

21



SWAZILAND GOVERNMENT GAZETTE

VOL. XXIII] MBABANE, Friday, December 6th., 1985 [No. 409

CONTENTS

| No. | | Page |
|------|--|------|
| | MISCELLANEOUS | |
| | OBITUARY | 890 |
| | ADVERTISEMENTS | 891 |
| | <hr/> | |
| | CONTENTS OF SUPPLEMENT | |
| | PART C — LEGAL NOTICES | |
| 133. | The Regulation of Wages (Building and Construction Industry) Order, 1985 | S1 |
| 135. | Termination of the Appointment of the Authorized Person | S8 |

OBITUARY

The Commissioner of Prisons deeply regrets to announce the death of S/No. 1036 Warder Samson Mtondzeki Nkambule who died on the 23rd November, 1985 at the Mbabane Government Hospital.

NOTICE

Notice is hereby given that we intend applying for a Certified Copy of Government Grant No. 51/1969 dated 29.4.69 in favour of DANIEL VELILE TOM in respect of

CERTAIN: Lot No. 192 situate in Nxumalo Street in Zakhele Township, Extension No. 1 in the Urban area of Manzini, District Manzini, Swaziland.

MEASURING: 465 square metres.

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

DATED at Mbabane this 18th day of November 1985.

Robinson, Bertram & Co.
Attorneys for/Applicant
P.O. Box 24,
MBABANE.

W1020 2x6.12.85

NOTICE

Notice is hereby given that we intend applying to the Registrar of Deeds for Swaziland at Mbabane for certified copies of the following documents:

1. Deed of Transfer No. 188/1954 dated the 25th September, 1954 made by Salidoor Jacobus Delpport in favour of Nicolaas Jacobus Delpport in respect of Certain piece of Land named farm No. 551, situate in the Shiselweni District, Swaziland Measuring 428,5686 Hectares.
2. Deed of Transfer No. 4/1939 dated the 25th February, 1939 made in favour of Chistoffel Rudolph Delpport in respect of Certain Farm No. 627 name Epping Green Measuring 429,4251 Hectares.

Any person having objection to the issue of the said Deeds should lodge such objection in writing with the Registrar of Deeds for Swaziland and with the undersigned within three weeks of date of publication hereof.

DATED AT MANZINI on this 11th day of NOVEMBER, 1985.

VAN HEERDEN & CO.
Applicant's Attorneys
P.O. Box 23,
MANZINI.

W1028 2x6.12.85

NOTICES

TRADING LICENCE ORDER NO. 20 OF 1975

Notice is hereby given that an application by Titus Dlamini of Box 98, Nhlngano for a grant of a Hawkers Licence to operate in the Shiselweni Region under the style "THANDIWE HAWKERS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Happiness Madonsela of Box 319, Nhlanguano for a grant of a Pedlars Licence to operate in the Shiselweni Region under the style "ZAMOKU-HLE PEDLARS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Duduzile S. Dlamini of Box 225, Nhlanguano for a grant of a Hawkers Licence to operate in the Shiselweni Region under the style "SITAMA-KUPHILA HAWKERS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Phillemon Motsa of Box 70, Nhlanguano for a grant of a Grocery Licence to operate at Mahamba under the style "MAHAMBABA GROCERY" will be heard in the Regional Secretary's Conference room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Timothy Shongwe of Box 300, Nhlanguano for a grant of a Butchery Licence to operate at Ngwabi Area under the style "SHAKES BUTCHERY" will be heard in the Regional Secretary's Conference room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Mfanufikile Zwane of Box 439, Nhlanguano for a grant of a General Dealers Licence to operate at Lot 216 Nhlanguano Town under the style "SITA ELECTRICAL" will be heard in the Regional Secretary's Conference room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Mangena Jele of Box 28, Hluti for a grant of a Butchery Licence to operate at Lulakeni area under the style "BUSWENI BUTCHERY" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Northinus Boucher of Box 2, Nhlanguano for a grant of a Restaurant Licence to operate at Skonkwane Shopping Complex under the style "ASIDLE SONKE CAKE SHOP" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Azon Msibi of Box 2285, Mbabane for a grant of a Restaurant Licence to operate at Portion 5 (a portion of portion B) of Farm Johane Sloop No. 19 under the style "CITY RESTAURANT" will be heard in the Regional Secretary's Conference Room on Wednesday 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Virginia L. Dlamini of Box 474, Nhlanguano for a grant of a Pedlars Licence to operate in the Shiselweni Region under the style "KHULA PEDLARS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by John F. Mkhalihi of Box 319, Nhlanguano for a grant of a Street Vendor Licence to operate in Nhlanguano Town under the style "KHALAKAHLE STREET VENDOR" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Sbhongile P. Mabuza of Box 237, Nhlanguano for a grant of a Produce and Handwork Licence to operate at Nhlanguano under the style "SBO NGILE'S HOME FASHION" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Thama Dlamini of Box 765, Nhlanguano for a grant of a Pedlars Licence to operate in the Shiselweni Region under the style "MPENDULO PEDLARS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 1.00 a.m.

Notice is hereby given that an application by Maria Vermaak of Box 9, Hluti for a grant of a Hawkers Licence to operate in the Shiselweni Region under the style "ASIHAMBISANE HAWKERS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Palma T. Simelane of Box 474, Nhlngano for a grant of a Pedlars Licence to operate in the Shiselweni Region under the style "SIBUSISO PEDLARS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Thamsanqa Petros Shongwe of Box 93, Nhlngano for a grant of a Hawkers Licence to operate in the Shiselweni Region under the style "PEE & TEE ENGINEERING SPARES" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Ambrose Mkhulisi of Box 617, Nhlngano for a grant of a Hawkers Licence to operate in the Shiselweni Region under the style "NGENU-THENGA HAWKERS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Hlamkile Xaba of Box 48, of Nhlngano for a grant of a Pedlar's Licence to operate in the Shiselweni Region under the style "MUSA PEDLARS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Buyile Mkhonta of Box 70, Nhlngano for a grant of a Pedlars Licence to operate in the Shiselweni Region under the style "SIBONANGAYO PEDLARS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Lucy Ngozo of P/B No. 2, Nhlngano for a grant of a Hawkers Licence to operate in the Shiselweni Region under the style "SHANANI HAWKERS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Eunice Thwala of Box 144, Nhlngano, for a grant of a Hawkers Licence to operate in the Shiselweni Region under the style "ZAMANI HAWKERS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Lungile Mamba of C/O Box 64, Mbabane for a grant of a Hawkers Licence to operate in the Shiselweni Region under the style "LUNGILE'S HAWKERS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Mrs. Julia Mkhonta of Box 440, Nhlngano for a grant of a Hawkers Licence to operate in the Shiselweni Region under the style "EKWE-TSEMBENI HAWKERS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Julia Masuku of Box 319, Nhlngano for a grant of a Pedlars Licence to operate in the Shiselweni Region under the style "SITOLO SIYANDZINDZA" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December 1985 at 10.00 a.m.

Notice is hereby given that an application by Phinda Comfort Dlamini of Box 22, Hluti for a grant of a Hawkers Licence to operate in the Shiselweni Region under the style "KUKHANYA HAWKERS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Mrs Winstance Zulu of Box 713, Nhlngano for a grant of a Pedlars Licence to operate in the Shiselweni Region under the style "IKUSASA ELIHLE PEDLARS" will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Notice is hereby given that an application by Mrs Susan Adams of Box 681, Nhlngano for a transfer of a General Dealers Licence which was carried on by Richard Dlamini to operate at Farm 1/62 under the style "MOYENI TRADING STORE." will be heard in the Regional Secretary's Conference Room on Wednesday the 18th December, 1985 at 10.00 a.m.

Objections thereto must be lodged in writing with the undersigned as well as with the applicant on or before 4.00 p.m.

T.M. NYONI
Licensing Officer/Shiselweni

W1048 6.12.85

LIQUOR NOTICES

LIQUOR LICENCES ACT, NO. 30 OF 1964

It is notified for general information that the Board will hold its Summer meetings to hear the following applications on the date time and places indicated below.

HHOHHO REGION

In the Mbabane Town Council Chambers on the 12th December, 1985 beginning at 10.00 a.m.

54/85 **MARTHA HLATSHWAYO:-** Renewal of a bottle store liquor licence known as Checkers Bottle Store situate on Kelly's Farm.

LUBOMBO REGION

In the Regional administrator's Offices on the 11th December, 1985 beginning at 10.30 a.m.

29/85 **NAPHTAL MADALA GUMBI:-** Grant of a Restaurant Liquor Licence to situate on Mlawula Estates and known as Mlawula Restaurant.

SHISELWENI REGION

In the Regional Secretary's Offices on the 4th December, 1985 beginning at 10.00 a.m.

27/85 **MERLE HENWOOD:-** Grant of a Restricted bottle store liquor licence to situate on Erf. 217 Fifth St. Nhlngano and premises known as Careys Enterprises.

Any person wishing to lodge an objection to the Grants or Renewal may do so with the Secretary in writing sending a copy to the applicant by registered post to reach him/her at least 10 days before the sitting of the Board.

D.C. THWALA
Secretary

W1053 6.12.85

NOTICE

Unless claimed before Date the following cattle will be sold by Public Action at Croydon Pound on 24th December, 1985 at 1.00 afternoon Terms cash.

- 27 Black cow 7 yrs. with calf.
- 28 Red/w ox 4yrs.
- 29 Red/w cow 4yrs.
- 30 Red heifer 2yrs.
- 31 Red heifer 3yrs.
- 32 Black/w bullock 2½yrs.

P.H. POTGIETER
Pound Master

W1055 6.12.85

NOTICES

TRADING LICENCES ORDER (NO. 20 OF 1975)

Notice is hereby given that an application has been made by Benjamini T. Simelane of Box 1083 Mbabane for a grant of Petrol and Oil's Licence to operate at Elangeni under the style "KAMNGUNI". This will be heard in the Regional Secretary's Conference Room, Mbabane on Tuesday the 3rd December, 1985 at 10.00 a.m.

Notice is hereby given that an application has been made by Doreen T. Kunene of Box 794, Mbabane for a grant of a General Dealer's Licence to operate at Swazi Plaza under the style "PRIDE". This will be heard in the Regional Secretary's Conference Room, Mbabane on Tuesday the 3rd December, 1985 at 10.00 a.m.

Objections if any should be lodged in writing with the undersigned and the applicant on or before the 6th December, 1985 not later than 4.00 p.m.

W.M. MAMBA
Licensing Officer HHOHHO

P.O. BOX 45,
MBABANE.

W1052 6.12.85

NOTICE

ESTATE LATE: JOAN PEBERDY (Born COOPER)

ESTATE NO. E4465/85

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

Robinson, Bertram & Co,
Attorneys for Executor
Testamentary

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

W1051 6.12.85

NOTICE

THE COMPANIES ACT NO. 7 OF 1912 SECTION 156

Minutes of an extraordinary General meeting of Swaziland Gas and Equipment (Pty) Limited held at Mbabane on the 20th November 1985 at the Offices of Swaziland Gas and Equipment (Pty) Limited, Industrial Sites, Mbabane.

PRESENT: RONALD EDWARD SAVAGE and ALBERT EDWARD GREGOR, the sole directors and sole shareholders of the company.

RESOLVED BY WAY OF EXTRAORDINARY

RESOLUTION THAT: The company Swaziland Gas and Equipment (Pty) Limited be placed in voluntary liquidation in terms of Section 156.

RESOLVED FURTHER

THAT: JOSEPH LANGLEY AYTON of Manzini be appointed provisional liquidator of the company, such appointment to be confirmed by the Master of the High Court.

RESOLVED FURTHER

THAT: Notice of this Extraordinary Meeting be waived by virtue of the fact that all directors and all shareholders are present at this meeting.

Sole Directors and sole
Shareholders
Sole Directors

CERTIFIED A TRUE COPY:

W1041 6.12.85

NOTICE

TOWN COUNCIL OF MANZINI

NOTICE OF AUCTION SALE

MANZINI POUND ON FARM 1231 — NORTH OF MANZINI

'GRADE A' CEMETERY

The following livestock will be sold by Public auction at the above Pound on Thursday 19th December, 1985, at 1.00 p.m. unless previously claimed:—

- 2 Black bulls approx. 8½ years
- 1 Red ox approx. 8 years.
- 1 Brown ox approx. 7½ years.

NB. Payment will be by cash only or bank guaranteed cheques.

W.R.S. MTIMKULU
POUND MASTER

W1045 6.12.85

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 Mr ERIC MILTON ADAMS OF P.O. Box 939, Manzini in his capacity as Treasurer of the Association has been made for the grant of Registration of the name.

SWAZILAND AIRLINE PILOTS 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.

D.D. MAMBA
Registrar of Companies

W1047 6.12.85

NOTICE

TRADING LICENCE ORDER NO. 20 OF 1975

Notice is hereby given that an application by SWAZILAND BRAHMAN BREEDERS LIMITED c/o CARLSTON AND COMPANY P.O. BOX 143, MANZINI for a grants of: —

- i) GENERAL DEALER LICENCE
- ii) BUTCHERY LICENCE

To operate the business at Portion 8 of farm No. 69 known as "LUBUKU RANCH" in the Lubombo District. The Application will be heard on the 17th December 1985 at 10.00 a.m. the Regional Secretary's Office Siteki.

Objections thereto must be in writing with the Applicants Attorneys and the Regional Secretary P.O. Box 20, Siteki not later than the 13th December 1985.

CARLSTON AND COMPANY
Applicant's Attorney
Emcozini Building
Ngwane Street,
P.O. Box 143,
MANZINI.

W1040 6.12.85

NOTICE

NOTICE OF DISCLAIMER

re J.B.W. CONSTRUCTION (PTY) LIMITED

It has been brought to our attention that our names feature as directions on the letterhead of the abovementioned company.

We hereby wish to publicly declare that we are not directors, shareholders or in any other way interested in or associated with the abovementioned company.

TONY PARKER
ALLAN LONG
19 NOVEMBER 1985.

W1042 6.12.85

NOTICE

Notice is hereby given in terms of the Registration of Business and Insolvency Acts that application will be made to the Licensing Officer for the transfer of the General Dealer's Business, carried on by Solomon Mkhathswa at Mafutseni Manzini District, from the said Solomon Mkhathswa to the name of Madukumbane Jewel Dlamini, after the third publication of this Notice.

Objections thereto, if any must be lodged in writing with the undersigned as well as with the applicant's Attorneys within 14 days after the publication hereof.

D. LUKELE,
P.O. BOX 336,
MANZINI.

The Licensing Officer,
P.O. Box 13,
MANZINI.

W1044 3x20.12.85

NOTICE

IN THE HIGH COURT OF SWAZILAND

**HOLDEN AT MBABANE ON THE 19TH DAY OF NOVEMBER, 1985 BEFORE THE HON.
MR JUSTICE DUNN, ACTING JUDGE**

CIV. T. NO. 809/85

In the matter of:

| | |
|---------------------------------------|------------|
| SMALL ENTERPRISES DEVELOPMENT CO. LTD | Applicant |
| and | |
| SWAZI GLASS (PTY) LIMITED | Respondent |

BEING: An Application;

WHEREUPON: Having heard Counsel for the Applicant, there being no appearance by or on behalf of the Respondent;

IT IS ORDERED

1. That the Respondent Company be and is provisionally wound up in the hands of the Master of the High Court;
2. That Mr PETER COOPER be and is hereby appointed as Provisional Liquidator of the Respondent Company with powers in terms of Section 127 of the Companies Act of 1912;
3. That a Rule Nisi do issue calling upon the Respondent to show cause before the above Honourable Court on the 18th December, 1985 why the Provisional Liquidation order should not be made final and the appointment of the Provisional Liquidator confirmed;
4. That the costs of the application be costs in the Liquidation; and
5. That a copy of this order be published once in a Newspaper circulating in Swaziland and once in the Government Gazette.

BY ORDER OF THE COURT
GIVEN UNDER MY HAND AND SEAL OF
THE COURT AT MBABANE THIS 19TH
DAY OF NOVEMBER, 1985.

REGISTRAR OF THE HIGH COURT

W1050 6.12.85

NOTICE

ESTATE LATE : KENNETH SYDNEY SMITH

ESTATE NO.: E4396/86

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 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.

Robinson, Bertram & Co,
Attorneys for the Executrix
P.O. Box 24,
MBABANE.

W1049 6.12.85

NOTICE

ESTATE LATE SUNIL SHARMA

MASTER'S REFERENCE E4403

Notice is hereby given that, in terms of Section 51 (bis) of the Estate Act No. 28 of 1902 the First and Final Liquidation Account will lie open for inspection at the offices of the Master of the High Court, Mbabane for twenty-one days from the date of publication of this notice.

I.F.C. Hodgkinson
Executor Dative
P.O. Box 331,
MBABANE.

W1037 6.12.85

NOTICE

ESTATE LATE : JERRY ALFRED LITTLER — E4353

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 at the office of the Master of the High Court of Swaziland, Mbabane for a period of 21 (twenty one) days from date of appearance of this Notice.

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

SHILUBANE, LITTLER & PARTNERS
ATTORNEYS FOR THE EXECUTRIX
P.O. BOX A93,
MBABANE.

W1038 6.12.85

NOTICE

LOST TITLE DEED

Notice is hereby given that we intend applying for a certified copy of Crown Grant No. 81/1980 in respect of Lot No. 577 situate in the Manzini Township Extension 6, District of Manzini Swaziland; Measuring 1869 (One Eight Six Nine) square metres; made in favour of THANDI JOYCE MASANGO, Major Spinster; dated the 19th day of March 1980 and registered on the 30th day of May 1980.

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

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

W1039 2x13.12.85

SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

VOL. XXIII]

MBABANE, Friday, December 6th., 1985

[No. 409

CONTENTS

| No. | | Page |
|-------------------------------|--|------|
| PART C — LEGAL NOTICES | | |
| 133. | The Regulation of Wages (Building and Construction Industry) Order, 1985 | S1 |
| 135. | Termination of the Appointment of the Authorized Person | S8 |

THE WAGES ACT, 1964

(Act No. 16 of 1964)

THE REGULATION OF WAGES (BUILDING AND CONSTRUCTION
INDUSTRY) ORDER, 1985

(Under section 11)

In exercise of the powers conferred on him by section 11 of the Wages Act, 1964 the Minister for Labour and Public Service hereby makes the following Order:—

Citation.

1. This Order may be cited as the Regulation of Wages (Building and Construction Industry) Order, 1985 and shall come into force on the 6th December, 1985.

Interpretation.

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

“clerk” (without certificate) means an employee who does not hold the Senior Certificate of Education or its equivalent and who is engaged in general clerical duties;

“clerk” (with certificate) means an employee who holds the Senior Certificate of Education and who is engaged in general clerical duties;

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

“typist” means an employee mainly engaged in typing, checking figures and filing, and who is capable of typing a minimum of 30 words per minute;

“crane driver” (mobile) means an employee who operates a self propelled crane;

“crane driver” (tower) means an employee who operates a tower crane;

“driver” (light vehicle) means an employee whose duties, in addition to being in charge of a motor vehicle of under 5 tons laden weight, include handling to and from the tailboard and the daily maintenance and cleaning of such vehicle;

“driver” (heavy duty) means an employee in possession of a heavy duty driver’s licence and who is in charge of a motor vehicle of between 5 tons and 10 tons loaded including handling to and from the tailboard and the daily maintenance and cleaning of such vehicle;

“driver” (extra heavy) means an employee in possession of a heavy duty driver’s licence and who is in charge of a vehicle in excess of 10 tons laden weight including articulated vehicles and is responsible for the safety of the load;

“family” means, in relation to an employee, the wife and unmarried children under the age of eighteen living with the employee or the employer’s property;

“general labourer” means an employee who performs general unskilled work;

“general tradesman” means an employee who holds a trade test certificate recognised by the Government in one of the following trades :—

Block layer/Plasterer
Brick layer/Tiler
Joiner/Cabinet making
Shutterhand/Carpenter
Painter/Glazier
Plumber/Drainlayer
Welder
Electrician
Wireman
Mechanic
Plant Fitter
Steel fixer
Boiler Maker
Pipe fitter.

“induna” means an employee in charge of other employees;

“plant operator” means a person who is placed in charge of operating either a mixer, dumper or tractor;

“machine” means an item of heavy duty plant capable of moving under its own power and used for earth-moving or similar operations, or any other machine which, in opinion of the Commissioner of Labour, is a machine in terms of this Order;

“machine operator” means an employee who has been operating a machine in the Building and Construction Industry for six or more months, or who can show proof of six months relevant experience in another industry;

“earthmover operator” means a person who operates a machine;

“storeman” means a person who apart from carrying out the duties of a store’s clerk, is responsible for ordering certain items on behalf of his employer;

“tea maker” means an employee who is engaged to routinely clean offices and to prepare refreshments;

“normal working day” means any day from Monday to Friday inclusive;

“normal working hours” means the hours of work specified in paragraph 5;

“trade tested person/tradesman” means a person who holds a craft certificate indicating the degree of proficiency attained by him as indicated by a trade test conducted by a trade testing officer duly appointed as such in the public service;

“watchman or security guard” means an employee who is engaged during the day or night to guard the premises or other property of his employer.

Application.

3. (1) Subject to sub-paragraph (2) this Order shall apply to persons specified in the First Schedule who are employed in any undertaking or part of an a undertaking which carries on for gain one or more of the following activities:—

- (a) the construction, structural alteration, maintenance, repair or demolition of any railway line, siding, public or private road, thoroughfare, airfield, tunnel, bridge, viaduct, waterwork, lattice work, or other structure designed solely for the support of electric lines; or
- (b) the construction, structural alteration, maintenance repair or demolition of any building, fencing and preparing or laying the foundation of a building or an intended building.

(2) This Order shall not apply to persons employed in any undertaking or part thereof operated by:—

- (a) the Government;
- (b) a local authority; or
- (c) such charitable or religious organisation, educational or medical institution as may be specified in writing by the Minister.

Basic Minimum Wage (First Schedule).

4. The employees specified in the First Schedule shall be paid a basic minimum wage calculated at a rate not less favourable than that specified in that Schedule.

Normal Working Hours.

5. (1) Subject to the provisions of paragraph 6, the normal working week (other than for a watchman or security guard) shall be from Monday to Friday and shall consist of forty-seven and one half hours.

(2) The normal working hours per day (other than for a watchman or Security guard) shall be nine and one half hours exclusive of meal breaks.

(3) The normal working week for a watchman or security guard shall be seventy-two hours spread over six shifts, each of twelve hours, inclusive of meal breaks.

(4) No employee, other than a watchman or security guard shall be required to work for more than five hours without a break of not less than thirty minutes.

Overtime.

6. (1) Subject to paragraph 12 overtime for an employee other than a watchman or security guard shall be payable at the following rates:—

- (a) during the normal working week for overtime worked before midnight in excess of the normal working hours, at one and one third times his normal hourly rate of wages;
- (b) during the normal working week for overtime worked after midnight in continuation of normal working hours or other overtime working, at twice his normal hourly rate of wages;

- (c) for any time worked on Saturday before 4 p.m. at one and half times his normal hourly rate of wages;
- (d) for any time worked on a public holiday specified in the Second Schedule, Sunday or after 4.00 p.m. on a Saturday at twice his normal hourly rate of wages.

(2) Overtime in respect of a watchman or security guard shall be calculated at twice his normal hourly rate for all time worked on a public holiday specified in the Second Schedule or any time worked in excess of twelve hours on any normal working day. Provided that any watchman or security guard who has been absent from work during any week without reasonable cause shall not be entitled to overtime in that week until he has completed seventy-two hours of work.

(3) For the purposes of calculating the payment of overtime in respect of a watchman or security guard the normal hourly rate of wages shall be the amount arrived at by dividing the employee's daily wage by twelve.

Annual Leave.

7. (1) After three months of continuous service, an employee shall be entitled to one day's leave of full pay in respect of each month's continuous service. Such leave shall exclude the public holidays specified in the Second Schedule and any other days which are not normal working days, but which may occur during such leave.

(2) Where an employee is in the employment of the employer at the time of an annual cessation of work, annual leave shall be taken during the period of that cessation.

Sick Leave.

8. Where an employee who has been in the continuous employment of the employer for three or more months through no fault of his own becomes ill and incapable of performing his duties, he shall on production or a certificate issued by a practitioner registered under the Medical and Dental Practitioner's Act, 1970, be entitled to fourteen working days sick leave with full pay and fourteen working days sick leave with half pay during any period of twelve months.

Travelling and Subsistence Allowances.

9. (1) Where an employee is temporarily employed at a place which is situated from his normal place of work by a distance of more than two kilometres by road, his employer shall provide him with free transport to and from his normal place of work and the place of temporary employment.

(2) An employee required to travel on duty (other than in the circumstances set out in sub-paragraph (1)) shall be provided either with free transport or be paid by his employer the cost of the travel by public transport.

(3) An employee who is absent on duty away from his normal place of employment for a longer period than twelve hours, and who returns to his normal place of residence without staying overnight shall be paid a subsistence allowance of 70 cents for each period of twelve hours or part thereof of such absence.

(4) An employee who is absent on duty overnight away from his normal place of employment, shall, in respect of each night's absence, be provided by his employer with:-

- (a) free food and accommodation or a nightly allowance of E2,00 in lieu thereof;
- (b) free accommodation and an allowance of 70 cents in lieu of food; or
- (c) free food and an allowance of E1.30 in lieu of accommodation:

Provided that an entitlement to free food, accommodation or allowances under this paragraph shall cease after an employee has been absent from duty for ten or more nights continuously.

(5) An employee entitled to subsistence allowance under sub-paragraph (4), shall not be entitled to subsistence allowance under sub-paragraph (3) in respect of the same period of absence.

(6) Where an employee is permanently transferred by his employer to a new place of employment, he shall be paid, in addition to any other entitlement due to him under this paragraph, a transfer allowance of E2.00.

(7) An employee, who has been provided by his employer with accommodation at his place of permanent employment in which his family is residing with the consent of the employer, shall if so required by his employer to transfer to another place of employment, other than for the purpose of seasonal employment, be moved at the expenses of that employer.

Lay-Off.

10. 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-paragraph (a) and for a maximum period of thirty working days in the circumstances mentioned in sub-paragraph (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.

Lay-off due to weather.

11. (1) An employee who reports for work at his place of employment at the normal time but who is unable to start work due to inclement weather, shall be entitled to a minimum of one and one half hours pay for that day.

(2) An employee who on any day commences work and who, in the opinion of his employer is unable to continue work due to inclement weather, shall be paid for hours he has worked plus an additional one-and-half hours wages.

Public Holidays.

12. The public holidays specified in the Second Schedule shall be holidays with full pay:

Provided that if an employee is absent from work without reasonable cause on the working day immediately before, or the working day immediately after such public holiday, he shall not be entitled to payment for that public holiday.

Clothing, equipment and protective clothing.

13. (1) The employer of a watchman or security guard shall provide him, free of charge with boots or shoes, a police whistle, a club and torch. Where the watchman or security guard is required to work in inclement weather, the employer shall, in addition, provide him with a hat, overcoat or rain coat.

(2) An employee other than a watchman or security guard, who is required to work in direct contact with mass concrete or similar matter which is likely to cause injury to his feet, shall be provided by his employer, free of charge, with a pair of gumboots.

(3) An employee other than a watchman who is required to work outdoors in inclement weather shall be provided by his employer, free of charge, with a waterproof cap or similar garment.

(4) The clothing and equipment supplied to an employee under this paragraph shall be of reasonable quality and shall remain the property of the employer.

(5) Where any protective clothing supplied to an employee under this paragraph is damaged or lost through an employee's negligence, the employer may deduct the cost thereof, after due consideration of wear and tear, from wages due to the employee.

Revocation of Legal Notice No. 127 of 1984.

14. The Regulation of Wages (Building and Construction Industry) Order, 1984 is hereby revoked.

FIRST SCHEDULE

(Paragraph 3 and 4)

| | |
|------------------------------------|------------------|
| Clerk (no certificate) | 73 cents an hour |
| Clerk (with certificate) | 80 cents an hour |
| Cook | 73 cents an hour |
| Crane driver (mobile) | E1.60 an hour |
| Crane driver (Tower) | E1.40 an hour |
| Driver (light vehicle) | 85 cents an hour |
| Driver (heavy duty) | E1.05 an hour |
| Driver (extra heavy) | E1.15 an hour |
| Earthmover operator | E1.50 an hour |
| General Labourer | 73 cents an hour |

| | |
|---|------------------|
| General Tradesman | |
| Grade III Trade tested | 80 cents an hour |
| Grade II Trade tested | E1.14 an hour |
| Grade I Trade tested | E1.72 an hour |
| Induna | 85 cents an hour |
| Plant operator (dumper, mixer, tractor) | 85 cents an hour |
| Storeman | 80 cents an hour |
| Tea maker | 45 cents an hour |
| Typist | 76 cents an hour |
| Survey and soil assistant | 73 cents an hour |
| Watchman/Security guard | E6.10 per shift. |

SECOND SCHEDULE

(Paragraph 6 and 12)

Independence (Somhlolo) Day

Good Friday

Christmas Day

Umhlanga (Reed Dance) Day

King's Birthday

Incwala Day

Easter Monday.

J.B.J.S. DHLAMINI
Acting Principal Secretary

KING'S PROCLAMATION TO THE NATION OF 1973

TERMINATION OF THE APPOINTMENT OF THE AUTHORIZED PERSON

In exercise of powers vested in me, I, NTOMBI, Ndlovukazi and Queen Regent of the Kingdom of Swaziland hereby terminate the appointment of Prince Sozisa as Authorized Person with effect from 1st November, of 1985.

DONE AT PHONDO (KANYAMAZANE) THIS 19TH DAY OF NOVEMBER, 1985.

NTOMBI

**NDLOVUKAZI AND REGENT OF
THE KINGDOM OF SWAZILAND**