

SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE

VOL. XXIII]

MBABANE, Friday, June 28th., 1985

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PUBLISHED BY AUTHORITY

THE PREVENTION OF CORRUPTION BILL, 1985

(Bill No. 15 of 1985)

(To be presented by the Minister for Justice)

MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to provide for the prevention of corruption, for the imposition of penalties in respect of offences involving corruption and for other matters relating thereto.

D.P. MAKANZA
Attorney-General

A BILL
entitled

An Act to provide for the prevention of corruption.

ENACTED by the Regent and the Parliament of Swaziland.

Short title.

1. This Act may be cited as the Prevention of Corruption Act, 1985 and shall come into operation on such date as the Minister may, by notice in the Gazette appoint.

Interpretation.

2. In this Act, unless the context otherwise requires—

“consideration” means consideration of any kind whether valuable or not;

“public corporation” means any body, whether corporate or unincorporate, in which the Government, the Swazi Nation or the Swazi National Treasury holds shares or any financial or monetary interest and include any body in which such corporation holds shares or any monetary or financial interest.

Application.

3. This Act shall apply to any person who holds office —

- (a) in respect of which emoluments or allowances are payable from public funds or from the Swazi National Treasury;
- (b) in a public corporation;
- (c) in a local authority;
- (d) in a company, society or voluntary association.

Prohibition of offer of gift or consideration.

4. A person who corruptly offers or gives any gift or consideration to any person to whom this Act applies, as an inducement or reward for doing or forbearing to do, in his official capacity, any act shall be guilty of an offence.

Prohibition of acceptance of gift or consideration.

5. A person to whom this Act applies, who corruptly accepts, agrees to accept or attempts to obtain from any other person, for himself or for any other person, any gift or consideration, knowing or having reason to suspect that it was made as an inducement or reward for—

- (a) doing or forbearing to do, in his official capacity, any act; or
- (b) showing or forbearing to show, in his official capacity, favour or disfavour, shall be guilty of an offence.

Penalties.

6. (1) A person who is guilty of an offence under this Act shall be liable on conviction to a fine not exceeding two thousand Emalangeni or imprisonment for a period not exceeding five years or to both such fine and imprisonment.

(2) The court convicting a person under subsection (1) may in addition, order the forfeiture of such gift or consideration or give summary judgement in favour of the Government for an amount equal to the value of any such gift or consideration, together with any interest that may have accrued thereon.

(3) A judgement given by a court under subsection (2) shall have the same force and may be executed in the same manner as if the judgment had been given in a civil action instituted in the court.

Presumptions and construction.

7. (1) Where it is proved in any prosecution for an offence under this Act that —

- (a) a person to whom this Act applies has accepted, obtained, agreed to accept or attempted to obtain any gift or consideration for himself or for any other person;
- (b) any person has given, agreed to give or offered any gift or consideration to a person to whom this Act applies for himself or for any other person, it shall be presumed, unless the contrary is proved, that he did so in contravention of this Act.

(2) Nothing in this Act shall be construed as prohibiting any lawful act relating to the giving or receiving of a gift or consideration in accordance with Swazi law and custom in the form of a bona fide setfulu, sipheko or similar practice.

LEGAL NOTICE NO. 70 OF 1985

THE CENTRAL BANK OF SWAZILAND ORDER, 1974

(Order No. 6 of 1974)

**THE CENTRAL BANK OF SWAZILAND STATEMENT OF ASSETS AND
LIABILITIES AS AT 31ST MAY, 1985**

(Under section 52)

In exercise of the powers conferred by section 52 of the Central Bank of Swaziland Order, 1974 the Minister for Finance hereby issues the Statement of Assets and Liabilities in the Schedule to this Notice.

K. MBULI
Principal Secretary

MBABANE,
20th June, 1985.

THE CENTRAL BANK OF SWAZILAND

Balance Sheet as at 31st May, 1985

<i>LIABILITIES</i>	<i>EMALANGENI</i>	<i>ASSETS</i>	<i>EMALANGENI</i>
Capital	1,000,000	External Assets	142,550,124
General Reserve	3,500,958		
	<hr/>		
	4,500,958	Government Treasury Bills	1,763,420
Currency in Circulation	24,198,779	Swaziland Government Securities	695,043
Domestic Deposits	99,724,810	Rediscount and Advances	1000,000
External Liabilities	10,170,591	Other Current Assets	10,551,347
Allocation of Special Drawing Rights	12,760,574	Fixed Assets	5,249,968
Other Liabilities	10,454,190		
	<hr/>		<hr/>
	161,809,902		161,809,902
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LEGAL NOTICE NO. 71 OF 1985

THE POST OFFICE ACT OF 1962

(Act No. 60 of 1962)

THE POSTAL (AMENDMENT) REGULATIONS, 1985

(Under section 105)

In exercise of the powers conferred by section 105 of the Post Office Act, 1962 the Minister for Works and Communications hereby makes the following Regulations—

Citation and commencement.

1. These Regulations may be cited as the Postal (Amendment) Regulations, 1985 shall be read as one with the Postal Regulations, 1962 and shall come into force on the 1st July, 1985.

Replacement of Schedule B Part IV.

2. Schedule B Part IV of the Postal Regulations, 1962 is replaced with the Airmail Postage rates set out in the Schedule hereto.

G.M. MABILA
Principal Secretary

MBABANE,
20th June, 1985.

1 JULY, 1985

PART I	SCHEDULE A	AIRMAIL ITEMS	
	LETTERS		
Country of Destination	Per 10g	Postcards	Aerogrammes
	C	C	C
Abu Dhabi	40	25	20
Aegean Islands	SEE GREECE		
Afghanistan	45	30	20
Alaska	SEE U.S.A.		
Albania	30	20	20
Algeria	30	20	20
Andorra	SEE FRANCE		
Angola	25	15	20
Anguilla	40	25	20
Antigua	40	25	20
Antilles (Netherlands)	40	25	20
Argentina	40	25	20

Ascension	NO SERVICE		
Australia	40	25	20
Austria	30	20	20
Azores	30	20	20
Bahamas	40	25	20
Bahrain	40	25	20
Balearic Islands	30	20	20
Bangladesh	45	30	20
Barbados	40	25	20
Belgium	30	20	20
Belize	40	25	20
Benin — Rep.	30	20	20
Bermuda	40	25	20
Bhutan	45	30	20
Bolivia	40	25	20
Botswana	20	15	20
Brazil	40	25	20
British Indian Ocean Territories	45	30	20
Brunei	45	30	20
Bulgaria	30	20	20
Burkina Faso	30	20	20
Burma	45	30	20
Burundi	30	20	20
Cameroon	30	20	20
Canada	40	25	20
Canary Islands	30	20	20
Cape Verde	30	20	20
Caroline Islands	45	30	20
Cayman Islands	40	25	20
Central African Republic	30	20	20
Chad	30	20	20
Chile	40	25	20
China — People Republic of	45	30	20
China (Taiwan)	45	30	20
Christmas Islands	45	30	20
Cocos (Kelling) Islands	45	30	20
Colombia	40	25	20
Comoro Islands	25	15	20
Congo — Peoples Republic of	25	15	20
Cook Islands	45	30	20
Corsica	30	20	20

Costarica	40	25	20
Cuba	40	25	20
Cyprus	30	20	20
Czechoslovakia	30	20	20
Dahomey	30	20	20
Denmark	30	20	20
Djibouti	30	20	20
Dominica	40	25	20
Dominican Republic	40	25	20
Dubai	40	25	20
Ecuador	40	25	20
Egypt Arab Republic	40	25	20
El Salvador	40	25	20
Equatorial Guinea	30	20	20
Ethiopia	30	20	20
Falkland Islands	40	25	20
Faroe Islands	40	25	20
Fiji	40	25	20
Finland	30	20	20
France	30	20	20
French Guyana	40	25	20
French Polynesia	30	20	20
French Territories of Afars and Issas	30	20	20
French West Africa	30	20	20
Gabon	25	15	20
Gambia, The	30	20	20
German Dem Rep.	30	20	20
German Fed Rep.	30	20	20
Ghana	30	20	20
Gibraltar	30	20	20
Gilbert & Ellice Islands	30	20	20
Great Britain & N. Ireland	30	20	20
Greece	30	20	20
Greenland	40	25	20
Grenada	40	25	20
Guadeloupe	40	25	20
Guatemala	40	25	20
Guinea Bissau	30	20	20
Guinea Rep.	30	20	20
Guyana	40	25	20
Haiti	40	25	20

Honduras	40	25	20
Hong Kong	40	25	20
Hungary	30	20	20
Iceland	40	25	20
India	45	30	20
Indonesia	45	30	20
Iran	40	25	20
Iraq	40	25	20
Irish Rep.	30	20	20
Israel	30	20	20
Italy	30	20	20
Ivory Coast	30	20	20
Jamaica	40	25	20
Japan	45	30	20
Jordan	40	25	20
Kampuchea Dem Rep.	45	30	20
Kenya	25	15	20
Kiribati	45	30	20
Korea Dem Rep.	45	30	20
Korea Rep.	45	30	20
Kuwait	40	25	20
Lao People Dem Rep.	45	30	20
Lebanon	40	25	20
Leeward Isle	40	25	20
Lesotho	20	15	20
Liberia	30	20	20
Libyan Arab Rep.	40	25	20
Liechtenstein	30	20	20
Luxembourg	30	20	20
Macao	40	25	20
Madagascar	25	15	20
Madeira	30	20	20
Malawi	25	15	20
Malaysia	45	30	20
Maldives Rep.	45	30	20
Mali	30	20	20
Malta	30	20	20
Marian Isles	45	30	20
Marshall Isles	45	30	20
Martinique	40	25	20
Mauritania	30	20	20
Mauritius	25	15	20

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Mexico	40	25	20
Monaco (France)	30	20	20
Mongolia	45	30	20
Monserat	40	25	20
Morocco	30	20	20
Mozambique	20	15	20
Nauru Rep.	40	25	20
Nepal	45	30	20
Netherlands The	30	20	20
New Caledonia	40	25	20
New Hebrides	40	25	20
New Zealand	40	25	20
New Foundland	40	25	20
Nicaragua	40	25	20
Nigeria	30	20	20
Niger	30	20	20
Norfolk Islands	40	25	20
Norway	30	20	20
Oman	40	25	20
Pakistan	45	30	20
Panama	40	25	20
Papua New Guinea	40	25	20
Paraguay	40	25	20
Peru	40	25	20
Phillippines	45	30	20
Pitcairn Isle	40	25	20
Poland	30	20	20
Portugal	30	20	20
Portuguese Timor	45	30	20
Puerto Rico	40	25	20
Qatar	40	25	20
Reunion	25	15	20
Roumania	30	20	20
Rwanda	30	20	20
St. Helena	NO SERVICE		
St. Kitts Nevis & Anguilla	40	25	20
St. Lucia	40	25	20
St. Pierre & Miquelon	40	25	20
St. Thomas & Principe	45	30	20
St. Vincent	40	25	20
Sabah	40	25	20
Samoa (USA)	40	25	20

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Samoa (West)	40	25	20
San Marino (Italy)	30	20	20
Sarawak	40	25	20
Saudi Arabia	40	25	20
Senegal	30	20	20
Seychelles	25	15	20
Sierra Leone	30	20	20
Singapore	45	30	20
Solomon Isle	45	30	20
Somalia	30	20	20
South Africa	20	15	20
South West Africa	20	15	20
Spain	30	20	20
Sri Lanka	45	30	20
Sudan	30	20	20
Surinam	40	25	20
Sweden	30	20	20
Syrian Arab Rep.	30	20	20
Switzerland	30	20	20
Tahiti	45	30	20
Tanzania	25	15	20
Thailand	45	30	20
Tibet	45	30	20
Togo	30	20	20
Tonga	40	25	20
Totola Bri. Virg. Isl.	40	25	20
Trinidad & Tobago	40	25	20
Tristan Da Cunha	25	15	20
Tunisia	30	20	20
Turkey	30	20	20
Turks & Caicos Isl.	40	25	20
Tuvalu	45	30	20
Uganda	25	15	20
U.S.S.R.	40	25	20
United Arab Emirates	30	20	20
United Kingdom	SEE GT BRITAIN		
U.S.A.	40	25	20
Uppervolta	SEE BURKINA FASO		
Uruguay	40	25	20
U.S.A. Terr. Oceana	40	25	20
Vanatu	45	30	20

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Vatican City State	30	20	20
Venezuela	40	25	20
Vietnam	45	30	20
Virgin Isl. (Brit)	40	25	20
Virgin Isl. (USA)	40	25	20
Wallis & Tatura Isl.	45	30	20
Western Samoa	40	25	20
Yemen Arab Rep.	40	25	20
Yemen Dem Peop. Rep.	40	25	20
Yugoslavia	30	20	20
Zaire	25	15	20
Zambia	25	15	20
Zimbabwe	20	15	20

THE COTTON ACT, 1967

(Act No. 26 of 1967)

THE SEED COTTON BUYERS (AMENDMENT) REGULATIONS, 1985

(Under Section 17)

In exercise of the powers conferred by section 17 of the Cotton Act, 1967 the Minister for Agriculture and Co-operatives after consulting the Cotton Board, hereby makes the following Regulations —

Citation.

1. These Regulations may be cited as the Seed Cotton Buyers (Amendment) Regulations, 1985 shall be read as one with the Cotton Buyers Regulations, 1982 (hereinafter called the "principal Regulations").

Amendment of Regulation 1.

2. Regulation 1 of the principal Regulations is amended in sub-regulation (2) by deleting the full-stop after the closing bracket to the words (hereinafter referred to as the "Cotton Co-operative"), and adding the words "or producer organisations approved by the Board".

Amendment of Regulation 2.

3. Regulation 2 of the principal Regulations is amended by —

- (a) replacing subregulation (5) with the following subregulation —
“(5) Only cotton ginneries registered with the Board and Cotton Co-operatives or producer organisations may apply for a cotton buying licence.”
- (b) adding the following subregulations after subregulation (5)—
“(6) If the Board is satisfied that a person —
 - (a) is able to comply with regulation 4;
 - (b) has the necessary staff, facilities and financial structure; and
 - (c) will function in the interest of the cotton industry,it shall issue him with a cotton buying licence.”
- “(7) The Board may revoke a cotton buying licence issued under subregulation (6) if there is proof that the holder has failed to comply with regulation 4 or that the holder obtained the licence by fraud or misrepresentation.”

Replacement of Regulation 3.

4. Regulation 3 of the principal Regulations is replaced with the following regulation—

- “3. (1) The Board may issue a seed cotton buying permit to an employee of a licenced buyer in accordance with Form C in the Schedule hereto on the licenced buyer's recommendation.

(2) The Executive Officer or his authorised representative may require a licenced buyer to produce a permit issued under subregulation (1) at any reasonable time.

(3) A licenced buyer may establish a buying depot only at a site approved by the Board and upon establishment shall register the depot with the Board."

Replacement of Regulation 4.

5. Regulation 4 of the principal Regulations is replaced with the following regulation—

"Duties of licenced cotton buyer.

4. A licenced cotton buyer shall—

- (a) require the grower to produce his registration document issued under Regulation 4 of the Growers Regulations, 1982 before accepting the growers cotton at a sale;
- (b) record and certify the details of the sale on the registration document of the grower during the sale and notify the Board of the sale within thirty days thereafter;
- (c) withhold payment and certify this on the registration document of the grower on delivery of the seed cotton for sale if the registration document shows that the grower has not fully repaid his production loan; and
- (d) notify the Board of the withholding under paragraph (c) and with the approval of the Board remit the payment to the financing organisation.

Replacement of Regulation 6.

6. Regulation 6 of the principal Regulations is replaced with the following regulation—

"6. A person who contravenes regulations 2, 3, 4 or 5 shall be guilty of an offence and liable on conviction to a maximum fine of E100.00 or three months imprisonment or both."

Replacement of Schedule.

7. The Schedule to the principal Regulations is replaced with the following Schedule.

SCHEDULE
(in quadruplicate)

APPLICATION AND RECOMMENDATION FORM

FORM A: I/We, Messrs

of (address)

Telephone number..... hereby make an application in terms of Cotton Regulations No..... of 1985 to buy seed cotton grown and picked in any area of the Kingdom of Swaziland for the period.....

FORM B: Messrs.....

of (address)

being an employee of our (name of ginnery).....

is hereby recommended to be issued with a Seed Cotton Buying permit in terms of section 3(1) of Seed Cotton Buying Regulations No..... of 1985.

Signed (by a ginnery authority).....

Name of person signing (in full).....

For (ginnery)

Date signed 19.....

Notes:

- (a) Form A to be submitted on official paper of respective Cotton Ginnery or Co-operative Society at the latter's expense.
- (b) Copies of Form A shall be distributed as follows:-
 - (i) Original to Executive Officer — Swaziland Cotton Board
 - (ii) Duplicate to seed Cotton Buyer
 - (iii) Triplicate to registered cotton ginner or the Swaziland Cotton Co-operative Society Limited
 - (iv) Quadruplicate to Principal Secretary, Ministry of Co-operatives.

SCHEDULE

(in quadruplicate)

PERMIT TO BUY SEED COTTON

FORM C: Messrs/Mr/Mrs/Miss

being an employee of.....

is hereby authorised to buy seed cotton grown and picked in any part of the Kingdom of Swaziland for the purpose of delivering such seed cotton for ginning at the above named ginnery or elsewhere if approved by the cotton buying licence holder.

Signed

Name of person signing (in full).....

Date19.....

Notes:

(a) Copies of Form C to be distributed as follows :-

- (i) Original to Seed Cotton Buyer
- (ii) Duplicate to registered Cotton Ginner or Cotton Co-operative
- (iii) Triplicate to Executive Officer, Swaziland Cotton Board, P.O. Box 230, MANZINI
- (iv) Quadruplicate to Principal Secretary, Ministry of Agriculture and Co-operatives.

The holder of this Permit being an employee of the above named registered ginnery or Cotton Co-operative is exempted from applying or being issued with the seed cotton buying licence in accordance with Seed Cotton Buyers Regulations, 1985.

SCHEDULE
(in quadruplicate)

LICENCE ISSUED IN TERMS OF SEED COTTON BUYING REGULATIONS, 1985

FORM D: A licence is hereby issued under Regulation 2 of the Seed Cotton Buying Regulations, 1985 to Messrs.

of (address)

Telephone number:

being a registered ginnery or the Swaziland Cotton Co-operatives Society or producer organisation approved by the Board.....

Address of ginnery or the Swaziland Cotton Co-operative Society

Telephone number of ginnery or Co-operative.....

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- (a) to buy seed cotton grown and picked in the Kingdom of Swaziland for
the period..... to

FORM E: Payment for licence

- (a) Received the sum of
- (b) Issuing Swaziland Cotton Board Official.....
.....
- (c) Signature of Swaziland Cotton Board Official.....
.....
- (d) Date payment for licence is made.....19.....
- (e) Date licence issued (if different from date payment of licence
made)19.....

A.V. KUNENE
Principal Secretary

MBABANE,
20th June, 1985.

LEGAL NOTICE NO. 73 OF 1985

THE COTTON ACT, 1967

(Act No. 26 of 1967)

THE REGISTRATION OF COTTON GROWERS (AMENDMENT)
REGULATIONS, 1985

(Under section 17)

In exercise of the powers conferred by section 17 of the Cotton Act, 1967 the Minister for Agriculture and Co-operatives after consulting the Cotton Board, hereby makes the following Regulations.

Citation.

1. These Regulations may be cited as the Registration of Cotton Growers (Amendment) Regulations, 1985 shall be read as one with the Registration of Cotton Growers Regulations, 1982 (hereinafter called the "principal Regulations").

Amendment of Regulation 2.

2. Regulation 2 of the principal Regulations is amended—

- (a) in the definition of "Financing organization" by deleting the full-stop after the word "Swaziland" and adding the words "and registered ginneries and producer organizations approved by the Board";
- (b) by replacing the definition of "Cotton Buying Organization" with the following—
"“Cotton Buying Organization” means a licenced seed cotton buyer under Regulation 2 of the Seed Cotton Buyers Regulations, 1982”.

Amendment of Regulation 4.

3. Regulation 4 of the principal Regulations is amended —

- (a) by replacing subregulation (1) with the following subregulation—
“(1) Subject to these Regulations a person intending to grow cotton shall apply to register with the Board and where applicable shall apply for the registration of members of his family growing cotton on lands other than those he himself farms.”
- (b) in subregulation (2) —
 - (i) by replacing paragraph (b) with the following paragraph —
“(b) his graded tax number and the name of his chief and indvuna.”
 - (ii) paragraph (e) by deleting the full stop after the word “transactions” and adding the words “not being of capital nature.”
- (c) by replacing subregulation (3) with the following subregulation —
“(3) The Board shall satisfy itself as to the correctness of the information given by the applicant before issuing a document.”
- (d) by replacing subregulation (4) with the following subregulation —

- “(4) (a) A person who obtains a registration document by fraud or misrepresentation or misuses the document commits an offence;
- (b) where the Board has reasonable belief that the registration document was obtained by fraud or misrepresentation or that the document is being misused, it may suspend the document pending investigations;
- (c) if upon investigation fraud, misrepresentation or misuse is proved the Board may revoke the document.

Amendment of Regulation 5.

- 4. Regulation 5 of the principal Regulations is amended —
 - (a) in subregulation (1) by adding the following paragraph after paragraph (c)—
“(d) when he buys planting seed.”
 - (b) by adding the following subregulations after subregulation 5—
“(6) A registered seed distributor shall record and certify all planting seed he sells to a grower on the growers registration document.”
“(7) A person shall not sell cotton planting seed unless he has been appointed a seed distributor by the Board.”

Amendment of Regulation 8.

- 5. Regulation 8 of the principal Regulations is replaced with the following—
“8. A person who contravenes regulations 4,5 or 7 shall be guilty of an offence and liable on conviction to a maximum fine of E100.00 or imprisonment for 3 months or both.”

A.V. KUNENE
Principal Secretary

MBABANE,
20th June, 1985.

MINISTRY OF JUSTICE

NEW EDITION

LAWS OF SWAZILAND

A completely new and updated edition of the Laws of Swaziland is being prepared.

In order to assist the Ministry of Justice to assess the demand and quantities required all interested Parties are hereby invited and requested to complete the detachable portion of this form and return it to Government Printers Swaziland Printing & Publishing P.O. Box 28, Mbabane.

PLEASE DETACH HERE

I *

Name of Person/Company or Institution *

Address.....

wish to notify you that I/We* will require..... copies of the new edition of the Laws of Swaziland consisting of 8 Volumes when they become available.

**PLEASE NOTE THIS IS NOT AN OFFICIAL ORDER
AND YOU ARE UNDER NO OBLIGATION TO PURCHASE.**

* Delete which ever is not applicable —