



SWAZILAND
GOVERNMENT GAZETTE
EXTRAORDINARY

VOL. XXV]

MBABANE, Wednesday, September 16th., 1987

[No. 544

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SUPPLEMENT TO
THE
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THE KING'S PROCLAMATION (AMENDMENT) DECREE, 1987

In the exercise of the powers vested in me, I, MSWATI III, KING OF SWAZILAND, DESIRE TO BRING CERTAIN aspects of the King's Proclamation to the Nation of the 12th April, 1973 (as amended) in line with Swazi Law and Custom; and

Whereas certain previous amendments of the said Proclamation have been decreed inter alia to Defeat the ends of Justice and/or to obstruct the cause of Justice, and are contrary to Swazi Law and Custom; and

Whereas paragraph 14 of the said Proclamation Empowers Me, Inter Alia, to amend the said Proclamation; and

Whereas I, in the exercise of the powers vested in me, have Deemed it necessary to amend the said Proclamation;

Now therefore I hereby Issue the following Decree:

1. I hereby reaffirm that in terms of Swazi Law and Custom, the King Holds the Supreme power in the Kingdom of Swaziland and as such all Executive, Legislative and Judicial powers vest in the King who may from time to time by Decree Delegate certain powers and functions as he may deem fit.
2. It is furthermore hereby reaffirmed that the King being Commander in Chief of the Umbutfo Swaziland Defence Force, is the Supreme Commander of the Umbutfo Swaziland Defence Force and all Armed Forces in the Kingdom of Swaziland.
3. It is furthermore hereby reaffirmed that the King's Proclamation to the Nation dated 12th April, 1973 (as amended from time to time) is the supreme Law of Swaziland and if any other Law is inconsistent with the said Proclamation, that other Law shall to the extent of the inconsistency be null and void.
4. It is furthermore hereby reaffirmed that the King may by Decree published in the Gazette, amend or repeal the said Proclamation.
5. Paragraph 10(2)(b) of the Decree contained in the Proclamation to the Nation of 12th April, 1973 is amended by replacing the definition of "Liqoqo" with the following;

““Liqoqo” means the King's Advisory Council which shall consist of Members appointed by the King to hold Office at his pleasure in accordance with such terms and conditions, (including emoluments and allowances) as he may determine and whose function it is, to advise the King on all matters of State when requested to do so by the King:

Provided that no person shall be qualified to be member of Liqoqo solely by virtue of his holding another office whether or not such office is established by Law:”

6. Paragraph 3 of the Decree contained in the Proclamation is amended by replacing subsection (2) of Section 30 of the Repealed Constitution with the following subsection—

“(2) In the event of the Regent, by reason of critical ill-health, being unable to perform the functions of her Office, the King or, in the absence of a King, the Likoqo may in accordance with Swazi Law and Custom appoint a person (hereinafter referred to as the “Authorized Person”) to perform on behalf of the Regent the functions of her Office for the duration of her illness as aforesaid.

For purposes of this sub-section the Regent will only be regarded as being unable to perform the functions of her Office due to critical ill-health after this incapacity has been certified as such by three independent specialist medical Doctors.”

7. Paragraph 14 of the Decree is amended by adding to sub-paragraph (2) the following—

“And he may, notwithstanding section 60 of the Establishment of the Parliament of Swaziland Order, 1978 or any other Law, by Decree make, amend or repeal any Law.”

8. The Regent's Decree No. 1 of 1983 is hereby declared to be null and void ab initio and shall be deemed not to have come into operation and consequently shall be deemed to be of no force and effect.

9. Paragraphs 16, 17 and 18 of the King's Proclamation to the Nation of the 12th April, 1973 are hereby repealed.

10. This Decree may be cited as the King's Proclamation (Amendment) Decree, 1987 and shall be read and construed as one with the King's Proclamation to the Nation of 12th April, 1973.

DONE AT LUDZIDZINI THIS 15TH DAY OF SEPTEMBER, 1987.

MSWATI III
KING OF SWAZILAND

LEGAL NOTICE NO. 65 OF 1987

THE MINING ACT, 1958

(Act No. 5 of 1958)

SUSPENSION OF COMMISSIONER OF MINES FROM OFFICE

In exercise of the powers vested in me by Section 6 of the Mining Act, 1958, I hereby suspend:

ALLEN NTUNJA DLAMINI

from office as Commissioner of Mines with effect from the 16th of September, 1987.

DONE AT LUDZIDZINI THIS 15TH DAY OF SEPTEMBER, 1987.

**MSWATI III
KING OF SWAZILAND**

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LEGAL NOTICE NO. 66 OF 1987

THE MINING ACT, 1958

(Act No. 5 of 1958)

SUSPENSION OF MEMBERS OF MINERALS COMMITTEE

In exercise of the powers vested in me by Section 6 of the Mining Act, 1958, I hereby suspend the following persons—

MSHELEVU DLAMINI
THOHLONGWANE DLAMINI
NAPHTAL DLAMINI
KHUZULWANDLE DLAMINI
MBILINI DLAMINI
SIMON KUNENE

from being Members of the Minerals Committee with effect from the 16th of September, 1987.
DONE AT LUDZIDZINI THIS 15TH DAY OF SEPTEMBER, 1987.

MSWATI III
KING OF SWAZILAND