



SWAZILAND GOVERNMENT GAZETTE EXTRAORDINARY

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PUBLISHED BY AUTHORITY

PART C

SI

LEGAL NOTICE NO. 142 OF 2001

THE NATIONAL AGRICULTURAL MARKETING BOARD ACT, 1985
(Act No. 13 of 1985)

THE IMPORT AND EXPORT OF SCHEDULED PRODUCTS REGULATIONS, 2001
(Under Section 15)

Citation.

1. These Regulations may be cited as the Import and Export of Scheduled Products Regulations, 2001.

Interpretation.

2. In these Regulations "Act" means the National Agricultural Marketing Board Act, 1985.

Registration of Importers and Exporters of Scheduled Products.

3. (1) No person shall engage in the importation or exportation of scheduled products unless that person has applied to be registered by the Board and is so registered.

(2) An application to the Board for registration under sub-regulation (1) shall be in the form prescribed in the Schedule to these Regulations.

(3) Every application for registration shall be accompanied by a fee of E100.00 (Emalangeni one hundred) which is refundable if the application is unsuccessful.

Permits.

4. (1) The Board shall, upon registration of any person under sub-regulation 3, issue to that person a permit which shall entitle that person to import or export scheduled products.

(2) No permit shall be required for the importation or exportation of scheduled products which do not exceed 20 kilogrammes in weight.

Duration of Permit.

5. A permit issued or renewed under sub-regulation 4 or sub-regulation 6 shall be valid for a period of one month, and shall expire on the last day of the month for which it was issued or renewed.

Renewal of Permits.

6. A permit issued under sub-regulation 4 may be renewed upon application made to the Board by the holder of the permit for a period of one month.

Powers of the Board and to fix levy on Scheduled Products.

7. The Board, as is empowered under section 6 of the Act, may-
- (a) require any person wishing to engage or who is engaged in importing and exporting scheduled products to register with and obtain a permit from the Board;
 - (b) nominate and empower any person or body to import or export scheduled products;
 - (c) determine the quantity, quality, grade or class of scheduled products that shall be subject to control and designate the place and manner of distribution of scheduled products;
 - (d) require from any person information relating to the source, type, grade, quantity and price of scheduled products;
 - (e) collect permit fees and by notice published in the Gazette prescribe and impose such levy as may be appropriate on the value of scheduled products.

Revocation.

8. The following Legal Notices are hereby revoked, that is-
- (a) The Import and Export of Scheduled Products Regulations, 1991 (L.N. 131 of 1991); and
 - (b) The Import and Export of Scheduled Products Notice, 1986 (L.N. 109 of 1986) with the exception of the Import and Export of Scheduled Products (Amendment) Notice, 2001 (L.N. 115 of 2001)

Transitional.

9. Import and Export of Scheduled Products (Amendment) Notice, 2001 (L.N. 115 of 2001) shall continue in force until it is revoked.

Un-expired Permits to be valid.

9. Permits issued by the Board before the commencement of these Regulations which haven't expired shall be valid until they expire.

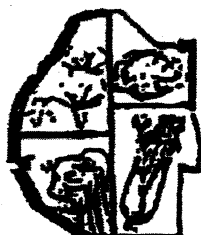
NOAH NKAMBULE
Principal Secretary
Ministry of Agriculture and Co-operatives

SCHEDULE

PRESCRIBED FORM

(under regulation 3)

SCHEDULE



NAMB

**NATIONAL
AGRICULTURAL
MARKETING
BOARD**

P.O. BOX 2801, MBABANE

APPLICATION FOR REGISTRATION IN TERMS OF SECTION 6 OF THE NATIONAL MARKETING BOARD ACT, 1985

I/We of the following address:—

.....
.....
.....

Telephone No.

Apply to the National Agricultural Market Board to be registered as (specify the scheduled Product(s):—

1. Industrial/Commercial processor of
.....
2. Wholesale distributor of
.....
3. Retailer/Retail distributor of
.....
4. Exporter of
.....
5. Importer of
.....

Signed:

this day of 19

PARTICULARS OF PAYMENT

The sum of Emalangeni has this day of
 19 been paid for this Registration.

E

For: *National Agricultural Marketing Board*

Date Stamp:

FOR OFFICIAL USE ONLY

Name of applicant Address:

.....

.....

.....

Telephone No.

Category:

Registration No.

Amount E Receipt No.

NOTE: No permit to import or export scheduled products may be issued unless the applicant has been registered with the Board.

LEGAL NOTICE NO. 191 OF 2001

THE WAGES ACT, 1964
(Act No. 16 of 1964)

THE REGULATION OF WAGES (SECURITY SERVICES INDUSTRY) ORDER, 2001
(Under Section 11)

In exercise of the powers conferred upon him by section 11 of the Wages Act, 1964, the Minister of Employment And Enterprise hereby makes the following Order-

Citation.

1. This Order may be cited as the Regulation of Wages (Security Industry) Order, 2001 and shall be deemed to have come into force on the 1st December, 2001.

Application.

2. (1) This Order shall apply to all persons employed in detective, investigative, cash in transit, patrolling and night-watching services providing protection against burglary, fire, personal injury and similar services connected with or related to the foregoing.

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

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

Interpretation.

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

"clerk" means an employee engaged on full time general clerical duties:

"group A" means an employee, other than a patrol supervisor, with three months or less continuous service:

"group B" means an employee, with more than three months' up to twelve months' continuous services;

"group B1" means an employee with more than twelve months' continuous service;

"group C" means a patrol supervisor Grade 11;

"group D" means a patrol supervisor grade 1:

"casual employee" means an employee whose engagement provides for his payment at the end of each day and who is not engaged for a longer period than twenty four hours at a time.

Basic Minimum wage.

4. (1) Basic Minimum wage to be paid to an employee shall,

(i) include a ration allowance; and

(ii) be calculated at a rate specified in the First Schedule hereto.

(2) An employee, who at the commencement of this Order, received benefits greater than those specified in this Order, shall not suffer any reduction in such benefits by reason of this Order coming into operation.

Hours of work.

5. The basic working week shall consist of fifty-four hours. The first fifty-four hours shall be at normal rate, and any hour worked in excess of fifty- four shall be paid as over time in accordance with Regulation 6.

Overtime payment.

6. (1) An employee who is required to be on duty and work in excess of the hours specified in Regulation 5 shall be entitled to be paid for such overtime at the rate of one and half times the employee's normal hourly rate of wages.

(2) Normal hourly rate shall mean the employees monthly rate of wages divided by two hundred and thirty-four hours .

Annual Leave.

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

(2) 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, or after a period of employment following the completion of a year in respect of which the paid annual holiday has been taken, the employer shall, on or before the date of such termination, pay to the employee a sum equal to not less than one day's wages for each completed month of such period.

Sick Leave.

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

Maternity Leave.

9. (1) Every female employee, whether married or unmarried , who has been in the continuous employment of her employer for twelve months or more shall be entitled to maternity leave on full pay for a period not exceeding three weeks (18 working days) upon delivering to her employer:-

- (a) A certificate issued by a Medical Practitioner or a midwife setting the expected or actual date of her confinement; or
- (b) Such other evidence in support of the entitlement to maternity leave as is reasonable, having regard to all the circumstances of the case.

(2) Provided that no employee shall be entitled to the maternity leave provided for under sub-regulation (1) for two consecutive years.

Written Particulars to be provided.

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

Compassionate Leave.

11. (1) An employee who has completed the probation period shall be entitled to compassionate leave as follows-

Widows	-	37 working days
Widower	-	7 working days
Natural father or mother	-	7 working days
Biological child	-	7 working

(2) Entitlement to compassionate leave of any other relative in addition to the above be at the discretion of the employer.

Public Holidays:

12. (1) The following shall be Public Holidays with full pay ;-

New Years Day
 Good Friday
 Easter Monday:
 National Flag Day:
 King's Birthday
 Somhlolo Day:
 Reed Dance Day:
 Incwala Day:
 Christmas Day:and
 May Day

Day Off:

13. (1) an employee shall be entitled to a minimum of one day off in each week.

(2) the employer and employee may mutually agree that the day-off be deferred so to allow the employee to accumulate a total of four days off work each month.

Travelling Expenses.

14. (1) Any employee who travels on duty and remains away from his place of residence shall be reimbursed all travelling, lodging and meal expenses, incurred , if the employee remains away from the employees' place of work for a period of 48 hours, on production of receipts covering the expenditure.

(2) Where an employee is transferred from his place of employment the payment of expenses under regulation 12(1) shall cease and the employer shall therefore provide such employee with suitable accommodation or payment in lieu thereof for a period of three months, to allow the alternative accommodation.

Lay-Off.

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

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

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

Day Pay.

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

Uniforms, Protective Clothing and Equipment.

17. (1) The employer of a guard or watchman shall provide such employee free of charge with,

(a) boots (shoes for female guards) a whistle, a club, torch; and

(b) when reasonably required under the prevailing weather conditions, a hat, raincoat, or overcoat

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

Revocation of legal Notice No. 56 of 2000 .

18. The Regulation of wages (Security Services Industry) Order 2000 is hereby revoked.

FIRST SCHEDULE

(Regulation 4)

	(Per Month) Rates	(Per Hour) Rates
Group A	521.50	2.23
Group B	565.00	2.41
Group B1	612.00	2.62
Group C	630.50	2.69
Group D	735.50	3.14
Telephonist	521.50	2.23
Clerk	735.50	3.14

SECOND SCHEDULE**WRITTEN PARTICULARS OF EMPLOYMENT FORM**

1. Name of Employer
2. Name of Employee
3. Date Employment began.....
4. Wage and method of calculation.....
5. Intervals 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 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 requires that a grievance should be first referred to:

.....

.....

(c) When any heading is inapplicable enter Nil

Signed Employer

..... Employee

..... Witness

..... Date

M. E. VILAKATI
Principal Secretary
Ministry of Employment and Enterprise

