

The Malawi Gazette Supplement, dated 27th January, 2023, containing
Acts. (No. 1C)

MALAWI GOVERNMENT

(Published 27th January, 2023)

Act

No. 1 of 2023

I assent

DR. LAZARUS MCCARTHY CHAKWERA

PRESIDENT

21st January, 2023

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Authority to borrow and receive the equivalent of UA 48,180,000
3. Application of the Financing
4. Repayments charged on the Consolidated Fund
5. Exemption from taxes, charges, etc.
6. Finalization and signature of the Agreement

An Act to authorize the Government of the Republic of Malaŵi to borrow from the African Development Fund, a credit in various convertible currencies, not exceeding in the aggregate, the equivalent of one million, six hundred forty thousand Units of Account (UA 1,640,000) and to receive a grant from the African Development Fund in various convertible currencies, not exceeding in the aggregate, the equivalent of forty-six million, five hundred forty thousand Units of Account (UA 46,540,000)

ENACTED by the Parliament of Malaŵi as follows—

1. This Act may be cited as the African Development Fund Short title

(Sub-Regional Transport and Trade Facilitation Project) Loan
(Authorization) Act, 2023.

Authority to
borrow and
receive the
equivalent of
UA
48,180,000

2.—(1) The Minister of Finance, on behalf of the Government of the Republic of Malaŵi (the “Government”), is hereby authorized to—

(a) borrow from the African Development Fund, a credit in various convertible currencies, not exceeding in the aggregate, the equivalent of one million, six hundred forty thousand Units of Account (UA 1,640,000) (the “Credit”); and

(b) receive from the African Development Fund, a grant in various convertible currencies, not exceeding in the aggregate, the equivalent of forty-six million, five hundred forty thousand Units of Account (UA 46,540,000) (the “Grant”).

(2) The credit and the grant, comprising a total sum of money, in various convertible currencies, not exceeding in the aggregate, the equivalent of forty-eight million, one hundred eighty thousand Units of Account (UA 48,180,000) (the “Financing”), shall be applied for the purpose specified in section 3, at the times and on the terms and conditions which the Minister may, in his discretion, agree with the African Development Fund.

(3) The terms and conditions which the Minister, may agree with the African Development Fund shall be reduced to writing and such written agreement is hereinafter referred to as the “Financing Agreement”.

Application
of the
Financing

3. The proceeds of the Financing authorized by section 2 shall be appropriated and applied for the purpose of providing financing for the SADC Sub-Regional Transport and Trade Facilitation Project, and for no other purpose.

Repayments
charged on
the
Consolidated
Fund

4. Any payments required to be made, from time to time, by the Government to the African Development Fund, under and in accordance with the provisions of the Financing Agreement, are hereby charged on the Consolidated Fund.

Exemption
from taxes,
charges, etc.

5. All sums to be paid in accordance with section 4 shall, notwithstanding the provisions of any other written law, be paid without deductions for, and free from, any tax or charge whatsoever, and shall be free from all restrictions or limitations imposed by or under any written law of Malaŵi.

Finalization
and signature
of the
Agreement

6. The Minister of Finance or such other person as the Minister may appoint, is hereby authorized to—

(a) settle the terms of the Financing Agreement, but not so as

to affect the general purpose thereof, nor to increase the amount of the Financing;

(b) sign the Financing Agreement on behalf of the Government; and

(c) do such other things as may be necessary to implement the terms of the Financing Agreement.

Passed in Parliament this thirtieth day of November, two thousand and twenty two.

FIONA KALEMBA
Clerk of Parliament

(Published 27th January, 2023)

Act

No. 2 of 2023

I assent

DR. LAZARUS MCCARTHY CHAKWERA

PRESIDENT

21st January, 2023

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Authority to receive the sum of SDR 76,100,000
3. Application of the Financing
4. Payments charged on the Consolidated Fund
5. Exemption from taxes, charges, etc.
6. Finalization and signature of the Financing Agreement

An Act to authorize the Government of the Republic of Malawi to receive a grant from the International Development Association, in various convertible currencies, not exceeding in the aggregate, the equivalent of seventy-six million, one hundred thousand Special Drawing Rights (SDR 76,100,000)

ENACTED by the Parliament of Malaŵi as follows—

1. This Act may be cited as the International Development Association (Malawi Emergency Project to Protect Essential Health Services) (Authorization) Act, 2023.

Short title

2—(1) The Minister of Finance, on behalf of the Government of the Republic of Malawi (the “Government”), is hereby authorized to receive from the International Development Association, a grant in various convertible currencies, not exceeding in the aggregate, the equivalent of seventy-six million, one hundred thousand Special Drawing Rights (SDR 76,100,000) (the “Financing”).

Authority to
receive the
sum of SDR
76,100,000

(2) The Financing shall be applied for the purpose specified in section 3, at the times and on the terms and conditions which the

Minister may, in his discretion, agree with the International Development Association.

(3) The terms and conditions referred to in subsection (2) shall be reduced to writing and such agreement is hereinafter referred to as the "Financing Agreement".

Application
of the
Financing

3. The proceeds of the Financing authorized by section 2 shall be appropriated and applied for the purpose of providing financing for the Malawi Emergency Project to Protect Essential Health Services.

Payments
charged on
the
Consolidated
Fund

4. Any payments required to be made, from time to time, by the Government to the International Development Association, under and in accordance with the provisions of the Financing Agreement, are hereby charged on the Consolidated Fund.

Exemption
from taxes,
charges, etc.

5. All sums to be paid in accordance with section 4 shall, notwithstanding the provisions of any other written law, be paid without deductions for, and free from, any tax or charge whatsoever, and shall be free from all restrictions or limitations imposed by or under any written law of Malawi.

Finalization
and signature
of the
Financing
Agreement

6. The Minister of Finance or such other person as the Minister may appoint, is hereby authorized to—

(a) settle the terms of the Financing Agreement, but not so as to affect the general purpose thereof, nor to increase the amount of the Financing;

(b) sign the Financing Agreement on behalf of the Government; and

(c) do such other things as may be necessary to implement the terms of the Financing Agreement.

Passed in Parliament this fourteenth day of December, two thousand and twenty two.

FIONA KALEMBA
Clerk of Parliament

(Published 27th January, 2023)

Act

No. 3 of 2023

I assent

DR. LAZARUS MCCARTHY CHAKWERA

PRESIDENT

21st January, 2023

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of long title to Act No. 8 of 2022
3. Amendment of section 2 of the principal Act
4. Amendment of section 3 of the principal Act
5. Replacement of the Schedule to the principal Act

An Act to amend the Appropriation Act, 2022

ENACTED by the Parliament of Malawi as follows—

1. This Act may be cited as the Appropriation (Amendment) Act, 2023 Short title
2. The Appropriation Act, 2022 (hereinafter referred to as the “principal Act”) is amended in the long title by deleting the words “two trillion, eight hundred thirty-nine billion, eight hundred ninety-one million, four hundred fifty-eight thousand, six hundred and thirty six kwacha” and substituting therefor the words “two trillion, eight hundred fifty-two billion, two hundred seventy-two million, seven hundred ninety-six thousand, five hundred and sixty-eight Kwacha”. Amendment of long title to Act No. 8 of 2022
3. The principal Act is amended in section 2 by deleting the words “two trillion, eight hundred thirty-nine billion, eight hundred ninety-one million, four hundred fifty-eight thousand, six hundred and thirty six kwacha” and substituting therefor the words “two Amendment of section 2 of the principal Act

trillion, eight hundred fifty-two billion, two hundred seventy-two million, seven hundred ninety-six thousand, five hundred and sixty-eight Kwacha”.

Amendment
of section 3
of the
principal Act

4. The principal Act is amended in section 3 by deleting the words “two trillion, eight hundred thirty-nine billion, eight hundred ninety-one million, four hundred fifty-eight thousand, six hundred and thirty six kwacha” and substituting therefor the words “two trillion, eight hundred fifty-two billion, two hundred seventy-two million, seven hundred ninety-six thousand, five hundred and sixty-eight Kwacha”.

Replacement
of the
Schedule to
the principal
Act

5. The principal Act is amended by deleting the *Schedule* thereto and replacing therefor a new *Schedule* as follows—

SCHEDULE

ESTIMATED EXPENDITURE ON RECURRENT AND CAPITAL ACCOUNTS

Head	Statutory Expenditure	Recurrent 2022/23 K	Capital 2022/23 K	Estimates 2022/23 K
010	The Presidency	106,837,500	-	106,837,500
020	Miscellaneous and Other Statutory Payments	32,555,050,280	-	32,555,050,280
030	Pensions and Gratuities	141,415,161,770	-	141,415,161,770
040	Public Debt Charges	645,200,000,000	-	645,200,000,000
	Total Statutory Expenditure	819,277,049,550	-	819,277,049,550
Vote	Voted Expenditure	Recurrent 2022/23 K	Capital 2022/23 K	Estimates 2022/23 K
050	State Residences	18,950,523,421	740,583,368	19,691,106,789
060	National Audit Office	2,343,634,117	-	2,343,634,117
070	The Judiciary	19,139,208,656	536,050,752	19,675,259,408
080	National Assembly	28,501,522,239	-	28,501,522,239
081	Office of the Director of Public Officer's Declarations	1,006,848,525	-	1,006,848,525
082	Independent Complaints Commission	355,784,798	-	355,784,798
090	Office of the President and Cabinet	20,112,223,520	9,137,700,062	29,249,923,583
091	National Intelligence Service	3,935,980,194	-	3,935,980,194
093	Department of Human Resources Management and Development	3,220,507,905	-	3,220,507,905
097	Civil Service Commission	858,678,936	-	858,678,936
100	Ministry of Defence	529,380,275	2,526,711,737	3,056,092,011
101	Malawi Defence Force	109,248,070,892	-	109,248,070,892
120	Ministry of Local Government	1,535,701,344	4,478,049,646	6,013,750,990

SCHEDULE— (continued)

ESTIMATED EXPENDITURE ON RECURRENT AND CAPITAL ACCOUNTS

<i>Vote</i>	<i>Voted Expenditure</i>	<i>Recurrent 2022/23</i> <i>K</i>	<i>Capital 2022/23</i> <i>K</i>	<i>Estimates 2022/23</i> <i>K</i>
121	National Local Government Finance Committee	26,646,709,179	25,182,580,340	51,829,289,519
130	Ministry of Lands	18,589,115,114	1,087,080,310	19,676,195,424
170	Ministry of Civic Education and National Unity	1,099,409,685	-	1,099,409,685
180	Ministry of Youth and Sports	1,337,473,965	8,901,755,411	10,239,229,376
190	Ministry of Agriculture	148,081,151,268	136,949,710,577	285,030,861,845
210	Ministry of Water and Sanitation	1,738,583,770	122,024,017,845	123,762,601,614
240	Office of the Vice President	3,936,894,318	-	3,936,894,318
250	Ministry of Education	70,592,183,815	73,244,884,495	143,837,068,309
260	Ministry of Foreign Affairs	29,310,611,181	270,000,000	29,580,611,181
270	Ministry of Finance and Economic Affairs	5,195,472,595	28,498,798,928	33,694,271,523
271	Accountant General's Department	9,055,187,202	3,308,927,770	12,364,114,972
273	Malawi Revenue Authority	45,467,175,054	-	45,467,175,054
274	Roads Fund Administration	40,319,911,717	59,406,626,475	99,726,538,192
275	Subvented Organizations	130,834,224,201	23,278,991,569	154,113,215,770
276	National Statistical Office	1,908,820,162	-	1,908,820,162
277	National Planning Commission	1,411,227,362	-	1,411,227,362
278	Unforeseen Expenditures	2,000,000,000	-	2,000,000,000
279	Financial Intelligence Authority	1,142,613,489	-	1,142,613,489
310	Ministry of Health	91,815,474,199	28,721,177,111	120,536,651,310
320	Ministry of Gender, Community Development and Social Welfare	6,151,552,348	13,654,037,167	19,805,589,515
330	Ministry of Information and Digitization	5,267,938,901	16,699,764,109	21,967,703,010

SCHEDULE— (continued)

ESTIMATED EXPENDITURE ON RECURRENT AND CAPITAL ACCOUNTS

<i>Vote</i>	<i>Voted Expenditure</i>	<i>Recurrent 2022/23</i> <i>K</i>	<i>Capital 2022/23</i> <i>K</i>	<i>Estimates 2022/23</i> <i>K</i>
340	Ministry of Homeland Security	11,429,520,354	3,324,602,754	14,754,123,108
341	Malawi Police Service	79,360,184,348	293,962,500	79,654,146,848
342	Malawi Prison Service	15,621,930,103	411,245,000	16,033,175,103
343	Immigration Department	9,660,150,197	202,825,486	9,862,975,683
350	Ministry of Justice	885,252,949	-	885,252,949
351	Directorate of Public Prosecutions and State Advocate	1,966,991,423	-	1,966,991,423
352	Registrar General's Department	801,356,302	-	801,356,302
353	Administrator General's Department	536,757,717	-	536,757,717
354	Attorney General's Department	451,403,704	-	451,403,704
360	Ministry of Tourism, Culture and Wildlife	4,915,797,166	3,292,769,420	8,208,566,586
370	Ministry of Labour	7,440,012,013	455,065,743	7,895,077,755
390	Ministry of Trade and Industry	2,750,161,286	529,793,502	3,279,954,788
400	Ministry of Transport and Public Works	7,307,598,313	3,974,529,811	11,282,128,124
420	Roads Authority	4,166,438,675	-	4,166,438,675
430	Malawi Human Rights Commission	1,460,331,745	-	1,460,331,745
460	Malawi Electoral Commission	5,200,451,201	-	5,200,451,201
470	Ministry of Forestry and Natural Resources	8,432,378,023	3,295,579,159	11,727,957,182
480	Ministry of Mining	1,979,422,957	100,000,000	2,079,422,957
490	Ministry of Energy	1,772,324,191	16,404,279,109	18,176,603,300
510	Anti-Corruption Bureau	7,100,676,649	74,413,064	7,175,089,713
520	Legal Aid Bureau	2,008,756,965	-	2,008,756,965

SCHEDULE— (continued)

ESTIMATED EXPENDITURE ON RECURRENT AND CAPITAL ACCOUNTS

<i>Vote</i>	<i>Voted Expenditure</i>	<i>Recurrent 2022/23</i>		<i>Capital 2022/23</i>		<i>Estimates 2022/23</i>	
		<i>K</i>		<i>K</i>		<i>K</i>	
550	Office of the Ombudsman	1,192,069,761		-		1,192,069,761	
560	Malawi Law Commission	941,184,668		-		941,184,668	
601	Blantyre City Council	490,263,103		5,572,682,866		6,062,945,969	
602	Lilongwe City Council	512,375,898		5,962,283,154		6,474,659,051	
603	Mzuzu City Council	259,725,194		2,316,239,638		2,575,964,832	
604	Zomba City Council	140,344,582		3,039,896,478		3,180,241,060	
701	Kasungu Municipal	33,347,578		22,831,252		56,178,830	
702	Mangochi Town Council	36,045,757		22,831,252		58,877,008	
807	Luchenza Municipal	32,646,804		22,831,252		55,478,056	
901	Balaka District Council	10,193,507,952		552,078,819		10,745,586,771	
902	Blantyre District Council	22,272,865,566		628,835,881		22,901,701,447	
903	Chikwawa District Council	11,742,790,955		785,250,171		12,528,041,125	
904	Chiradzulu District Council	8,658,552,807		628,958,979		9,287,511,786	
905	Chitipa District Council	8,261,139,555		626,788,224		8,887,927,779	
906	Dedza District Council	14,931,214,468		1,024,381,476		15,955,595,944	
907	Dowa District Council	14,086,922,171		888,239,631		14,975,161,802	
908	Karonga District Council	9,246,733,366		644,072,193		9,890,805,559	
909	Kasungu District Council	18,082,842,048		1,106,765,621		19,189,607,669	
910	Likoma District Council	1,014,219,647		149,786,787		1,164,006,434	
911	Lilongwe District Council	43,428,610,412		2,171,028,913		45,599,639,325	
912	Machinga District Council	13,352,597,413		903,038,383		14,255,635,795	

SCHEDULE— (continued)

ESTIMATED EXPENDITURE ON RECURRENT AND CAPITAL ACCOUNTS

<i>Vote</i>	<i>Voted Expenditure</i>	<i>Recurrent 2022/23</i> <i>K</i>	<i>Capital 2022/23</i> <i>K</i>	<i>Estimates 2022/23</i> <i>K</i>
913	Mangochi District Council	21,140,205,437	1,482,998,988	22,623,204,425
914	Mchinji District Council	12,347,543,175	771,564,573	13,119,107,748
915	M'mbelwa District Council	25,818,618,409	1,347,134,336	27,165,752,744
916	Mulanje District Council	14,226,078,516	1,111,749,867	15,337,828,382
917	Mwanza District Council	4,914,802,779	295,512,631	5,210,315,410
918	Neno District Council	5,310,759,255	316,125,875	5,626,885,130
919	Nkhata Bay District Council	9,701,807,030	725,914,665	10,427,721,695
920	Nkhotakota District Council	10,627,342,403	626,767,462	11,254,109,865
921	Nsanje District Council	8,858,320,172	656,333,390	9,514,653,562
922	Nicheu District Council	13,348,562,497	868,773,948	14,217,336,446
923	Nichisi District Council	8,735,913,102	512,475,731	9,248,388,833
924	Phalombe District Council	9,366,724,434	650,730,730	10,017,455,163
925	Rumphi District Council	8,346,491,756	506,538,326	8,853,030,081
926	Salima District Council	10,849,748,496	647,953,502	11,497,701,998
927	Thyolo District Council	14,200,969,605	882,389,933	15,083,359,538
928	Zomba District Council	18,819,122,110	1,106,749,368	19,925,871,479
Total Voted Expenditure		1,402,410,699,506	630,585,047,511	2,032,995,747,018
GRAND TOTAL		2,221,687,749,057	630,585,047,511	2,852,272,796,568

Passed in Parliament this fourteenth day of December, two thousand and twenty two.

FIONA KALEMBA
Clerk of Parliament