect to the following services rendered by the council.

1. Mbabane Swimming Bath
2. Market Fees
3. Mbabane Abattoir Fees
4. Removal of Refuse/Dead animals
5. Septic Tanker
6. Mbabane Cemetery Fees
7. Laboratory Charges
8. Advertising Charges
9. Scrutiny Fees/inspection fees
10. Miscellaneous

A copy of this notice and the proposed bye-laws shall be exhibited at the office of the City Council, Civic Centre, Warner Street, Mbabane for a period of one month from the date of publication of this notice.

Any person(s) wishing to object or make representation to the making or amending of such Bye-Laws is by this notice invited to lodge his objections in writing with the Town Clerk at the address given below upon or by 25th day of April, 1995.

DATED at Mbabane this 25th day of March 1995.

G. MHLONGO
Town Clerk
P.O. Box 1
Warner Street
Mbabane

G379 2x7-4-95

NOTICE

ESTATE LATE PHILEMON MAKOKOSI MAZIYA ESTATE NO. 368/93

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

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

JOHANNES S. NKAMBULE & ASSOCIATES
Executor's Attorneys
1st Floor Suite 4A Estel House
Ngwane Street
P.O. Box 300
Manzini

G422 7-4-95

NOTICE

ESTATE LATE DANIEL ZITHA MOTH A ESTATE NO. 117/94

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

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

JOHANNES S. NKAMBULE & ASSOCIATES
Executor's Attorneys
1st Floor Suite 4A Estel House
Ngwane Street
P.O. Box 300
Manzini

G423 7-4-95

NOTICE

ESTATE LATE THOKO GLADYS NJONGWE ESTATE NO. 208/94

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) days from date of publication hereof.

JOHANNES S. NKAMBULE & ASSOCIATES
Attorneys for Executor Dative
1st Floor Suite 4A Estel House
Ngwane Street
P.O. Box 300
Manzini

G424 7-4-95

NOTICE

ESTATE LATE ANDRONICA L. DLAMINI ESTATE NO. 39/94

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) days from date of publication hereof.

JOHANNES S. NKAMBULE & ASSOCIATES
Attorneys for Executor Dative
1st Floor Suite 4A Estel House
Ngwane Street
P.O. Box 300
Manzini

G425 7-4-95

NOTICE

ESTATE LATE JABULANE RICHARD DLAMINI E274/93

Debtors and Creditors in the above estate are hereby called upon to pay their debts and to lodge their claims respectively with the undersigned within thirty (30) days of the first publication hereof.

DATED at Mbabane on this 30th day of March, 1995.

BHEKI G. SIMELANE AND COMPANY
Executrix Dative Attorneys
2nd Floor Mbandzeni Building
Church/Smuts Streets
P.O. Box 4505
Mbabane

G412 7-4-95

NOTICE

ESTATE LATE JAMESON MAPHANGA ESTATE NO. 120/95

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

MRS MURIEL MAPHANGA
P.O. Box 338
Manzini

G401 7-4-95

NOTICE

ESTATE LATE JERRY PHAZAMISA MAGAGULA ESTATE NO. E71/95

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

THEMBIE MAGAGULA
P.O. Box 21
Lobamba

G403 7-4-95

NOTICE

ESTATE LATE JOYCE SHONGWE ESTATE NO. E116/95

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

S.M. SHONGWE
P.O. Box 195
Pigg's Peak

G415 7-4-95

NOTICE

ESTATE LATE AARON FANYANA MAVUSO

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

ELDAH HLUKANISILE MAVUSO
P.O. Box 21
Motshane

G418 7-4-95

NOTICE

ESTATE LATE OBED ZACHEUS DHLAMINI - E259/94

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

DATED at Mbabane on this 30th day of March, 1995.

J.M. MATSEBULA & ASSOCIATES
Attorneys for the executrix
2nd Floor Dhlamini's House
Cnr. Tin & Walker Streets
P.O. Box 657
Mbabane

G420 7-4-95

NOTICE

ESTATE LATE JEREMIAH SELBORNE DLAMINI NO. 23/95

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.

LULAMA DLAMINI
P.O. Box 14
Manzini

G419 7-4-95

NOTICE

ESTATE LATE FLORAH MANUNU HLETA ESTATE NO. E315/95

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.

SIFISO HLETA
P.O. Box 29
Kubuta

G421 7-4-95

NOTICE

Notice is hereby given that we intend applying for a certified copy of Mortgage Bond No. 319/1980 dated the 11th August 1980.

Passed by Azon Msibi (born on the 9th day of June 1948) for an amount of E22 225.00 (Twenty Two Thousand Two Hundred and Twenty Five Emalangeni) in favour of Swaziland Development and Savings Bank.

Any person having objection to the issue of such a copy is hereby requested to lodge it in writing with the Registrar of Deeds within Three (3) weeks of the last publication of this notice.

DATED at Mbabane this day of March 1995.

ROBINSON BERTRAM & KEYTER
Attorneys for Applicant
Sokhamlilo Building
P.O. Box 24
Mbabane

G417 2 x 14-4-95

NOTICE

Notice is hereby given that in terms of Section 5 of the Protection of Names, Uniforms and Badges Act No. 10 of 1969, an application by SAMUEL S. SHONGWE P.O. Box 1003, Mbabane, in his capacity as Member of Leadership of the Association has been made for the grant to Registration of the name

IMPACT SWAZILAND FELLOWSHIP.

Any person or persons likely to be affected by the grant of the registration may at any time within a period of one month of the publication of this notice, give notice, of objection in writing on the prescribed form of objection and send same to the applicant.

P.J. GUMEDE
Registrar for the Protection of Names,
Uniforms and Badges

G404 7-4-95

NOTICE

Notice is hereby given that in terms of Section 5 of the Protection of Names, Uniforms and Badges Act No. 10 of 1969, an application by ERNST & YOUNG, c/o P.O. Box 210, Mbabane, in his capacity as Chartered Accountant of the Association has been made for the grant to Registration of the name

NUMBER ONE STORE

Any person or persons likely to be affected by the grant of the registration may at any time within a period of one month of the publication of this notice, give notice, of objection in writing on the prescribed form of objection and send same to the applicant.

P.J. GUMEDE
Registrar for the Protection of Names,
Uniforms and Badges

G405 7-4-95

NOTICE

Notice is hereby given that in terms of Section 5 of the Protection of Names, Uniforms and Badges Act No. 10 of 1969, an application by JOHN MELVIN P.O. Box 2769 Mbabane, in his capacity as Chairman of the Association has been made for the grant to Registration of the name

THE SWAZILAND PONY CLUB ASSOCIATION

Any person or persons likely to be affected by the grant of the registration may at any time within a period of one month of the publication of this notice, give notice, of objection in writing on the prescribed form of objection and send same to the applicant.

P.J. GUMEDE
Registrar for the Protection of Names,
Uniforms and Badges

G406 7-4-95

NOTICE

Notice is hereby given that in terms of Section 5 of the Protection of Names, Uniforms and Badges Act No. 10 of 1969, an application by ERNST & YOUNG c/o P.O. Box 210, Mbabane, in his capacity as Chartered Accountant of the Association has been made for the grant to Registration of the name

MAKRO S.A.

Any person or persons likely to be affected by the grant of the registration may at any time within a period of one month of the publication of this notice, give notice, of objection in writing on the prescribed form of objection and send same to the applicant.

P.J. GUMEDE
Registrar for the Protection of Names,
Uniforms and Badges

G407 7-4-95

NOTICE

Notice is hereby given that in terms of Section 5 of the Protection of Names, Uniforms and Badges Act No. 10 of 1969, an application by PETER EMMETT P.O. Box 266, Ezulwini, in his capacity as District Commissioner of the Association has been made for the grant to Registration of the name

THE EZULWINI PONY CLUB ASSOCIATION

Any person or persons likely to be affected by the grant of the registration may at any time within a period of one month of the publication of this notice, give notice, of objection in writing on the prescribed form of objection and send same to the applicant.

P.J. GUMEDE
Registrar for the Protection of Names,
Uniforms and Badges

G408 7-4-95

NOTICE

Notice is hereby given that in terms of Section 5 of the Protection of Names, Uniforms and Badges Act No. 10 of 1969, an application by CASMON ELLIOT DLAMINI P.O. Box 974, Mbabane, in his capacity as Chairman of the Association has been made for the grant to Registration of the name

SWAZILAND UNITED CARVERS ASSOCIATION

Any person or persons likely to be affected by the grant of the registration may at any time within a period of one month of the publication of this notice, give notice, of objection in writing on the prescribed form of objection and send same to the applicant.

P.J. GUMEDE
Registrar for the Protection of Names,
Uniforms and Badges

G409 7-4-95

NOTICE

THE SWAZILAND COMMERCIAL BOARD

(In Liquidation)

Notice is hereby given that the First Liquidation and Distribution Account in the above matter will lie open for inspection by creditors at the offices of the Master of the High Court of Swaziland for a period of fourteen days from the date of publication of this notice.

P.R. COOPER
Liquidator

G402 7-4-95

NOTICES

SWAZILAND COMPANIES ACT NO. 7 OF 1912

Notice is hereby given that I have reasonable cause to believe that the undermentioned Companies:

Liyandiza Transport Limited
Njomane Restaurant (Proprietary) Limited
Le Afrique Music Centre (Proprietary) Limited
Gripaints Limited
Industrial Traders Limited
Broadway Trading Company (Proprietary) Limited
Swazi American Cattle Breeders Limited
S.J. Motors (Proprietary) Limited
Emanti Contractors (Proprietary) Limited
Plank Instrument Contractors Limited
Mantombi Estate Development Company (Pty) Ltd
Energotec Investments (Proprietary) Limited
Ngomane Supermarket (Proprietary) Limited
Gudlunsele Field Services Limited
Beginsel Estates Limited
Central Supermarket (Proprietary) Limited
Swaziland Drilling & Blasting (Proprietary) Limited
N.B. Building Contractors (Proprietary) Limited
Sandeane Sales and Marketing (Proprietary) Limited
Swazi Gems (Proprietary) Limited
Swaziland Monumental Works Materials (Pty) Ltd
Pan Afric Consulting Engineers (Swaziland) (Pty) Ltd
Ora Dental Services (Proprietary) Limited
Usushwana Investments (Proprietary) Limited
Mphumalanga Investments (Proprietary) Limited
Pickford Manufacturing Limited
Swaziland Corporate Security Holdings (Pty) Ltd
Leach Contract Services (Swaziland) (Pty) Ltd
Almet Inc (Swaziland) (Proprietary) Limited
Khan Investments (Proprietary) Limited

Incorporated under the laws of Swaziland, are not carrying on business and are not in operation. The names of the aforesaid companies, will unless cause is shown to the contrary at the end of three months from date hereof be struck off the Swaziland Register of Companies, and the companies be dissolved.

P.J. GUMEDE
Registrar of Companies

G410 7-4-95

NOTICE

ESTATE LATE ALVINAH LOKUSINDZA BHEMBE ESTATE NO 118/95

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

PHILIP ZIYEPHU BHEMBE
P.O. Box A362
Mbabane

G429 7-4-95

NOTICES

PROTECTION OF NAMES, UNIFORMS AND BADGES ACT, 1969

Notice is hereby given in terms of Section 6 of the Protection of Names, Uniforms and Badges Act, that the names:

Ntengenyane Farmers Sugar Association

Credit Control Swaziland (Proprietary) Limited (Check Cheque)

Shiselweni Interstate Kombi Association

Asibe Munye Maswati Association

Mbabane Taxi and For Hire Association

Zakhele Township Rate Payers Association

have been entered in the Register for the Protection of Names, Uniforms and Badges for Swaziland, as from 29th March, 1995.

P.J. GUMEDE
Registrar for the Protection of Names,
Uniforms and Badges

G411 7-4-95

NOTICE

Notice is hereby given that I, BONGANI JOHANNES METHULA of Shiselweni Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Malinga after the fourth publication of this Notice in each of four consecutive weeks in the Observer and Times of Swaziland newspapers, being two newspapers circulating in the region where I reside and designated for this purpose by the Regional Secretary for the Shiselweni Region and in the Government Gazette.

The reason I want to assume the surname is because Malinga is my natural surname.

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

BONGANI JOHANNES MALINGA
P.O. Box 271
Hlatikhulu

G427 4x28-4-95

NOTICE

ESTATE LATE ANDREW FONOZI MKHONTA ESTATE NO. 129/95

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

ROPHINAH MKHONTA
P.O. Box 1542
Manzini

G426 7-4-95

NOTICE
IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 1733/94

In the matter between:

STANDARD CHARTERED BANK SWAZILAND LIMITED

Plaintiff

and

ALL ITALIA RESTAURANT (PTY) LTD

1st Defendant

RICHARD SIPHIWE DLAMINI

2nd Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Manzini outside the Regional Administrator's Offices building, Manzini at 2.30 p.m. on Friday the 5th May, 1995.

CERTAIN: Portion 19 of Farm "STERKSTROOM" NO. 264, situate in the District of Manzini, Swaziland;

MEASURING: 3235 (Three Two Three Five) Square metres

HELD: By the 2nd Defendant under Deed of Transfer No. 204/1974 dated the 24th June, 1974.

The Conditions of Sale are available for inspection at the office of the Sheriff in the High Court Building in Mbabane and at the offices of the Regional Administrator, Manzini.

Further particulars may be obtained from the undersigned.

DATED at Mbabane this 28th day of March, 1995.

J.P. ANNANDALE
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

G416 7-4-95

NOTICE

ESTATE LATE AMOS SHESHILE DAN MASANGO ESTATE NO. E133/95

Debtors and Creditors in the above estate are hereby required to lodge their claims with and pay their debts to the undersigned within (30) thirty days from date of publication hereof.

ELLEN MASANGO
P.O. Box 2737
Mbabane

G434 7-4-95

NOTICE

ESTATE LATE CHARLIE LITTLER E162/95

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

C.J. LITTLER & CO.,
Attorneys for Executrix
P.O. Box 2381
Mbabane

G432 7-4-95

NOTICE

ESTATE LATE PERCY JOSEPH NDLOVU ESTATE NO. 552/94

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.

RICHMAN B. NDLOVU
P.O. Box 4001
Manzini

G433 7-4-95

NOTICE

NOTICE OF SALE IN EXECUTION

IN THE HIGH COURT OF SWAZILAND

Case No. 997/94

In the matter of:-

STANBIC BANK OF SWAZILAND

Judgment Creditor

and

PRIVATE EYE (PTY) LTD

1st Judgment Debtor

SENZENJANA NGWENYA

2nd Judgment Debtor

In pursuance of a Warrant of Execution in the above-mentioned matter, NOTICE is hereby given that the following immovable property of the Judgment Debtor will be sold by public auction by the Deputy Sheriff for the Hhohho District at the High Court, Mbabane on Wednesday the 26th day of April 1995 in front of the High Court, Mbabane at 11h30:-

Lot No. 1787, Mbabane Township, Extension 13, Mbabane.

The Conditions of Sale are available for inspection at the offices of the Registrar of the High Court and of Perry Millin incorporating R D Friedlander & Co., the attorneys for the Judgment Creditor, Development House, Swazi Plaza, Mbabane.

DATED at Mbabane on this 29th day of March 1995.

DEPUTY SHERIFF - HHOHHO

G430 7-4-95

NOTICE

Notice is hereby given that we intend applying for certified copies of:

1. CERTAIN: Portion 65 of the farm Trelawny Park No. 868, District of Manzini, Swaziland;
MEASURING: 1032 square metres, held under Deed of Transfer No. 148/63 made in favour of the late Johannes Maseko on the 23rd September 1963.
2. CERTAIN: Portion 67 of the farm Trelawny Park No. 868, District of Manzini, Swaziland;
MEASURING: 1307 square metres, held under Deed of Transfer No. 101/65 made in favour of the late Johannes Maseko on the 21st June 1965.
3. CERTAIN: Portion 97 of the farm Trelawny Park No. 868, District of Manzini, Swaziland;
MEASURING: 2943 square metres, held under Deed of Transfer No. 84/63 made in favour of the late Johannes Maseko on the 29th May 1963.
4. CERTAIN: Portion 98 of the farm Trelawny Park No. 868, District of Manzini, Swaziland;
MEASURING: 3179 square metres, held under Deed of Transfer No. 85/63 made in favour of the late Johannes Maseko on the 29th May 1963.
5. CERTAIN: Portion 7 of Farm No. 300, District of Manzini, Swaziland;
MEASURING: 12.8480 hectares, held under Deed of Transfer No. 75/63 made in favour of the late Johannes Maseko on the 29th April, 1963.

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

DATED at Mbabane this 3rd day of April 1995.

SAMUEL S. EARNSHAW & CO.
Attorneys for Applicant
P.O. Box 1134
Mbabane

G431 2x14-4-95

**SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE**

VOL. XXXIII]

MBABANE. Friday, April 7th, 1995

[No. 83

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LEGAL NOTICE NO. 51 OF 1995

THE WAGES ACT, 1964 NO. 16 OF 1964

THE REGULATION OF WAGES (HOTEL AND CATERING TRADES) ORDER, 1995

(Under Section 11)

In exercise of the powers conferred on him by Section 11 of the Wages Act, 1964, the Minister for Labour & Public Service hereby makes the following Order.

Citation.

1. This Order may be cited as the Regulation of Wages (Hotel and Catering Trades) Order, 1995 and shall be deemed to have come into force on the 1st October, 1994.

Interpretation.

2. In this Order, unless the context otherwise requires:-

"Assistant Housekeeper" means a person who -

- (a) assists and carries out the instruction of a Housekeeper or the Management particularly in regard to the maintenance of linen, blankets and soft furnishings;
- (b) supervises room maid and similar staff; and
- (c) is responsible for the cleaning of such areas of the establishment as are designated by the management;

"Assistant waiter/waitress" means a person who assists a waiter/waitress and carries out the duties of a waiter/waitress under his direction;

"Barman" means a person other than a junior or a cocktail barman who -

- (a) prepares and serves drinks, other than cocktails, to wine stewards, bar stewards, waiters, and guests in a public bar;
- (b) collects and accounts for the payment of the drinks;
- (c) is responsible for all stocks and monies under his control; and
- (d) is responsible for the cleanliness of the bar and its surroundings.

"Bar steward" means a person who accepts orders for drinks and serves them throughout the establishment;

"Basic minimum wage" means the basic minimum wage payable to an employee excluding allowances in cash or in kind and overtime payments;

"Banqueting Waiter" means a person who sets up and prepares banqueting areas for functions, conferences, meetings and banquets, serves food beverages and cigarettes and clears the room ready for setting up the next functions.

"Billing clerk" means a person who prepares and controls guests accounts, receives and acts upon reception reports and may also be required to carry out the duties of a receptionist;

"Butcher" means a person who prepares and cuts meat, fish and or poultry in its raw state and

carries out associated duties assigned by Head Chef or Assistant Chef.

"Cashier" means a person who prepares bills of accounts, operates an accounting machine, cash register or a manual accounting system and is responsible for all cash under his control;

"Casino waiter" means a person who serves food, beverages and cigarettes etc. ordered by guests, prepares and polishes casino tables, empties ashtrays and assists in setting.

"Cleaner" means a person who carries out the cleaning of any area or item required by a supervisor;

"Cocktail Barman" means a person other than a barman who -

- (a) prepares and serves cocktails and drinks;
- (b) collects and accounts for the correct payment of the drinks;
- (c) is responsible for all stocks and monies under his control; and
- (d) is responsible for the cleanliness of the bar and its surroundings.

"Chef de partie/cook" means a person who -

- (a) compiles menus in consultation with the management;
- (b) prepares food;
- (c) supervises and allocates work in the kitchen;
- (d) checks the arrival of the foodstuffs and raw materials to be used in the kitchen particularly in regard to weight and quality; and
- (e) is responsible for the cleanliness and general hygiene of the kitchen;

"Clerk" means a person who carries out clerical duties and is responsible for all monies and documents under his control;

"Dressmaker" means a person with a working knowledge of material in common use including their cost, and designs, layout cuts and sews uniforms, and carries out the duties of a seamstress when so required;

"Driver" means a person who is in possession of a licence to drive a vehicle allocated to him and who cleans the vehicle and carries out simple maintenance tasks on it;

"Handyman" means a person who carries out maintenance work, supervises and allocates tasks to employees under his supervision and is responsible for all tools and stores under his control;

"Head porter" means a person in charge of the porters desk who supervises porters and luggage porters and carries out all duties allocated to him by reception staff or management.

"Head waiter" means a person who -

- (a) is in charge of the dining room, and supervises waiters and dining room staff;
- (b) arranges table reservations for individual customers or parties;
- (c) ensures that a high standard of service is maintained and deals with customer's complaints concerning the food or service; and

(d) may also be required to take customer's orders and pass them to the waiter;

"Housekeeper" means a person who -

(a) is responsible for cleaning bedrooms and public areas in a hotel and for the cleanliness and repair of all linen, blankets and soft furnishings under his control and advising management on the durability and replacement thereof; and

(b) supervises room maids and other staff;

"Labourer" means a person who, under supervision, carries out manual work including irrigation, and who if so required, works as a pump house attendant;

"Laundry worker Grade 1" means a person who carries out laundry work involving the use of machinery other than flat irons;

"Linen keeper" means a person who is responsible for the control and issue of linen and other stocks and cleaning materials in a linen room;

"Lounge/Pool waiter/waitress" means a person who serves food, beverages cigarettes etc. and clears/cleans tables in the lounge or pool area.

"Luggage Porter" means a person who carries out instructions given to him by a head porter, porter or reception staff, or the management and carries luggage;

"Porter" means a person who -

(a) carries out the duties allocated to him by reception staff;

(b) conducts guests to their rooms;

(c) performs other duties as may be required by the management including the cleaning of shoes, selling newspapers and the collection of mail;

"Receptionist" means a person who checks guests into and out of the establishment, and allocates rooms to guests and submits accounts to them for payment;

"Room maid" means a person who cleans and prepares rooms for use by guests and who carries out associated duties allocated by the management, a housekeeper or assistant housekeeper;

"Room service person" means a person who has knowledge of all items of the room service menu, who sets up room service tray, prepares the room area for service, delivers food and beverage orders to guests' bedrooms and offices, and clears bedrooms, corridors and offices of dirty crockery cutlery, glasses and trays;

"Seamstress" means a person who repairs and alters uniforms, soft linen and furnishings and who carries out associated duties by the management, a housekeeper or assistant housekeeper;

"Security guard" means a person with a working knowledge of the laws relating to the sale of liquor and the hotel industry, who is responsible for the security of premises belonging to the establishment in which he is employed and carries out and prepares report on investigations as required by the management;

"Short order cook" means a person who is responsible for the preparation and production of short orders and simple food on the instruction of the management or cook;

"Stores assistant" means a person who, under instructions, checks and accounts for all items coming into, or being issued from a store and is responsible for the receipt and custody of all stores under his control;

"Supervisor" means a person responsible for the supervision of any employees placed under his control by the management;

"Telephonist" means a person who operates a Switchboard, who keeps a record of all outgoing calls insuring that they are correctly charged to the person responsible for their payment and who receives and records guests' messages;

"Tractor driver" means a person who operates a tractor and implements assigned to him in order to carry out given tasks and who carries out simple maintenance of the tractor;

"Waiter/waitress" means a person who -

- (a) has knowledge of all items on the menu, and receives orders from customers in dining room; and
- (b) prepares and serves sandwiches, salads, snacks and other light refreshments throughout the establishment;
- (c) is responsible for preparation of table and cleaning of the work/working station.

"Wine steward" means a person who presents a wine list to guests, and advises on and serves wine and other drinks and serves light refreshments and snacks throughout the establishment;

"Valet" means a person who is responsible for ironing, pressing, collection and the delivery of the guests garments;

"Watchman" means a person who guards the property of his employer against fire, theft and illegal entry and who watches or guards against any other irregularities.

Application.

3. This Order applies to persons specified in column one of the First & Second Schedule employed in the Hotel and Catering Trades.

Basic minimum wage.

4. The employees specified in the First Schedule shall be paid a basic minimum wage not less than that specified therein, which shall not be reduced by any amount for housing or accommodation.

Rations.

5. (1) At his expense, an employer shall supply weekly rations to an employee in accordance with the scale specified in the Third Schedule.

(2) Notwithstanding Sub-Regulation (1) an employer, with the consent of the employee and after notifying the Labour Commissioner, may pay the employee in lieu of rations, such allowances as may be approved by the Labour Commissioner from time to time.

Hours of work.

6. The normal working week shall consist of forty-eight hours (which shall exclude six hours duty free for meal breaks) spread over a period of six days.

Overtime.

7. (1) Overtime for all employees, other than those employed on casual basis, shall be paid for time worked in excess of forty-eight hours in any week, at one and half times the normal hourly rate.

(2) The normal hourly rate shall not be less than one two hundred and thirty fourth $1/(234)$ of the employee's basic minimum wage.

Annual leave.

8. (1) After twelve months' continuous service with an employer, an employee shall be entitled to twelve working days paid leave which period shall exclude any public holidays specific in Paragraph 12 which occur during that leave:

Provided that:-

- (a) after two years of continuous service with an employer an employee shall be entitled to eighteen working days annual leave with full pay; and
- (b) After three years of continuous service with an employer an employee shall be entitled to twenty one working days annual leave with full pay.

(2) Any employee who goes on annual leave, in addition to the payment for that leave shall be paid an amount in cash equivalent in value to the rations he would have received during the period of his annual leave had he remained on the employer's premises.

Sick Leave.

9. (1) After three month's of consecutive service with an employer and subject to the production of a Medical Certificate signed by a Medical Practitioner registered under the Medical and Dental Practitioners Act, 1970, an employee shall be entitled to sick leave up to a maximum of fourteen days on full wages thereafter to a maximum of fourteen days on half wages in each period of twelve months continuous service.

(2) Notwithstanding Sub-Regulation (1)

- (i) An employee shall not be entitled to the benefits if the sickness or accident causing his absence was caused by his own negligence or misconduct.
- (ii) A certificate issued by a registered nurse shall be accepted in place of a Medical certificate if a Medical Practitioner is not available.

(3) An employee may, on production of evidence that she is about to give birth to a child, take the sick leave provided for in this Regulation as part of maternity leave.

(4) Where an employer grants four or more weeks paid maternity leave, an employee may not take sick leave provided for in this Regulation as part of maternity leave.

Written particulars to be provided.

10. An employer shall on engagement of an employee, give such employee a completed copy of the form at the fourth Schedule of this Order.

Continuous service.

11. (1) Continuous service is service in the employment of the employer interrupted only the death, retirement or discharge of the employee concerned.

Provided that an employee who is re-engaged within two months of his discharge shall be deemed to be in the continuous service of that employer.

- (2) Where, following upon a change of ownership of an establishment or undertaking an employee enters the service of the new owner without interruption, his service shall be deemed to be continuous service in the employment of the new owner.

Paid Public Holidays.

12. The following shall be public holidays with full pay.

Christmas Day
Boxing Day
Incwala Day
Umhlanga (Reed Dance) Day
Good Friday
The King's Birthday
National Flag Day
Somhlolo (Independence) Day
Public Holiday (22nd July)

Termination of employment after three months.

13. Where the employment of an employee is terminated after a period exceeding three months but not amounting to one year from the date of its commencement the employer shall pay to the employee a sum not less than one day's wages for each completed month of such period.

Rest Day.

14. (1) An employee shall be entitled to either one rest day with full pay in every period of seven days, provided that with the agreement of his employer, he may accumulate two such rest days in any period of seven days.

(2) Where an employee works on a rest day in order to accumulate two rest days as provided in Sub-Regulation (1) he shall be entitled to overtime payment for that day except for such time worked thereon as exceeds nine working hours.

Casual work.

15. A person employed on casual basis shall be paid for each hour worked not less than one two hundredth of the basic minimum wages as specified in First Schedule.

Transport Arrangement.

16. Where an employer does not provide accommodation for an employee and such employee is required to start work on or before 7.00 a.m. or to remain on duty after 5.30 p.m. the employer shall either:-

- (a) provide free transport between the place of work and such other place not exceeding sixteen kilometres and accessible by road, as may be agreed by the employer and the employee concerned; or
- (b) pay to the employee in addition to wages, an amount to the cost of public transport between

the place of work and such other place as may be agreed by the employer and the employee.

Uniforms.

17. (1) Uniforms shall be provided by the employer to all employees who are handling foodstuff or drink who are in direct contact with guests, but such uniforms shall remain the property of the employer.

(2) An employee shall, unless otherwise permitted by the employer, wear the supplied uniforms only during working hours.

Inclement weather (field workers only).

18. An employee who reports for work at the normal time, but who is prevented from working by inclement weather, shall receive full basic wage for the first day of such interruption and half basic wage for the subsequent two days of such interruption and shall thereafter receive no wage for the duration of the interruption if it continues.

Training period.

19. No employee shall be engaged as a trainee for more than six months for jobs appearing in the Second Schedule, which shall also include the probation period of three months.

Revocational of Legal Notice No. 140 of 1993.

20. The Wages Regulation (Hotel and Catering Trades) Order, 1993 is hereby revoked.

FIRST SCHEDULE

For the purpose of the Schedule -

Group A shall mean any undertaking licenced under the Casino Act, 1963 or having 75 or more bedrooms for guests;

Group B shall mean any hotel, motel, restaurant bar or club with a liquor licence; or which serves food, which is not included in Group A; and which is situated in Mbabane or Manzini urban areas or within 8 km, of the road joining Mbabane and Manzini.

Group C shall mean any hotel, bar motel, restaurant or club with a liquor licence, which is not included in Group A or B.

Group D shall mean any hotel, motel restaurant or club undertaking without a liquor licence and any accommodation establishment or caravan park not included in Group A, B or C.

	A	B	C	D
Assistant Cook	540.00	423.00	341.00	276.00
Assistant housekeeper	401.00	363.00	350.00	350.00
Assistant Waiter/Waitress	313.00	376.00	251.00	251.00
Barman	587.00	482.00	339.00	-
Bar steward	337.00	264.00	252.00	-
Billing Clerk	724.00	473.00	422.00	-
Butcher	839.00	574.00	436.00	271.00

Cashier	427.00	424.00	412.00	412.00
Clerk	412.00	285.00	374.00	374.00
Cleaner	288.00	269.00	251.00	251.00
Cocktail Barman	655.00	551.00	511.00	-
Cook/Chef de partie	839.00	574.00	436.00	302.00
Dressmaker	466.00	375.00	313.00	-
Driver	398.00	380.00	366.00	333.00
Head Porter	436.00	424.00	399.00	-
Handyman	518.00	376.00	327.00	327.00
Head Waiter	657.00	376.00	343.00	343.00
Housekeeper	657.00	416.00	363.00	363.00
Junior Barman	472.00	363.00	327.00	-
Labour	287.00	270.00	251.00	251.00
Laundry Worker Grade I	342.00	376.00	251.00	251.00
Laundry Worker Grade II	302.00	264.00	247.00	247.00
Banqueting Waiter	384.00	302.00	267.00	-
Linen Keeper	329.00	313.00	339.00	310.00
Luggage Porter	287.00	270.00	251.00	-
Porter	412.00	339.00	280.00	-
Receptionist	440.00	479.00	423.00	-
Room Maid	287.00	270.00	251.00	251.00
Room Service Person	384.00	302.00	251.00	251.00
Seamstress	329.00	329.00	329.00	-
Security Guard	398.00	366.00	347.00	343.00
Short Order Cook	329.00	302.00	264.00	264.00
Storeman	755.00	577.00	388.00	363.00
Stores Assistant	377.00	382.00	311.22	308.00
Supervisor	339.00	313.00	302.00	302.00
Telephonist	384.00	294.00	276.00	276.00
Tractor Driver	343.00	343.00	339.00	295.00
Waiter/Waitress	384.00	302.00	276.00	276.00
Watchman	287.00	382.00	276.00	276.00
Wine Steward	389.00	302.00	276.00	-
Valet	377.00	251.00	251.00	-

TRAINING PERIOD
SECOND SCHEDULE (EMALANGENI PER MONTH)

	A	B	C	D
Trainee Assistant Housekeeper	321.00	309.00	303.00	276.00
Trainee Bar Steward	302.00	251.00	251.00	-
Trainee Billing Clerk	376.00	329.00	327.00	-
Trainee Cashier	360.00	339.00	327.00	-
Trainee Handyman	384.00	355.00	290.00	290.00
Trainee Receptionist	378.00	355.00	290.00	-
Trainee Telephonist	323.00	270.00	251.00	251.00

**THIRD SCHEDULE
(WEEKLY RATION SCALE)**

Minimum Ration Scale

1. Mealie Meal 6.36 Kg.
Meat 1.36 Kg.
Sugar 0.45 Kg.
Dry Beans, Peas or Groundnuts 0.68 Kg.
Fresh Vegetables 0.90 Kg.
Salt 0.114 Kg.
2. Alternative -
The following weekly rations may be supplied in lieu of the items of food mentioned in paragraph 1 -
 - (a) Mealie Meal -
for every 9.53 Kgs of mealie, .45 Kgs of Bread, 373 grams of Rice or .23 Kgs of Sweet Potatoes;
 - (b) Meat -
 - (i) For the First 249 grams of offal; or
 - (ii) For the First .45 Kgs of Fish or 249 grams of Cheese;
 - (c) Fresh Vegetables -
For every .45 Kgs of Fresh Vegetables, 45 Kgs of Fresh Fruit or a proportionate ratio of Dehydrated Vegetables;
3. Permitted Variations,
 - (a) The Drink known as "Mahewu"; or
 - (b) A proprietary vitamised drink, if either drink is issued in the week to the employee by the Employer.

FOURTH SCHEDULE

Section 22

WRITTEN PARTICULARS OF EMPLOYMENT RECORDS

1. Name of Employer
2. Name of Employee
3. Date of Employment began
4. Wage and method of Calculation
5. Interval at which wages are paid
6. Normal Hours of work
7. Short description of Employee's work
.....
.....
8. Probation Period
9. Annual Holiday Entitlement
10. Paid Public Holidays
11. Payment During Sickness
12. Maternity Leave (if employee female)
13. Notice Employee entitled to receive

14. Notice Employee required to give
15. Pensions Scheme (if any, other than NPF Scheme)
16. Any other matter either party wishes to include
17. Accommodation Arrangement
18. Transport Arrangement
19. Agreed Transport delivery

NOTES:

- (a) An Industry Union is recognised by this undertaking any employee is free to join it, the address of the Industry Union is
- (b) The grievance procedure in this undertaking required that a grievance should be First referred to
- (c) When any hearing is inapplicable enter Nil.

Signature: Employer
 Employee
 Witness
 Date

C.B. CEKO
Principal Secretary - Ministry of Labour