

Efficacy of the construction industry legislative framework in developing countries – an Eswatini case

Built Environment Project and Asset Management

1

Thandiwe Hlatshwayo

Department of Construction Management,

Nelson Mandela University – Summerstrand Campus, Port Elizabeth, South Africa

Fidelis Emuze

Department of the Built Environment, Central University of Technology, Bloemfontein, South Africa, and

John Julian Smallwood

Nelson Mandela University, Gqeberha, South Africa

Received 15 March 2024
Revised 18 June 2024
15 August 2024
Accepted 30 September 2024

Abstract

Purpose – The regulation of the construction industry remains a significant obstacle to economic progress in developing nations. Therefore, this study aimed to assess the efficacy of the legislative framework in the construction industry, focusing on Eswatini. The construction industry plays a critical role in the upliftment of the economy and an effective and efficient legislative framework is essential to ensure that as a developing country, Eswatini derives maximum benefits from the sector.

Design/methodology/approach – A phenomenological research design was used to explore stakeholders' perceptions about the purpose of the legislative framework in the Eswatini construction industry and to establish the effectiveness of the current legislative framework in fulfilling its mandate. The data were collected using semi-structured interviews with open-ended questions. A total of 45 participants occupying different positions within the construction industry were selected using purposive sampling. The data were analysed thematically.

Findings – The results reiterate that the legislative framework's purpose is to regulate, control and guide sectoral operations, including enforcing compliance with statutes and payment of construction levies. However, the legislative framework does not effectively fulfil its purpose of addressing stakeholder needs. Overall, the findings indicate shortcomings and inefficiencies within the framework aimed at regulating the construction industry of Eswatini. The inefficiencies have a great potential of defeating the purpose of the entire framework.

Research limitations/implications – Regarding implications for future research, the current study has set a new pathway for legislative framework analysis and evaluation. Therefore, future research on the topic can build on the current study and compare the legislative frameworks across developing countries. The purpose would be to establish the similarities and differences, and to identify strengths and weaknesses, possibly leading to established principles of what works in a given context. Other studies on the topic could focus on benchmarking against developed countries on how they measure the efficacy of the legislative framework within their construction industry.

Practical implications – Based on the preceding, these findings may apply to similar developing countries at a similar stage of construction industry development. However, the findings should be considered within the limitations of the study. The focus was on developing countries, particularly the Eswatini context. Each country presents a unique context and challenges, so the findings should be cautiously generalized.

Originality/value – While other studies in different contexts focus on developing legislative frameworks, the current study evaluated an existing legislative framework using defined criteria. The current study made a



© Thandiwe Hlatshwayo, Fidelis Emuze and John Julian Smallwood. Published by Emerald Publishing Limited. This article is published under the Creative Commons Attribution (CC BY 4.0) licence. Anyone may reproduce, distribute, translate and create derivative works of this article (for both commercial and non-commercial purposes), subject to full attribution to the original publication and authors. The full terms of this licence may be seen at <http://creativecommons.org/licences/by/4.0/legalcode>

This study was self-funded.

Built Environment Project and Asset Management
Vol. 15 No. 1, 2025
pp. 1-17
Emerald Publishing Limited
2044-124X
DOI 10.1108/BEPAM-03-2024-0063

unique contribution by streamlining the features of effective and ineffective legislative frameworks. Hitherto, such information was scattered in literature but has been consolidated and applied empirically. Thus, the study has set benchmarks for analysing and evaluating legislative frameworks in developing countries.

Keywords Construction, Developing countries, Eswatini, Legislative framework, Stakeholders

Paper type Research paper

1. Introduction

The construction industry is an indispensable force in driving the global economy, providing fundamental facilities, including housing, governmental and private infrastructure (Kaluvarachchi *et al.*, 2022). However, many developing countries' construction industries are constrained by challenges, including effective regulation (Omollo, 2019). According to the cited scholar, insufficient sector regulation may give rise to significant difficulties that could undermine potential economic advantages. To reinforce this argument, Gacheru and Diang'a (2015) maintain that a nation cannot thrive if its construction industry is not properly regulated. This means a legislative framework should be "sufficient" or effective and adequately implemented.

Therefore, the efficacy of a legislative framework is critical in achieving compliance to improve the construction sector's performance levels. However, research in most developing countries reports inadequate regulation as a serious threat to the construction industry (Gacheru and Diang'a, 2015; Omollo, 2019). Although weaknesses in legislative frameworks have been highlighted, research has not extended to analysing and evaluating the effectiveness of existing legislative frameworks in the construction industry. This study explores the problem in developing countries, focusing on the Eswatini context.

1.1 The concept of legislative framework and its efficacy

In defining a legislative framework, it is crucial to describe legislation and frameworks. Legislation refers to industry guidelines or regulations created and enforced by the government, in which non-compliance attracts penalties or sanctions (Odhiambo *et al.*, 2022). However, legislative frameworks outline the methods and procedures for implementing these regulations. Typically, industry regulations establish the legislative framework to ensure high standards of work within the respective industries (Amoah and Steyn, 2023).

The current study examines the concept of a legislative framework within the context of the construction sector with a primary focus on Eswatini. This framework consists of statutory instruments designed to properly implement legislative instruments. A legislative framework encompasses various aspects such as registering contractors, projects, site supervisors, skilled construction sector workers and institutions providing construction training. Additionally, it includes provisions that are related to quality assurance exercises. The term "efficacy" in this context refers to the degree of effectiveness or ineffectiveness of these legislative frameworks in achieving their intended goals.

1.2 Significance of construction legislative frameworks in developing countries

Uncontrolled building activities may lead to violations and contribute to unsustainable growth (Omollo *et al.*, 2018). A nation is unlikely to thrive if its construction sector lacks proper regulations (Gacheru and Diang'a, 2015). Thus, it is imperative to regulate the industry to maintain building standards and protect clients from substandard construction which could pose risks to human life.

Challenges and issues are prevalent in the construction industry globally. However, in developing nations, these obstacles are compounded by socio-economic strains, persistent resource scarcities, institutional deficiencies and a general incapacity to address critical

concerns (Ofori, 2015). The problems have reportedly worsened recently, as highlighted by the scholar. Despite being recognised as a key driver of economic growth due to its contribution to job creation, inadequate oversight in the construction sector can lead to significant hurdles that might undermine the anticipated economic advantages, particularly in developing economies (Omollo, 2019). This underscores the need for effective construction legislative frameworks.

1.3 Research gap

While there is no shortage of studies on construction management, very few studies focus on legislative frameworks within the industry. Several researchers have contributed to construction project assessment and quality evaluation. For instance, Salah *et al.* (2023) proposed a framework to assess the sustainability of construction projects. Similarly, Govender *et al.* (2022) developed a framework for assessing tender documents' quality. Dolo *et al.* (2017) conducted a study on the role of legislative frameworks in supporting the construction industry in India. Omollo (2019) explored the barriers to effective regulation in the building construction industry. Athapaththu and Karunasena (2018) developed a framework for sustainable construction practices in Sri Lanka. Odhiambo *et al.* (2022) assessed the impact of legislative frameworks on the performance of building construction processes in Kenya. These studies collectively contribute to the understanding and improvement of construction practices in various contexts. Notably, none focuses on the efficacy of a construction legislative framework.

This issue raises concerns as the legislative frameworks in underdeveloped countries such as Kenya, contribute to serious conflicts due to inadequate control mechanisms (Kamrul and Indra, 2010). Specifically, inadequate regulation, insufficient policy (Nhabinde *et al.*, 2012) and non-adherence to approved regulations for the construction industry (Hedidor and Bondinuba, 2017) exacerbate the situation, yet the need for development remains pressing. Similarly, in Eswatini, there is an outcry regarding the effectiveness of the Construction Industry Council (CIC) in facilitating the regulation of the construction sector, as well as its anticipated outcomes in terms of development – hence the current study. Since this is the first study on the construction legislative framework Eswatini, it was prudent to contextualise the study within developing countries to access extant literature.

The study sought to address the following research questions:

- RQ1. What do stakeholders understand about the mandate of the Eswatini Construction Industry Council?
- RQ2. How do stakeholders perceive the purpose of the legislative framework in the Eswatini construction industry?
- RQ3. To what extent does the current legislative framework address the needs of the industry stakeholders in Eswatini?

2. Literature review

Construction legislative frameworks are legal instruments to ensure strict compliance with building and construction policies outlined in relevant legislative documents (Amoah and Steyn, 2023). Building regulations are mandatory in nearly all countries globally, focusing on contractor registration, project registration and supervision of workers (both skilled and unskilled) and project managers (Omollo, 2019). Establishing legislative bodies in each country is essential to streamline construction laws, particularly in conflicting regulations and to oversee construction projects' orderly and regulated physical development.

Additionally, legislative frameworks aim to ensure proper implementation of a code of conduct within the construction industry, prevent unauthorised contractors from entering the industry and streamline the bureaucratic processes involved in approving building plans (Cross, 2017). Further, these regulations aim to reduce corruption in the construction sector by focusing on the quality of materials and the performance of contractors.

2.1 Characteristics of effective construction legislative frameworks

Geissdoerfer *et al.* (2017) propose a legislative framework with a comprehensive structure. That is, one based on economic, environmental and social objectives, stakeholder management and a long-term perspective. Key drivers such as strong leadership and practice collaboration should be encouraged (Cross, 2017). Achieving an ideal construction legislative framework should embrace suitable technologies and strategies (Ababio and Lu, 2023). According to the cited scholar, the construction sector can benefit from integrating new technologies such as 3D printing due to its potential value. Additionally, new approaches utilising design and information tools such as Building Information Modelling (BIM), material passports and databases and knowledge gateways should be accommodated (Ababio and Lu, 2023).

Implementing strong government interventions, primarily through policy instruments, is essential in developing robust legislative frameworks within the construction sector. Engaging stakeholders at the grassroots level and fostering industry-stakeholder collaborations beforehand is vital to sound legislative frameworks. Collaboration with government bodies to raise awareness about the importance and opportunities of is essential for advancing the legislative framework. The cited scholars posit that dialogue can be an effective tool in increasing awareness, changing attitudes and influencing behaviours toward adopting and complying with legislative frameworks.

The significance of business financing and market creation cannot be underestimated in achieving the full potential of construction legislative frameworks. Legislative frameworks should adopt new valuation methodologies that consider environmental, social and governance (ESG) factors to refocus attention on the tangible value of assets (Acharya *et al.*, 2018). Using such valuations, long-term investments can be made to support stakeholders within the construction industry, for instance, through whole life costing. These innovative legislative designs and establishing institutions to prevent corruption and opportunistic behaviours (Bao *et al.*, 2019), must be leveraged to create new market opportunities. A summary of the features of effective construction legislative frameworks is provided in Table 1.

As shown in Table 1, effective legislative frameworks have six key features deduced from the reviewed literature. These are a comprehensive structure, sound leadership, technological embrace, policy, collaboration, awareness, financing and market creation and ethics.

2.2 Characteristics of ineffective construction legislative frameworks

Weaknesses in the legislative structure can hinder contracting firms' use of environmentally friendly building techniques (Athapaththu and Karunasena, 2018). In addition, legislative issues arise when institutions are not actively involved and key stakeholders are not fully dedicated to the cause. According to Ndumia (2015), the construction industry's legislative framework should include specialised bodies responsible for advocating regulations. This would help to streamline the building industry in the region. Boadu *et al.* (2020) found that the construction industry in Ghana relied on a single legislative authority. This reliance posed challenges in the efficient administration of industry-wide health and safety. The findings of this study revealed the weaknesses of a single legislative body.

Domain	Framework characteristics	Source
Comprehensive structure	<ul style="list-style-type: none"> ■ Economic, environmental, social pillars 	Geissdoerfer <i>et al.</i> (2017)
Sound leadership	<ul style="list-style-type: none"> ■ Strong leadership and collaboration 	Ababio and Lu (2023) Cross (2017)
Technological embrace	<ul style="list-style-type: none"> ■ Embraces suitable technologies and strategies 	Ababio and Lu (2023)
Policy, collaboration and awareness	<ul style="list-style-type: none"> ■ Government mediated ■ Fosters stakeholder collaborations ■ Raises awareness, crates opportunities ■ Increases compliance with policy 	Ababio and Lu (2023) Cross (2017)
Financing and market creation	<ul style="list-style-type: none"> ■ Investor-friendly ■ Prioritises tangible assets 	Acharya <i>et al.</i> (2018)
Ethics	<ul style="list-style-type: none"> ■ Prevents corruption and opportunistic behaviours 	Bao <i>et al.</i> (2019)

Source(s): Table by authors

Table 1. Features of an effective legislative framework

Mwelu *et al.* (2018) highlight the lack of compliance with policies in the road construction industry in Uganda. Despite efforts to improve service delivery through restructuring, compliance remained a persistent issue. Top-down approaches to construction regulation framework design are also counterintuitive because achieving effective legislative frameworks relies on the active involvement of stakeholders and the implementation of suitable strategies to address existing obstacles. Gerding *et al.* (2021) underscore the importance of actor engagement and impact on circular projects' design, administration and decision-making processes. The features of ineffective construction legislative frameworks are presented in Table 2.

As shown in Table 2, an ineffective legislative framework can stifle industry growth. Despite the CIC's existence, poor project execution remains a problem for building projects in Eswatini. The communication techniques, which are affected by the local context, at least to some extent, are one element that contributes to this under-performance (Khanyile *et al.*, 2019). Nevertheless, as stated by the CIC in 2019, the construction industry in Eswatini is not performing optimally due to poor and inefficient regulations. Thus, it was critical to assess the degree to which the existing legislative framework adequately caters for the requirements of the various stakeholders in the Eswatini industry – hence the current study.

Domain	Framework characteristics	Source
Weak legislative structure	<ul style="list-style-type: none"> ■ Hinders adoption of and use of modern building techniques ■ Exclusion of stakeholders and specialised bodies 	Athapaththu and Karunasena (2018) Ndumia (2015)
Reliance on a single regulatory authority	<ul style="list-style-type: none"> ■ Inefficient administration ■ Lack of compliance with policies 	Boadu <i>et al.</i> (2020) Mwelu <i>et al.</i> (2018)
Top-down approaches to framework design	<ul style="list-style-type: none"> ■ Regulatory authority is aloof ■ No collaboration 	Gerding <i>et al.</i> (2021)
Stakeholder engagement	<ul style="list-style-type: none"> ■ No stakeholder engagement ■ Sparks debates and conflicts 	Ababio and Lu (2023)

Source(s): Table by authors

Table 2. Features of an ineffective legislative framework

3. Research methodology

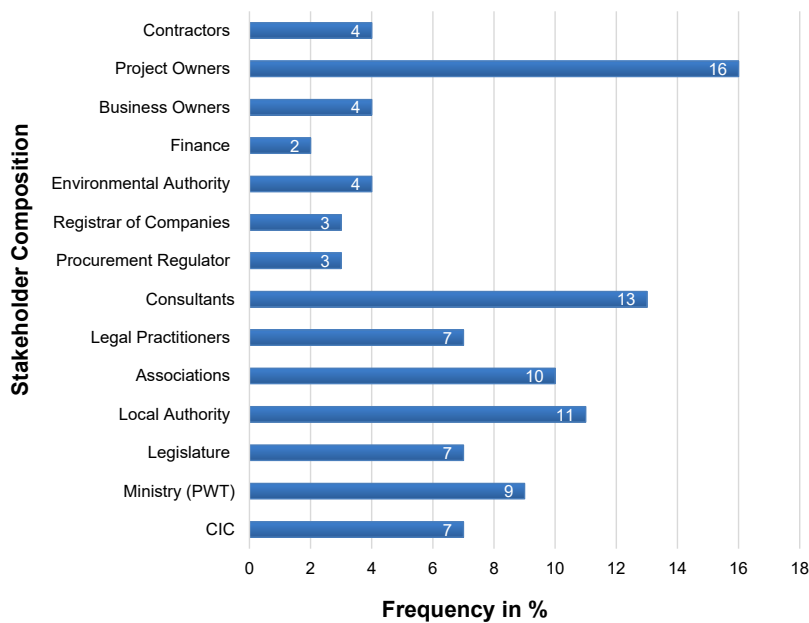
A hermeneutic phenomenological research design was used for this study to assess the degree to which the existing legislative framework adequately caters for the requirements of stakeholders in the Eswatini construction industry. According to [Leavy \(2022\)](#), phenomenology aims to determine the meaning and significance of individuals' lived experiences, as they understand them. This research design describes and explains experiences from a first-person perspective ([Creswell and Creswell, 2018](#)). Since the study sought stakeholders' views on how adequately the existing legislative framework catered for the requirements, phenomenological research was appropriate. To that end, semi-structured interviews, using open-ended questions, were used to collect data, as recommended by [Fischer et al. \(2023\)](#).

3.1 Procedures for interview data collection and analysis

Following research ethics, 45 participants (41 males and four females), who were key stakeholders and deemed knowledgeable on the phenomenon (construction industry regulation), were identified through the CIC database and selected using purposive sampling ([Lichtman, 2023](#)). This sampling technique was chosen because individuals who can provide the best insights into the research problem are sought intentionally for phenomenological research ([Savin-Baden and Major, 2023](#)). Hence, the study was focused on a group of stakeholders who were identified as having engaged with the legislative framework at an intermediate to expert level for at least ten years. Such experienced individuals had acquired extensive knowledge and experience in the ECI regulation, having been involved in the industry for a decade. They had seen the pros and cons of the current legislative framework, and could provide valuable insights into the phenomenon. Conversely, new comers into the industry and those who were not willing to participate voluntarily were excluded from the study, as postulated by [Creswell and Creswell \(2018\)](#).

As presented in [Figure 1](#), participants in the study were chosen from various backgrounds, including the legislative branch, trade associations, legislative agencies, the legal profession, well-known industry figures and contractors working in the building sector. The interviews followed a semi-structured format, wherein participants were asked open-ended questions regarding their perspectives on what they understood about the mandate of the CIC; how the stakeholders perceived the purpose of the legislative framework in the Eswatini construction industry and; the extent to which the current legislative framework addressed the needs of the industry stakeholders. In addition, they were asked to describe the significance and impact of the CIC, as a legislative authority in the Eswatini construction sector. Further, participants were asked about their views on the adequacy and effectiveness of the current legislation in meeting their legislative requirements within the Eswatini construction industry.

The interview guide comprised several specific questions aligned to the main research questions: (1) What do stakeholders understand about the mandate of the Eswatini Construction Industry Council? (2) How do stakeholders perceive purpose of the legislative framework in the Eswatini construction industry? and (3) To what extent does the current legislative framework address the needs of the industry stakeholders? As per qualitative conventions, an interview guide with 15 specific questions was used to solicit more detailed information about each research question. According to [Leavy \(2022\)](#), preparing questions beforehand helps keep the interview focused. In addition, the interviews were recorded and transcribed verbatim, with an average duration of more than 45 min per interview by the ideas of [Lichtman \(2023\)](#). The data were gathered over six months. The study generated audio and textual data. The interviews were recorded using a voice recorder after obtaining permission from the participants. The audio files were transferred to a password-protected computer and uploaded onto a cloud storage for backup. After transcription, the textual data



Source(s): Figure by authors

Figure 1. Summary of stakeholder composition

were once again saved in the computer and the cloud storage (Google Drive). As per research ethics, the files will be deleted after five years, in line with the ideas advanced by Creswell and Creswell (2018).

Interview data were analysed thematically. Thematic analysis was chosen to identify patterns or themes within qualitative data (Braun and Clarke, 2022). The process entailed exploring, interpreting and documenting pertinent patterns of significance across a given dataset (Trainor and Bundon, 2021). The thematic analysis involved identifying common words and phrases on the participants responses. Similar ideas were or coded and later categorised (grouped). The categories were then scrutinised and confirmed, leading to the themes and subthemes in Table 3.

Theme	Subtheme
RQ1: CIC's mandate	<ul style="list-style-type: none"> ■ Developing the CI ■ Promoting local participation ■ Ensuring fair trade
RQ2: Framework's purpose	<ul style="list-style-type: none"> ■ Regulating, controlling the CI ■ Enforcing compliance
RQ3: Framework's efficacy	<p><i>Effectiveness</i></p> <ul style="list-style-type: none"> ■ Investor friendly: efficient registration ■ Quality control: materials, inspections <p><i>Ineffectiveness</i></p> <ul style="list-style-type: none"> ■ Monopoly/no equal opportunities ■ Corrupt tendering system, bribery ■ Inconsistencies/discrepancies

Source(s): Table by authors

Table 3. Themes and subthemes

4. Findings and discussion

The findings revealed stakeholders understood the CIC’s mandate to foster industry growth within the Eswatini Construction Industry (ECI). Regarding the second research question, the findings indicate that the stakeholders perceived the construction legislative framework as an industry regulation tool. The findings also suggest that while the current legislative framework in the ECI has some strengths, it was ineffective in addressing the needs of the stakeholders, overall. A summary of the themes and subthemes are presented in [Table 3](#).

As observed in [Table 3](#), the results of the thematic analysis yielded three themes and 10 subthemes altogether. The first research question (RQ1) yielded three subthemes each, the second research question (RQ2) yielded two subthemes and the third research question yielded five subthemes with two categories: effectiveness and ineffectiveness. For coherence and logic, the research context is brought into sharper focus in the next section, to give perspective to the results and discussion.

The CIC was established under the Construction Industry Act No 14 of 2013 to regulate the construction industry in Eswatini. It comprises four industry affiliated associations, namely: the Eswatini Contractors Association (ECA), Eswatini Association of Architects, Engineers and Surveyors (EAAES), Eswatini Association of Indigenous Engineers (EAIE) and the Building Material and Suppliers Association (BMSA). The vision of the CIC is, “To transform the construction industry to attain excellence in industry performance.” The mission is, “To regulate, develop and promote the construction industry for the benefit of all stakeholders through developing regulations and ensuring compliance, research, development, capacity building, and stakeholder engagement, thus improving the country’s socio-economic status”. A summary of the CIC’s stakeholder (key partners) mandate (key activities) is presented in [Figure 2](#).

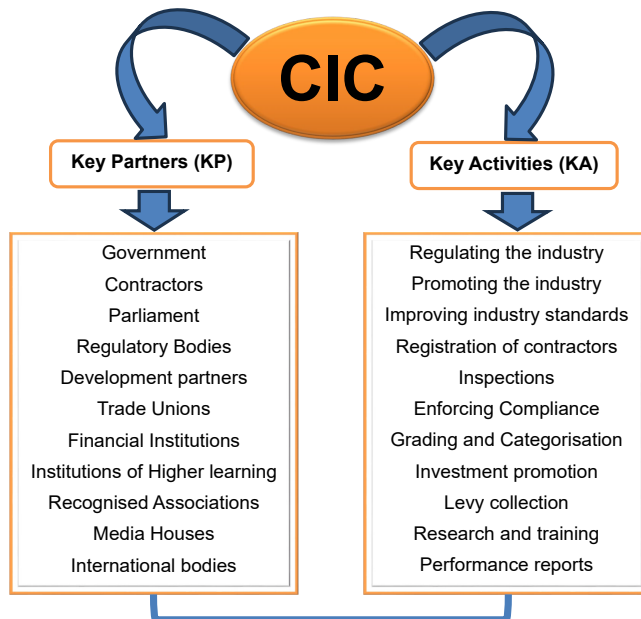


Figure 2.
Partners and activities
of the Eswatini
construction industry
council (CIC)

Source(s): Figure by authors

The functions of the CIC, according to the CIC Act of 2013, are as follows:

- (1) To enhance and foster the growth of the construction sector in Eswatini, giving preference to Swati firms and companies and ensuring they receive the necessary support for their advancement.
- (2) To enable Swati firms and companies to access essential resources to expand their business operations.
- (3) Evaluate contractors' performance during project execution to establish a comprehensive performance record for future reference.
- (4) Regulate contractors' conduct, promote adherence to minimum standards and encourage best practices within the industry.
- (5) To provide comprehensive data on the size and distribution of contractors operating within the construction sector.
- (6) To encourage research, development and utilising competitive local materials and suitable construction resources.
- (7) To support and facilitate the construction of cost-effective, affordable housing in collaboration with the Ministry of Housing.
- (8) To establish and advocate for safety standards within the construction industry.
- (9) To prescribe specific categories for registering individuals involved in construction activities.
- (10) To regularly monitor and assess the capacity and progress of individuals engaged in the construction sector.
- (11) To regulate construction-related activities through the relevant institutions, boards and authorities as necessary.
- (12) To make recommendations to the Minister regarding the registration and operation conditions for foreign firms or companies in Eswatini.

According to the CIC Act of 2013, contractors are classified into various entities: builders, consultants, suppliers and manufacturers. On the other hand, the emphasis in the AESAP Act is placed on the registration and categorisation of advisors and related experts. [Dlamini \(2020\)](#) acknowledges that consultants were registered in duplicate, which could be resolved by amending both legislations. Apart from project registration, the CIC also undertakes registering contractors. Contractors cover general building, civil engineering, electrical and mechanical work. The stakeholders involved in this process include consultants, manufacturers, specialised suppliers and individual artisans.

To assess the capabilities of contractors, the CIC implements a grading system. This grading system serves as a benchmark for project owners to evaluate the tenders submitted by contractors for specific construction contracts. In Eswatini, poor project execution remains a problem for building projects even after establishing the CIC. According to [Khanyile *et al.* \(2019\)](#), one reason for this under-performance is the communication methods, which are somewhat affected by the local context. Remarkably, the channels for dissemination of information are part of the legislative framework.

The CIC is confronted with the formidable task of regulating an industry that had not previously been regulated. Several legislative obstacles encountered by the construction sector in Eswatini involve defining the functions of the four construction industry associations (SCA, SAAES, SAIE and BMSA), and guaranteeing that they function within an

agreed-upon framework within the construction industry. Discussions with different industry stakeholders, such as the leadership of the industry associations and a portion of their members, have shown that the sector faces several challenges that need to be tackled through legislative measures.

According to Dlamini (2020), the problems that the construction sector in Eswatini faces affect its operations. Several industry issues were highlighted in the CIC Annual Report, including the dearth of new public infrastructure projects and the restricted prospects for industry role-players due to delays and deferments. The sector is experiencing technological and financial challenges. Public sector construction activity is thriving, whereas private sector output is decreasing annually, according to the Central Bank of Eswatini (CBE, 2019). Some industry stakeholders display a significant degree of non-compliance with the CIC Act, which presents a difficulty for the CIC, especially with regard to compliance with project registration (CIC, 2019). The private sector is reluctant to engage in the construction sector of Eswatini because of various factors, including low investor confidence and uncertainties regarding political stability (CBE, 2019).

The prospects of construction activity in the medium term heavily rely on the government's response to addressing the issues that have affected businesses negatively, and stimulating economic activities. One major issue is the problem of delayed payments, which hampers the ability of contractors to purchase building materials and compensate their workers. This issue can lead to the closure of small contractors. In addition, delays in making crucial decisions can result in over-running project time, distorting the budget. Various challenges faced by the construction industry in Eswatini include stakeholder engagement, corruption, levy remittance, absence of regulations and others (CIC, 2023).

Historically, stakeholders within the industry have expressed contrasting views regarding the efficiency of the CIC as the industry regulator and the adequacy of the CIC Act of 2013 as a comprehensive instrument for regulating the industry. There have been extensive discussions on whether or not the current legislative framework, under the CIC's leadership, caters to all stakeholders' needs adequately. These divergent perceptions encompass a range of sentiments and opinions, including negative and positive perspectives towards the existing framework.

The primary obstacle faced by Eswatini is the notion that the establishment of the CIC would serve as an adequate mechanism for regulating the industry, with the expectation that the CIC would be capable of overseeing the multitude of activities and their variations within the industry, as well as addressing the dynamic issues of the construction sector in the nation. The aim of establishing the CIC was to create a centralised hub that would oversee all aspects of construction regulations. Its scope extends beyond just managing the construction sector, as it strives to optimise the advantages and welfare of the parties involved in the industry. The CIC's primary objective is to advance and control the building sector to meet the nation's construction needs.

4.1 Stakeholders' understanding about the mandate of the CIC (RQ1)

The focus was on stakeholders' perceptions of the purpose of the CIC. After scanning the data for content relating to the "mandate of the CIC," three subthemes emerged, namely: (1) developing the construction industry; (2) promoting local participation and; (3) ensuring fair trade.

4.1.1 Developing the construction industry. Out of the 45 participants, 19 highlighted that the goal of the CIC was to develop the local construction industry. In particular, several participants (P01, P13, P21, P29, P33, P37, P41 and P45) mentioned "developing the construction industry" in their responses. This subtheme is best captured in P13's submission, that "By setting standards and requirements for construction projects, the CIC

pushes companies to adopt new technologies and practices. Consequently, this drives *development and growth in the industry.*”

4.1.2 Promoting local participation. A total of 12 participants understood that the mandate of the CIC was to promote the participation of local construction firms. Five participants (P04, P12, 26, P31 and 38) specifically mentioned “promoting local participation and/or local contractors” in the construction industry in their responses. P26 explained that “The CIC protects the local market from foreign invasion. This promotes *local participation* as *local contractors have the biggest market share* in the sector, which is appreciated.”

4.1.3 Ensuring fair practice and competition. A further 14 participants submitted that the CIC’s mandate was to ensure fair practice and competition. This was evident in the direct responses given by three participants (P10, P18 and P44), who invariably mentioned “ensuring fair practice” and/or “healthy competition” in their submissions. P10 explained that “The CIC ensures *fair competition* by implementing regulations to ensure that all companies have an *equal chance* of being awarded projects.” In essence, there was a consensus that the CIC served as a gatekeeper to promote and protect the local industry. The findings indicate that the participants were knowledgeable about the mandate of the CIC.

4.2 Stakeholders’ perceptions about the purpose of the legislative framework (RQ2)

The focus for the second research question shifted from the CIC as a legislative authority to the legislative framework as an instrument. The thematic analysis revealed two subthemes relating to the “the purpose of the legislative,” namely: (1) regulating, controlling the CI and; (2) enforcing compliance.

4.2.1 Regulating and controlling the CI. The findings for the second research question revealed that the legislative framework was perceived as an industry regulation tool in ECI. Twenty-one participants commented that the purpose of the legislative framework was to regulate and guide operations of the construction sector, as evidenced by the use of “regulate” “guide” and or “control” activities in their responses. Notably, eight participants (P05, P07, P10, P14, P20, P23, P29 and P38) mentioned both “regulate or control” and “healthy competition” in the submissions. P14 clarified that “The legislative framework helps to *regulate* the construction sector in terms of who does what, where, and when. It also *controls* the marketplace by fostering *healthy competition.*”

4.2.2 Enforcing compliance. The remaining 24 participants perceived the purpose of the legislative framework in the ECI to be enforcing “compliance” and “payment/collection of construction levies.” Thirteen participants (P03, P08, P09, P11, P17, P19, P25, P27, P30, P35, P39, P41 and P43) specifically mentioned “promoting local participation in the construction industry” in their responses. P27 concisely expressed that “The framework is a tool that enforces *compliance* with the building codes, the payment or collection levies, and it prescribes which category you should go for when you tender, thus *promoting participation* of local players in the industry.”

The general consensus amongst participants was that the CIC served as a regulation tool to control and guide construction sector operations, while enforcing compliance to statutes and payment of construction levies. The findings indicate that the participants perceived the legislative framework as a legally binding, monitoring tool. The participants were critical of the legislative framework, pointing out that it favoured established companies at the expense of new comers in the ECI.

4.3 The effectiveness of the current legislative framework (RQ3)

The findings for the third research question indicate that the current legislative framework in the ECI has strengths and weakness. It is effective on some aspects but ineffective on others. Two broad themes emerged; effectiveness and ineffectiveness, each with corresponding subthemes.

4.3.1 *Effectiveness.* Two subthemes emerged regarding the effectiveness of the legislative framework: investor friendly and quality control. Sixteen participants (including P04, P17, P29, P33 and P42) applauded the legislative framework for “being investor-friendly.” The participants described that company registration as relatively “easy” “hassle-free” and/or “efficient” under the current legislative framework. Ease of company registration was considered a strength as it attracted foreign and domestic investors, which boosted the ECI and facilitated job creation. P17 declared that “The framework is *favourable to investors*. Company registration, for example, is relatively *easy and hassle-free*.”

Effective quality control was attributed to rigorous “standards” in the “quality of building materials” and “regular inspection” of existing infrastructure. Eleven participants (P03, P05, P08, P16, P20, P25, P27, P31 and P24, P36, and P39) praised the current legislative framework for fostering the use of what they described as “high quality” and/or “top grade” building materials for construction projects. Seven participants (P11, P19, P21, P24, P29, P38 and P44) appreciated frequency and the exacting inspection standards set by the legislative framework. Common phrases used by the participants in this regard include the “regular” “stringent” and/or “strict” inspection procedures. P27 remarked that “Not only does it (the framework) require the use of *high quality*, I mean *top grade building materials*, but there are *regular, stringent inspections* in the sites as well. It’s quite strict on that aspect.” The findings suggest that the current legislative framework is effective in at least four aspects (out of 11) of its mandate: registration of contractors, investment promotion, improving industry standards and inspections (see Figure 1).

4.3.2 *Ineffectiveness.* Paradoxically, the findings for the third research question also indicate that the current legislative framework in the ECI is ineffective (lacks efficacy) in addressing stakeholders’ needs. Three subthemes emerged regarding the inefficiency of the legislative framework. The first theme highlighted that the legislative framework does not facilitate “equal opportunities” among building contractors. Twenty-eight out the 45 participants (including P02, P06, P07, P15, P21, P23, P29 and P35) lamented that some contractors “enjoyed a monopoly” while others remained without work. P06 lamented that “It does not offer *equal opportunities* to contractors. Some companies *enjoy a monopoly* while others remain without work for extended periods.”

Ineffectiveness was also linked to a “corrupt tendering system.” Six participants (P11, P17, P22, P28, P36 and P40) expressed their dissatisfaction about the current legislative framework had loopholes that resulted in a corrupt tendering system or process. P22 commented that “It seems the tendering system is *corrupt* or is being manipulated to favour certain contractors. There is too much *bribery* involved in the awarding of tenders.”

The third theme highlighted “inconsistencies or discrepancies” within the legislative framework. Five participants (P08, P13, P18, P29 and P33) mentioned either “inconsistencies” or “discrepancies” in their responses. In essence, the loopholes in the legislative framework rendered it ineffective in addressing the needs stakeholders because the ECI was monopolised by a few contractors, thus creating inequalities. P18 observed that “There are *discrepancies* within the framework. You find that sector-level requirements are *inconsistent* with the statutory authority, the CIC.” It can be said that inequalities, corruption and inconsistencies induce reticence in private sector stakeholders to better engage with government projects.

The findings revealed that the participants understood the mandate of the Eswatini CIC and the purpose of the Eswatini construction legislative framework. In particular, the findings highlighted that the purpose of the CIC was to develop the construction industry by promoting local participation through fair trade. These findings align with the first function of the CIC according the CIC Act of 2013, which is to enhance and foster the growth of the construction sector in Eswatini by giving preference to Swati firms and companies, ensuring that they receive the necessary support for their advancement.

Similarly, the participants demonstrated an understanding of the purpose of the legislative framework, and correctly pointed out that it was an industry regulation tool. The participants highlighted that the legislative framework was meant to regulate, control and guide construction sector operations. It was also intended to enforce compliance with statutes and payment of construction levies. The findings correspond to the CIC [The Construction Industry Council Act \(2013\)](#) which states that the legislative framework is meant to regulate the conduct of contractors, promoting adherence to minimum standards and encouraging best practices within the industry.

In particular, the findings that the current legislative framework is effective in at least four aspects (out of 11) of its mandate: registration of contractors, investment promotion, improving industry standards and inspections (see [Figure 1](#)). An investor-friendly legislative framework, with strong quality control measures, is desirable. It means job creation for both contractors and the general workforce ([Mwelu et al. \(2018\)](#)). Stringent quality control measures protect the workers and the clients. Indeed, building collapses are rare in Eswatini compared to other developing countries, such as Kenya ([Ndumia, 2015](#)). In this regard, the legislative framework ensures sustainability and enhances the reputation of the ECI.

While these strengths are plausible, it is hard to overlook the fact that the findings translate to a mediocre score of four (4) out of 11, considering the key activities (KAs) in outlined in [Figure 1](#). This could mean the legislative framework is ineffective seven other key activities. Further probing during the interviews indicated that although the legislative framework promoted investment, such efforts were undermined by the unfair competition, which meant that only a few contractors benefited from the opportunities created.

Generally, the participants were disappointed that despite its good intentions, the legislative framework did not address stakeholder needs in a comprehensive manner. Instead of fair trade, the findings revealed a monopoly and a lack of equal opportunities, due to a corrupt tendering system, and inconsistencies/discrepancies within the legislative framework. This is an antithesis of the legislative framework's goals, which is articulated as "To regulate, develop and promote the construction industry for the benefit of all stakeholders" ([CIC The Construction Industry Council Act, 2013](#)). Overall, the findings point towards an ineffective legislative framework. Viewed this way, the Eswatini construction legislative framework work does not meet ethical standards, required for a robust framework, which prevents corruption and opportunistic behaviours ([Bao et al., 2019](#)).

On the other hand, the results are not surprising, considering that local legislative framework is a product of top-down approach to framework design ([Gerding et al., 2021](#)). Top-down approaches are counterproductive, as effective legislative frameworks prioritise stakeholder engagement ([Ababio and Lu, 2023](#); [Cross, 2017](#)). The government developed the Eswatini construction legislative framework and passed by the parliament, while industry stakeholders were excluded. This could explain the inadequacy of the current framework. A top-down approach is the antithesis of legislative framework development, as Current thinking favours a collaborative approach among stakeholders. While the CIC is affiliated with the ECA, EAAES, EAIE and BMSA, which also provide some sector-specific regulation, the process is not complete without CIC's the endorsement ([CIC, 2019](#)). Also, contractors are listed as key partners of the CIC (see [Figure 1](#)), when representatives or associations should suffice. This legislative framework structure is likely to result in overload and backlogs, which could contribute the legislative inefficiency, as the CIC seems overburdened.

From the findings, it can be inferred that interventions aimed at mitigating the major challenges or complaints raised by the participants can improve the current legislative framework. Specifically, the findings highlighted that monopoly and a lack of equal opportunities, due to a corrupt tendering system, and inconsistencies or discrepancies were the major problems in the Eswatini construction industry. As revealed by literature ([Ababio and Lu, 2023](#); [Gerding et al., 2021](#)), the implementation of strong government interventions,

primarily through policy instruments, is essential in developing robust legislative frameworks within the construction sector. Engaging stakeholders at the grassroots level and fostering industry-stakeholder collaborations beforehand are crucial to sound legislative frameworks (Ababio and Lu, 2023). As postulated by Bao *et al.* (2019), innovative legislative designs and the establishment of institutions to prevent corruption and opportunistic behaviours must be leveraged to create new market opportunities.

Based on the current study's findings, it seems that the current Eswatini construction legislative framework has major flaws, as it lacks some critical elements of a robust legislative framework. The rating of 4/11 does not inspire confidence, as it means the legislative framework has more weaknesses than strengths. On the whole, it can be said that the ECI legislative framework lacks efficacy.

5. Implications of findings

The findings imply that efficacy is crucial in a construction industry legislative framework. Overall, this study benefits policymakers by highlighting the issues that render legislative frameworks unsatisfactory and emphasising the need to avoid such pitfalls. Crucially, the study's contribution is that it reports findings from Eswatini, where no similar studies could be found, thus bridging a knowledge and geographical gap in the literature. While other studies in different contexts were focused on developing legislative frameworks, the current evaluated an existing framework using defined criteria. The current study has made a unique contribution by streamlining the features of effective and ineffective construction legislative frameworks.

Thus, the study has set a new pathway for legislative framework analysis and evaluation in developing countries. Based on the findings, the study proposes that legislative framework analysis and evaluation should be based on five main pillars. These are: (1) balance between stakeholder and industry needs; (2) stakeholder management and collaboration; (3) consistency between sector level and statutory authority; (4) ethical reinforcement as well as; (5) transparency and accountability. Admittedly, these pillars are not comprehensive and the pathway does not suggest dismissing other criteria. The point is to integrate the new pathway into existing evaluation criteria.

The study has revealed the impact of an ineffective legislative framework. In essence, some lessons can be learnt from the current study. Other developing countries, for instance, can refer to this study to modify and improve their legislative frameworks. Hitherto, such information was scattered in literature but has been consolidated and applied empirically. Based on the preceding, these findings may apply to similar developing countries at a similar stage of construction industry development. However, the findings should be considered within the limitations of the study. The focus was on developing countries, particularly the Eswatini context. Each country presents a unique context and challenges, so the findings should be cautiously generalised.

Regarding implications for future research, the current study has set a new pathway for legislative framework analysis and evaluation. Therefore, future research on the topic can build on the current study and compare the legislative frameworks across developing countries. The purpose would be to establish the similarities and differences, and to identify strengths and weaknesses, possibly leading to established principles of what works in a given context. Other studies on the topic could focus on benchmarking against developed countries on how they measure the efficacy of the legislative framework within their construction industry.

6. Conclusion

Based on this study, it can be concluded that establishing a legislative framework is pointless if it is ineffective in addressing stakeholder needs within the construction industry. In this study, the legislative framework's purpose was understood by the stakeholders. Although

some strengths were identified, they were overshadowed by the weaknesses. The several weaknesses in legislative framework meant that its “promises” were not realised by stakeholders, which compromised the framework’s efficacy. As observed in this study, an effective legislative framework must be investor-friendly, with stringent quality controls, although these should not be so excessive to the extent that they stifle industry growth.

Another critical issue is fostering fair trade. If a legislative framework cannot promote fair competition, it breeds corruption, and industry monopoly, which corrodes the CI’s reputation and kills smaller business. Particularly through the tendering system. Any weak aspects in the legislative framework render it ineffective. In other words, deficiencies in a legislative framework can easily overshadow the strengths, rendering the framework unsatisfactory. Stakeholder engagement is also a fundamental pillar of a robust legislative framework. To achieve its goals, legislative frameworks should be designed by engaging stakeholders, using the grassroots or bottom-up approach. Also, affiliated associations should be granted more legislative authority to relieve the statutory authority, and help improve its efficiency.

References

- Ababio, B.K. and Lu, W. (2023), “Barriers and enablers of circular economy in construction: a multi-system perspective towards the development of a practical framework”, *Construction Management and Economics*, Vol. 41 No. 1, pp.3-21, doi: [10.1080/01446193.2022.2135750](https://doi.org/10.1080/01446193.2022.2135750).
- Acharya, P., Boggess, B. and Zhang, K. (2018), “Assessing heat stress and health among construction workers in a changing climate: a review”, *International Journal of Environmental Research and Public Health*, Vol. 15 No. 2, p. 247, doi: [10.3390/ijerph15020247](https://doi.org/10.3390/ijerph15020247).
- Amoah, C. and Steyn, D. (2023), “Barriers to unethical and corrupt practices avoidance in the construction industry”, *International Journal of Building Pathology and Adaptation*, Vol. 41 No. 6, pp. 85-101, doi: [10.1108/ijbpa-01-2022-0021](https://doi.org/10.1108/ijbpa-01-2022-0021).
- Athapaththu, K.I. and Karunasena, G. (2018), “Framework for sustainable construction practices in Sri Lanka”, *Built Environment Project and Asset Management*, Vol. 8 No. 1, pp. 51-63, doi: [10.1108/bepam-11-2016-0060](https://doi.org/10.1108/bepam-11-2016-0060).
- Bao, Z., Lu, W., Chi, B., Yuan, H. and Hao, J. (2019), “Procurement innovation for a circular economy of construction and demolition waste: lessons learnt from Suzhou, China”, *Waste Management*, Vol. 99 No. 99, pp. 12-21, doi: [10.1016/j.wasman.2019.08.031](https://doi.org/10.1016/j.wasman.2019.08.031).
- Boadu, E.F., Wang, C.C. and Sunindijo, R.Y. (2020), “Characteristics of the construction industry in developing countries and its implications for health and safety: an exploratory study in Ghana”, *International Journal of Environmental Research and Public Health*, Vol. 7 No. 11, p. 4110, doi: [10.3390/ijerph17114110](https://doi.org/10.3390/ijerph17114110).
- Braun, V. and Clarke, V. (2022), “Conceptual and design thinking for thematic analysis”, *Qualitative Psychology*, Vol. 9 No. 1, pp. 3-26, doi: [10.1037/qp0000196](https://doi.org/10.1037/qp0000196).
- Central Bank of Eswatini (2019), “Integrated annual report 2019/2020”, Mbabane, Eswatini, available at: <https://www.centralbank.org.sz/wp-content/uploads/2021/04/2020-IAR-Final-Report-Digital.pdf> (accessed 27 July 2022).
- Construction Industry Council (CIC) (2019), “Annual report 2019”, available at: https://www.cic.co.sz/aboutus/reports/file/2019_CIC_Annual_Report.pdf (accessed 25 July 2022).
- Construction Industry Council (CIC) (2023), “Strategic plan 2018-2023”, available at: <https://www.cic.co.sz/aboutus/strategy/file/StrategicPlan.pdf> (accessed 26 July 2022).
- Creswell, J.W. and Creswell, J.D. (2018), *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*, Sage Publications, London.
- Cross, M. (2017), “Wallasea Island wild coast project, UK: circular economy in the built environment”, *Proceedings of the institution of civil engineers-waste and resource management*, Vol. 170 No. 1, pp. 3-14, doi: [10.1680/jwarm.16.00006](https://doi.org/10.1680/jwarm.16.00006).

- Dlamini, S. (2020), "Improving the performance of the Eswatini construction industry: improving the performance of construction industries for developing countries: programmes, initiatives", in *Achievements and Challenges*, 1st ed., Routledge, p. 125.
- Doloi, H., Sawhney, A., Iyer, K.C. and Rentala, S. (2017), "Analysing factors affecting delays in Indian construction projects", *International Journal of Project Management*, Vol. 30 No. 4, pp. 479-489, doi: [10.1016/j.ijproman.2011.10.004](https://doi.org/10.1016/j.ijproman.2011.10.004).
- Fischer, H.E., Boone, W.J. and Neumann, K. (2023), "Quantitative research designs and approaches", in *Handbook of Research on Science Education*, Routledge, pp. 28-59.
- Gacheru, E.N. and Diang'a, S.O. (2015), "Regulating building contractors in Kenya and challenges of enforcing the national construction authority mandate", *International Journal of Soft Computing and Engineering*, Vol. 5 No. 1, pp. 127-133.
- Geissdoerfer, M., Savaget, P., Bocken, N.M. and Hultink, E.J. (2017), "The Circular Economy—A new sustainability paradigm?", *Journal of Cleaner Production*, Vol. 143, pp. 757-768, doi: [10.1016/j.jclepro.2016.12.048](https://doi.org/10.1016/j.jclepro.2016.12.048).
- Gerding, D.P., Wamelink, H. and Leclercq, E.M. (2021), "Implementing circularity in the construction process: a case study examining the reorganization of multi-actor environment and the decision-making process", *Construction Management and Economics*, Vol. 39 No. 7, pp. 617-635, doi: [10.1080/01446193.2021.1934885](https://doi.org/10.1080/01446193.2021.1934885).
- Govender, N., Laryea, S. and Watermeyer, R. (2022), "A framework for assessing quality of tender documents", *Built Environment Project and Asset Management*, Vol. 12 No. 4, pp. 573-589, doi: [10.1108/bepam-07-2021-0094](https://doi.org/10.1108/bepam-07-2021-0094).
- Hedidor, D. and Bondinuba, F. (2017), "Exploring concrete materials batching behaviour of artisans in Ghana's informal construction sector", *Journal of Civil Engineering and Construction Technology*, Vol. 8 No. 5, pp. 35-52, doi: [10.5897/jcct2017.0439](https://doi.org/10.5897/jcct2017.0439).
- Kaluarachchi, Y., Nartallo, P. and Emuze, F. (2022), "How the construction industry can improve the health and well-being of their workers in a post COVID-19 era", *IOP Conference Series: Earth and Environmental Science*, Vol. 1101 No. 3, 032013, doi: [10.1088/1755-1315/1101/3/032013](https://doi.org/10.1088/1755-1315/1101/3/032013).
- Kamrul, A. and Indra, G. (2010), "Analysis of cost and schedule performance of international development projects", *International Journal of Project Management*, Vol. 28 No. 1, pp. 68-78, doi: [10.1016/j.ijproman.2009.03.005](https://doi.org/10.1016/j.ijproman.2009.03.005).
- Khanyile, N.S.M., Musonda, I. and Agumba, J.N. (2019), "Evaluating the relationship between communication management practices and project outcomes: a case study of Eswatini (Swaziland) construction industry", *Construction Economics and Building*, Vol. 19 No. 2, pp. 197-219, doi: [10.5130/ajceb.v19i2.6646](https://doi.org/10.5130/ajceb.v19i2.6646).
- Leavy, P. (2022), *Research Design: Quantitative, Qualitative, Mixed Methods, Arts-Based, and Community-Based Participatory Research Approaches*, Guilford Publications, New York.
- Lichtman, M. (2023), *Qualitative Research in Education: A User's Guide*, Routledge, London.
- Mwelu, N., Davis, P., Ke, Y. and Watundu, S. (2018), "Compliance within a regulatory framework in implementing public road construction projects", *Construction Economics and Building*, Vol. 18 No. 4, pp. 1-23, doi: [10.5130/ajceb.v18i4.6362](https://doi.org/10.5130/ajceb.v18i4.6362).
- Ndumia, S.N. (2015), "Influence of regulatory framework on performance of building construction projects in Nairobi county, Kenya", Doctoral dissertation, University of Nairobi.
- Nhabinde, V., Marrengula, C.P. and Ubisse, A. (2012), "The challenges and the way forward for the construction industry in Mozambique", *Report to the International Growth Centre in Mozambique*.
- Odhiambo, O.W., Cheruiyot, C. and Winja, M.M. (2022), "Impact of regulatory framework on performance of building construction processes in Kenya. A case study of Murang'a County", *International Journal of Engineering Research and Technology*, Vol. 11 No. 4, pp. 108-115.
- Ofori, G. (2015), "Nature of the construction industry, its needs and its development: a review of four decades of research", *Journal of Construction in Developing Countries*, Vol. 20 No. 2, p. 115.

-
- Omollo, W.O. (2019), “Barriers to the effective regulation of the building construction industry: an empirical analysis”, *Journal of Construction Business and Management*, Vol. 3 No. 2, pp. 49-58, doi: [10.15641/jcbm.3.2.745](https://doi.org/10.15641/jcbm.3.2.745).
- Omollo, W.O., Hayombe, P.O. and Owino, F.O. (2018), “Compliance with physical planning standards by residential developments in Kisii Town, Kenya”, *Architecture Research*, Vol. 8 No. 2, pp. 62-73.
- Salah, M., Elmasry, M., Mashhour, I.M. and Amer, N. (2023), “A framework for assessing sustainability of construction projects”, *Cleaner Engineering and Technology*, Vol. 13, 100626, doi: [10.1016/j.clet.2023.100626](https://doi.org/10.1016/j.clet.2023.100626).
- Savin-Baden, M. and Major, C. (2023), *Qualitative Research: The Essential Guide to Theory and Practice*, Routledge, London.
- The Construction Industry Council Act (2013), “Act No.14 of 2013”, available at: <https://www.cic.co.sz/legal/legislations/ConstructionIndustryCouncilAct.pdf> (accessed 22 September 2021).
- Trainor, L.R. and Bundon, A. (2021), “Developing the craft: reflexive accounts of doing reflexive thematic analysis”, *Qualitative Research in Sport, Exercise and Health*, Vol. 13 No. 5, pp. 705-726, doi: [10.1080/2159676x.2020.1840423](https://doi.org/10.1080/2159676x.2020.1840423).

Further reading

- Central Bank of Eswatini (2018), “Integrated annual report 2017/2018”, Mbabane, Eswatini.
- Ministry of Economic Planning and Development (2023), *Ministry of Economic Planning and Development Report*, Government Printers Mbabane.
- The Government of Eswatini (2019), “The Ministry of finance”, available at: <http://www.sra.org.sz/documents/1551337162.pdf>
- The Registration of Architects, Engineers, Surveyors and Allied Professionals Act (2013), “Act No. 15 of 2013”, available at: <https://archive.gazettes.africa/archive/sz/2013/sz-government-gazette-dated-2013-08-16-no-110.pdf> (accessed 22 July 2022).

Corresponding author

Thandiwe Hlatshwayo can be contacted at: Thandiwe.Hlatshwayo@stefstocks.com