



SWAZILAND GOVERNMENT GAZETTE

VOL. XXXVI]

MBABANE, Friday, February 13th., 1998

[No. 330

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NOTICE

Notice is hereby given that I, Siphon Gideon Matsenjwa of Lubombo Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Fakudze after the fourth publication of this notice in each of the four consecutive weeks in the observer and times of Swaziland Newspapers, being two newspapers circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Lubombo Region and in the Government Gazette.

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

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

P.O. Box 106
Big Bend

L79 4x13-02-98

NOTICE

CITY COUNCIL OF MBABANE

(Pursuant to section 79(2) of Act 8 of 1969)

Notice is hereby given that pursuant to section 79(2) of Act No. 8 of 1969 the Council proposes to make a by-law or amend the by-law in respect of fees and charges (service charges).

A copy of this notice and the proposed by-law shall be exhibited at the offices of the Council, Civic Centre, Warner Street Mbabane for a period of one month from the date of publication of this notice.

Any person(s) wishing to object to the making of such by-law is by this notice invited to lodge his or her objection in writing with the Town Clerk at the address given below before or on 10th March, 1998.

Dated at Mbabane this 9th day of February, 1998.

G. MHLONGO
Town Clerk/Chief Executive Officer
P.O. Box 1
Mbabane

L173 2x20-02-98

NOTICE

ESTATE LATE: MGILJA LUKE SHABANGU ESTATE NO. EP33/96

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open at the office of the Master of the High Court of Swaziland, Mbabane for a period of 21 (twenty one) days from date of publication of this notice.

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

MAVIS & CONSTANCE SHABANGU
P.O. Box 49
Mkhuzweni

L163 13-02-98

NOTICE

Notice is hereby given that I, Dumsane Dingizwe Hedzane of Hhohho Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Dlamini after the fourth publication of this notice in each of the four consecutive weeks in the observer and times of Swaziland Newspapers, being two newspapers circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Hhohho Region and in the Government Gazette.

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

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

Phocweni Post Office
Via Manzini

L90 4x20-02-98

NOTICE

Notice is hereby given in terms of section 5 of the Registration of Businesses Act No. 42/1933 and section 34 of the Insolvency Act No. 81 of 1955 that the business known as FIRST HORSE RESTAURANT carried on at Yen Saan Complex, Ezulwini, District of Hhohho by R.H. INVESTMENTS (Proprietary) Limited has been sold to JA & AT INVESTMENTS (Proprietary Limited and after the third publication of this Notice application will be made to the Licensing Officer, District of Hhohho for the transfer of the Restaurant Keepers Licence to JA & AT INVESTMENTS (Proprietary) Limited.

MILLIN & CURRIE
Attorneys for the Sellers
1st Floor, Development House
Swazi Plaza
Mbabane

L108 3x13-02-98

NOTICE

Notice is hereby given that we intend applying for a certified copy of Mortgage Bond No. 76/1988 dated the 10th day of February, 1988 in respect of:

CERTAIN: Remaining extent of the Farm "Calaisvale I No. 692" situate in the District of Manzini, Swaziland;

MEASURING: 189,8261 (One Eight Nine Comma Eight Two Six One) Hectares;

made in favour of Swaziland Development and Savings Bank.

All persons having objections to the issue of the aforesaid copies are hereby requested to lodge same with the Registrar of Deeds for Swaziland at Mbabane within three (3) weeks of the last publication of this Notice.

DATED AT MBABANE ON THE 26TH DAY OF JANUARY, 1998.

SAMUEL S. EARNSHAW & PARTNERS
Attorneys for Applicant
P.O. Box 1134
Mbabane

L135 2x13-02-98

NOTICE

Notice is hereby given that I, Richard Sangweni of Shiselweni Region intend to apply to the Honourable Minister for Justice of the Kingdom of Swaziland for authorisation to assume the surname Dlamini after the fourth publication of this notice in each of the four consecutive weeks in the observer and times of Swaziland Newspapers, being two newspapers circulating in the Region where I reside and designated for this purpose by the Regional Secretary for the Shiselweni Region and in the Government Gazette.

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

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

P.O. Box 179
Nhlangano

L124 4x27-02-98

NOTICE

Notice is hereby given that we intend applying for a certified copy of: Mortgage Bond No. 442/1996 dated the 28th June, 1996 passed by SEME WISEMAN SIMELANE (born on the 23rd day of January, 1956) for an amount of E152 000.00 (One Hundred and Fifty Two Thousand Emalangenzi) in favour of BARCLAYS BANK OF SWAZILAND LIMITED.

Any person having objection to the issue of such copy is hereby required 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 28TH DAY OF JANUARY, 1998.

ROBINSON BERTRAM
Attorneys for Applicant
P.O. Box 24
Mbabane

L138 2x13-02-98

NOTICE

ESTATE LATE: FATA THEMBIZULU DLAMINI ESTATE NO. EH111/97

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open at the office of the Master of the High Court of Swaziland, Mbabane for a period of 21 (twenty one) days from date of publication of this notice.

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

VELIBANTI DLAMINI
P.O. Box A33
Swazi Plaza

L171 13-02-98

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 2529/97

In the matter between:

STANDARD BANK SWAZILAND LTD

Plaintiff

and

BAVUKILE BONKHE ENTERPRISES (PTY) LTD
LUKE BAFANABAKHONA MABUZA

1st Defendant
2nd Defendant

NOTICE OF SALE IN EXECUTION

Notice is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned immovable property will be sold by Public Auction by the Deputy Sheriff for the District of Manzini outside the Regional Administrator's Offices at 10.00 a.m. on Friday the 13th day of March 1998.

CERTAIN: Lot No. 206 situate in Mendip Road, Fairview Township Manzini District, Swaziland

MEASURING: 1550 (One Thousand Five Hundred and Fifty) Square Metres

HELD: By the Second Defendant under Deed of Transfer No. 114/73

IMPROVEMENTS: 3 Bedroomed house with Servants Quarters

RESERVE PRICE: E150,000.00 (One Hundred and Fifty Thousand Emalangeni)

and

CERTAIN: Lot No. 1133, situate in the Ngwane Park Township, Extention No. 1 District of Manzini, Swaziland

MEASURING: 1011 (One Thousand and Eleven) Square metres

HELD: By the 2nd Defendant under Deed of Transfer No. 468/86

RESERVE PRICE: E50,000.00 (Fifty Thousand Emalangeni)

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

Further particulars may be obtained from the offices of ATTORNEY T.L. DLAMINI, 3rd Floor Mbabane House, Office No. 10.

DATED AT MBABANE ON THIS 29TH DAY OF JANUARY, 1998.

S.J. GAMA
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

L123 2x13-02-98

NOTICE

Notice is hereby given that we intend applying for a certified copy of Deed of Transfer No. 96/1981 dated the 31st March, 1981 in favour of JUDEA DUMISANI MAGAGULA, (born on the 4th April, 1943), in respect of:-

CERTAIN: Lot No. 127, situate in Sidwashini South Town, Mbabane urban area, District of Hhohho, Swaziland;

MEASURING: 387 (Three Eight Seven) 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 Three (3) weeks of the last publication of this Notice.

DATED AT MBABANE THIS 29TH DAY OF JANUARY, 1998.

ROBINSON BERTRAM
Attorneys for Applicant
Sokhamlilo Building
P.O. Box 24
Mbabane

L145 2x13-02-98

NOTICE

Notice is hereby given that we intend applying for a certified copy of Deed of Transfer No. 225/1996 dated the 28th June, 1996 in favour of SEME WISEMAN SIMELANE, (born on the 23rd January, 1956), in respect of:

CERTAIN: Lot No. 1567 Manzini Extension No. 17 (Helemisi Township) situate in the Manzini urban area, District of Manzini, Swaziland;

MEASURING: 1059 (One Zero Five Nine) 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 three (3) weeks of the last publication of this Notice.

DATED AT MBABANE THIS 28TH DAY OF JANUARY, 1998.

ROBINSON BERTRAM
Attorneys for Applicant
Sokhamlilo Building
P.O. Box 24
Mbabane

L139 2x13-02-98

NOTICE

ESTATE LATE: PAUL VUSUMUZI DLAMINI ESTATE NO. EM127/97

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

WILLIAM V. DLAMINI
P.O. Box 47
Big Bend

L176 13-02-98

NOTICE

Notice is hereby given that we intend applying for a certified copy of Deed of Transfer No. 428/1996 dated the 15th August, 1996 in favour of ROBERT MQINISILI DLAMINI (born on the 12th day of January, 1948), in respect of:

1. CERTAIN: Portion 4 of Farm No. 1214, situate in the District of Hhohho, Swaziland;
MEASURING: 85,7457 (Eight Five Comma Seven Four Five Seven) Hectares;
2. CERTAIN: Portion 5 of Farm No. 1214, situate in the District of Hhohho, Swaziland;
MEASURING: 85,8938 (Eight Five Comma Eight Nine Three 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 ON THIS 6TH DAY OF FEBRUARY, 1998.

SHILUBANE NTIWANE & PARTNERS
Applicant's Attorneys
4th Floor Mbandzeni House
Smut/Church Streets
Mbabane

L172 2x20-02-98

NOTICE

ESTATE LATE: AMOS MCOSHWI VILAKATI - E107/96

Debtors and Creditors in the abovementioned Estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this Notice.

Q.M. MABUZA (ATTORNEYS)
Executrix Dative
Soshangane Place
199 Kelly Street
P.O. Box 202
Manzini

L174 13-02-98

NOTICE

ESTATE LATE: IAN DERRICK GLOVER

Debtors and Creditors in the abovementioned Estate are hereby asked to lodge their claims and pay their debts with the undersigned within thirty (30) days after the date of publication of this Notice.

Q.M. MABUZA (ATTORNEYS)
Executrix Dative
Soshangane Place
199 Kelly Street
P.O. Box 202
Manzini

L175 13-02-98

NOTICE OF SURRENDER OF A DEBTOR'S ESTATE SECTION 4 (1)

Notice is hereby given that application will be made to the High Court of Swaziland on the 5th day of February 1998 at 9.30 a.m. or as soon thereafter as the matter can be heard, for the acceptance of the surrender of the estate of SWAZILAND BUSINESS GROWTH TRUST of Embassy House, Morris Street, Mbabane, Swaziland, the trustees of which are set out below:-

<u>NAME</u>	<u>OCCUPATION</u>	<u>ADDRESS</u>
Dr. Simon Pefile	Director of Companies	P.O. Box 1479, Mbabane
Mr Paul Mulindwa-Lubega	Resident Partner Deloitte & Touche	P.O. Box 1177, Mbabane
Mr Alec Taylor	Director, Swaziland Board of Executors	P.O. Box 226, Mbabane
Mrs Dumisile Magagula	Under Secretary (Finance) Ministry of Finance	P.O. Box 443, Mbabane
Mr Dan Maseko	Managing Director, Swazi Brake & Clutch	P.O. Box 516, Mbabane
Mrs Jane Dlamini	Under Secretary, Ministry of Enterprise & Employment	P.O. Box 451, Mbabane
Mr Johan van der Westhuizen	Country Coordinator, DBSA	P.O. Box 1234, Halfway House Midrand 1685 R.S.A
Mr Paul Shilubane	Attorney at Law	P.O. Box 2788, Mbabane
Mr Stephen Dlamini	Manager, Nedbank	P.O. Box 70, Mbabane

and that a statement of its affairs will lie for inspection at the office of the Master of the High Court at Mbabane for a period of fourteen days as from the 19th day of January 1998.

MILLIN & CURRIE
Incorporating R D Friedlander & Co.
1st Floor, Development House
Swazi Plaza

L151 13-02-98

NOTICE**ESTATE LATE: FRANK JOSEPH HASELSTEINER ESTATE NO. E117/95**

Notice is hereby given in terms of Section 51 bis of the administration of Estates Act No. 28 of 1902 that the first and final liquidation and distribution account will lie open for inspection at the office of the Master of the High Court of Swaziland at Mbabane and at the office of the Regional Administrator (Mbabane) for a period of twenty one days from the date of appearance of this notice.

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

P. R. DUNSEITH
Attorney for the Executrix
Lansdowne House
Post Street
P.O. Box 423
Mbabane

L181 13-02-98

NOTICE

SWAZILAND COMPANIES ACT NO. 7 OF 1912

Notice is hereby given that pursuant to the notices published in the Swazi Observer dated 14th April, 1997, 28th April, 1997 and 5th May, 1997 and in the Swaziland Government Gazette number 243 of 18th April, 1997, 248 of 2nd May, 1997 and 250 of 9th May, 1997 the names of the undermentioned Companies:-

World - Wide Chemicals Laboratories and Equipment (Pty) Ltd
Redemption Enterprises (Proprietary) Limited
Akiba Agencies International (Proprietary) Limited
Cardul (Proprietary) Limited
Masco Construction (Proprietary) Limited
Phakama Holdings Limited
Unitarain Service Committee of Canada in Swaziland Association
Rand Road Tech (Proprietary) Limited
Linga and Sons Construction (Proprietary) Limited
CF Investments (Proprietary) Limited
Harambe Trading (Proprietary) Limited
Swaziland African Transport Company (Proprietary) Limited
T.K. Computers & Electronic Services (Proprietary) Limited
Frangoulis (Proprietary) Limited
BSF International (Proprietary) Limited
J C Correia (Proprietary) Limited
Pan African Holdings (Proprietary) Limited
Themba Distributors (Proprietary) Limited
Newlight Cinema Company Limited
Impala Castings (Proprietary) Limited
M.L.R. Holdings (Proprietary) Limited
Inhlavu Tours (Proprietary) Limited
Gemini Creative Advertising (Proprietary) Limited
Timele Construction (Proprietary) Limited
Icons Swaziland Limited
Zaid Investments (Proprietary) Limited
Almac Wholesalers (Proprietary) Limited
Sun Newspapers Limited
R and T Motors (Proprietary) Limited
C and C Data (Proprietary) Limited
Improve Home Construction (Proprietary) Limited
J M Motor Spares (Proprietary) Limited
Velodana (Proprietary) Limited
Utra Trading Company (Proprietary) Limited
Steel Engineering and Boilermakers (Swaziland) (Proprietary) Limited
J.B. Woodwork (Proprietary) Limited
AA Building Construction (Proprietary) Limited
Penguin Investments (Proprietary) Limited
Concord Electrical and Refrigeration (Proprietary) Limited
Swaziland Communication (Proprietary) Limited
Radio and Electronics Limited
Mbabane Concrete Molders (Proprietary) Limited
Dlamini Building Construction (Proprietary) Limited
Engineering and Technical Agencies (Proprietary) Limited
XYZ Films (Proprietary) Limited
One One Services (Proprietary) Limited
Associated City Architectural Services (Proprietary) Limited
Triumph Motor Company (Proprietary) Limited
Sikhetsi Investments (Proprietary) Limited
F.J. Robertsons (Proprietary) Limited
Warden Cartage Swaziland (Proprietary) Limited

Siyabonga Investments (Proprietary) Limited
Matsapha Agencies Suppliers (Proprietary) Limited
KS MN Investment Holding (Proprietary) Limited
CPL Chemical and Beauty Salon (Proprietary) Limited
Turn-Key Building Contractors (Swaziland) (Proprietary) Limited
Zamadoda (Proprietary) Limited
Hi-Tech Security Systems (Swaziland) Limited
Imbuti Tapestries (Proprietary) Limited
Butimba Investments (Proprietary) Limited
ES & R Electronics (Proprietary) Limited
Flexi-Foods (Proprietary) Limited
A.T. Engineering Swaziland (Proprietary) Limited
Swaziland General Tractor Sales (Proprietary) Limited
Big Choice Amusements Swaziland (Proprietary) Limited
Apana Distributors (Proprietary) Limited
Nomyezo (Proprietary) Limited
Prolec (Proprietary) Limited
Timber Design (Proprietary) Limited
HVM Estate Agents (Proprietary) Limited
Inprotrade (Proprietary) Limited
HLS International (Proprietary) Limited
Swazi Freight Carriers (Proprietary) Limited
Mefika Import and Export (Proprietary) Limited
Jolay Fashions (Proprietary) Limited
African Development Drive Agency (Proprietary) Limited
LPP Couriers (Proprietary) Limited
Shiselweni Construction Company (Proprietary) Limited
Sandziso Investment Company (Proprietary) Limited
MIS (Proprietary) Limited
M and J Investments (Proprietary) Limited
Everite Printing and Publishing (Proprietary) Limited
D and F Auto Clinic (Proprietary) Limited
Breeze Electrical (Proprietary) Limited
Swazi Thatchers (Proprietary) Limited
Kajima Building Contractors (Proprietary) Limited
Ngwane Electrical Company (Proprietary) Limited
Mazikhulele Building Construction (Proprietary) Limited
C.B.S. Contractors (Proprietary) Limited
Ebenezer Lifetime Image Studios (Proprietary) Limited
Thandi and Ausari Investment (Proprietary) Limited
Swaziland Catering (Proprietary) Limited
J.B. Motor Spares (Proprietary) Limited
Universal Shopfitters and Furniture Manufactures (Proprietary) Limited
Roycol Agencies (Proprietary) Limited
Lomahasha Hairdressing Salon (Proprietary) Limited
Wilmar (Proprietary) Limited
Multi Suppliers (Proprietary) Limited
P.J. Electrical (Proprietary) Limited
Mayila General Dealer and Restaurant (Proprietary) Limited
International Services (Proprietary) Limited
Matsibeleni Transport Service (Proprietary) Limited
Strategic Consultants (Proprietary) Limited
Liswati Rhino Construction (Proprietary) Limited
Asibenawe Building Construction Company (Proprietary) Limited
Mantini Investments (Proprietary) Limited
Beacon Holdings (Proprietary) Limited
Manzini General Appliances (Proprietary) Limited
African Paradise Crafts (Proprietary) Limited

Ebony Medical Services (Proprietary) Limited
Tinyosi Investments (Proprietary) Limited
Mzileni Estate (Proprietary) Limited
Sidwel & Associates (Proprietary) Limited
Emergency Plumbers and Supplies (Proprietary) Limited
Marex Exports International (Proprietary) Limited
Samez Trading Company (Proprietary) Limited
Commbro (Proprietary) Limited
Ngwane Motors (Proprietary) Limited
Piccadilly Trading (Proprietary) Limited
Casual Fashions (Proprietary) Limited
J.J. Electrofix (Proprietary) Limited
Mavela Food Liner (Proprietary) Limited
Stewart Donnelly Limited
Southern Beverages Limited
Girwood Gardens and Fencing Limited
Bila's Import & Export (Proprietary) Limited
African Textiles and Knitting Company (Proprietary) Limited
Double Power Construction (Proprietary) Limited
Musto Olmez (Proprietary) Limited
Dredging International (Swaziland) Limited
Quantum Consultants (Swaziland) (Proprietary) Limited
Zwide Brothers (Proprietary) Limited
Njumbane Investment (Proprietary) Limited
Fidelity & York Investment Company Limited
Atlantic Services (Proprietary) Limited
Rodigan (Proprietary) Limited
Phoenix (Proprietary) Limited
New Horrons (Proprietary) Limited
V.R.T. Investment Corporation Limited

Were struck off the Swaziland Register of Companies, and the Companies dissolved with effect from 29th January, 1998.

G.D. NDLOVU
Registrar of Companies

L170 13-02-98

NOTICE

ESTATE LATE: S'DIBHI LUPHIKO NGWENYA ESTATE NO. EM291/97

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open at the office of the Master of the High Court of Swaziland, Mbabane for a period of 21 (twenty one) days from date of publication of this notice.

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

SAMANISI NGWENYA
P.O. Box 73
Luve

L167 13-02-98

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 2578/97

In the matter between:

BARCLAYS BANK OF SWAZILAND LIMITED

Plaintiff

and

ARTHUR MUSAWENKOSI NKAMBULE

Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Hhohho outside the High Court building, at 11.30 a.m. on Friday the 20th day of March 1998.

CERTAIN: Lot No. 2212 situate in the Township of Mbabane, Extension No. 20, in the Hhohho District;

MEASURING: 833 Square Metres;

HELD: By the Defendant under Deed of Transfer No. 171/1994;

RESERVE PRICE: E95,000.00;

The Conditions of Sale are available for inspection at the office of the Sheriff in the High Court Building in Mbabane.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE THIS 2ND DAY OF FEBRUARY 1998.

S.J. GAMA
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

L180 13-02-98

NOTICE

ESTATE LATE: SIZA SCOTCH MNCINA ESTATE NO. EH122/97

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open at the office of the Master of the High Court of Swaziland, Mbabane for a period of 21 (twenty one) days from date of publication of this notice.

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

THOKO MNCINA
P.O. Box 511
Mbabane

L160 13-02-98

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 1340/96

In the matter between:

BARCLAYS BANK OF SWAZILAND LIMITED

Plaintiff

and

PHILLEMOM NGWENYANE NXUMALO

Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Shiselweni outside the Nhlanguano Magistrate's Court Building at Nhlanguano, at 11.30 a.m. on Friday the 20th day of March 1998.

CERTAIN: Portion 1 of Farm No. 61, Shiselweni District.

MEASURING: 1158,4610 (One One Five Eight Comma Four Six One Zero) Hectares.

HELD: By the Defendant under Deed of Transfer No. 362/94 dated 5th August 1994.

IMPROVEMENTS: Farm House with rondavels.

RESERVE PRICE: E450,000.00;

The Conditions of Sale are available for inspection at the office of the Sheriff in the High Court Building in Mbabane.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE THIS 5TH DAY OF FEBRUARY 1998.

S.J. GAMA
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

L178 13-02-98

NOTICE

ESTATE LATE: ALMON MKHETHWA MANGO ESTATE NO. ES34/96

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open at the office of the Master of the High Court of Swaziland, Mbabane for a period of 21 (twenty one) days from date of publication of this notice.

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

PATRICK MANGO
P.O. Box 775
Nhlanguano

L161 13-02-98

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 190/96

In the matter between:

BARCLAYS BANK OF SWAZILAND LIMITED

Plaintiff

and

KENNETH MUSA JOB MASINA T/A MJAMANE
RESTAURANT AND KAMJAMANE WINE & MALT

Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Shiselweni outside the Nhlngano Magistrate's Court building, at 11.30 a.m. on Friday the 20th day of February 1998.

CERTAIN: Lot No. 581 situate in Nhlngano Township Extension 4, Shiselweni District;

MEASURING: 620 Square Metres;

HELD: By the Defendant, Kenneth Musa Job Masina, under Deed of Transfer No. 459/1994;

RESERVE PRICE: E120,000.00;

The Conditions of Sale are available for inspection at the office of the Sheriff in the High Court Building in Mbabane.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE THIS 2ND DAY OF FEBRUARY 1998.

S.J. GAMA
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

L169 13-02-98

NOTICE

ESTATE LATE: JABULANE VUSI LUSHABA ESTATE NO. EH164/97

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open at the office of the Master of the High Court of Swaziland, Mbabane for a period of 21 (twenty one) days from date of publication of this notice.

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

CAIPHUS LUSHABA
P.O. Box 1727
Mbabane

L164 13-02-98

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 1752/97

In the matter between:

BARCLAYS BANK OF SWAZILAND LIMITED

Plaintiff

and

BEATRICE LUNGILE LUKHELE

First Defendant

ESPAGNOLA IMPORT & EXPORT (PTY) LIMITED

Second Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Manzini outside the Regional Administrator's Offices building, at 2.30 p.m. on Friday the 20th day of March 1998.

CERTAIN: Lot No. 584 situate in Ngwane Park Township, District of Manzini, Swaziland;

MEASURING: 2032 (Two Zero Three Two) Square Metres;

HELD: By the 2nd Defendant, Espagnola Import & Export (Pty) Limited, under Deed of Transfer No. 206/1992 dated 18th May 1992.

RESERVE PRICE: E140,000.00;

The Conditions of Sale are available for inspection at the office of the Sheriff in the High Court Building in Mbabane.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE THIS 5TH DAY OF FEBRUARY 1998.

S.J. GAMA
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

L179 13-02-98

NOTICE

ESTATE LATE: MICHAEL THABO MAGAGULA ESTATE NO. EM146/97

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open at the office of the Master of the High Court of Swaziland, Mbabane for a period of 21 (twenty one) days from date of publication of this notice.

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

ELIAS SIKELELA MAGAGULA
P.O. Box 3165
Manzini

L162 13-02-98

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 2453/97

In the matter between:

SWAZILAND BUILDING SOCIETY

Plaintiff

and

STANLEY ISHMAEL DOS SANTOS

Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Manzini outside the Regional Administrator's Offices building, at 2.30 p.m. on **FRIDAY the 20TH day of MARCH 1998.**

CERTAIN: Lot No. 1639 situate in Manzini Extension No. 17, Helemisi Township), District of Manzini, Swaziland.

MEASURING: 885 (Eight Eight Five) Square Metres;

RESERVE PRICE: E165,000.00 (One Hundred and Sixty Five Thousand Emalangeni);

IMPROVEMENTS: Detached House Comprising: Lower/Dining, 3 Bedrooms, Kitchen, Bathroom, Dressing, En-suite Bathroom.

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.

The Society may lend 90% (ninety per centum) at its sole discretion to suitable borrowers and interested parties are advised to seek advice from the Society in this regard prior to the date of the sale.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE ON THIS THE 5TH DAY OF FEBRUARY 1998.

S.J. GAMA
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

L192 13-02-98

NOTICE

ESTATE LATE: ZACHARIA JABULANE NDABA ESTATE NO. ES131/97

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

ALFRED NDABA
P.O. Box 55
Gege

L165 13-02-98

NOTICE

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 2741/97

In the matter between:

SWAZILAND BUILDING SOCIETY

Plaintiff

and

SIMANGALISO S. MABUZA

Defendant

NOTICE OF SALE

Notice is hereby given that pursuant to a Writ of Execution issued in the above matter, the undermentioned property will be sold by Public Auction by the Deputy Sheriff for the District of Manzini outside the Regional Administrator's Offices at 2.30 p.m. on FRIDAY the 20TH day of MARCH 1998.

CERTAIN: Lot No. 389, situate in Ngwane Park Township, District of Manzini, Swaziland.

MEASURING: 1349 (One Three Four Nine) Square Metres;

RESERVE PRICE: E45,000.00 (Forty Five Thousand Emalangeni);

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

The Society may at its sole discretion lend up to 90% (ninety per centum) to suitable borrowers and interested parties are advised to seek advice from the Society in this regard prior to the date of the sale.

Further particulars may be obtained from the undersigned.

DATED AT MBABANE ON THIS THE 5TH DAY OF FEBRUARY 1998.

S.J. GAMA
Sheriff of Swaziland
c/o The Registrar of the High Court
Mbabane

L193 13-02-98

NOTICE

ESTATE LATE: REBECCA THEMBANI FAKUDZE ESTATE NO. EH47/97

Notice is hereby given that in terms of Section 51 bis of the Administration of Estates Act No. 28 of 1902 that the First and Final Liquidation and Distribution Account will lie open at the office of the Master of the High Court of Swaziland, Mbabane for a period of 21 (twenty one) days from date of publication of this notice.

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

CLEMENT & THANDIE FAKUDZE
P.O. Box 328
Matsapha

L182 13-02-98

NOTICE

IN THE HIGH COURT OF SWAZILAND

HOLDEN AT MBABANE ON 6 FEBRUARY 1998
BEFORE MR JUSTICE MATSEBULA

CASE NO. 166/98

In the matter of the Petition of:-

CATHERINE KHABONINA DLAMINI FOR AN ORDER
IN TERMS OF SECTION 32 OF ACT NO 37/1968
(THE DEEDS PETITIONER REGISTRY ACT)

COURT ORDER

Having heard counsel for the petitioner, and having perused the papers filed of record, it is hereby ordered that:

1. A rule nisi returnable on 20 February 1998 at 9.30 a.m. be issued calling upon all interested parties to show cause, if any, why:-

1.1 The sheriff of the above honourable court should not be authorised and directed to take all such steps as may be necessary and sign all necessary documents and consents for the purpose of effecting transfer into the name of the petitioner in the deeds office the following property, namely:-

CERTAIN: Lot No. 497 situate in Ngwane Park Township, District of Manzini Swaziland.

MEASURING: 2158 square metres

HELD: Under Deed of Transfer No. 366/1976 dated 6 December 1996.

2. That the order referred to in paragraph 1 hereof be published once in the Government Gazette and in a Newspaper circulating in Swaziland.

GIVEN UNDER MY HAND AND SEAL AT MBABANE THIS 10TH DAY OF FEBRUARY, 1998.

By Order of Court

.....
REGISTRAR OF THE HIGH COURT

L194 13-02-98

NOTICE

ESTATE LATE: THANDIE NOKUTHULA MUHOHO ESTATE NO. H220/97

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

DOMINIC MUHOHO
P.O. Box 3532
Manzini

L189 13-02-98

NOTICE

IN THE HIGH COURT OF SWAZILAND

HOLDEN AT MBABANE ON TUESDAY THE 16TH DECEMBER 1997
BEFORE THE HONOURABLE MR SW SAPIRE ACTING CHIEF JUSTICE CASE NO. 3551/97

In the matter between:

M & N SAWMILLS (PTY) LIMITED

Petitioner

and

SWAZI TIMBER PRODUCTS LTD

Respondent

COURT ORDER

BEING: An Application.

WHEREUPON: Having heard Counsel for the Petitioner there being no appearance for the Respondent:

IT IS HEREBY ORDERED:

1. THAT a provisional order do issue winding up the Respondent in the hands of the Master of the High Court.
2. THAT HENNIE ELOFF an Administrator of Insolvent Estates and practising as such with First City Administrators CC and PETER COOPER, a Chartered Accountant practising as such with Coopers and Lybrand be and are hereby appointed as joint liquidators of the Respondent.
3. That a rule nisi do hereby issue calling upon all interested parties to show cause before the above Honourable Court on the 20th March 1998 at 09h30 or so soon thereafter as the matter may be heard why the orders referred to in 1 and 2 above should not be made final.
4. That this Order is to be served on the Respondent at its registered office and published once in the Government Gazette and two consecutive times in a daily newspaper circulating in Swaziland.
5. That costs shall be costs in the liquidation.
6. That any interest parties may anticipate the return date on notice to the Petitioner.

DATED AT MBABANE ON THIS THE 16TH DAY OF DECEMBER, 1997.

BY ORDER OF COURT GIVEN UNDER MY HAND AT MBABANE ON THIS THE 16TH DAY OF DECEMBER 1997.

.....
REGISTRAR OF THE HIGH COURT

L188 13-02-98

NOTICE

ESTATE LATE: SIMON KHOHLA ESTATE NO. EH208/97

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

ENGLAND ZWANE
P.O. Box 560
Mbabane

L157 13-02-98

100

NOTICE

IN THE ESTATE OF THE LATE: MARY PATCHITT

All creditors and persons interested ab intestato or otherwise in the abovementioned Estate are hereby called upon within twenty-one days from the date hereof, to lodge in writing with the Master of the High Court of Swaziland at Mbabane Swaziland, the particulars of their claims against the said Estate and their objections, if any, to the signing and sealing by him of the Letters of Administration granted by the Master of the Supreme Court of South Africa.

Provisional Division, at PRETORIA on the 29th day of October 1997

to DUNCAN KERR SINCLAIR
HENRI FRANCOIS JUNOD
BASIL JOHN PATCHITT

As Executor/s Testamentary of the said Estate.

ROBINSON BERTRAM
Attorneys for Executor/s Testamentary
P.O. Box 24
Mbabane

L191 13-02-98

NOTICE

ESTATE LATE: PETRONELL MANTOMBAZANA MKHATSHWA ESTATE NO. H261/97

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

NOMTHANDAZO MKHATSHWA
P.O. Box 449
Mbabane

L158 13-02-98

NOTICE

ESTATE LATE: ABRAHAM MTHOLA MANANA ESTATE NO. ES129/96

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

STEPHEN BHEKI MANANA
P.O. Box 440
Hlathikhulu

L159 13-02-98

NOTICE

ESTATE LATE: SIMON SIBANDZE ESTATE NO. EH46/98

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

MARY SIBANDZE
P.O. Box 13
Hluthi

L166 13-02-98

101

NOTICE

ESTATE LATE: MNDINDI MANANA ESTATE NO. EM307/97

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

MRS SIMANGELE MANANA
c/o Sigcineni Primary School
P.O. Box 81
Sidvokodvo

L168 13-02-98

NOTICE

ESTATE LATE: MFANAWENDLELA GAMEDZE ESTATE NO. EL108/97

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

AMOS GAMEDZE
P.O. Box 45
Nsoko

L177 13-02-98

NOTICE

ESTATE LATE: ZENZILE QALISILE BHEMBE ESTATE NO. EM182/97

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

THANDI MAMBA
P.O. Box 2797
Manzini

L190 13-02-98

SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

VOL. XXXVI]

MBABANE, Friday, February 13th., 1998

[No. 330

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THE SWAZILAND INVESTMENT PROMOTION ACT, 1998

(Act No. 1 of 1998)



I ASSENT

MSWATI III
KING OF SWAZILAND

2nd February 1998

AN ACT

entitled

An Act to provide for the promotion of investment in Swaziland and the establishment of an Investment Promotion Authority and for matters incidental thereto.

ENACTED by the King and the Parliament of Swaziland.

ARRANGEMENT OF SECTIONS.

1. Short title and commencement.
2. Interpretation.

CHAPTER ONE

ESTABLISHMENT OF THE AUTHORITY

3. Establishment of the Authority.
4. Objects of the Authority.
5. Powers of the Authority.
6. Functions of the Authority.
7. Establishment and composition of the Board.
8. Procedure at meetings of the Board.
9. Vacation of office by Board Members.
10. Appointment of the General Manager.
11. Duties of the General Manager.
12. Termination of Appointment of the General Manager.
13. Appointment of Chief Financial Officer.
14. Duties of the Chief Financial Officer.
15. Termination of Appointment.

16. Funds and assets of the Authority.
17. Appointment of auditors.
18. Financial year.

CHAPTER TWO

PROTECTION OF INVESTMENT AND SETTLEMENT OF DISPUTES

19. Freedom of investment.
20. Protection of investment.
21. Investment disputes.

CHAPTER THREE

GENERAL

22. Facilitation and Non-Discrimination.
 23. Prevention of Corrupt business Practices.
 24. Disclosure of information.
 25. Exemption from personal liability.
 26. Register of investors.
 27. Regulations.
-

Short title and commencement.

1. This Act may be cited as the Swaziland Investment Promotion Act, 1998, and shall come into force on such date as the Minister may appoint by notice in the Gazette.

Interpretation.

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

“Authority” means the Swaziland Investment Promotion Authority established under section 3;

“Board” means the Board of Directors of the Authority established under section 7;

“enterprise” means an undertaking carrying on business or commercial activity for gain or reward in any sector of the economy.

“foreign national” means -

(a) person who is not a citizen of Swaziland;

(b) company incorporated under the laws of any country other than Swaziland;

(c) a partnership or association in which the controlling interest is held by persons who are not citizens of Swaziland;

“investment” means a contribution of capital, in cash or in kind, made by a person to a new enterprise or to the expansion or rehabilitation of an existing business enterprise or to the purchase of an existing business enterprise;

“investor” means any person, natural or juridical, who has made an investment in Swaziland and is registered under section 26 of this Act, and where the person is a foreign national, the minimum amount of the investment shall be stipulated by the Minister from time to time by notice in the Gazette.

“manufacturing” means the substantial transformation of tangible movable property, but does not include construction, installation, assembly, transportation, power generation, or the provision of public utility services;

“Minister” means the Minister responsible for enterprise and Employment in Swaziland, who shall, in relation to the Authority, also be the Minister responsible for the purposes of the Public Enterprises (Control and monitoring) Act, 1989.

“simple assembly” means bringing together of components or the mixing of products which does not result in a substantial transformation of the final product.

CHAPTER ONE

ESTABLISHMENT OF THE AUTHORITY

Establishment of the Authority.

3. (1) There is hereby established the Swaziland Investment Promotion Authority (“the Authority”), which shall be a body corporate, having perpetual succession and a common seal, capable of suing and being sued in its name.

(2) The Authority may acquire, hold or alienate movable and immovable property, and, subject to this Act, do or perform all such acts or things as bodies corporate may by law do or perform.

(3) The Authority shall be a category A public enterprise for purposes of the Public Enterprises (Control and Monitoring) Act, 1989.

Objects of the Authority.

4. The objects of the Authority are -

- (a) to attract, encourage, facilitate and promote local and foreign investment in Swaziland;
- (b) to initiate, co-ordinate and facilitate the implementation of Government policies and strategies on investment,
- (c) to provide a one-stop information and support facility to local and foreign investors;
- (d) to advise the Minister on investment policies, strategies, proposals and suitable incentives.

Powers of the Authority.

5. For the purpose of achieving its objects, the Authority, has power to -

- (a) hold, manage, develop, let, hire, buy or subscribe for or otherwise acquire or sell or otherwise dispose of or hypothecate or otherwise deal in immovable or movable property of any sort, open and operate banking accounts and make, draw, accept or endorse negotiable instruments in the ordinary course of business;
- (b) make representations to any public official, person or Minister on behalf of an investor in cases where the Authority is not satisfied with the reasons given for a negative decision;

- (c) instruct any public official or authority to decide promptly and in accordance with written law any matter submitted to him by or on behalf of an investor or in furtherance of this Act;
- (d) investigate complaints made by investors, enquire or cause to be enquired into the reasons for a delayed or negative decision, and report cases of laxity, inefficiency and ineptitude by any public official or authority in the performance of his or its duties in connection with this Act;
- (e) with the prior written consent of the Minister (with the concurrence of the Minister for Finance), borrow such sums as it may require for its purposes and to that end mortgage, pledge or otherwise hypothecate any property as security for any such loans;
- (f) and, generally, (subject to the prior written consent of the Minister), to enter into any contract and perform any act, whether in Swaziland or elsewhere, which may be necessary for or incidental or conducive to the attainment of any of its objectives;
- (g) commission any research or study which would facilitate the better attainment of the objects of this Act;
- (h) appoint such committees as it may deem necessary to advise it on its functions.

Functions of the Authority.

6. The Authority shall -

- (a) operate as a one-stop service for investors;
- (b) liaise with government Ministries and departments, local authorities, or other bodies in order to facilitate investors with timely compliance with any formalities and to help secure all necessary approvals, permits, licenses, registrations, land, and the fulfilment of all other requirements related to the investment process;
- (c) recommend to the Government changes in the statutory and administrative framework relevant to the investment climate of Swaziland and to make representations regarding any changes to such statutory or administrative framework.
- (d) consult widely with a view to advising the Government on strategic policies and other matters related to the improvement of the investment climate in Swaziland;
- (e) advise on the availability of the range of incentives to eligible domestic and foreign investors and to recommend additional incentives where circumstances warrant;
- (f) develop and implement a favourable investment image of Swaziland locally, regionally, and extra-regionally through advertising and public relations campaigns, seminars, exhibitions and workshops, and any other such promotional device as may be deemed appropriate;
- (g) undertake investment promotion initiatives in Swaziland and abroad;
- (h) liaise with Swaziland Missions abroad in order to publicize Swaziland's investment prospects and to disseminate information on investment opportunities in Swaziland;
- (i) open offices in identified strategic locations abroad for the purpose of promoting investment in Swaziland;

- (j) encourage expansions and new investments by existing investors in Swaziland;
- (k) support local investment promotion institutions where necessary to encourage and facilitate increased local investment;
- (l) identify partners inside or outside Swaziland for joint venture investment opportunities in Swaziland;
- (m) liaise with local and international financial institutions for the benefit of investors;
- (n) facilitate the employment and residence of foreign nationals as senior managers, non-available experts and technical employees necessary for the success of private sector investment in Swaziland, in accordance with existing structures.
- (o) establish a data bank to provide accurate and up-to-date information on the industrial and economic environment including prevailing and projected market conditions relating to investment and on investment opportunities in Swaziland to potential investors or their agents;
- (p) interpret this Act in order to achieve its aims and objectives;
- (q) do all such things as are necessary or incidental or conducive to the functions specified in this Act.

Establishment and composition of the Board of Directors.

7. (1) There is hereby established a Board of Directors of the Authority which shall be the governing body of the Authority and shall be responsible for carrying out the objects of, and exercising the powers and functions conferred on, the Authority.

(2) The Board shall consist of not more than nine members appointed in terms of section 6 of the Public Enterprise (Control and Monitoring) Act, 1989, made up as follows -

- (a) a chairman, who shall be appointed by the Minister from the private sector and shall possess such professional qualifications as are necessary for the achievement of the objects of this Act;
- (b) the Principal Secretaries from the Ministries responsible for commercial enterprises, employment, economic planning, finance and agriculture or their representatives;
- (c) four persons from organisations or institutions in Swaziland who shall be appointed by the Minister for their ability and experience in labour, business, finance or the legal or accountancy professions;
- (d) the General Manager appointed under section 10 who shall also be the Secretary to the Board.

(3) Subject to subsection (4), a member of the Board appointed under subsections (2) (a) and (c) shall be appointed for a period of three years on such terms and conditions as the Minister may determine.

(4) In the case of the first Board appointed after the commencement of this Act, two of the members appointed under sub-section (2) (a) and (c) shall be appointed for a period of two years and two of the members shall be appointed for three years.

(5) A member, other than a Principal Secretary, may be re-appointed for only two further terms after the expiry of the initial period of appointment.

(6) The Board shall regulate its own procedure.

Procedure at meetings of the Board.

8. (1) Without prejudice to section 7 (6), the procedure of the Board at meetings and any other matters relating thereto shall be governed by the provisions set out in the Schedule hereto.

(2) The Minister may, by Notice published in the Gazette, amend the Schedule.

Vacation of office by Board Members.

9. A member of the Board, other than a Principal Secretary, shall vacate his office if he -

- (a) resigns from his office by letter addressed to the Secretary of the Board;
- (b) becomes an unrehabilitated insolvent;
- (c) becomes of unsound mind or becomes in any other way physically incapacitated;
- (d) is absent from three consecutive meetings of the Board without leave of the Chairman;
- (e) is convicted of an offence and is sentenced to a term of imprisonment for a period of at least three months without the option of a fine; and
- (f) conducts himself in a manner which, in the Minister's opinion, would bring disrepute to the Board or prejudice to the activities of the Authority.

Appointment of the General Manager.

10. (1) The Minister shall appoint a person with extensive business experience as the General Manager of the Authority in accordance with the provision of section 8 (1) of the Public Enterprises (Control and Monitoring) Act, 1989, and on such terms and conditions as the Minister may determine.

(2) The General Manager shall be:

- (a) the Chief Executive Officer of the Authority;
- (b) appointed for a term not exceeding four years which may be renewed for not more than two further terms; and
- (c) answerable to the Board.

Duties of the General Manager.

11. (1) The General Manager shall:

- (a) be responsible for the day to day administration of the Authority;
- (b) carry out or perform any duties which are expedient for the achievement of the purposes of this Act, subject to any specific or general directives of the Board;
- (c) prepare a budget including the staff complement for the Authority for approval by the Board;
- (d) with the approval of the Board, appoint such staff of the Authority as may be necessary for the proper performance of the functions of the Authority.

(2) The salaries, wages or other remuneration of the staff shall be determined by the Board.

Termination of Appointment of General Manager.

12. The appointment of the General Manager shall be terminated in the manner provided for in the Public Enterprises (Control and Monitoring) Act, 1989 where:

- (a) he commits any of the acts specified in section 9 (a) to (f), or
- (b) he violates the terms and conditions of his appointment; or
- (c) he fails to carry out his duties.

Appointment of Chief Financial Officer.

13. There shall be appointed a Chief Financial Officer as provided in section 8 (2) of the Public Enterprises (Monitoring and Control) Act, 1989.

Duties of the Chief Financial Officer.

14. The Chief Financial Officer shall -

- (a) keep all proper books of account and other books and records in relation to the funds, undertakings activities and property of the Authority.
- (b) prepare such statements of account as may be necessary to indicate the financial status of the Authority at the end of each financial year;
- (c) cause the accounts of the Authority to be examined, audited and reported on annually by auditors appointed by the Board under Section 17;
- (d) carry out any other duties assigned to him by the General Manager and;
- (e) be answerable to the General Manager.

Termination of appointment of Chief Financial Officer.

15. The appointment of the Chief Financial Officer shall be terminated in the manner provided in the Public Enterprises (Control and Monitoring) Act, 1989 where -

- (a) he commits any of the acts specified in section 9 (a) to (f) excluding (d) of this act; or
- (b) he violates the terms and conditions of his appointment; or
- (c) he fails to carry out any of his duties.

Funds and assets of the Authority.

16. (1) The funds and assets of the Authority shall consist of all monies -

- (a) received as remuneration for its services;
- (b) appropriated by Parliament for purposes of this Act;
- (c) donated to the Authority for purposes of this Act;

(2) The Authority shall, out of its funds -

- (a) pay to the members of the Board such remuneration and allowances as approved by the Minister;
- (b) pay salaries, wages and allowances to the employees of the Authority;
- (c) pay or authorise the payment of all such sums of money as may be legally due from the Authority.

(3) The Minister shall, by notice in the Gazette, designate persons who shall be signatories to the funds of the Authority.

Appointment of Auditor.

17. (1) A reputable firm of Auditors shall be appointed in the manner provided in the Public Enterprises (Control and Monitoring) Act, 1989 as auditors of the Authority for such period as the Minister shall determine.

(2) No person may be appointed an auditor if -

- (a) he is a member of the Board or an employee of the Authority;
- (b) he is a partner of a member of the Board or a partner of any employee of the Authority;
- (c) he is an employer or employee of a member of the Board or of the Authority; and
- (d) he has any pecuniary interest in the Authority or in any of its activities.

Financial Year.

18. The Financial year of the Authority shall be from the 1st April to the 31st March of the following year, unless the Minister indicates otherwise by Notice published in the Gazette.

CHAPTER TWO

PROTECTION OF INVESTMENT AND SETTLEMENT OF DISPUTES

Freedom of Investment.

19. (1) Subject to subsection (2), any person, whether or not a citizen of Swaziland, may freely and without restriction on ownership make an investment in any sector of the economy of Swaziland.

(2) Subsection (1) does not apply to the following sectors:

- (a) the manufacture of firearms, ammunition, chemical and biological weapons, and other defence weapons;
- (b) manufacture involving radioactive materials;
- (c) the manufacture of explosives;
- (d) manufacture involving hazardous waste treatment or disposal;
- (e) security printing (currency notes) and minting.

(3) All investments shall be made, and all enterprises shall be conducted, in conformity with the applicable laws in force in Swaziland.

(4) The Minister may, with the approval of Cabinet and by notice published in the Gazette, increase or reduce the sectors referred to in subsection (2), but such increase or reduction shall have no retrospective effect.

Protection of investment.

20. (1) Notwithstanding anything contained in any other law, no property, or any interest in or right over property of any description which forms part of an investment shall be compulsorily acquired or subjected to measures which have similar effect, except where it is done:

- (a) in accordance with applicable legal procedures;
- (b) in pursuance of a public purpose;
- (c) without any form of discrimination on the basis of nationality and
- (d) upon prompt payment of adequate and fair compensation.

(2) Where all the conditions laid down in subsection (1) are satisfied, the compensation shall be determined on the basis of current market value and shall be fully transferable at the prevailing current exchange rate in the currency in which the investment was originally made, without deduction of taxes, levies or other duties except where these had previously accrued.

Investment Disputes.

21. Subject to any agreement previously made in writing between the investor and the Government, in the event of a dispute arising between an investor and the government the investor may elect to submit the dispute either -

- (a) to the jurisdiction of the High Court of Swaziland, or
- (b) to a process of arbitration under the Arbitration Act, 1904, or
- (c) to arbitration under the Arbitration Rules of the United Nations Commission on International Trade Law; or
- (d) in the case of a foreign investor, to arbitration under the International Convention for the Settlement of Investment Disputes Between States and Nationals of Other States.

CHAPTER THREE

GENERAL

Facilitation and Non-Discrimination.

22. (1) Unless otherwise required by law, the Government or the Authority shall not discriminate between investors.

(2) The Authority shall ensure that work and residence permits or trading licences are processed promptly.

(3) If the officer responsible for renewing a permit or licence fails to inform the applicant within fourteen (14) working days of his decision, the permit or licence shall be deemed to be renewed on the terms and conditions stated in the application.

(4) The Authority shall, at the request of an investor, lodge documents for the registration of a new company with the Registrar of Companies and obtain a Certification of Incorporation on his behalf.

Prevention of Corrupt Business Practices.

23. The Authority or the Minister shall take suitable measures to prevent and control any alleged corrupt business practice, and, where necessary, recommend appropriate sanction against the offender.

Disclosure of Information.

24. (1) No person shall, without the prior written consent of the Authority, publish or disclose to any person, other than in the course of his duties, the contents of any document, communication or information whatsoever, which relates to, and which has come to his knowledge in the course of his duties under this Act.

(2) A person who contravenes subsection (1) shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding one year or a fine not exceeding one thousand Emalangeni (E1000) or both.

Exemption from Personal Liability.

25. No action or other proceedings shall lie or be instituted against any member of the Board, employee of the Authority for or in respect of anything done or omitted to be done in good faith in the exercise of his functions under this Act.

Register of Investors.

26. (1) The Authority shall maintain a register of investors, wherein shall be shown, on the application of (and where necessary, verification by) an investor:

- (a) the name and address of the investor
- (b) the nature and location of the enterprise;
- (c) the number, roles and nationality of senior managers resident in Swaziland;
- (d) the total number of employees in Swaziland; and
- (e) the amount of the investment by that investor.

(2) The register shall be updated annually on information supplied, and where necessary verified, by the investor.

Regulations

27. The Minister may, by notice in the Gazette, make such regulations as he deems necessary for giving effect to this Act, and may prescribe such penalties as are appropriate for the contravention of the Act provided that the penalties prescribed shall not exceed the penalty prescribed in Section 24 (2).

SCHEDULE

(Under section 8)

Rules and Procedures of the Board.

- 1. The Board shall meet at least four times a year for the despatch of the business of the Authority.
- 2. The Chairman shall convene and preside over all meetings of the Board and shall convene a special meeting whenever requested by at least three members or by the Minister.
- 3. At a special meeting, only the business stipulated in a written request may be transacted.
- 4. In the absence of the Chairman, but subject to the quorum, the members present shall nominate one of them to preside at the meeting.
- 5. The quorum for a meeting of the Board shall be five members.
- 6. All decisions of the Board shall be made by a simple majority of the votes of the members present and the person presiding shall only have a casting vote where there is an equality of votes.
- 7. The Secretary shall keep minutes of all proceedings of the Board in a minute book which shall show all details of business transacted at each meeting.

8. The Chairman, in consultation with the Board, may invite a member of the committee established under section 5 (h) to attend and participate in a Board meeting dealing with a specific subject of interest to or affecting the work of that committee.

9. A member invited in terms of paragraph 8 shall not have the right to vote.

LEGAL NOTICE NO. 11 OF 1998

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

THE REVOCATION OF APPOINTMENT OF MEMBERS OF THE WAGES
COUNCIL NOTICE, 1998
(Under Section 6)

In exercise of the powers conferred on him by section 6 of the Wages Act, 1964, the Minister for Enterprise and Employment hereby makes the following Notice -

Citation and commencement.

1. This Notice may be cited as the Revocation of Appointment of Members of the Wages Council, 1998 and shall be deemed to have come into force on the 16th July, 1997.

Revocation of members.

2. The following persons are hereby revoked in Legal Notice No. 161 of 1996 as members of the wages council with effect from the 16th July, 1997.

WATCHING AND PROTECTIVE SERVICES/SECURITY SERVICES EMPLOYEE'S
REPRESENTATIVE

1. Joseph Gama
City Security
P.O. Box 4795
Mbabane

2. Esaw Ngcamphalala
Guard Alert
P.O. Box 334
Mbabane

3. Moses Fakudze
Guard Alert
P.O. Box 334
Mbabane

C.J.M. KUNENE
Principal Secretary
Ministry of Enterprise and Employment

LEGAL NOTICE NO. 12 OF 1998

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

THE APPOINTMENT OF MEMBERS OF THE WAGES COUNCIL NOTICE, 1998
(Under Section 6)

In exercise of the powers conferred on him by section 6 of the Wages Act, 1964, the Minister for Enterprise and Employment hereby makes the following Notice.

Citation and commencement.

1. This Notice may be cited as the Appointment of Members of the Wages Council Notice, 1998 and shall be deemed to have come into force on the 16th July, 1997.

Appointment of members.

2. The following persons are hereby appointed to be members of the Wages Council with effect from the 16th July 1997 to 31st August, 1998.

WATCHING AND PROTECTIVE SERVICES/SECURITY SERVICES WORKERS
REPRESENTATIVES

1. Simon Maseko
Elite Security
P.O. Box A207
Swazi Plaza
Mbabane
2. Mr Bheva Hlophe
Guard Alert Security
P.O. Box 334
Mbabane
3. Mr. Mandla Lulane
Guard Alert Security
P.O. Box 187
Manzini

C.J.M. KUNENE
Principal Secretary
Ministry of Enterprise and Employment

LEGAL NOTICE NO. 13 OF 1998

THE CENTRAL BANK OF SWAZILAND ORDER, 1974
(Order No. 6 of 1974)

THE CENTRAL BANK OF SWAZILAND STATEMENT OF ASSETS AND
LIABILITIES AS AT 31 AUGUST, 1997
(Under Section 52)

In exercise of the powers conferred upon him by Section 52 of the Central Bank of Swaziland Order, 1974, the Minister for Finance hereby issues a Statement of Assets and Liabilities as at 31 August 1997 in the Schedule to this Notice.

M.D. FAKUDZE
Principal Secretary

CENTRAL BANK OF SWAZILAND

BALANCE SHEET AS AT 31ST AUGUST, 1997

	1997
	E THOUSANDS
CAPITAL EMPLOYED	
Capital	1,000
General Reserve	<u>7,556</u>
	8,556
LIABILITIES	
Currency in Circulation	136,173
Allocation of SDR'S	41,050
Domestic Deposits	339,361
External Liabilities	129,292
Other Liabilities	45,692
Counterpart Forward Position	56,476
Forward Contracts for Purchases of Currency	<u>286,541</u>
	<u><u>1,043,141</u></u>
ASSETS	
Claim on Swaziland Government	0
Claims on Banks	36,759
Fixed Assets	5,495
External Assets	632,713
Claims on Private Sector	14,991
Other Assets	10,167
Forward Contracts for sale of Currency	<u>343,016</u>
	<u><u>1,043,141</u></u>

MARTIN G. DLAMINI
Governor

LEGAL NOTICE NO. 14 OF 1998

THE CENTRAL BANK OF SWAZILAND ORDER, 1974
(Order No. 6 of 1974)

THE CENTRAL BANK OF SWAZILAND STATEMENT OF ASSETS AND
LIABILITIES AS AT 30 SEPTEMBER, 1997
(Under Section 52)

In exercise of the powers conferred upon him by Section 52 of the Central Bank of Swaziland Order, 1974, the Minister for Finance hereby issues a Statement of Assets and Liabilities as at 30 September 1997 in the Schedule to this Notice.

M.D. FAKUDZE
Principal Secretary

CENTRAL BANK OF SWAZILAND

BALANCE SHEET AS AT 30TH SEPTEMBER, 1997

	1997
	E THOUSANDS
CAPITAL EMPLOYED	
Capital	1,000
General Reserve	7,556
	<u>8,556</u>
LIABILITIES	
Currency in Circulation	146,363
Allocation of SDR'S	40,965
Domestic Deposits	310,157
External Liabilities	127,952
Other Liabilities	49,440
Counterpart Forward Position	56,170
Forward Contracts for Purchases of Currency	395,358
	<u>1,134,961</u>
ASSETS	
Claim on Swaziland Government	0
Claims on Banks	36,759
Fixed Assets	5,689
External Assets	611,343
Claims on Private Sector	14,676
Other Assets	14,965
Forward Contracts for sale of Currency	451,529
	<u>1,134,961</u>

MARTIN G. DLAMINI
Governor

LEGAL NOTICE NO. 15 OF 1998

THE CENTRAL BANK OF SWAZILAND ORDER, 1974
(Order No. 6 of 1974)

THE CENTRAL BANK OF SWAZILAND STATEMENT OF ASSETS AND
LIABILITIES AS AT 31 OCTOBER, 1997
(Under Section 52)

In exercise of the powers conferred upon him by Section 52 of the Central Bank of Swaziland Order, 1974, the Minister for Finance hereby issues a Statement of Assets and Liabilities as at 31 October 1997 in the Schedule to this Notice.

M.D. FAKUDZE
Principal Secretary

CENTRAL BANK OF SWAZILAND

BALANCE SHEET AS AT 31ST OCTOBER, 1997

	1997
	E THOUSANDS
CAPITAL EMPLOYED	
Capital	1,000
General Reserve	7,556
	<u>8,556</u>
LIABILITIES	
Currency in Circulation	135,796
Allocation of SDR'S	43,263
Domestic Deposits	415,274
External Liabilities	124,574
Other Liabilities	56,637
Counterpart Forward Position	82,964
Forward Contracts for Purchases of Currency	139,496
	<u>1,006,560</u>
ASSETS	
Claim on Swaziland Government	0
Claims on Banks	43,187
Fixed Assets	5,712
External Assets	710,965
Claims on Private Sector	14,408
Other Assets	9,828
Forward Contracts for sale of Currency	222,460
	<u>1,006,560</u>

MARTIN G. DLAMINI
Governor

LEGAL NOTICE NO. 20 OF 1998

MEMBERS OF PARLIAMENT AND DESIGNATED OFFICE BEARERS
PENSION FUND ORDER, 1993
(Order No. 18 of 1993)

APPOINTMENT OF MEMBERS OF THE SUPERVISORY BOARD NOTICE, 1998
(Under Section 7)

In exercise of the powers conferred under Section 7 of the Members of Parliament and Designated Office Bearers Pension Fund Order, 1993, the Minister for Finance hereby issues the following Notice -

Citation.

This Notice may be cited as the Appointment of Members of the Supervisory Board Notice, 1998.

Appointment of Members of the Supervisory Board.

The following persons are hereby appointed as Members of the Supervisory Board of the Members of Parliament and Designated Office Bearers Pension Fund for a period of two (2) years effective 1st January 1997 to 31st December 1998.

- | | | |
|-----------------------------------|---|----------|
| 1. Sen. Mr Obed Mfanyana Dlamini | - | Chairman |
| 2. Mr Barnabas C.F. Mhlongo | - | Member |
| 3. Hon. Michael Mntonzima Dlamini | - | Member |
| 4. Hon. Mrs Eleanor S. Nyawo | - | Member |
| 5. Sen. Dr Maggie Makhubu | - | Member |
| 6. Mndeni Shabalala | - | Member |
| 7. Dr F. Friedman | - | Member |
| 8. Sen. Princess Fikile | - | Member |
| 9. Mr Jacob P. Mavimbela | - | Member |

THEMBA N. MASUKU (MP)
Minister for Finance

Dated: 19/1/98