

[Subsidiary]

*Control of Goods (Import and Export) (Agriculture) Order*

33. Cassava.

34. Fruit and vegetables (including lettuce, cabbage, cauliflower, rape, turnips, Chinese cabbage, fresh beans, fresh peas, green pepper, fresh chillies, onions, carrots, beetroot, radishes, tomatoes, egg plants, irish potatoes and oranges).

G.N. 80/1967  
124/1967  
141/1967  
269/1969  
188/1971  
136/1972  
83/1988  
12/1994  
42/1995  
18/1996  
Citation

**CONTROL OF GOODS (IMPORT AND EXPORT)  
(AGRICULTURE) ORDER**

*under reg. 3*

*of the Control of Goods (Import and Export) (Agriculture)  
Regulations*

**1.** This Order may be cited as the Control of Goods (Import and Export) (Agriculture) Order

Interpretation

**2.** In this Order, unless the context otherwise requires—

G. N. 83/1988

“bee-keeping accessories and appliances” does not include any container of honey;

“container of honey” means a bottle, can, jar or any other receptacle whatsoever which is used solely for storing or transporting honey;

“form” means a form prescribed in the Second Schedule;

“honey” includes unprocessed royal jelly;

G. N. 83/1988

“issuing authority” in relation to an application for the issue of a permit under the Order means the Secretary for Trade and Industry;

“southern country” means Angola, Lesotho, Botswana, Kenya, Mozambique, Rwanda, Burundi, Congo (Kinshasa), South-West Africa, Swaziland, Tanzania, Uganda, Republic of South Africa, Zambia and Zimbabwe.

Import and export permits

**3.—(1)** The issuing authority may issue a permit authorizing, subject to this Order and any other written law—

(a) the import into Malaŵi from any country, other than a southern country, of bees, honey or any container of honey, unmanufactured beeswax, foundation comb, used beehives and used bee-keeping accessories and appliances;

(b) the import into Malaŵi of any goods listed in Part I of the First Schedule;

(c) the export from Malaŵi of any goods listed in Part II of the First Schedule, on such terms and conditions as may be specified in the permit.

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(2) A permit issued under this paragraph shall—

(a) if it relates to the import of goods into Malawi, be in Form No. 1;

(b) if it relates to the export of goods from Malawi, be in Form No. 2;

4. No person shall import any bees, honey or any container of honey, unmanufactured beeswax, foundation comb, used beehives or used bee-keeping accessories and appliances into Malawi from any country other than a southern country except under and in accordance with the terms and conditions of a Permit issued under paragraph 3.

Goods prohibited without a permit

5.—(1) Subject to subparagraph (2), no person shall import into Malawi any goods listed in Part I of the First Schedule except under and in accordance with the terms and conditions of a permit issued under paragraph 3.

Scheduled goods require a permit

(2) Subparagraph (1) shall not apply in relation to—

(a) any goods which are in the course of transit through Malawi to a place beyond the borders thereof;

(b) any goods not exceeding 10 lb. in weight or K4 in value which are imported into Malawi by an individual residing in Malawi for his personal domestic consumption and not for sale or disposal to any other person;

(c) any goods not exceeding 10 lb. in weight or K4 in value which are imported into Malawi as a *bona fide* gift from a person residing outside Malawi to a person residing in Malawi.

6.—(1) Subject to subparagraph (2), no person shall export from Malawi any goods listed in Part II of the First Schedule except under and in accordance with the terms and conditions of a permit issued under paragraph 3.

Limitation on exports

(2) Subparagraph (1) shall not apply in relation to any goods which are in the course of transit through Malawi to a place beyond the borders thereof.

7. An application for the issue of a permit under this Order shall be made in writing and, subject to paragraph 8, shall be addressed to:

Application G. N. 83/1988

Secretary for Trade and Industry, P.O. Box 30366, Lilongwe 3.

8. Where a permit is required in accordance with this Order and also in accordance with any written law in force relating to the import of animals or infectious things pertaining to animals (hereinafter in this paragraph referred to as a specified law) to authorize the import into Malawi of the same goods—

Issue of permit

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(a) an application for the issue of a permit in terms of this Order shall be deemed to be an application for the issue of a permit in terms of a specified law;

(b) if the issuing authority issues a permit he shall thereupon forward the permit and the application to the appropriate person authorized to issue a permit in terms of a specified law to be dealt with by such person in accordance with such law unless—

(i) the issuing authority is satisfied that the person authorized to issue a permit in terms of a specified law has already issued a permit which is in force; or

(ii) the applicant specifically requests otherwise;

(c) the issuing authority shall not issue a permit under this Order if he is satisfied that the person authorized to issue a permit in terms of a specified law has already refused to issue a permit;

(d) if the issuing authority issues a permit under this Order after being furnished with a permit issued by the person authorized to issue a permit in terms of a specified law he shall thereupon forward both permits to the applicant.

Application of other laws

9. Nothing contained in this Order or in any permit issued thereunder shall exempt the holder of such permit from complying with any other written law controlling the import into or the export from Malawi of the goods to which such permit relates.

G.N. 83/1988  
42/1995

## FIRST SCHEDULE

## PART I

GOODS FOR THE IMPORT OF WHICH A PERMIT ISSUED UNDER  
PARAGRAPH 3 IS REQUIRED

1. Beans, excluding—
  - (a) seed beans in quantities of less than 200 lb.;
  - (b) beans which are tinned, bottled or otherwise preserved.
2. Compound products containing flour, meal, residues and other preparations of a kind suitable only for use as animal feedstuffs, but excluding—
  - (a) chemical additions to animal feedstuffs;
  - (b) antibiotic growth stimulants;
  - (c) inert fillers;
  - (d) trace elements;
  - (e) synthetic animal feedstuffs;
  - (f) bird seed;
  - (g) cat and dog feeds; and

- (h) salt lick for cattle.
3. Eggs of poultry, whether in shell, pulp or dried form; eggs of wild birds.
  4. Groundnuts.
  5. Maize, including—
    - (a) dried maize, on or off the cob;
    - (b) crushed maize; or
    - (c) samp;
 but excluding green maize on the cob.
  6. Maize meal, including—
    - (a) maize grits;
    - (b) maize cones;
    - (c) hominy chop;
    - (d) maize offals; or
    - (e) processed maize meal with or without additives.
  7. Live poultry, including day-old chicks.
  8. Rice, in the grain.
  9. Live fish, including the eggs and spawn thereof.
  10. Wild animals, wild animal trophies and wild animal product.

## PART II

G.N. 12/1994  
18/1996GOODS FOR THE EXPORT OF WHICH A PERMIT ISSUED UNDER  
PARAGRAPH 3 IS REQUIRED

1. Peas, excluding dolichos beans, velvet beans, chick peas and cow peas.
2. Bean meal.
3. Sorghum meal or sorghum malt.
4. Maize, including—
  - (a) dried maize, on or off the cob;
  - (b) crushed maize; or
  - (c) samp;
 but excluding green maize on the cob.
5. Maize meal, including—
  - (a) maize grits;
  - (b) maize cones;
  - (c) hominy chop; or
  - (d) maize offals.
6. Munga or munga meal (millets).
7. Rupoko meal and grams, excluding green grams and black grams
8. Oil meal, oil cake and oil seeds, excluding sesame seeds
9. Rice in the grain.
10. Seeds for planting in quantities of more than 200 lb.

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- 11. Tobacco.
- 12. Live fish, including the eggs and spawn thereof.
- 13. Wild animals, wild animal trophies and wild animal products.
- 14. Tea.
- 15. Cassava.

SECOND SCHEDULE

FORM OF PERMITS

FORM NO. 1

IMPORT PERMIT

ISSUED IN TERMS OF THE CONTROL OF GOODS (IMPORT AND EXPORT) (AGRICULTURE) ORDER

No .....

IN EXERCISE of the powers conferred upon the issuing authority by the Control of Goods (Import and Export) (Agriculture) Order (Cap. 18:08 p. 28) ..... is hereby authorized, subject to that Order and any other written law, to import into Malawi .....

from.....

on the following terms and conditions—

- 1. ....
- 2. ....

This permit is valid until .....

Date .....

Issuing Authority

EXPORT PERMIT

Form No. 2

ISSUED IN TERMS OF THE CONTROL OF GOODS (IMPORT AND EXPORT) (AGRICULTURE) ORDER

No .....

IN EXERCISE of the powers conferred upon the issuing authority by the Control of Goods (Import and Export) (Agriculture) Order (Cap. 18:08 p. 28) ..... is hereby authorized, subject to that Order and of any other written law, to export from Malawi ..... on the following terms and conditions—

- 1. ....
- 2. ....

This permit is valid until .....

Date .....

Issuing Authority