



SWAZILAND GOVERNMENT GAZETTE

VOL. XXXIII]

MBABANE, Friday, September 1st, 1995

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NOTICE

IN THE HIGH COURT OF SWAZILAND

IN THE ESTATE OF THE LATE: MHLOLI HULUMENDE MAMBA ESTATE NO. 413/95

A meeting of next of kin and all others concerned will be held before the Master of the High Court at Mbabane on 19th September, 1995 at 12.00 hours for the nomination of an executor/executrix dative of the above estate.

CHURCHILL B. DLAMINI
Master of the High Court

Master's Office
P. O. Box 19
Mbabane

G1252 1-9-95

NOTICE

IN THE HIGH COURT OF SWAZILAND

IN THE ESTATE OF THE LATE: ANTHONY ROBERT WEST ESTATE NO. 410/95

A meeting of next of kin and all others concerned will be held before the Master of the High Court at Mbabane on 19th September, 1995 at 12.30 hours for the nomination of an executor/executrix dative of the above estate.

CHURCHILL B. DLAMINI
Master of the High Court

Master's Office
P. O. Box 19
Mbabane

G1253 1-9-95

NOTICE

IN THE HIGH COURT OF SWAZILAND

IN THE ESTATE OF THE LATE: LOFANA RAYMOND SHONGWE ESTATE NO. 419/95

A meeting of next of kin and all others concerned will be held before the Master of the High Court at Mbabane on 20th September, 1995 at 10.00 hours for the nomination of an executor/executrix dative of the above estate.

CHURCHILL B. DLAMINI
Master of the High Court

Master's Office
P. O. Box 19
Mbabane

G1254 1-9-95

NOTICE

IN THE HIGH COURT OF SWAZILAND

**IN THE ESTATE OF THE LATE: MANDLENKHOSI JOHNSON TSABEDZE
ESTATE NO. 415/95**

A meeting of next of kin and all others concerned will be held before the Master of the High Court at Mbabane on 20th September, 1995 at 10.30 hours for the nomination of an executor/executrix dative of the above estate.

CHURCHILL B. DLAMINI
Master of the High Court

Master's Office
P. O. Box 19
Mbabane

G1255 1-9-95

NOTICE

IN THE HIGH COURT OF SWAZILAND

**IN THE ESTATE OF THE LATE: METHUEWS MABALIZANDLA NHLABATSI
ESTATE NO. 408/95**

A meeting of next of kin and all others concerned will be held before the Master of the High Court at Mbabane on 19th September, 1995 at 10.00 hours for the nomination of an executor/executrix dative of the above estate.

CHURCHILL B. DLAMINI
Master of the High Court

Master's Office
P. O. Box 19
Mbabane

G1248 1-9-95

NOTICE

IN THE HIGH COURT OF SWAZILAND

**IN THE ESTATE OF THE LATE: MFANISELWA NELSON MAHLALELA
ESTATE NO. 411/95**

A meeting of next of kin and all others concerned will be held before the Master of the High Court at Mbabane on 19th September, 1995 at 10.30 hours for the nomination of an executor/executrix dative of the above estate.

CHURCHILL B. DLAMINI
Master of the High Court

Master's Office
P. O. Box 19
Mbabane

G1249 1-9-95

NOTICE

IN THE HIGH COURT OF SWAZILAND

IN THE ESTATE OF THE LATE: THOLOLO CLARK MAKHANYA ESTATE NO. 404/95

A meeting of next of kin and all others concerned will be held before the Master of the High Court at Mbabane on 19th September, 1995 at 11.00 hours for the nomination of an executor/executrix dative of the above estate.

CHURCHILL B. DLAMINI
Master of the High Court

Master's Office
P. O. Box 19
Mbabane

G1250 1-9-95

NOTICE

IN THE HIGH COURT OF SWAZILAND

IN THE ESTATE OF THE LATE: POLYCARP SIKHUMBUZO JELE ESTATE NO. 412/95

A meeting of next of kin and all others concerned will be held before the Master of the High Court at Mbabane on 19th September, 1995 at 11.30 hours for the nomination of an executor/executrix dative of the above estate.

CHURCHILL B. DLAMINI
Master of the High Court

Master's Office
P. O. Box 19
Mbabane

G1251 1-9-95

NOTICE

ESTATE LATE: PHILLIP SIPHO MATSEBULA E538/94

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

LILLY MATSEBULA
P. O. Box 60
KWALUSENI

G1246 1-9-95

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 1044/95

In the matter between:

EPHRAIM N. DLAMINI t/a MUHLE TOURS

Plaintiff

and

MICHAEL KHOZA

Defendant

NOTICE OF SALE

Notice is hereby given that the undermentioned property will be sold by public auction by the Deputy Sheriff for the Shiselweni outside the Hlatikulu Magistrate Court at 11.00 a.m. on Friday the 6th October 1995.

CERTAIN: Lot No. 139, 140, 141, ERF 144, ERF 231 Hlatikulu, Shiselweni District.

The conditions of sale are available for inspection at the offices of the Deputy Sheriff in the Hlatikulu Magistrate Court, Regional Administrators's office, Hlatikulu and the offices of Bheki G. Simelane and Company, 2nd Floor Mbandzeni Building Church/Smuts Streets, Mbabane.

Further particulars may be obtained from the undersigned.

DATED at Mbabane on this 22nd day of August 1995.

Deputy Sheriff for the District of Shiselweni
P. O. Box 576
Nhlangano

Registrar of the High Court
Mbabane

G1239 1-9-95

NOTICE

ESTATE LATE: LAURA LANDRETH

All Creditors and persons interested ab intestato or otherwise in the abovementioned Estate are hereby called upon within twenty-one days from the date hereof, to lodge in writing with The Master of the High Court of Swaziland at Mbabane, Swaziland, the particulars of their claims against the said Estate and their objections, if any, to the signing and sealing by him of the Letters of Administration granted by the Master of the Supreme Court of South Africa, Transvaal Province. Provincial Division at Pretoria on the 30th day of November 1994, to Julie Karina Peasey as Executrix dative of the said Estate.

ROBINSON BERTRAM & KEYTER
Attorneys for Executrix Dative
P. O. Box 24
Mbabane

G1244 1-9-95

NOTICES

SWAZILAND COMPANIES ACT NO. 7 OF 1912

Notice is hereby given that pursuant to the notices published in the Swazi Observer dated 3rd April, 1995, 10th April, 1995 and 26th April, 1995; and in the Swaziland Government Gazette Numbers 83 of 7th April, 1995, 85 of 21st April, 1995 and 86 of 28th April, 1995; the names of the undermentioned Companies:

Awe Building Construction (Proprietary) Limited
Investments Marketing Development Limited
Njomane Restaurant (Proprietary) Limited
Mathathu Building Construction (Proprietary) Limited
International Games (Proprietary) Limited
Swaziland 2000 (Proprietary) Limited
Mantombi Estate Development Company (Proprietary) Limited
Sales Promoters (Proprietary) Limited
Swazi M.A.K.S. (Proprietary) Limited
Darow Agencies (Proprietary) Limited
A and A Distributors (Proprietary) Limited
Bamale Construction (Proprietary) Limited
Interworld Foods (Proprietary) Limited
Gripaints Limited
Swaziland Drilling & Blasting (Proprietary) Limited
Gradio Swazi Construction (Proprietary) Limited
Swaziland Monumental Works Memorials (Proprietary) Limited
Leach Contract Services (Swaziland) (Proprietary) Limited
Denisar (Proprietary) Limited
Permar Sea Foods (Proprietary) Limited
Trans Swazi Freight Limited
Broadway Trading Company (Proprietary) Limited
Designs for Africa (Proprietary) Limited
Energotec Investments (Proprietary) Limited
Safeland (Proprietary) Limited
International Musical Instrument Manufacturers (Proprietary) Limited
Ka-Nyamazane Estates (Proprietary) Limited
Khan Investments (Proprietary) Limited Trading As Bargain Spot
NB Building Contractors (Proprietary) Limited
Danvon Holdings (Proprietary) Limited
Farm Management Corporation (Proprietary) Limited
Pickford Manufacturing Limited
Swaziland Corporate Security Holdings (Proprietary) Limited
Mphumalanga Investments (Proprietary) Limited
Fong - Yeh (Proprietary) Limited
Swazi Gems (Proprietary) Limited
The Wonder Block and Brick Company Limited
Trade Tools and Accessories (Swaziland) (Proprietary) Limited
Zombodze Butchery (Proprietary) Limited
Electralite Distributors Swaziland (Proprietary) Limited
Ngomane Supermarket (Proprietary) Limited
Basite Building Construction (Proprietary) Limited
Medicaid Foundation (Proprietary) Limited
Viva (Proprietary) Limited
Accounting and Management Services (Proprietary) Limited
Pan Afric Consulting Engineers (Swaziland) (Proprietary) Limited

Goldbergs Herbal Health Services Limited
 Swaziland Motor Investments Limited
 Usushwana Investments (Proprietary) Limited
 Beginsel Estates Limited
 Liyandiza Transport Limited
 Oral Dental Services (Proprietary) Limited
 Industrial Traders Limited
 Msibi's Bus Service (Proprietary) Limited
 Le Afrique Music Centre (Proprietary) Limited
 Inkazimulo YemaSwati Company Limited
 Holmedine Properties (Proprietary) Limited
 Sea - Side Wholesalers (Proprietary) Limited
 African News Limited
 Trio Logging and Hauling Company (Proprietary) Limited
 The Swaziland Coal Corporation Limited
 Ngwane Consolidated Industries (Proprietary) Limited
 Auto General Engineering Limited
 Swaziland Medical and Commodity Suppliers (Proprietary) Limited
 Central Panel Beaters and Spray Painters (Proprietary) Limited
 Climax Laboratory Services (Swaziland) Limited
 Mbabane Plumbing Works (Proprietary) Limited
 Tai Fook (Proprietary) Limited
 Games Limited
 Delta Investments (Proprietary) Limited
 Sandean Sales and Marketing (Proprietary) Limited
 Loffler and Malaza Engineering (Proprietary) Limited
 Halal Trading Company (Proprietary) Limited
 Diplomatic Sales Organisation (Proprietary) Limited
 Home Steel Industries (Proprietary) Limited
 Almet Inc. (Swaziland) (Proprietary) Limited
 Monique Trading (Swaziland) Limited
 N M S Properties (Proprietary) Limited
 Reynolds Properties (Proprietary) Limited
 Emanti Contractors (Proprietary) Limited
 Central Supermarket (Proprietary) Limited
 Media - Link (Swaziland) (Proprietary) Limited
 Swazi American Cattle Breeders Limited
 Plank Instrument Contractors Limited
 Gudlumsele Field Services Limited
 S & F Building & Maintenance Services Limited
 Alex Airconditioning & Sheet Metal Engineering Limited

were struck off the Swaziland Register of Companies, and the companies dissolved with effect from the 15th August, 1995.

P. J. GUMEDE
 Registrar of Companies

G1241 1-9-95

NOTICE

IN THE HIGH COURT OF SWAZILAND

HOLDEN AT MBABANE ON THE 18TH DAY OF AUGUST 1995
BEFORE THE HONOURABLE MR. JUSTICE B. DUNN, ACTING
CHIEF JUSTICE

CASE NO. 1721/95

In the ex parte application of:-

ITALO FALCOMER (applicant) FOR THE RESTORATION OF MEDI FARM PROPRIETARY
LIMITED ON TO THE REGISTER OF COMPANIES

COURT ORDER

HAVING HEARD Counsel for the Applicant and having read the papers filed of record

IT IS HEREBY ORDERED THAT:-

1. All interested parties are hereby called upon to show cause, if any, before the above Honourable Court on the 8 September, 1995 at 9.30 a.m. why:-
 - 1.1 the Registrar of Companies should not be ordered to restore Medi Farm Proprietary Limited on the register of companies.
 - 1.2 it should not be ordered that the assets of the company which became bona vacantia on the deregistration of the company are no longer bona vacantia but restored to the company.
2. That the rule nisi issued in terms of paragraph 1.1 and 2.1 hereof be published once in the Government Gazette and in a newspaper circulating in Swaziland.

BY ORDER OF COURT

GIVEN UNDER MY HAND AND SEAL AT MBABANE ON THE 18TH DAY OF AUGUST 1995

T.S. MAZIYA
Registrar of the High Court Mbabane

G1238 1-9-95

NOTICE

ESTATE LATE: JOSEPH C. MKHWANAZI ESTATE NO. 315/95

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.

ELIZABETH N.P. MKHWANAZI
P. O. Box 2494
Mbabane

G1245 1-9-95

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 488/95

In the matter between:

SWAZILAND BUILDING SOCIETY

Plaintiff

and

VERNON SANDILE MPUNGOSE

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 Hhohho outside the High Court building at 11.30 a.m. on Friday the 8th day of September 1995.

CERTAIN: Lot No. 2965 Mbabane Extension No. 21 (Embangweni Township), situate in the District of Hhohho, Swaziland;

MEASURING: 255 (Two Five Five) Square Metres;

IMPROVEMENTS: Detached house comprising: 2 Bedrooms, Lounge, Bathroom and WC and Kitchen;

RESERVE PRICE: E90,000-00 (Ninety Thousand Emalangeni).

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, Hhohho.

The Society may lend 75% (seventy five per centum) to suitable borrowers and interested parties are advised to seek advice from the Society in this regard prior to the date of the sale.

Further particulars may be obtained from the undersigned.

DATED at Mbabane on this the 16th day of August 1995.

J. P. ANNANDALE

Sheriff of Swaziland

c/o The Registrar of the High Court

Mbabane

G1234 1-9-95

NOTICE

ESTATE LATE: PETRUS JACOBUS JANSEN VAN VUURNE E400/95

Debtors and Creditors of the above are hereby called upon to pay their debts or submit their claims to the undersigned within 21 (twenty one) days of the date of publication of this Notice.

SAMUEL S. EARNSHAW & CO
Attorneys for Executrix
Walker Street
Dhlan'ubeka House
P. O. Box 1134
Mbabane

G1235 1-9-95

NOTICE

ESTATE LATE: JABULILE JOYCE NDLOVU E53/95

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.

MUMSY NDLOVU
P. O. Box 30
Bhunya

G1247 1-9-95

NOTICE

ESTATE LATE: THAMSAQA DUMISA SIFISO SHABALALA E305/95

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.

DOLLY SHABALALA
P. O. Box 1513
Mbabane

G1237 1-9-95

NOTICE

ESTATE LATE: NDECHILIO ELISA MALLYA E.293/93

Notice is hereby given that the 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 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.

MTHEMBU SIMELANE ZWANE & KUBHEKA
Attorney's for the Executrix
Lusweti Chambers
Erf 126 Esser Street
P. O. Box 1301
Manzini

G1242 2x8-9-95

NOTICE

**MATSAPA ENGINEERING (PTY) LTD
(IN VOLUNTARY LIQUIDATION)**

NOTICE OF MEETING

Notice is hereby given in terms of Section 169 (1) and (2) that a meeting of shareholders of the company will be held at 2nd Floor, Imfembe Building, Warner Street, Mbabane at 10 a.m. on 29 September 1995 for purpose of considering the final liquidation and distribution account.

J. HAYTER
Liquidator

25 August 1995

G1236 1-9-95

NOTICE

ESTATE LATE: NOMSA JOICE DLAMINI ESTATE NO. 369/95

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 JULIET MAPHALALA
P. O. Box 273
Bhunya

G1243 1-9-95

NOTICE

Notice is hereby given that, I, Justin Makwenkwe Meggitt of Hhohho Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Meggitt-Nxumalo 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 Hhohho Region and in the Government Gazette.

The reason I want to assume the surname is because Meggitt-Nxumalo is my natural surname.

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

P. O. Box 1396
Mbabane

G1122 4x1-9-95

NOTICE

Notice is hereby given that, I, Mavela Elliot Mthethwa of Hhohho Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Zulu 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 Hhohho Region and in the Government Gazette.

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

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

P. O. Box 328
Eveni H103

G1136 4x1-9-95

NOTICE

Notice is hereby given that, I, Gubuda Johane Mazibuko of Lubombo Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Mpofu 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 Mpofu is my natural surname.

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

P. O. Box 64
Ntjaneni

G1161 4x8-9-95

NOTICE

Notice is hereby given that we intend applying for a Lost Title Deed being Deed of Transfer No. 234/1975 dated on the 12th August, 1975 made in favour of Ephraem Alfred Dlamini (born on the 12th January, 1927) in respect of:-

CERTAIN: Lot No. 61, situate in Prince Arther Street in the Hlatikhulu Township, Shiselweni District, Swaziland;

MEASURING: 2855 (Two Eight Five Five) Square Metres.

Any person having objections to issue of such copy is hereby requested to lodge it in writing with the Registrar of Deeds within 3 weeks of the last publication of this Notice.

DATED at Mbabane on this 22nd day of August, 1995.

J.M. MATSEBULA & ASSOCIATES
Applicant's Attorneys
2nd Floor Dhlani'ubeka House
Corner, Walker & Tin Streets
Mbabane

G1231 2x1-9-95

NOTICE

**I & E INDUSTRIES (SWAZILAND) (PROPRIETARY) LIMITED
(IN LIQUIDATION)**

A special meeting of Creditors and Contributories in this matter will be held in Master's Office, High Court, Mbabane on Thursday 21 September 1995 at 11.00 hours for the purpose of:

Proof of Claims.

C B DLAMINI
Master of the High Court

G1256 1-9-95

NOTICE

ESTATE LATE: JOHN MANKUNYUMBELA MAZIYA ESTATE NO. 532/94

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

REBECCA T. MAZIYA
P. O. Box 644
Siteki

G1240 1-9-95

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 684/1995

In the matter between:

SWAZILAND BUILDING SOCIETY

Plaintiff

and

MDUDUZI PIUS DLAMINI

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 Hhohho, outside the High Court of Swaziland building, Mbabane at 11.30 a.m. on the 15th day of September 1995.

CERTAIN: Portion 13 of Lot No. 2836 Mbabane Extension No. 21 (Embangweni Township) situate in the Hhohho District, Swaziland.

MEASURING: 409 (Four Zero Nine) square metres.

RESERVE PRICE: E120,000.00 (One Hundred and Twenty Thousand Emalangeni).

IMPROVEMENTS: Detached house of 106 square metres comprising: 3 Bedrooms, Living Room, Dining Room, Bathroom, Kitchen and Pantry.

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, Hhohho.

The Swaziland Building Society may lend 75% (Seventy Five per centum) to suitable borrowers and interested parties are advised to seek advice from the Society in this regard prior to the date of the sale.

Further particulars may be obtained from the undersigned.

DATED at Mbabane on this the 28th day of August 1995.

J. P. ANNANDALE
Sheriff of Swaziland
High Court of Swaziland
Mbabane

G1257 1-9-95

NOTICE

ESTATE LATE: RUFUS NDIYAZA MABUSELA ESTATE NO. E381/95

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.

TENNYSON MABUSELA
P. O. Box 57
Mbabane

G1259 1-9-95

NOTICE

ESTATE LATE: GEORGE AARON MAVIMBELA E380/95

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.

SIPHIWE HABI MAVIMBELA
P. O. Box 69
Matata

G1258 1-9-95

NOTICE

ESTATE LATE: THEMBA P. MTHEMBU ESTATE NO. E387/93

Notice is hereby given 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 for inspection at the office of the Master of the High Court of Swaziland at Mbabane and at the office of the Regional Administrator (Mbabane) for a period of 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 with the Master of the High Court at any time before expiry of the said period.

P. R. DUNSEITH
Attorney for Executor Dative
1st Floor Lansdowne House
Post Street
P. O. Box 423
Mbabane

G1262 1-9-95

NOTICE

ESTATE LATE: NGEZI KALAKEZI ESTATE NO. E407/95

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.

DENNIS VILAKATI
R. F. M. Hospital
P. O. Box 14
Manzini

G1261 1-9-95

NOTICE

ESTATE LATE: ABSALOM MAHLOBA MAHLALELA E182/95

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.

PHILEMON M. MAHLALELA
P. O. Box 37
Lomahasha

G1263 1-9-95

**SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE**

VOL. XXXIII]

MBABANE, Friday, September 1st, 1995

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LEGAL NOTICE NO. 124 OF 1995

THE WAGES ACT, 1964

(Act No. 16 of 1964)

**THE REGULATION OF WAGES (RETAIL, WHOLESALE AND DISTRIBUTIVE
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 hereby makes the following Order -

Citation.

1. This Order may be cited as the Regulation of Wages (Retail Wholesale & Distributive Trades) Order, 1995 and shall be deemed to have come into effect on the 1st August, 1995.

Application.

2. This Order shall apply to all persons employed in the Retail and Wholesale supply of goods or merchandise of 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” means a person responsible for issuing, receiving and checking money and who has been employed as such for a continuous period of more than 6 months;

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

“Junior Clerk” means an employee who is the holder of a Junior Certificate of education and who is engaged in general clerical duties and also supervises the Junior clerk;

“Copy Typist” means an employee wholly or mainly engaged in typing, checking figures and filling 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 11/2 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 11/2 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 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 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 inward and who has not acquired 6 months experience in such activities;

"Lorryman" means an employee wholly or mainly engaged in a vehicle conveying goods or merchandise whilst in transit, and assisting their loading and unloading and whose duties may be interchangeable with those of 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 from bulk to small parcels;

"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 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 6 months;

"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-regulation (2) and (3) the normal hours of work for employees shall, subject to the provisions of regulation 6, 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 regulation 6, 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.

Overtime Payment.

6. (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 regulation 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 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 hours (48 hours per week x 4.33 weeks per month).

(4) No employee shall be required to work overtime against his will unless it is understood by both parties that such overtime is necessary.

Annual Leave.

7. (1) After twelve consecutive month's 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-regulation (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.

8. (1) After three months 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 minimum of fourteen days on full pay and thereafter to sick leave up to a maximum of fourteen days on half pay in each period of twelve months' continuous service.

(2) Notwithstanding sub-Regulation (1)

- (i) An employee shall not be entitled to the benefits specified in regulation (1) if the sickness or accident causing his absence was caused by his own negligence or misconduct;
- (ii) A certificate issued by registered nurse shall be accepted in place of a Medical certificate if a Medical Practitioner is not available.
- (iii) 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.

Written Particulars To Be Provided:

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

Public Holidays.

10. (1) The following shall be Public Holidays with full pay -
- Christmas Day
 - New Years Day
 - Good Friday
 - Easter Monday
 - Ascension Day
 - King's Birthday
 - Somhlolo Day

Reed Dance Day
Flag Day
Incwala Day
July 22nd
Workers Day (1st May)

(2) Where a public holiday falls on a Sunday, the following days shall be deemed to be a public Holiday.

(3) An employee who is absent without leave on the working day before or the working day after a public holiday, shall not be entitled to any payment in respect of that public holiday in terms of this regulation.

Compassionate Leave.

11. An employee who has completed the probation period shall be entitled to compassionate Leave as follows:

Widows - 15 working days with full pay and 15 days without pay.

Widower - 6 working days with full pay.

Natural father or mother - 3 working days with full pay.

Any other relative at employers' discretion

Casual Work.

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

Watchman's Clothing and Equipment.

13. (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-regulation (1) shall be of a reasonable quality and shall remain the property of the employer.

Redundancy.

14. 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 greater, but he will not be entitled to be paid severance pay and redundancy pay.

Piece or Task Work.

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

Transport.

16. 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.

Continuous Service:

17. (1) Continuous service is service in the employment of the employer interrupted only by 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.

Protective Clothing.

18. If it is necessary to protect an employee from physical or chemical injury which may arise from the work he is required to do, the employer shall supply that employee with adequate protective clothing and such employee shall use the protective clothing as instructed.

Termination of Employment After Three Months.

19. 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.

Lay-Off:

20. Where an employer is unable to provide work for any employee due to:-

- (a) unavailability of working materials; or
- (b) temporary cessation of work;

He may, subject to him giving the employee not less than twenty four hours notice, lay-off the employee, without pay, for a maximum period of fifteen working days in the circumstances mentioned in Sub-regulation (a) and for a maximum period of thirty working days in the circumstances mentioned in Sub-regulation (b); at the expiry of fifteen working days or thirty working days as may be applicable, the employer shall either provide work for the employee, or terminate his employment under the provisions of the Employment Act;

Provided that an employee who has been engaged for the duration of a specific project or in connection with a specific project shall, upon commencement of work be informed of the date upon which it is estimated, the project will terminate and the specifying of such date of termination notwithstanding any other law whether or not the project has in fact terminated shall constitute an adequate notice by the employer to the employee of the date of notice of termination of such contract of service.

Revocation.

21. The Regulation of Wages (Retail, Wholesale and Distributive Trade) Order, 1994 (Legal Notice No. 63 of 1994 is hereby revoked.

FIRST SCHEDULE

BASIC MINIMUM WAGE

(EMALANGENI PER MONTH)

(A) Bhunya, Big Bend, Havelock Mine, 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 Area, Mhlambanyatsi, Mhlume, Ngwenya, Nhlengano, Pigg's Peak, Sidvokodvo, Simunye, Siteki, Tabankulu, Tshaneni, Vuvulane, Nsoko Shopping Complex, Ngonini Shopping Complex, Ebuhleni Shopping Complex, Lavumisa, Mankayane, Lomahasha Shopping complex.

	A Urban Areas	B All other Areas
General Labourer	487.20	417.00
Lorryman	487.20	417.00
Watchman	487.20	417.00
Messenger	487.20	417.00
Deliveryman	487.20	417.00
Heavy Duty Labourer	487.20	417.00
Pre-Packer	487.20	417.00
Junior Clerk	511.41	429.37
Senior Clerk	542.76	451.11
Junior Shop Assistant	487.20	417.00
Telephone Switchboard Operator	487.20	417.00
Copy Typist	487.20	417.00
Driver (Light Vehicle)	511.41	429.37
Petrol Pump Attendant	511.41	429.37
Driver (Heavy Duty)	542.76	451.11
Shop Assistant	542.76	451.11
Blockman	542.76	451.11
Trainee Cashier	487.20	417.00
Cashier	627.20	482.45

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

SECOND SCHEDULE

Regulation 9

WRITTEN PARTICULARS OF EMPLOYMENT FORM

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 Holiday
11. Payment during sickness
12. Maternity Leave (if employee female)
13. Notice employee entitled to receive
14. Notice employee required to give
15. Pension Scheme (if any, other than N.P.F. Scheme)
.....
16. Any other matter either party wishes to include
.....

Notes (a) An Employee is free to join an industry union which is recognised by the undertaking.
The address of the Industry Union is:

.....

(b) The grievance procedure in this undertaking requires that a grievance should be
first referred to

.....

(c) When any heading is inapplicable enter nil

Signed: Employer

..... Employee

..... Witness

..... Date

S. B. CEKO
*Principal Secretary-Ministry of
Labour & Public Service*