SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

VOL. XXI] MBABANE, Friday, July 22nd., 1983. [No. 233

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PUBLISHED BY AUTHORITY
MEMORANDUM IN TERMS OF THE STANDING ORDERS OF PARLIAMENT

The object of this Bill is to empower the Minister for Finance to raise loans or export credits totalling E47,000,000 (forty-seven million Emalangeni) from various sources for the purposes of financing the construction of a railway line from Mpaka to a point on the northern border of Swaziland, and for related works.

D.P. MAKANZA
Attorney-General

A BILL
entitled

An Act to empower the Minister for Finance to raise loans and export credits from various sources for the purpose of financing the construction of a railway line extension and related works in Swaziland.

Short Title.
1. This Act may be cited as the Swaziland Railway Loans Act, 1983.

Interpretation.
2. In this Act unless the context otherwise requires—
   “export credit” means an export credit raised by the Minister in terms of section 3;
   “Loans” means a loan raised by the Minister in terms of section 3;
   “Minister” means the Minister responsible for public finance.

Authority to raise export credits and loans.
3. The Minister is hereby empowered to raise export credits and loans not exceeding forty-seven million Emalangeni (E47,000,000) upon the terms and conditions set out in this Act and upon such other terms and conditions as he may consider appropriate.

Export credit charges and repayments.
4. (1) The interest on any export credit raised shall not exceed ten and one half percent per annum on the amount of the export credit disbursed and outstanding from time to time.
   (2) The interest on any export credit shall be payable in arrears upon such terms and conditions as may be agreed upon between the Minister and the lender.
   (3) Raising fees on any export credit shall not exceed one half of one percent of the amount so raised.
   (4) Any export credit shall be repaid in not less than twenty equal consecutive instalments every six months for a period of not less than ten years, commencing six months after the end of the drawdown period or 30th June 1986, whichever is the earlier.
Loan charges and repayments.

5. (1) The interest on any loan raised shall not exceed twelve and one half percent on the amount of the loan disbursed and outstanding from time to time.

(2) The interest on any loan shall be payable in arrears upon such terms and conditions as may be agreed upon between the Minister and the lender.

(3) Any loan shall be repaid over such period and in such instalments as may be agreed upon between the Minister and the lender.

Charging of export credits and loans.

6. The export credits and loans raised in terms of the Act shall be charged upon the Consolidated Fund and assets of the Government of Swaziland.

Application of export credits and loans.

7. The proceeds of any export credits and loans in terms of this Act shall be used for the purpose of financing the construction of a railway line extension from Mpaka to a point on the northern border in Swaziland.
PART C

LEGAL NOTICE NO. 55 OF 1983

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

THE REGULATION OF WAGES (HOTEL AND CATERING TRADES) ORDER, 1983
(Under Section 11)

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

Citation.

1. This Order may be cited as the Regulation of Wages (Hotel and Catering Trades) Order, 1983, shall come into force on the 1st August, 1983.

Application.

2. This Order applies to persons specified in column one of the first Schedule employed in the hotel and catering trades.

Interpretation.

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 assists and carries out the instructions of a housekeeper or the management, particularly in regard to the maintenance of linen, blankets and soft furnishings, who supervises room maids and similar staff and who is responsible for the cleanliness of such areas of the establishment as are designated by the management;

"assistant waiter/waitress" means a person who assists a waiter/waitress and who carries out, under direction, the duties of a waiter/waitress;

"barman" means a person other than a junior barman or a cocktail barman, who prepares and serves drinks, other than cocktails, to wine stewards, bar stewards, waiters and guests in a public bar, who collects and accounts for the payment therefor and who is responsible for all stocks and monies under his control and for the cleanliness of the bar and surrounds;

"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 allowances 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 who may also be required to carry out the duties of a receptionist when required by management;

"cashier" means a person who prepares bills of accounts, operates an accounting machine, cash register or a manual accounting system and who is responsible for all cash under his control;
“cleaner” means a person who carries out the cleaning of any area or item as required by a supervisor;

“cocktail barman” means a person who prepares and serves cocktails and other drinks, who collects and accounts for the correct payment therefor and who is responsible for all stocks and monies under his control and the cleanliness of the bar and surrounds;

“cook” means a person who compiles menus in consultation with the management, prepares food, supervises and allocates work in the kitchen, who checks the arrival of all foodstuffs and raw materials to be used in the kitchen, particularly in regard to weight and quality and who is responsible for the cleanliness and general hygiene of the kitchen;

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

“dressmaker” means a person with a working knowledge of materials in common use, including their cost, and who designs, lays out, cuts and sews uniforms, and who 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;

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

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

“head waiter” means a person who is in charge of the dining room, who supervises waiters and other dining room staff, arranges table reservations for individual customers or parties, ensures that a high standard of service is maintained, deals with customers’ complaints concerning the food or service; may also be required to take customers’ orders and pass them to the waiters;

“housekeeper” means a person who is responsible for cleaning bedrooms and public areas in a hotel and for the cleanliness and repair of all linen, blankets and soft furnishings under her control, advising management on their durability and replacement and who supervises room maids and other staff;

“junior barman” means a person who has less than two years experience in the preparation and service of drinks in a bar, who prepares and serves drinks, collects and accounts for the payment therefor and who is responsible for all stocks and monies under his control and for the cleaning of the bar and surrounds;

“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 I” means a person who carries out laundry work involving the use of laundry machinery and who, if so required, supervises other laundry workers;

“laundry worker Grade II” means a person who carries out laundry work not 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 or porter reception staff, or the management and who carries luggage;
“porter” means a person who carries out the duties allocated to him by reception staff, who conducts guests to their rooms, carries luggage and performs such 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 guests into and out of the establishment, who 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;

“seamstress” means a person who repairs and alters uniforms, soft linens 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 who carries out and prepares reports on investigations 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 a cook;

“storeman” means a person who is in sole control of the stores, who is in charge of the purchase and ordering of goods and who 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 who is responsible for the receipt and custody of all stores under his control;

“supervisor” means a person who is 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 persons responsible for their payment and who receives and records messages for guests;

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

“waiter/waitress” means a person who has knowledge of all items on the menu, who receives and serves orders from customers in a dining room and who 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, who advises on and serves wines and other drinks to guests and who 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) An employer shall, at his own expense, supply weekly rations to each employee in accordance with the scale specified in the Second Schedule.

(2) Notwithstanding sub-paragraph (1) an employer may, with the consent of the employee and after notifying the Labour Commissioner, pay the employee, in lieu of rations, such allowance 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 of the employee's basic minimum wage.

Annual leave.

8. (1) After twelve month's 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 Third 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, shall be paid, in addition to the payment for that leave, 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 up 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, in his discretion, accept such other evidence of incapacity as 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 paragraph as part of her maternity leave.

Public holidays.

10. (1) The public holidays specified in the Third 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 day's notice of such requirement, thereafter by mutual agreement, he shall either be given a working day off work 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 one 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 paragraph, no employee shall be compelled to take more than half the paid public 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 fourteen days.

(2) Where an employee works on a rest day in order to accumulate two rest days as provided in sub-paragraph (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 indirect contact with guests, but such uniforms shall remain the property of the employer.

(2) An employee shall, unless otherwise permitted by the employer, wear the supplied uniform 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.

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. 82 of 1981.

18. The Wages Regulation (Hotel and Catering Trades) order 1981, is hereby revoked.

FIRST SCHEDULE

For the purposes of this Schedule —

Group A shall mean any undertaking licenced under the Casino Act, 1963 or having 75 or more bedrooms for guests;

Group B shall mean any hotel, motel or restaurant with a liquor licence which is not in Group A and which is situated in the Mbabane or Manzini urban areas or within eight kilometres of the road joining Mbabane or Manzini including Nhlangano Casino;

Group C shall mean any hotel, motel or restaurant with a liquor licence which is not in Group A or B, and any accommodation establishment or caravan park which is situated in the Mbabane or Manzini urban area or within eight kilometres of the road joining Mbabane and Manzini;

Group D shall mean any club with a liquor licence or which serves food and any other club which is situated in the Mbabane or Manzini urban areas;

Group E shall mean any restaurant, motel or accommodation establishment which does not have a liquor licence and which is not in Group A, B, or C, and any caravan park which is not in Group C;

Group F shall mean any establishment serving food which is not included in any other Group.
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**TRAINING PERIOD**

**SECOND SCHEDULE (EMALANGENI PER MONTH)**

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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Trainee Telephonist</td>
<td>95</td>
<td>73</td>
<td>67</td>
<td>67</td>
<td>67</td>
<td>N/A</td>
</tr>
</tbody>
</table>
THIRD SCHEDULE
(WEEKLY RATION SCALE)

1. Minimum Ration Scale.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mealie Meal</td>
<td>14 lbs.</td>
</tr>
<tr>
<td>Meat</td>
<td>3 lbs.</td>
</tr>
<tr>
<td>Sugar</td>
<td>1 lb.</td>
</tr>
<tr>
<td>Dry beans, peas or groundnuts</td>
<td>1½ lbs.</td>
</tr>
<tr>
<td>Fresh Vegetables</td>
<td>2 lbs.</td>
</tr>
<tr>
<td>Salt</td>
<td>4 ozs.</td>
</tr>
</tbody>
</table>

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 meal, 1 lb of bread, 12 ozs. of rice or ½ lb of sweet potatoes;

(b) Meat,  
   (i) for the first 8 ozs. of offal; or 
   (ii) for the first 1 lb. of meat, 1 lb. fish or 8 ozs. of cheese;

(c) Fresh vegetables —
   for every 1 lb. of fresh vegetables, 1 lb. of fresh fruit or a proportionate ration of dehydrated vegetables.


(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
- United Nations Day
FIFTH SCHEDULE
WRITTEN PARTICULARS OF EMPLOYMENT FORM

1. Name of Employer

2. Name of Employee

3. Date 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 N.P.F. Scheme)

16. Any other matter either party wishes to include

17. Accommodation arrangement

18. Transport arrangement

19. Agreed transport delivery area

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.

Signed: Employer
Employee
Witness
Date.

A.R. SHABANGU
Principal Secretary
Deputy Prime Minister’s Office
LEGAL NOTICE NO. 56 OF 1983

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

THE REGULATION OF WAGES (WATCHING AND PROTECTIVE SERVICES INDUSTRY) ORDER, 1983
(Under Section 11)

In exercise of the powers conferred upon him by section 11 of the Wages Act, 1964 the Deputy Prime Minister hereby makes the following Order:-

Citation.

1. This Order may be cited as the Regulation of Wages (Watching and Protective Services Industry) Order, 1983 and shall come into force on the 1st August, 1983.

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;

   (c) such religious, charitable organisation, educational or medical institution as may be exempted in writing by the Minister.

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 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 regulation 5 shall be entitled to be paid for such overtime at the rate of one and one half times his normal hourly rate of wages. Normal hourly rate of wages 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 not less than twenty-one days with full pay.

(2) Where the employment of an employee is terminated before he has taken his entitlement of leave under this regulation, 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 granted up to five months leave without pay and 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:

Provided that an employee who is required to remain away from his place of residence on duty for more than six days shall be deemed to be transferred to his new place of employment, whereupon the payment of expenses under this regulation shall cease and the employer shall thereafter provide him only 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.

Pay-day.

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 him or her 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 equipment referred to in sub-paragraph (1) shall be of reasonable quality and shall remain the property of the employer.

Revocation of Legal Notice No. 111 of 1982.

16. The Regulation of Wages (Watching and Protective Services Industry) Order, 1982 is hereby revoked.

SCHEDULE

(Per Month)

<table>
<thead>
<tr>
<th>Group</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group A</td>
<td>90.00</td>
</tr>
<tr>
<td>Group B</td>
<td>100.00</td>
</tr>
<tr>
<td>Group C</td>
<td>110.00</td>
</tr>
<tr>
<td>Group D</td>
<td>135.00</td>
</tr>
<tr>
<td>Telephonist</td>
<td>90.00</td>
</tr>
<tr>
<td>Clerk</td>
<td>125.00</td>
</tr>
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</table>

A.R. SHABANGU
Principal Secretary
Deputy Prime Minister's Office
LEGAL NOTICE NO. 57 OF 1983

THE COMMISSIONER OF OATHS ACT, 1942
(Act No. 23 of 1942)

APPOINTMENT OF COMMISSIONERS OF OATHS
(Under Section 2)

In exercise of the powers conferred by section 2 of the Commissioner of Oaths Act, 1942, the Deputy Prime Minister hereby appoints the following persons to be Commissioners of Oaths for Swaziland:

1. Mr. Christopher Durnford — Manager of Standard Bank Mbabane Branch
2. Mr. Harold F. Newby — Manager of Standard Bank Manzini Branch
3. Mr. Roland C. Tester — Company Secretary

A.R. SHABANGU
Principal Secretary

MBABANE, 20th July, 1983.