

SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

VOL XXV]

MBABANE, Friday, January 16th., 1987

[No. 495

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PUBLISHED BY AUTHORITY

THE WAGES ACT, 1964

(Act No. 16 of 1964)

THE REGULATION OF WAGES (MOTOR ENGINEERING TRADES) ORDER, 1987

(Under Section 11)

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

Citation and commencement.

1. This Order may be cited as the Regulation of Wages (Motor Engineering Trades) Order, 1987 and shall come into force on the 16th January, 1987.

Interpretation.

2. In this Order unless the context otherwise requires—

“Artisan” means an employee who has undergone a trade test and obtained a certificate showing his grade;

“Artisan Assistant” means an employee who has been assisting an artisan for three continuous years in the workshop or who can show proof of three years relevant experience with a previous employer;

“Assistant batteryman” means an employee who assists a batteryman;

“Assistant greaseman” means an employee who assists a greaseman;

“Assistant tyreman” means an employee who assists a tyreman;

“Batteryman” means an employee wholly or mainly engaged in the servicing and maintenance (including charging) of batteries, either solely or in charge of other employees;

“Casual labourer” means an employee whose wages are actually paid to him at the end of the day or shift;

“Clerk (without certificate)” means an employee who is the holder of a Junior certificate of education and who is engaged in general clerical duties;

“Clerk (with Junior Certificate)” means an employee who is a holder of a Junior Certificate of education and who is engaged in general clerical duties;

“Clerk (with Senior Certificate)” means an employee who is the holder of a Junior Certificate of education and who is engaged in general clerical duties;

“Driver” means an employee whose duties, in addition to being in charge of a motor vehicle, include the handling to and from the tailboard, and the daily maintenance and cleaning of such vehicle;

“General labourer” means a person employed as a sweeper, cleaner, or spannerman.

“Greaseman” means an employee who lubricates vehicles including operating the necessary equipment either solely or in charge of other employees;

“Petrol pump attendant” means a person wholly or mainly employed at a petrol pump selling fuel and oil;

“Semi-skilled labourer” means a person who is employed to perform duties other than sweeping and cleaning.

“Switchboard operator” means an employee whose main duties consist in the operation of a telephone switchboard.

“Tyreman” means an employee wholly or mainly engaged in repairing tyres and tubes.

“Trainee switchboard operator” means an employee whose main duties consist in the operation of telephone switchboard under training instructions for a period not exceeding three consecutive months;

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

Application.

3. This Order shall apply to all persons employed in any undertaking or part of an undertaking which consist in the carrying on for gain of one or more of the following activities—

- (1) The retail supply of motor vehicle.
- (2) The retail supply of agricultural or mobile construction plant.
- (3) The repair, servicing or assembly or adaptation of such vehicles, machinery or plant on behalf of other persons or undertaking.

Basic minimum wage.

4. (1) The basic minimum wage which shall include the ration element to be paid to the employees specified in the First Schedule shall be calculated at a rate not less favourable than that specified in the said Schedule.

(2) An employee who, at the date of the commencement of this Order is in receipt of a higher wage, or enjoys better conditions of employment than those prescribed by this Order shall not suffer diminution in such wage or condition by reason of this Order.

(3) The normal hourly rate for a watchman shall be deemed to be not less than three hundred and twelfth of his monthly wage.

Hours of work.

5. (1) The normal weekly hours of work for an employee other than a watchman, shall be forty-five hours of work exclusive of meal breaks, spread over five days each of nine hours.

(2) The normal weekly hours of work for a watchman shall be seventy-two hours spread over six shifts, each of twelve hours.

Overtime.

6. (1) Overtime in excess of the normal hours worked by employees other than watchman shall be paid for at the following rate—

- (a) any normal working day or on a Saturday before 1.00 p.m. at one and one half times the employee's normal rate of wages;
- (b) After 1.00 p.m. on Saturdays, or a public holiday specified in the Second Schedule at twice the employee's normal of wages.

(2) Overtime in excess of the normal hours worked by a watchman shall be paid for at one and one half times the employee's normal rate of wages; but where such overtime is worked on a rest day or on a public holiday specified in the Second Schedule, the overtime shall be paid for at twice the employee's normal rate of wages.

(3) An employee shall not be required to work overtime against his will unless it is understood by both parties that such overtime is of absolute necessity.

Annual leave.

7. (1) An employee shall be entitled after each period of twelve months continuous service with an employer to annual leave for a period totalling ten working days with full pay.

(2) Where the employment of an employee is terminated after a period exceeding three months from the date of commencement or after a period following his return from annual or sick leave, the employee shall be paid in addition to any other entitlement, an amount equal to one day's pay for each month of service during which he has earned, but has not taken annual leave.

Sick leave.

8. (1) After three month's service with an employer, an employee shall be entitled to sick leave with full pay up to a maximum of fourteen days with half pay, in each period of twelve month's continuous service.

(2) An employee shall not be entitled to such payment under subregulation (1) unless he produces to the employer a certificate of incapacity covering the period of sick leave signed by a medical practitioner registered under the Medical and Dental Practitioner's Act, 1970.

(3) An employee shall not be entitled to sick leave under sub-regulation (1) if his incapacity is due to gross negligence on his part.

Subsistence allowance.

9. For period of absence away from his normal place of employment on journey undertaken in the performance of his duties, an employee shall be re-imbursed all expenses reasonably incurred on lodgings and or meals during each period of such absence on production of receipts covering such expenditure.

Paid public holidays.

10. (1) The Public Holidays specified in the Second Schedule shall be holidays with full pay.

(2) No employee shall be entitled to payment under subregulation (1) unless he is available for work on a working day immediately before and after the Public Holiday.

Revocation Legal Notice No. 110 of 1983.

11. The Regulation of Wages (Motor Engineering Trades) Order, 1983 is hereby revoked.

FIRST SCHEDULE

(Paragraph 4)

Occupations	Rate Per Hour
Casual Labourer	65c
General Labourer	90c
Semi-skilled Labourer	96c
Driver (up to 2 tons pay load)	96c
Driver (between 2½ tons and 7½ tons pay load)	E1.03c
Greaseman	99c

Assistant Greaseman	96c
Batteryman	96c
Assistant Batteryman	90c
Tyreman	96c
Assistant Tyreman	90c
Clerk (without Certificate)	92c
Clerk (with Junior Certificate)	96c
Clerk (with Senior Certificate)	99c
Trainee Switchboard Operator	88c
Switchboard Operator	92c
Artisan's Assistant	82c
Artisan (Trade tested) Grade III	E1.04c
Artisan (Trade tested) Grade II	E1.47c
Artisan (Trade tested) Grade I	E2.24c
Watchman	E178.63c per month
Petrol Pump Attendant	E164.45c per month

SECOND SCHEDULE

Inwala Day
 Good Friday
 Christmas Day
 Reed Dance Day
 Somhlolo Day
 King's Birthday

J.D. MNGOMEZULU
Principal Secretary Ministry of Labour

LEGAL NOTICE NO. 1 OF 1987

THE DAIRY ACT, 1968

(Act No. 28 of 1968)

THE PRICES OF LIQUID MILK NOTICE, 1987

(Under Section 24)

In exercise of the powers conferred upon him by Section 24 of the Dairy Act, 1968 the Minister for Agriculture and Co-operatives, after consultation with the Swaziland Dairy Board hereby makes the following regulations.

Citation and Commencement.

1. These regulations may be cited as the prices of liquid Milk Regulations, 1987 and shall come into force on 15-1-87.

Minimum price to be paid to Producer of Milk.

2. The price to be paid by a milk Processor to a milk Producer for fresh milk delivered by him to such processor shall be not less than 25 cents per litre.

Maximum price to be paid to a milk Processor of fresh cow's milk by a milk Purveyor.

3. The price to be paid by a milk Purveyor of liquid milk for fresh cow's milk delivered to him by a processor shall be E1,20 per litre for packaged milk or E1,18 per litre for bulk milk.

Maximum Selling Price of Fresh Cow's Milk.

4. The maximum selling price of fresh cow's milk by dairies, milk shops and milk purveyors to the public shall be E1,24 per litre for cartoned milk or 62 cents 500ml carton.

Maximum price to be paid to a milk processor of Full Cream Emasi Emvelo (cultured milk).

5. The price to be paid by a Purveyor of Full Cream Emasi Emvelo (cultured milk) delivered to him by a processor shall be E1,20 per litre for packaged cultured milk or E1,18 per litre for bulk cultured milk.

Maximum Selling Price for Full Cream Emasi Emvelo (Cultured milk).

6. The maximum selling price of cartoned Full Cream Emasi Emvelo (cultured milk) by dairies, milk shops and milk purveyors to the public shall be E1,24 per litre or 62 cents per 500ml carton.

Revocation of Legal Notice No.....of 1986.

7. The Prices of Liquid Milk Regulations, 1986 are hereby revoked.

A.V. KUNENE
Principal Secretary

2nd January, 1987,
MBABANE.