



SWAZILAND GOVERNMENT GAZETTE

VOL. XXVI]

MBABANE, Friday, January 1st., 1988

[No. 570

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GENERAL NOTICE NO. 79 OF 1987

It is notified for general information that the officers listed below have been confirmed in their respective appointments and admitted to the permanent and pensionable establishment in the Civil Service.

A.J.V. SITHOLE
Secretary—Civil Service Board

<i>Ministry/Dept.</i>	<i>Name of Officer</i>	<i>Date Confirmed</i>	<i>Date Admitted</i>
Commerce	Thoko Jacomina Nxumalo	3/6/86	3/6/85
Health	Princess G. Ndlovu	8/8/86	8/8/84
Finance	Bongie C. Mabilisa	28/10/87	28/10/85
Police	2554 P.M. Mamba	1/4/86	3/1/83
	2595 K.N. Matsenjwa	1/4/86	1/11/83
	2651 T.D. Ngwenya	1/4/86	1/11/84
	2777 P.M. Luhlanga	1/11/87	1/11/85
	2744 S. Dube	1/11/87	1/11/85
	2758 S. Shabangu	1/11/87	1/11/85
	2728 T. Gama	1/6/86	1/6/85
	2742 M.L. Dlamini	1/11/87	1/11/85
	2743 P.A. Dlamini	1/11/87	1/11/85
	2745 J.S. Els	1/11/87	1/11/85
	2747 E.S. Maphalala	1/11/87	1/11/85
	2750 E.M. Mkhabela	1/11/87	1/11/85
	2752 A.M. Motsa	1/11/87	1/11/85
	2755 D.B. Nhleko	1/11/87	1/11/85
	2756 M.M. Ntshalintshali	1/11/87	1/11/85
	2760 C.T. Shongwe	1/11/87	1/11/85
	2761 A. Sihlongonyane	1/11/87	1/11/85
	2762 C.B. Simelane	1/11/87	1/11/85
	2766 B.M. Dlamini	1/11/87	1/11/85
	2769 S.M. Dlamini	1/11/87	1/11/85
	2772 D.S. Shongwe	1/11/87	1/11/85
	2775 G.M. Mbhamali	1/11/87	1/11/85
	2778 J.M. Motsa	1/11/87	1/11/85
	2781 P.S. Mthethwa	1/11/87	1/11/85
	2796 M.M. Dlamini	1/11/87	1/11/85

2794 J.A. Dlamini	1/11/87	1/11/85
2792 M.C. Vilakazi	1/11/87	1/11/85
2788 S.W. Phungwayo	1/11/87	1/11/85
2782 W.M. Msibi	1/11/87	1/11/85
2759 J.M. Shongwe	1/11/87	1/11/85
2797 J.S. Dlamini	1/11/87	1/11/85
2804 P.M. Malaza	1/11/87	1/11/85
2803 S.S. Gwebu	1/11/87	1/11/85
2805 S.D. Mamba	1/11/87	1/11/85
2806 E.M. Maphalala	1/11/87	1/11/85
2808 J.A. Mkhathshwa	1/11/87	1/11/85
2811 E.K. Nxumalo	1/11/87	1/11/85
2812 E.M. Sibandze	1/11/87	1/11/85
2815 D.S. Zonke	1/11/87	1/11/85

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO.: 219/86

In the matter between:

SWAZILAND BUILDING SOCIETY

Plaintiff

and

MALKERNS SHOPPING CENTRE

Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a Writ of Execution issued in the above matter, the under-mentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Manzini outside the Regional Administrators Office at Manzini on Friday the 12th day of February, 1988 at 2.30 p.m.

CERTAIN: Portion 1 of Farm No. 1243, situate in the Manzini District, Swaziland;

MEASURING: 5470 (Five Four Seven Zero) Square Metres;

HELD: Under Deed of Transfer No. 243/1985 be declared executable.

Improvements thereon consist of:

1. Main Store Building of 700 Square Metres;
2. Second Store Building of 300 Square Metres;
3. Outbuildings and Servant's Quarters, including W.C. Block and Kitchen.
4. Roof of Corrugated Iron.

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

A substantial bond will be granted to an approved buyer on application to the Swaziland Building Society. Further particulars may be obtained from the undersigned.

DATED at MBABANE this 19th day of November, 1987.

M.N. FAKUDZE
Sheriff of Swaziland
c/o The Registrar
of the High Court
MBABANE.

Y119 25.12.87

NOTICE

Notice is hereby given that in terms of Regulation 40(3) of Act No. 37/1968 we intend applying for a certified copy of Deed of Transfer No. 186/1983 dated 12th November, 1982 passed by Swazi Plaza Properties (Proprietary) Limited in favour of National Industrial Development Corporation of Swaziland in respect of the Remainder of Portion 333 of the Farm No. 2, situate in the District of Hhohho, Swaziland.

Any person having objection to the issue of such copy is hereby required to lodge it in writing to the Registrar of Deeds within three weeks from the last publication of this Notice.

DATED at MBABANE this day of 1987.

R.D. FRIEDLANDER & CO.,
Applicant's Attorneys,
Suite 103,
Development House,
Swazi Plaza,
MBABANE.

Y1118 2x1.1.88

NOTICE

Notice is hereby given that we intend applying for a Certified copies of: Mortgage Bonds Nos. 2/1981 & 21/1982 dated 5/1/1981 and 19/1/1982 passed by Henry Bhekumusa Mnisi, born 6/12/1953, in favour of Swaziland Development and Savings Bank for E1,000.00 and E1,000.00 respectively in respect of:

CERTAIN: Portion 479 (a portion of Portion 212) of the Farm Dalriach No. 188, District of Hhohho, Swaziland;

MEASURING 2,5608 (Two Comma Five Six Zero Eight) Hectares;

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

DATED at MBABANE this 18th day of December, 1987.

ROBINSON, BERTRAM & CO.,
Attorneys for/Applicant,
P.O. Box 24,
MBABANE.

Y1121 2x1.1.88

NOTICE

MOUNTAIN VIEW (PTY) LIMITED (IN LIQUIDATION)

Notice is hereby given in terms of Section 113 of the Insolvency Act 1955 that the Third Liquidation and Distribution account has been confirmed by the Master of the High Court and the Dividends set out therein are in course of payment to creditors.

J. HAYTER
Liquidator

Z6 1.1.88

NOTICE

SWAZILAND CHEMICAL INDUSTRIES (PTY) LTD (IN LIQUIDATION)

Notice is hereby given of a Special Meeting of Creditors will be held at the offices of the Master of the High Court Mbabane on 21st January, 1988 at 10.00 a.m. for the purpose of considering the following resolution:

1. That the Liquidator be authorised to compromise the claim of E5 786 009,78 lodged by the Commissioner of Taxes and to admit such claim for prove in the amount of E1 311 250,59.

J. HAYTER
Liquidator.

22nd December, 1987

Z7 1.1.88

NOTICE

Notice is hereby given that I, Robert Fanyana Dhlamlenze of P.O. Box 184, Jules Street Hhohho Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for Authorisation to assume the surname Duplessis after the fourth publication of this Notice in each of four consecutive weeks in the Times of Swaziland and Swazi Observer 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 Duplessis is because it is my natural Surname or my Father surname.

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

P.O. Box 45,
MBABANE.

Z9 4x22.1.88

NOTICE

Notice is hereby given that I, Willie Allen Dlamlenze of P.O. Box 184, Jules Street Hhohho Region intend to apply to the Honourable Minister of Justice of the Kingdom of Swaziland for authorisation to assume the surname Duplessis after the fourth publication of this Notice in each of four consecutive weeks in the Times of Swaziland and Swazi Observer 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 Duplessis is because it is my natural surname.

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

P.O. Box 45,
MBABANE.

Z8 4x22.1.88

SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

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THE RATING ACT 1967

(Act No. 24 of 1967)

APPOINTMENT OF MEMBERS OF VALUATION COURT

(Under Section 17)

In exercise of the powers conferred on me by Section 17 of the Rating Act, 1967, I hereby appoint the following persons to be members of the Valuation Court for the Town of Manzini with effect from 11th December, 1987.

1. Mr. Timothy T. Busenga — President
2. Mr. Patrick Mthimkhulu — Member
3. Mr. Harry Shirley — Member
4. Mr Peter Mngomezulu — Alternate Member

DONE AT MBABANE THIS 11th DAY OF DECEMBER, 1987.

SOTSHA E. DLAMINI
Prime Minister

LEGAL NOTICE NO. 122 OF 1987

THE WAGES ACT, 1964

(Act No. 16 of 1964)

THE REGULATION OF WAGES (AGRICULTURAL INDUSTRY) ORDER,
1987

(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 (Agricultural Industry) Order and subject to section 11(6) of the Act, shall come into force on the 4th January, 1988.

Interpretation.

2. In this Order unless the context otherwise requires—

“Artisan” means a skilled employee who has passed a Government Trade Test or who has served an apprenticeship recognised by the Government;

“Basic minimum wage” means the wage provided for in Paragraph 4 payable to an employee after the commencement of the Order;

“Farm Clerk/Storeman” means an employee who is employed fulltime on day to day duties for keeping all relevant records associated therewith;

“Field Induna” means an employee who is in charge of a number of labourers of any Category;

“General Labourer” means an employee who requires only Limited Training and includes field Labourers, Cleaners, Sweepers Pickers, produce packets produce Graders, Field Recorders, Messengers workshop Assistants and Spanner Hands;

“Handyman”— means a person who is capable of carrying out elementary tasks in either masonry, Plumbing, Carpentry or Mechanics associated with such work on a Farm with reasonable proficiency and without continuous supervision but does not include an Artisan or an employee erecting ordinary fencing on Farms;

“Heavy Machine Operator” means an employee who has qualification of a tractor driver and is able to operate a selfpropelled combine harvester, Motor Grader, Crane excavator, Ditch Digger or Similar heavy Machine;

“Irrigator” means an employee involved in the application of water to field crops and work associated herewith;

“Motor vehicle Driver” means an employee employed as a driver and who is in charge of the vehicle and its daily care;

“Plant or Pump House Attendant” means an employee who attends stationary Plant or Equipment;

“Seasonal Worker” means an employee the duration of whose contract of employment cannot be predetermined, which is entered into for a specific season, or for work to be done on or in connection with a specific project or activity;

“Stockman” means an employee who attends or heads animal and work associated herewith;

“Tractor Driver” means an employee who drives a tractor and is able to take complete charge of the tractor, operate it and all its associated implements, to complete a given task without supervision and carry out the daily care of the tractor;

“Watchman” means an employee who is engaged during the day or night guarding and protecting premises or property as directed by his employer;

Application.

3. (1) This Order shall apply to all persons employed in any undertaking carrying on one or more of the following activities for gain—

- (a) Cultivation of land and the use of land (Irrigated or otherwise) for the purpose of animal husbandry, horticulture, fruit growing, dairy farming, livestock small animal and poultry keeping or breeding, apiculture and the growth and/or production of seed;
- (b) The use of land as grazing or meadowlands, market gardens, nursery grounds;
- (c) All handling and processing normally carried out on a Farm or Estate including crop cleaning, winnowing, drying, sacking, packing, cartoning, livestock food preparation;
- (d) The Construction, Maintenance and repair of Farm Building and Installations Machinery, Plant, Equipment, the Running of Irrigation Scheme and the Keeping of Farm or Estate Accounts.

(2) This Order shall not apply to any undertaking, engaged in the retail supply of Motor vehicles, Agricultural Machinery, Mobile Construction Plant of the repair, servicing, Assembling or adaptation of such vehicles Machinery or Plant on behalf of the other persons or under a Licence.

Basic Minimum Wage.

4. (1) The Basic Minimum Wage to be paid to any employee specified in the First Schedule shall not be less favourable than that specified therein for the employee concerned.

(2) No employee who at the date of commencement of this Order is in receipt of a higher wage for his occupation than the wage prescribed in the First Schedule shall suffer any reduction in such wage by reason of this Order.

Hours of work.

5. The Normal hours of work shall, subject to the provisions of paragraph 6 be Fifty-Seven hours of work spread over a period not exceeding six days in a week. Provided that the normal hours of work for watchmen, Stockmen, Irrigators, Plant and Pumphouse Attendants shall be Seventy-Two hours.

Overtime.

6. An employee required to work in excess of the normal working hours specified in paragraph 5 shall be paid at one-and-half times the basic hourly rate for such time worked from Monday to Saturday, inclusive, and at twice his basic hourly rate for time worked on Sundays, or the Public holidays referred to in the second schedule.

Public Holidays.

7. (1) Subject to sub-paragraph (2), the Public Holidays specified in the second schedule shall subject to the provisions of paragraph 6 be holidays with full pay.

(2) The provisions of sub-paragraph (1) shall only apply where the employee presents himself for work on the working day immediately prior to the public holiday and the working day immediately following the public holiday except where the employee concerned has received permission from his employer to be absent on either day.

Annual Leave.

8. (1) On completion of each period of Twelve Months continuous service with an employer, an employee shall, at a time convenient to his employer, be entitled to annual leave of not less than twelve working days with full pay at the basic minimum wage.

(2) Any employee whose services are terminated after three Months service, other than for reasons of misconduct shall be paid at the time of termination a pro rata cash payment in respect of wage earned but not taken, such pro rata cash payment shall be equal to three quarters of a day's wages for each month during which leave had been earned but not taken.

Sick Leave.

9. After six month's continuous service with an employer an employee shall be entitled, in each period of twelve months continuous service, to sick leave up to a maximum of fourteen days with half pay at the basic minimum wage on production of a certificate issued by a Medical Practitioner registered under the Medical and Dental Practitioner's Act, 1970, covering each period of sick leave:

Provided that an employee shall not be entitled to sick leave under this paragraph if his incapacity was due to negligence on his part.

Task and ticket contracts.

10. (1) Nothing in this Order shall prevent an employer and employee from agreeing to the substitution of a Task for the normal hours of work in any day.

(2) An employee who is engaged on a ticket contract shall be paid at least once a Month in relation to the number of days he has worked under such contract.

Employment of women.

11. An Adult female employee shall be paid the basic minimum wage payable to an adult male person employed in a similar capacity.

Employment of children and young persons.

12. Wages payable to young persons and children shall, for a person under the apparent age of fifteen years, be calculated at a rate not less favourable than 50% of the rates of wages specified in the First Schedule and 75% of the rates of wages for a person of the apparent age of fifteen but not exceeding the apparent age of eighteen years who are engaged in the occupations specified in the schedule:

Provided that where task work is being performed the rate of payment shall be the same for all persons engaged in the task, irrespective of age or sex, but payment shall be calculated in respect of the volume of work done or proportionate to the amount of task completed.

Lay off due to wet inclement weather.

13. Any employee who make himself available for work but does not work during a continuous period of wet inclement weather shall be entitled to his basic wage for the First day, half his basic wage on the second and third days of such wet weather, and nothing thereafter for the rest of the duration of the wet weather.

Protective clothing.

14. (1) 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.

(2) Any employer who has supplied his employee with protective clothing may deduct from the wages of that employee a sum not exceeding the cost price of the clothing but shall, upon the return of the protective clothing refund such sum of money to his employee provided that the clothing is in a serviceable condition, fair wear and tear being accepted

Rations.

15. Subject to the provisions of section 153 of the employment Act, 1980, employees who were in receipt of rations or meals or cash allowance in lieu of rations shall continue to receive such rations or meals or such cash allowance.

Revocation of Legal Notice No. 83 of 1986.

16. The regulation of wages (Agricultural Industry) Order, 1986 is hereby revoked.

FIRST SCHEDULE

(Paragraph 4)

BASIC MINIMUM WAGE PER DAY

General Labourer	E1.97
Seasonal Worker	E1.97
Stockman	E1.97
Watchman	E2.02
Irrigator	E2.02
Plant or Pump House Attendant	E2.02
Field Induna	E2.46
Handyman	E2.47
Tractor Driver	E2.65
Farm Clerk/Storeman	E3.08
Motor Vehicle Driver	E3.08
Heavy Machine Operator	E3.54
Artisan	E5.05

S6

SECOND SCHEDULE

(Paragraph 7)

Incwala Day

Good Friday

Somhlolo Day (Independence)

Christmas Day

Boxing Day

King's Birthday

Umhlanga (Reed Dance) Day.

A.M. FAKUDZE

Principal Secretary Ministry of Labour

LEGAL NOTICE NO. 123 OF 1987

THE WAGES ACT, 1964

(Act No. 16 of 1964)

THE REGULATION OF WAGES (HOTEL AND CATERING TRADES)
ORDER, 1987

(Under Section 11)

In exercise of the powers conferred upon him by Section 11 of the Wages Act, 1964, the Minister of Labour hereby makes the following Order—

Citation.

1. This Order may be cited as the regulation of Wages (Hotel and Catering Trades) Order, 1987 and shall come into force of the 1st January, 1988.

Application.

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

3. In this Order, unless the context otherwise requires—

“Assistant cook” means a person who assists a cook and who works under his direction preparing food and carrying out any other duties allocated to him by the cook or by the Management;

“Assistant Housekeeper” means a person who—

- (a) Assists and carries out the instructions of a Housekeeper or the Management particularly in regard to the maintenance of linen, blankets and soft furnishings;
- (b) Supervises room maids and similar staff; and
- (c) Is responsible for the cleanliness of such areas of the establishment as are designated by the management;

“Assistant waiter/waitress” means a person who assist a waiter/waitress and carries out the duties of a waiter/waitress under their direction;

“Barman” means a person other than a junior or a cocktail barman, who—

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

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

“Basic minimum wage” means the basic minimum wage payable to an employee excluding allowance in cash or in kind and overtime payments;

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

“Butcher” means a person who prepares and cuts meat, fish and or poultry in its raw state and carries out associated duties allocated by Head Chef or Assistant Chef.

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

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

“Cocktail Barman” means a person other than a barman who—

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

“Chef de partie/cook” means a person who—

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

“Clerks” means a person who carries out clerical duties and is responsible for all monies and documents under his control;

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

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

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

“head porter” means a person in charge of the porters desk who supervises porters and luggage porters and carries out all duties allocated to him by reception staff or management;

“head waiter” means a person who—

- (a) is in charge of the dining room, and supervises waiters and other dining room staff;
- (b) arranges table reservations for individual customers or parties;
- (c) ensures that a high standard of service is maintained and deals with customer’s complaints concerning the food or service; and
- (d) may also be required to take customers’ orders and pass them to the waiters;

“housekeeper” means a person who—

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

- (b) supervises room maids and other staff;
- “labourer” means a person who, under supervision, carries out manual work, including irrigation, and who, if so required, works as a pump house attendant;
- “laundry worker Grade 1” means a person who carries out laundry work involving the use of machinery other than flat irons;
- “linen keeper” means a person who is responsible for the control and issue of linen and other stocks and cleaning materials in a linen room;
- “luggage porter” means a person who carries out instructions given to him by a head porter, porter or reception staff, or the management and carries luggage;
- “porter” means a person who—
- (a) carries out the duties allocated to him by reception staff;
 - (b) conducts guests to their rooms;
 - (c) carries luggage; and
 - (d) performs other duties as may be required by the management including the cleaning of shoes, selling newspapers and the collection of mail;
- “receptionist” means a person who checks guest into and out of the establishment, and allocates rooms to guests and submits accounts to them for payment;
- “room maid” means a person who cleans and prepares rooms for use by guests and who carries out associated duties allocated by the management, a housekeeper or assistant housekeeper;
- “room service person” means a person who has knowledge of all items on the room service menu, who sets up room service trays, prepares the room service area for service, delivers food and beverage orders to guest bedrooms and offices, and clears bedrooms, corridors and offices of dirty crockery, cutlery, glasses and trays;
- “seamstress” means a person who repairs and alters uniforms, soft linen and furnishings and who carries out associated duties allocated by the management, a housekeeper or assistant housekeeper;
- “security guard” means a person with a working knowledge of the laws relating to the sale of liquor and the hotel industry, who is responsible for the security of premises belonging to the establishment in which he is employed and carries out and prepares report on investigations as required by the management;
- “short order cook” means a person who is responsible for the preparation and production of short orders and simple food on the instructions of the management or cook;
- “storeman” means a person who is in sole control of the stores, and is in charge of the purchase and ordering of goods and is responsible for the maintenance of stores levels as directed by the management;
- “stores assistant” means a person who, under instructions, checks and accounts for all items coming into, or being issued from a store and is responsible for the receipt and custody of all stores under his control;
- “supervisor” means a person responsible for the supervision of any employees placed under his control by the management;
- “telephonist” means a person who operates a switchboard, who keeps a record of all outgoing calls, ensuring that they are correctly charged to the person responsible for their payment and who receives and records guests’ messages;

“tractor driver” means a person who operates a tractor and implements allocated to him in order to carry out given Tasks and who carries out simple maintenance of the tractor;

“waiter/waitress” means a person who—

- (a) has knowledge of all items on the menu, and receives and services orders from customers in dining room; and
- (b) prepares and serves sandwiches, salads, snacks and other light refreshments throughout the establishment;

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

“valet” means a person who is responsible for ironing, pressing collection and the delivery of the guests garments;

“watchman” means a person who guards the property of his employer against fire, theft and illegal entry and who watches for and guards against any other irregularities.

Basic minimum wage.

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

Rations.

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

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

Hours of work.

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

Overtime.

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

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

Annual leave.

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

Provided that:—

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

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

Sick leave.

9. (1) After three months' continuous service with an employer an employee shall be entitled to sick leave up to a maximum of fourteen days with full pay, and thereafter to sick leave to a maximum of fourteen days with half pay, in each period of twelve months' of continuous service, subject to the employee producing a certificate of incapacity covering the period claimed as sick leave, signed by a medical practitioner registered under the Medical and Dental Practitioners Act, 1970:

Provided that an employer may accept such other evidence he deems appropriate.

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

Public holidays.

10. (1) The public holidays specified in the Fourth Schedule shall be holidays with full pay.

(2) Where an employee is required to work on a day which is a paid public holiday, he shall be given seven days' notice of such requirement, thereafter by a mutual agreement, he shall either be given a working day off with full pay within thirty days of such public holiday or be paid in respect of the hours worked on that public holiday at one and half times his basic wage.

(3) In the absence of the mutual agreement referred to in sub-paragraph (2), the employer shall in his discretion decide whether the employee shall receive payment for the public holiday or whether he should be given a day off work in lieu thereof.

(4) Notwithstanding any provision of this section, no employees shall be compelled to take more than half the paid holidays in any calendar year in the form of days off work in lieu of such public holidays.

Weekly rest days.

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

(2) Where an employee works on a rest day in order to accumulate two rest days as provided in sub-section (1), he shall not be entitled to overtime payment for that day except for such time worked thereon as exceeds nine working hours.

Casual work.

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

Travel arrangements.

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

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

Registration.

14. Every employer shall keep a registration form as specified in the fifth Schedule containing every employee's particulars.

Uniforms.

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

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

Inclement weather (field workers only).

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

Training period.

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

Revocation of Legal Notice No. 85 of 1986.

18. The wages Regulation (Hotel and Catering Trades) Order, 1986 is hereby revoked.

FIRST SCHEDULE

For the purposes of the Schedule—

- Group A shall mean any undertaking licence under the Casino Act, 1963 or having 75 or more bedrooms for guests;
- Group B shall mean any hotel, motel restaurant or club with a liquor licence; or which serves food, which is not included in Group A; and which is situated in Mbabane or Manzini urban areas or within 8 km, of the road joining Mbabane and Manzini.
- Group C shall mean any hotel, motel, restaurant or club with a liquor licence, which is not included in Group A or B.

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

FIRST SCHEDULE
(EMALANGENI PER MONTH)

	A	B	C	D
Assistant Cook	259	198	147	123
Assistant Housekeeper	187	163	156	156
Assistant Waiter/waitress	139	123	111	111
Barman	281	231	150	—
Bar Steward	150	117	111	—
Billing Clerk	347	227	196	—
Cashier	204	198	193	193
Clerk	193	185	170	170
Cleaner	128	120	111	111
Cocktail Barman	314	264	244	—
Cook/Chef de partie	402	275	209	134
Dressmaker	221	178	139	—
Driver	187	173	167	167
Head Porter	209	198	185	—
Handyman	248	178	145	145
Headwaiter	314	178	152	152
Housekeeper	314	195	165	165
Junior Barman	226	165	145	—
Labourer	128	120	111	111
Laundry Worker Grade I	150	123	111	111
Laundry Worker Grade II	134	117	111	111
Linen Keeper	145	139	137	137
Luggage Porter	128	120	111	—
Porter	193	150	124	—
Receptionist	319	229	198	—
Room Maid	128	120	111	111
Room Service Person	178	128	111	111
Seamstress	145	145	145	—
Security Guard	187	167	154	152
Short Order Cook	145	134	117	117
Storeman	358	276	180	160
Stores Assistant	172	177	138	138
Supervisor	150	139	134	134

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Telephonist	178	130	123	123
Tractor Driver	139	152	150	131
Waiter/Waitress	178	134	123	123
Watchman	128	125	123	123
Wine Steward	173	134	123	—
Valet	187	111	111	—

TRAINING PERIOD

SECOND SCHEDULE (EMALANGENI PER MONTH)

	A	B	C	D
Trainee Assistant Housekeeper	143	137	135	123
Trainee Bar Steward	134	111	111	—
Trainee Billing Clerk	175	146	145	—
Trainee Cashier	160	150	145	—
Trainee Handyman	169	157	129	129
Trainee Receptionist	176	157	145	—
Trainee Telephonist	143	120	111	111

THIRD SCHEDULE

(WEEKLY RATION SCALE)

1. Minimum Ration Scale

Mealie Meal	6.36 Kg.
Meat	1.36 Kg.
Sugar	0.45 Kg.
Dry Beans, Peas or Groundnuts	0.68 Kg.
Fresh Vegetables	0.90 Kg.
Salt	0.114 Kg.

2. Alternatives—

The following weekly rations may be supplied in lieu of the items of food mentioned in paragraph 1:—

(a) Mealie Meal—

For every 2 lbs of Mealie, 1 lb, of Bread, 12 ozs, of Rice or $\frac{1}{2}$ lb, or sweet potatoes;

(b) Meat—

(i) For the First 8 ozs, of Offal; or

(ii) For the First 1 lb, of Fish or 8 ozs, of Cheese;

(c) Fresh Vegetables—

For every 1 lb, of Fresh Vegetables, 1 lb, of Fresh Fruit or a proportionate ratio of Dehydrated Vegetables.

3. Permitted Variations,

- (a) The Drink known as "Mahewu"; or
- (b) A proprietary vitamized drink, if either drink is issued in the week to the employee by the Employer.

FOURTH SCHEDULE

- Christmas Day
- Boxing Day
- Incwala Day
- Umhlanga (Reed Dance) Day
- Good Friday
- The King's Birthday
- Somhlolo (Independence) Day

FIFTH SCHEDULE

WRITTEN PARTICULARS OF EMPLOYMENT RECORDS

- 1. Name of Employer
- 2. Name of Employee
- 3. Date of Employment began
- 4. Wage and method of Calculation
- 5. Interval at which wages are paid
- 6. Normal Hours of work
- 7. Short description of Employee's work
-
-
-
-
-
- 8. Probation Period.....
- 9. Annual Holiday Entitlement
- 10. Paid Public Holidays

- 11. Payment During Sickness
- 12. Maternity Leave (if employee female)
- 13. Notice Employee entitled to receive
- 14. Notice Employee required to give
- 15. Pensions Scheme (if any, other than NPF Scheme)
-
- 16. Any other matter either party wishes to include
-
- 17. Accommodation Arrangement
-
- 18. Transport Arrangement
- 19. Agreed Transport delivery

NOTES:

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

Signature: **Employer**
..... **Employee**
..... **Witness**
..... **Date**

A.M. FAKUDZE
Principal Secretary, Ministry of Labour

THE WAGES ACT, 1964

(Act No. 16 of 1964)

THE REGULATION OF WAGES (WATCHING AND PROTECTIVE SERVICES INDUSTRY) ORDER, 1987

(Under Section II)

In exercise of the powers conferred upon 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 (Watching and Protective Services Industry) Order, 1987 and shall come into force on the 1st January, 1988.

Application.

2. (1) This Order shall apply to all persons employed in detective, investigative, patrolling and nightwatching 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’ but less than twelve months’ continuous service;

“Group BI” means an employee with more than twelve months’ continuous service;

“Group C” means a patrol supervisor Grade II;

“Group D” means a patrol supervisor Grade I;

“Telephonist” means any person who is literate, Fluent in the Siswati and English Languages and able to operate a telephone in a courteous and efficient manner.

Basic Minimum wage.

4. The Basic Minimum Wage to be paid to an employee to whom this order applies shall be deemed to include a ration allowance and shall be calculated at a rate not less favourable than that specified in the Schedule hereto

Hours of work.

5. The Basic Working Week shall consist of seventy two working hours spread over a period of six days.

Overtime.

6. An employee who is required to be on duty and work in excess of the hours specified in section 5 shall be entitled to be paid for such overtime at the rate of one and half times his normal hourly rate of wages. Normal hourly rate shall mean his monthly rate of wages divided by three hundred and twelve.

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 nine days with full pay in compensation for public holidays worked.

(2) Where the employment of an employee is terminated before he has taken his entitlement of leave under this section, he shall be paid, in lieu of such leave, a sum equal to one and three quarter days wages in respect of each month he has earned but not taken leave.

Sick leave.

8. After three months continuous service with his 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 of twelve months' employment, subject to him submitting to his employer a medical certificate covering the period of absence, signed by a Medical Practitioner registered in Swaziland.

Day-off.

9. An employee shall be entitled to one day off-work in each week: Provided that the employer and employee may mutually agree that the day-off may be deferred so as to allow the employee to accumulate a total of four days off-work.

Maternity Leave.

10. A female employee who becomes pregnant during the period of her employment shall be entitled to resume duty in the position she occupied prior to such leave. The timing of such leave shall be subject to the mutual agreement of the employer and the employee.

Travelling expenses.

11. (1) Any employee who travels on duty and remains away from his place of residence shall be reimbursed all expenses of lodging and meals incurred through such travel on production of receipts covering the expenditure:

Except where an employee who is required to remain away from his place of employment thereupon the payment of expenses under this section shall cease and the employer shall thereafter provide him with suitable accommodation or payment in lieu thereof.

Lay-off.

12. (1) A lay-off due to circumstances beyond an employer's control shall not exceed fourteen working days. Such lay-off shall be without pay and at the end of such period the employer shall either re-instate an employee or terminate his 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.

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

Savings.

14. An employee, who, at the commencement of this Order, is entitled to benefits greater than those specified in this order, shall not suffer any reduction in such benefits by reason of this Order.

Uniforms Etc.

15. (1) The employer of a guard or watchman shall provide his free of charge with:-

- (a) boots (shoes for female guards) a police whistle, a club and torch; and
- (b) a hat and overcoat when reasonable required under the prevailing weather conditions.

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

Revocation of legal Notice 86 of 1986.

16. The Regulation of wages (Watching and Protective Services Industry) Order, 1986 is hereby revoked.

FIRST SCHEDULE

(Paragraph 4)

(Per Month)

Group A	E144.00
Group B	E156.00
Group BI	E168.00
Group C	E174.00
Group D	E210.00
Telephonist	E144.00
Clerk	E210.00

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SECOND SCHEDULE

(Paragraph 7(1))

New Year's Day

Good Friday

Easter Monday

National Flag Day

King's Birthday

Somhlolo Day

Reed Dance Day

Incwala Day

Christmas

A.M. FAKUDZE
Principal Secretary