

**The Malawi Gazette Supplement, dated 14th March, 2025, containing
Regulations, Rules, etc. (No. 7A)**

GOVERNMENT NOTICE No. 16

NON-GOVERNMENTAL ORGANIZATIONS ACT
(CAP. 5:05)

NON-GOVERNMENTAL ORGANIZATIONS (COORDINATION) REGULATIONS,
2025

ARRANGEMENT OF REGULATIONS

REGULATION

PART I—PRELIMINARY

1. Citation
2. Interpretation

PART II—COORDINATION

3. Objective of coordination
4. Principles to guide coordination
5. Mandate of the coordinator
6. Functions of coordinator
7. Code of conduct
8. Non-attendance at coordinator's meetings
9. Confidentiality
10. Powers under other written laws
11. Offenses and Penalties

IN EXERCISE of the powers conferred by section 35 (1) of the Non-Governmental Organizations Act, I, JEAN MUONAOUZA SENDEZA, Minister of Gender, Community Development and Social Welfare, in consultation with the NGO Authority of Malaŵi, make the following Regulations—

PART I—PRELIMINARY

1. These Regulations may be cited as the Non-Governmental Organizations (Coordination) Regulations, 2025. Citation
2. In these regulations, unless the context otherwise requires— Interpretation
“coordinator” means the Council for Non-Governmental Organizations in Malaŵi as designated under section 24 of the Act.

PART II—COORDINATION

3. In discharging the obligation to provide coordination of NGOs, the coordinator shall aim to— Objective of coordination
 - (a) represent the collective interests and concerns of NGOs in Malaŵi;

(b) facilitate mutual support, harmony, sharing of knowledge and cooperation between NGOs;

(c) raise the profile and visibility of NGOs in Malaŵi; and

(d) reduce duplication and promote the spread of NGO work across the country.

Principles to guide coordination

4. The coordinator shall be guided by the following principles, which shall include but not limited to—

(a) accountability and transparency;

(b) patriotism;

(c) objectivity;

(d) fairness;

(e) natural justice; and

(f) respect for the rule of law.

Mandate of the coordinator

5.—(1) The coordinator shall—

(a) establish and strengthen NGO networks at all levels;

(b) enhance and improve the operational environment within which NGOs function;

(c) promote and facilitate coordination, collaboration and cooperation within the NGO community and between the NGO community, the Government, the donor community and the commercial sector in Malaŵi;

(d) further the standing of NGOs as competent, professional and suitable agents of development; and

(e) support member NGOs to become institutionally strong.

(2) The coordinator shall receive any complaint by any NGO against the Authority, Government or any authority.

(3) The coordinator shall, upon receipt of the complaint under subregulation (2)—

(a) where the complaint is against the Authority, submit to the Minister; and

(b) where the complaint is against the Government or any other authority, submit the complaint to the Authority.

Functions of the coordinator

6. The coordinator shall have the following functions—

(a) promote information sharing on funding opportunities and joint interventions at various levels in Malaŵi;

(b) promote the attainment of an enabling environment for the growth and development of every NGO, international NGO or exempt organization operating or intending to operate in Malaŵi;

(c) promote accountability and transparency in the utilization of resources and attainment of results;

(d) encourage the registration of every NGO or exempt organization with the Authority;

(e) support every NGO or exempt organization to comply with the Act and to operate under the guidance of the Authority;

(f) establish and publicize coordination mechanisms and structures for every NGO or exempt organization in Malaŵi;

(g) make recommendations to the Authority for suspension and cancellation of an NGO;

(h) promote and coordinate capacity building of NGOs or exempt organization;

(i) report to the Authority on the implementation of these Regulations in a prescribed manner;

(j) promote the importance of recruiting qualified personnel to hold key positions;

(k) promote adherence to the Gender Equality Act in the recruitment, appointment and promotion of office bearers in NGO management structures; and Cap. 25:01

(l) develop and implement standards for governance structures for NGOs.

7. The coordinator shall—

(a) develop and maintain NGO code of conduct;

(b) ensure that all member NGOs have signed the code of conduct; and

(c) monitor compliance of NGOs with the code of conduct. Code of conduct

8.—(1) The coordinator shall hold coordination and governance meetings at various levels. Non-attendance at coordinator meetings

(2) Where an NGO consistently fails to attend scheduled meetings without providing good cause, the coordinator shall engage the concerned NGO to determine the reasons for nonattendance.

9.—(1) All documents, records, reports, settlement agreements and any other documents required or used in the course of undertaking a coordination role under these Regulations shall be confidential. Confidentiality

(2) The coordinator shall not disclose information received in the course of undertaking its role under these Regulations to any person who is not a party to any matter arising in the discharging of that role.

10. Nothing in this Part shall preclude any person or authority from exercising the rights, powers, functions or duties conferred on such person or authority by or under any written law in respect of any matter otherwise provided under these Regulations. Powers under other written laws

11. A person who contravenes the provisions of these Regulations, commits an offence and shall, upon conviction, be liable to a fine of K1,000,000. Offences and penalties

Made this 27th day of February, 2025.

(FILE NO. ADM/MOU/7)

J. M. SENDEZA
*Ministry of Gender, Community
 Development and Social Welfare*

GOVERNMENT NOTICE NO. 17

FINANCIAL SERVICES ACT
 (CAP. 44:05)

FINANCIAL SERVICES (SUPERVISORY LEVY FOR BANKS) REGULATIONS,
 2025

IN EXERCISE of the powers conferred under section 13 of the Financial Services Act, I, SIMPLEX CHITHYOLA, Minister of Finance and Economic Affairs, on the recommendation of the Registrar, make the following Regulations—

- Citation 1. These Regulations may be cited as the Financial Services (Supervisory Levy for Banks) Regulations, 2025.
- Objectives 2.—(1) The objectives of these Regulations shall be to—
 (a) ensure that banks contribute towards the costs incurred by the Registrar in discharging his supervisory functions; and
 (b) strengthen and enhance a sound regulatory governance framework that will promote financial sector stability and soundness.
 (2) For purposes of this regulation, “regulatory governance” means the capacity to manage resources efficiently and to formulate, implement, and enforce sound prudential policies and regulations within the premises of legal mandate and in accordance with internationally accepted supervisory standards.
- Supervisory levy 3.—(1) A bank shall pay an annual supervisory levy comprising—
 (a) a percentage of the bank’s twelve months average risk-weighted assets of the preceding year; and
 (b) a surcharge based on the non-performing loans as at 31st December of the preceding year.
 (2) The twelve months average risk-weighted assets shall be calculated using a bank’s monthly call reports as submitted to the Registrar.
 (3) A bank shall pay a supervisory levy of 0.04 percent of its twelve month average of risk-weighted assets, which shall be subject to—
 (a) a minimum amount of K60.0 million; and
 (b) a maximum amount of 0.01 percent of the average industry risk-weighted assets.
 (4) A bank shall pay a surcharge on non-performing loans as follows—
 (a) a bank that has a non-performing loan ratio of below 5.0 percent shall not pay any surcharge;

(b) a bank that has a non-performing loan ratio of between 5.0 percent and less than 10.0 percent shall pay a surcharge of 0.10 percent;

(c) a bank that has a non-performing loan ratio of between 10.0 percent and less than 15.0 percent shall pay a surcharge of 0.15 percent;

(d) a bank that has a non-performing loan ratio of between 15.0 percent and less than 20.0 percent shall pay a surcharge of 0.20 percent; and

(e) bank that has a non-performing loan ratio of 20.0 percent and above shall pay a surcharge of 0.25 percent.

(5) The supervisory levy payable in accordance with this provision shall be subject to value added tax.

(6) A bank shall not pay supervisory levy until after eighteen months of commencing its operations.

(7) The exemption in subregulation (6) shall not apply to new banks arising from mergers, amalgamations, acquisitions, conversions or similar transactions.

(8) For purposes of this regulation, “non-performing loan” has the same meaning as a non-performing credit, defined in the Financial Services (Financial Asset Classification for Banks) Directive.

GN. 35/2018

4.—(1) The supervisory levy shall be payable to the Registrar, within four months after the end of each year.

Payment of supervisory levy

(2) When collecting the supervisory levy referred to under subregulation (1), the Registrar shall—

(a) debit the supervisory levy from the main account of the bank maintained at the Reserve Bank of Malawi; and

(b) notify the bank, in writing, prior to debiting the account.

5.—(1) Where a bank fails to pay the supervisory levy within the period stipulated under regulation 4(1), the Registrar shall impose a penalty interest on the bank.

Penalty interest

(2) The penalty interest in subregulation (1) shall be applicable on the amount of the supervisory levy due from a bank based on the ruling policy rate for each day of default.

6. The Registrar may, in addition to the penalty interest prescribed under regulation 5, impose administrative penalties, directions, and enforcement actions as provided for under the Act and the Banking Act.

Administrative penalties

Cap. 44:01

7. All supervisory levies and penalties collected under these Regulations shall accrue for the benefit of the Registrar, in the discharge of supervisory functions under the Act.

Use of supervisory levy and penalties

8. The Financial Services (Supervisory Levy for Banks) Regulations 2018 are revoked.

Revocation GN. 34/2018

Dated this 4th day of March, 2025.

S. CHITHYOLA

Minister of Finance and Economic Affairs

GOVERNMENT NOTICE No.18

LEGAL EDUCATION AND LEGAL PRACTITIONERS ACT
(No. 31 of 2018)

LEGAL EDUCATION AND LEGAL PRACTITIONERS (REMUNERATION)
RULES, 2025

ARRANGEMENT OF RULES

RULE

PART I—PRELIMINARY

1. Citation
2. Interpretation
3. Application
4. Scale of remuneration
5. Additional remuneration for exceptional or urgent matters
6. Special fee for matters of exceptional importance or unusual complexity
7. Interest may be charged
8. Costs payable by an executor, administrator or trustee

PART II—NON-CONTENTIOUS MATTERS

9. Remuneration of legal practitioners in non-contentious matters
10. Expenses chargeable in addition to remuneration
11. Scale charges
12. Calculating scale charges
13. Minimum scale charges not specifically provided
14. Items to be charged for separately
15. Choice of methods of completion
16. Preparation of documents
17. Place of completion
18. Commission for negotiating sale or purchase
19. Remuneration for conveyance on sale by auction
20. Commission for negotiating loans
21. Costs of mortgage to be paid by borrower
22. Charges where a legal practitioner acts for both mortgagor and mortgagee
23. Charges where conveyance and mortgage are prepared by one legal practitioner
24. Charges where one document prepared and one approved by one legal practitioner
25. Charges where mortgage in favour of vendor and one legal practitioner acts for both parties
26. Charges for mortgage to legal practitioner

RULE

- 27. Charges for transfer of mortgage in which legal practitioner is personally interested
- 28. Charges for approving draft on behalf of several parties with different interests
- 29. Costs of lessors and lessees
- 30. Charges where legal practitioner is concerned for both lessor and lessee
- 31. Where mortgagor joins in a conveyance
- 32. Where third party joining in conveyance or lease is separately represented
- 33. Where consideration for conveyance or lease consists partly of premium and partly of rent

PART III—TAXATION OF COSTS IN CONTENTIOUS AND OTHER MATTERS

- 34. Application of Part III
- 35. Costs where same legal practitioner is employed by two or more claimant or defendants
- 36. Notice of taxation
- 37. Receipts and vouchers
- 38. Revocation

IN EXERCISE of the powers conferred by section 39 (3) of the Legal Education and Legal Practitioners Act, I, TITUS EDWARD SONGISO MVALO, Minister of Justice, on the recommendation of the Remuneration Committee, make the following Rules—

PART I—PRELIMINARY

- 1. These Rules may be cited as the Legal Education and Legal Practitioners (Remuneration) Rules, 2025. Citation
- 2. In these Rules, unless the context otherwise requires— Interpretation
 - “costs” includes fees, charges, disbursements and remuneration;
 - “court” means the Supreme Court of Appeal, the High Court, or a subordinate court; and
 - “lease” includes a letting and an under-lease and also an agreement for a lease, letting or under-lease or for a tenancy or sub-tenancy.
- 3. These Rules shall apply to the— Application
 - (a) remuneration of a legal practitioner from his or her client in contentious and non-contentious matters and the taxation of the remuneration; and
 - (b) taxation of costs between party and party in contentious matters in a court.
- 4. A legal practitioner shall not agree to, or accept, remuneration that is less than that set out in the *First Schedule*. Scale of remuneration

Additional remuneration for exceptional or urgent matters

5.—(1) A legal practitioner shall, where—

- (a) a matter requires and receives exceptional dispatch; or
- (b) at the request of the client, the matter is urgent,

receive such additional remuneration as is appropriate in the circumstances.

(2) The remuneration received under subrule (1) shall be between a legal practitioner and his or her client.

Special fee for matters of exceptional importance or unusual complexity

6.—(1) A legal practitioner shall, where a matter is of—

- (a) exceptional importance; or
- (b) unusual complexity,

receive, from his or her client, a special fee in addition to the remuneration provided for in these Rules.

(2) The legal practitioner shall, in determining the special fee referred to under subrule (1), have regard to—

- (a) the place at, or the circumstances in, which the matter or part thereof is transacted;
- (b) where money or property is involved, its amount or value;
- (c) the skill, labour, specialized knowledge and responsibility of the legal practitioner;
- (d) the number, complexity or importance of the documents prepared or examined;
- (e) the complexity of the matter or the difficulty or novelty of the question or issues raised;
- (f) the importance of the matter to the client; or
- (g) the time expended by the legal practitioner.

Interest may be charged

7.—(1) A legal practitioner may, after one month after delivering a bill to his or her client, charge the client, interest at the commercial bank base lending rate plus a maximum five per cent per annum of the bill, whether by scale or otherwise.

(2) The claim for interest referred to under subrule (1) shall be raised before the amount of the bill has been paid or tendered in full.

Costs payable by an executor, administrator or trustee

8.—(1) Where costs are payable to a legal practitioner by an executor, administrator or trustee for or in connexion with work required to be done by the legal practitioner, such costs shall be so computed as to afford a complete indemnity against all expenses properly incurred by the legal practitioner in the matter.

(2) Any computation under subrule (1), shall be on the basis of legal practitioner and own client.

PART II—NON-CONTENTIOUS MATTERS

9. The remuneration of a legal practitioner in respect of conveyance and general business that is not in any action, or transacted in any court or in chambers of any Judge or Registrar shall, in respect of—

Remuneration of legal practitioners in non-contentious matters

- (a) sales and purchases of immovable property or an interest in immovable property;
- (b) debentures, mortgages and charges; and
- (c) negotiating commissions on sales and mortgages,

be as set out in the *First Schedule*.

10.—(1) The remuneration prescribed by order of the court shall not include—

Expenses chargeable in addition to remuneration

- (a) stamps;
- (b) auctioneer’s or valuer’s charges;
- (c) agent’s fees;
- (d) travelling expenses of the legal practitioner;
- (e) fees paid by the legal practitioner on searches in public offices or on registration;
- (f) cost of extracts from any register, record or roll; or
- (g) cost of photocopies and other disbursements reasonably and properly incurred.

(2) The remuneration prescribed by an order of a court shall include stationery, copies of letters, and charges and allowances for the time of the legal practitioner and his or her clerks.

11.—(1) The scale charges payable to a legal practitioner shall include work ordinarily incidental to a transaction, and in the case of a conveyance, transfer of mortgage, scale charged shall include—

Scale charges

- (a) the taking of instructions to prepare the necessary deed or document;
- (b) investigation of title;
- (c) the report on the title to the client;
- (d) preparation or approval or adjustment of the deed or document;
- (e) obtaining by correspondence or otherwise any necessary consent or clearance certificate but excluding land control consent;
- (f) registration of deed or document; and
- (g) correspondence between the legal practitioner and the client.

(2) The scale charges payable to a legal practitioner shall not include—

- (a) prior negotiations leading up to or necessary in the completion of a bargain;
- (b) tracing of title deeds or obtaining certified copies thereof;

(c) payment of withholding tax or obtaining of exemption of withholding tax;

(d) extra work occasioned by special circumstances; and

(e) extra work occasioned by a change of circumstances emerging while an item of business is in progress, for example, the death or bankruptcy of a party to the transaction.

Calculating scale charges

12.—(1) In calculating the scale charges under these Rules, the basis of charge shall, unless otherwise provided for in the *First Schedule*, and irrespective of the number of titles involved or documents required to be prepared or approved, be the sum outlined in the deed or document as the price or consideration.

(2) Subject to subrule (1), where no price or consideration or only a nominal price or consideration is outlined, the value of the subject matter affected by the deed, shall be deemed to be the—

(a) value fixed for the purpose of stamp duty;

(b) sum at which the property affected has last been passed for estate duty;

(c) last price at which a sale has taken place within ten years from the date of the transaction; or

(d) estimated average market value during the preceding three years.

Minimum scale charges not specifically provided

13. Where minimum scale charges have not been specifically provided for, the remuneration of a legal practitioner shall be as set out using the general guidelines prescribed in the *Second Schedule*.

Items to be charged for separately

14. Where the work handled by a legal practitioner in the course of any one transaction falls under more than one of the categories set out in the *First Schedule*, the legal practitioner shall charge for such work using the general guidelines prescribed in the *Second Schedule*.

Choice of methods of completion

15. Where there is a possibility that a transaction may be completed in more than one way, a legal practitioner may complete that transaction in any way he or she may choose, but, in the absence of an agreement to the contrary, the legal practitioner shall charge the fee applicable to the method attracting the lowest fee.

Preparation of documents

16.—(1) Unless the parties agree otherwise—

(a) a legal practitioner of the purchaser or party to whom property is conveyed, transferred, or assigned shall prepare the documents in the case of conveyance or transfer or assignment;

(b) a legal practitioner of the mortgagee or chargee shall prepare the documents, in the case of mortgage or charge;

(c) a legal practitioner of the party in whose favour release or discharge is given shall prepare the documents in the case of a release or a discharge; and

(d) a legal practitioner of the lessor shall prepare the documents in the case of a lease.

(2) Unless express provision to the contrary is made in these Rules, a legal practitioner of the grantee or obligee shall prepare all other documents.

17. Unless parties agree otherwise, the place of completion of conveyancing transactions shall be the office of the legal practitioner for the vendor, mortgagee, chargee or lessor, as the case may be. Place of completion

18. A legal practitioner shall receive a commission for negotiating a sale or purchase by private contract where the legal practitioner of a vendor or purchaser arranges the sale, purchase, price or terms and conditions thereof. Commission for negotiating sale or purchase

19.—(1) A legal practitioner shall receive remuneration for deducing title, perusing and completing conveyance on a sale by auction on each lot of property. Remuneration for conveyance on sale by auction

(2) Notwithstanding subrule (1), a legal practitioner shall, where property held under the same title is divided into lots for convenience of sale and the same purchaser buys several lots, be entitled to remuneration based on the aggregate prices of the lots.

20.—(1) A commission for negotiating a loan shall be payable to a legal practitioner of the borrower where the legal practitioner arranges and obtains the loan on instructions from the borrower to raise or secure a loan. Commission for negotiating loans

(2) A commission for negotiating a loan shall be payable to the legal practitioner of the lender where the legal practitioner arranges the loan on instructions from the lender to arrange or find an investment.

(3) Where a legal practitioner arranges a loan between two clients on respective instructions to raise a loan and to find an investment, the legal practitioner shall be entitled to charge only one commission, half of which shall be payable by the borrower and the other half by the lender.

21.—(1) Where a borrower requests for the investigation of title and the preparation, completion and registration of a security of a lender or of any discharge or assignment thereof, the borrower shall pay for the cost of the request. Costs of mortgage to be paid by borrower

(2) Notwithstanding subrule (1), unless the parties agree otherwise, a lender shall pay any commission for negotiating the loan due to his legal practitioner.

22. Where a legal practitioner is instructed by or to act for both a mortgagor and a mortgagee, the legal practitioner shall charge the mortgagee scale fee. Charges where a legal practitioner acts for both mortgagor and mortgagee

Charges where conveyance and mortgage are prepared by one legal practitioner

23. Where a legal practitioner prepares and completes a conveyance and mortgage of a property, the legal practitioner shall charge—

- (a) one-half of the scale fee for preparing and approving the mortgage deed;
- (b) the charges for the conveyance; and
- (c) where applicable, the commission for negotiating.

Charges where one document prepared and one approved by one legal practitioner

24.—(1) Where a conveyance and a mortgage of the same property are completed at the same time, the respective legal practitioners acting for the vendor and purchaser shall charge the appropriate scale fee on the conveyance and their commissions for negotiating.

(2) Subject to subrule (1), the respective legal practitioners shall charge one-half of the appropriate scale fee for preparing the mortgage.

Charges where mortgage in favour of vendor and one legal practitioner acts for both parties

25. Where a legal practitioner prepares and completes a conveyance and mortgage of a property and the mortgagee is the vendor, the legal practitioner shall charge—

- (a) the charge for the conveyance;
- (b) one-third of the scale fee set out in the *First Schedule* for preparing and approving the mortgage deed; and
- (c) where applicable, the commission for negotiating.

Charges for mortgage to legal practitioner

26.—(1) A legal practitioner to whom, either alone or jointly with another person, a mortgage of immovable property is granted as security for money shall charge—

- (a) for all business transacted and acts done in investigating the title to the property and preparing and completing the mortgage; and
- (b) all professional charges and remuneration, other than negotiating commission,

as the legal practitioner would have been entitled to receive if the mortgage had been made to a person not a legal practitioner, and the person had retained and employed the legal practitioner to transact the business and do such acts.

(2) The charges and remuneration in subrule (1) (b) shall, accordingly, be recoverable from the mortgagor.

Charges for transfer of mortgage in which legal practitioner is personally interested

27. A legal practitioner to, or in, whom either alone or jointly with another person, a mortgage is transferred or is vested, shall charge—

- (a) for all business transacted and acts done by the legal practitioner in relation to the mortgage or to the security thereby created or the property therein comprised; or
- (b) for all the professional charges and remuneration, other than negotiating commission,

as the legal practitioner would have been entitled to receive if the mortgage had been transferred to, and had remained vested in, a person not the legal practitioner, and to recover the same from the person on

whose behalf such business is transacted and work done, or to charge the same against the security as if the person had retained and employed the legal practitioner to transact the business and do the acts.

28. Where a legal practitioner approves of a draft on behalf of several parties with distinct, but not conflicting, interests capable of separate representation, the legal practitioner shall charge the scale charge in respect of the first or principal party, in addition for each party after the first, the whole charges to be aggregated and paid in equal shares by the parties or apportioned according to their respective interests.

Charges for approving draft on behalf of several parties with different interests

29. Unless the lessor and the lessee agree otherwise, the lessee shall bear the cost for preparation, execution or registration of a lease.

Costs of lessors and lessees

30. Where a legal practitioner is acting for both a lessor and a lessee, the legal practitioner shall charge the charges of a legal practitioner of the lessor and one-half of the charges of a legal practitioner of the lessee.

Charges where legal practitioner is concerned for both lessor and lessee

31. Where a mortgagor or mortgagee joins in a conveyance or lease, the legal practitioner of the vendor or the lessor may charge an additional percentage of fifty per cent for obtaining the concurrence of the party so joining.

Where mortgagor joins in a conveyance

32. Where a party other than a vendor or lessor joins in a conveyance or lease, and is represented by a separate legal practitioner, the charges of the separate legal practitioner shall be as prescribed in the *First Schedule*.

Where third party joining in conveyance or lease is separately represented

33.—(1) Where a conveyance is in consideration of a money payment, the amount of the remuneration payable shall be as prescribed in the *First Schedule*.

Where consideration for conveyance or lease consists partly of premium and partly of rent

(2) Where a lease is partly in consideration of a money payment or premium and partly of a rent—

(a) the remuneration shall be as prescribed in the *First Schedule*; and

(b) the client shall pay the legal practitioner a further sum equal to the remuneration prescribed in the *First Schedule* on a purchase at a price equal to the money payment or premium, in reference to the rent.

PART III—TAXATION OF COSTS IN CONTENTIOUS AND OTHER MATTERS

34. This Part shall be read together with Order 31 of the Courts (High Court) (Civil Procedure) Rules, 2017.

Application of Part III of G.N 38 of 2017

Costs where same legal practitioner is employed by two or more claimant or defendants

35.—(1) Where a legal practitioner is employed by two or more claimants or by two or more defendants, and separate pleadings are delivered or other proceedings had by or for two or more such claimants or defendants separately, the Registrar shall consider, in the taxation or assessment of the bill of costs of the legal practitioner, either between party and party or between legal practitioner and client—

(a) whether the separate pleadings or other proceedings were necessary or proper; and

(b) if any part of the costs occasioned have been unnecessarily or improperly incurred.

(2) Where a Registrar is of the opinion that any parts of the costs occasioned have been unnecessarily or improperly incurred, the costs shall be disallowed.

Notice of taxation

36. When a bill of costs has been lodged for taxation or assessment, the receiving party shall, upon payment of the fee prescribed, serve the notice of the date and time fixed for taxation or assessment accompanied by a copy of the bill, not less than seven days after the issue of the notice, unless a shorter time is specially allowed by the Registrar, to each legal practitioner and other person whose name is endorsed on the bill as entitled to receive notice of the taxation or assessment thereof.

Receipts and vouchers

37. A Registrar may request for the submission of receipts or vouchers for all disbursements charged in a bill of costs, on taxation or assessment.

Revocation GN 6 of 2002

38. The Legal Practitioners (Scale and Minimum Charges) Rules are revoked.

FIRST SCHEDULE

rule 4,9,14, 5,32,33

<i>Nature of Work</i>	<i>Scale Charges</i>	
Sale, Purchases, first and subsequent Mortgages (including Debentures and further charges), Leases (including Rights of Occupancy and Subleases), Agreements for Leases (including Agreements for Rights of Occupancy and Agreements for Subleases) when no further document is to be executed, and Tenancy Agreements other than Leases, Agreements for Leases and Tenancy Agreements.	The Scale Charges as prescribed below plus where applicable— (1) negotiation fees of 5 per cent of the amount involved; and (2) K65,000 stamping and registration of each document: Provided that when acting for both parties the charge shall be Scale Charge when acting for the Vendor, Mortgagor, Lessor or Landlord, as the case may be, plus 50 per cent, where applicable— (a) negotiation fees of 5 per cent of the amount involved; and (b) K65,000 stamping and registration of each document—	K160,000

<i>Nature of Work</i>	<i>Scale Charges</i>	
	(i) for acting for one party in matters other than those specified in subparagraph (b) below—	
	A where the consideration does not exceed K5,000,000	K160,000
	B where the consideration exceeds K5,000,000 but does not exceed K50,000,000	K160,000 plus 2 per cent of the consideration
	C Where the consideration exceeds K50,000,000 but does not exceed K100,000,000	K320,000 plus 1½ per cent of the consideration
	D Where the consideration exceeds K100,000,000 but does not exceed K250,000,000	K450,000 plus 1 per cent of the consideration
	E Where the consideration exceeds K250,000,000	K800,000 plus 1 per cent of the consideration
	(ii) for acting for one party in the case of Leases (including Rights of Occupancy and Subleases, Agreements for Rights of Occupancy) and Agreements for Subleases), when no further document is to be executed, and Tenancy Agreements other than Leases, Agreements for Leases and Tenancy Agreements	K80,000 plus 3 per cent of annual rent
Reconveyance of mortgage where acting for one party or both parties and chargeable only by the mortgagor’s legal practitioners, the mortgagor not being liable for any charges of the mortgagee’s legal practitioners Equitable charges and equitable further charges	(1) K80,000 or 10 per cent of the amount involved subject to a maximum of K800,000. (2) Plus in each case, where applicable K65,000, for stamping and registration of the Reconveyance K80,000 or 10 per cent of the amount secured subject to a maximum charge of K800,000	

<i>Nature of Work</i>	<i>Scale Charges</i>	
Release of equitable charges and release of equitable further charges	K80,000 or 10 per cent of the amount secured subject to a maximum of K800,000	
Deeds of arrangement requiring registration under the deeds of arrangement act, including all incidental work	If the total estimated amount of the debtor's property included in the deed, as sworn to in pursuance of section 7 of the Act—	
	(a) does not exceed K5,000,000 (b) exceeds K5,000,000	K160,000 K160,000 plus 3 per cent of such total estimated amount in excess of K5,000,000
Collection of monies	15 per cent of the amount collected. Provided that the 15 per cent collection costs shall be recoverable from the debtor whether proceedings are commenced or not. Where proceedings are commenced the 15 per cent collection costs shall be recoverable as part of the judgment: Provided further that where proceedings are commenced a legal practitioner may charge legal practitioner and own client charge in addition to collection costs.	
Trade Marks, Patents and Designs	Such charges as may be prescribed in the Tariff of Charges for the time being in force of the Council of Institute of Patent Agents (Malawi)	
Probate and administration of deceased persons' Estates including all work done in order to obtain and obtaining the issue of a grant including completion of assessment of gross value and obtaining final discharge for Estate Duty Commissioners	5 per cent of the gross value of the property	
1. Attending to the stamping of any document at the Registrar General's Office.	K65,000 to be made in addition to any other charges prescribed hereunder.	

<i>Nature of Work</i>	<i>Scale Charges</i>	
2. Notarization of any document	The charges prescribed in Part II of the <i>Fourth Schedule</i> to the Legal Education and Legal Practitioners Act, 2017.	
Attending to the stamping and registration of any document	K65,000 to be made in addition to any other charges prescribed herein.	
Formation of Companies to include all work up to date of Certificate of Incorporation except such work as is included in other rows in this <i>Schedule</i>	K450,000 for local private company; K800,000 for external company; K8,000,000 for public liability company.	
Application for Naturalization	K400,000 per application	
Registration of particulars under the Business Names Registration Act	(1) Registration of new application.	K150,000
	(2) Registration of cessation of business.	K150,000
	(3) Registration of change in particulars.	K150,000
	(4) Registration of renewed application.	K150,000
Application for Passports	First application for or renewal of a passport	K150,000
Attending to registration of financial statements, interests or anything requiring registration under Personal Property Security Act	The Scale prescribed under sale, purchases, trust and subsequent mortgages, leases, agreements of leases e.t.c.	
Conveyance or Assignments by deed of any property by way of gift	1per cent of the value of the property	
Initial Partnership Deeds and Initial Partnership Agreements	K150,000 plus K65,000 for attending to stamping at Registrar General's Office where applicable (Minimum professional charges (excluding disbursements) to be made by legal practitioners)	
Powers of Attorney under Seal	Minimum K150,000 plus K65,000 for attending to stamping and registration where applicable.	
Employment Agreements	Minimum K500,000	
Sale Agreements	Minimum K150,000	

SECOND SCHEDULE

(rule 13,14)

GENERAL GUIDELINES ON LEGAL COSTS

1. Wherever scale charges are not applicable, a legal practitioner can charge such sum as may be fair and reasonable having regard to all the circumstances of the case and in particular to—
 - (a) the complexity of the matter or the difficulty or novelty of the questions raised;
 - (b) where money or property is involved, its amount or value;
 - (c) the importance of the matter to the client;
 - (d) the skill, labour, specialized knowledge and responsibility involved therein on the part of the legal practitioner;
 - (e) the number and importance of the documents prepared or perused, without regard to length;
 - (f) the place where the circumstances in which the business or any part thereof is transacted; and
 - (g) the time expended by the legal practitioner.
2. The client may apply to court for assessment of costs.
3. A client and the legal practitioner may agree on a fee that is not below a stipulated minimum percentage.

Made this 12th day of March, 2025.

(FILE NO.SUB.D3:04)

T. E.S MVALO
Minister of Justice

GOVERNMENT NOTICE No. 19

CONTROL OF GOODS ACT

(CAP. 18:08)

CONTROL OF GOODS (IMPORT AND EXPORT) (COMMERCE)
(PROHIBITION) ORDER, 2025

IN EXERCISE of the powers conferred by regulation 3(1)(a) of the Control of Goods (Import and Export) (Commerce) Regulations, I, VITUMBIKO AUGAANS ZASAMULA MUMBA, Minister of Trade and Industry, make the following Order—

- | | |
|--------------------------------|---|
| Citation | 1. This Order may be cited as the Control of Goods (Import and Export) (Commerce) (Prohibition) Order, 2025. |
| Prohibition of certain imports | 2. A person shall not import into Malawi any of the goods listed in the <i>Schedule</i> . |
| Offence and penalties | 3. Any person who contravenes the provisions of this Order commits an offence and shall, upon conviction, be liable to penalties specified under section 14 of the Act. |
| Expiry | 4. This Order shall expire on the 12th day of March 2027. |

SCHEDULE

para. 2

PROHIBITED IMPORTED GOODS

1. Fruits, except those that do not grow in Malawi
2. Vegetables, except those that do not grow in Malawi
3. Maize flour
4. Fresh milk
5. Rice
6. Peanut butter
7. Honey
8. Popcorn
9. Meat products, such as sausage, bacon and cold meats
10. Tooth picks
11. Matches
12. Bottled water
13. Table eggs
14. Plastic utensils
15. Wooden furniture
16. Mops
17. Irish potatoes
18. Garlic
19. Ginger
20. Onions
21. Security boots

Made this 13th day of March, 2025.

(FILE NO. 120.10)

V.A.Z MUMBA
Ministry of Trade and Industry

GOVERNMENT NOTICE No. 20

PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC ASSETS ACT
(No. 7 OF 2025)

NOTICE OF COMMENCEMENT

IN EXERCISE of the powers conferred by section 1 of the Public Procurement and Disposal of Public Assets Act, 2025, I, SIMPLEX CHITHYOLA, Minister of Finance and Economic Affairs, appoint the 31st day of March, 2025, as the date on which the Act shall come into operation.

Dated this 12th day of March, 2025.

(FILE NO.: MOF/PFMS/2/PPDA/1)

S. CHITHYOLA
Minister of Finance and Economic Affairs
