



SWAZILAND GOVERNMENT GAZETTE

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MBABANE, Friday NOVEMBER 4th 2011

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**SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE**

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THE TRADING LICENCES (AMENDMENT) ACT, 2011
(Act No. 9 of 2011)



I ASSENT

MSWATI III
King of Swaziland

26th October, 2011

AN ACT
ENTITLED

AN ACT to amend the Trading Licences Order No. 20 of 1975 by providing a shorter advertising period and providing for new penalties.

ENACTED by the King and the Parliament of Swaziland.

Short Title

1. This Act may be cited as the Trading Licences (Amendment) Act, 2011 and shall be read as one with the Trading Licences Order, 1975 (hereinafter in this Act referred to as the "principal Act").

Commencement

2. This Act shall come into force on the date of publication in the Gazette.

Amendment of Section 2

3. Section 2 of the principal Act is amended by insertion of a new definition of "informal sector" in the alphabetical order as follows -

"Informal Sector" means any private, unregistered and unincorporated micro-enterprise owned by an individual, household or informal employer for which no formal and complete accounts are available who apply to be issued with a trading licence";

Amendment of Section 7

4. Section 7 of the principal Act is amended -

- (a) in subsection (3) by deleting the number "21" and replacing it with the number "3" in the last line between the words "least" and "days";
- (b) in subsection (5) replace "5" by "3" in the 3rd line;

(c) by adding a new subsection (9) as follows -

"(9) Owners of businesses in the informal sector are exempt from the requirement to advertise when applying for a licence."

Amendment of Section 8

5. Section 8 (1) of the principal Act is amended after the proviso by adding a second proviso as follows -

"provided further that consent to conduct business on Swazi Nation Land shall only be given to indigenous Swazis and companies wholly owned by the indigenous Swazis".

Amendment of Section 8 bis (3)

6. (1) Section 8bis (3) of the principal Act is amended in -

(a) line 3 by replacing "two years" with the words "five months"; and

(b) subsection (3) by deleting the number "500" in the last line appearing between the words "of" and "emalangeni" and replacing it with the number "5000".

(2) Subsection 8 bis (4) of the principal Act is amended in line 1 by replacing the words "*mutatis mutandis*" by the words "with necessary alterations"

Amendment of Section 15

7. Section 15 of the principal Act is amended in subsection 15(1) by inserting the words "customs official" in the first line after the comma, "appearing next to the words "licencing officer".

Amendment of Section 17

8. Section 17 of the principal Act is amended by adding a new subsection (4) as follows -

"(4) A person who forges a trading licence shall be guilty of an offence and liable on conviction to imprisonment for a period of one year or to a fine of E10,000-00 or to both."

Amendment of Section 18

9. Section 18 of the principal Act is amended by replacing "twelve" with "not exceeding three" in the line 2 and replacing "E300" with "a fine not exceeding E5,000-00" in line 3.

Amendment of Section 20

10. Section 20 of the principal Act is amended by deleting the section and replacing it with a new section as follows -

"20. The Minister may make Regulations -

(a) for the carrying out of the provisions of this Act and prescribing the forms to be used and fees payable; and

(b) declaring any trade or business to be reserved and licenced only to Swazi citizens or companies wholly owned by Swazi citizens."