

MEMORANDUM ON IMPORT AND EXPORT

REGULATIONS AND PROCEDURES

"Ministry of Commerce and Industry"

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GENERAL INFORMATION

1. Import and Export Licensing Policy

Malawi operates a liberal import and export licensing system under which at present only thirteen commodities require an import licence and only four commodities require an export licence. In general, import and export licences are issued by the Ministry of Commerce and Industry. However, in certain specified cases, the licensing authority is delegated, to other organisations to ensure a speedy response to applicants' needs.

Where an import licence is required, importers are advised to obtain such a licence prior to undertaking the importation of the goods to avoid the possibilities of financial loss through having to return the goods to their suppliers in the event of failure to obtain a licence.

2. Period of Validity of Import Licences

Import licences are valid for six months from the date of issue subject to extension in cases where such need arises, provided an adequate and acceptable explanation is given.

3. Withdrawal of Licences

Importers should note that failure on their part to comply with any provision laid down in various Government Notices (as amended) listed on page 3, or with any condition endorsed on a licence at the time of issue, may result in the revocation of a licence. Licences may also be revoked or amended by the Minister in the national interest.

4. Goods not Requiring Import Licence

Goods constituting well over 95 percent of all the goods imported into Malawi do not require an import licence. In this case importers are only required to deal directly with their commercial banks. However, to avoid subsequent embarrassment importers are urged to approach the Ministry and clear the importation of all goods whose qualification for entry under Open General Licence if they have any doubts whatsoever. Furthermore, in order to facilitate the speedy processing of applications for import permits, importers are urged to provide a full and accurate description of the type of goods to be imported and submit all supporting documents to the application such as indent or order and copy of trading licence(s) in cases where the imported goods are for sale.

5. Application for Licences and Enquiries for General Information on Trade

Applications for import and export licences and enquiries thereof can be submitted directly to:

The Secretary for Commerce and Industry,
Gemini House,
P.O. Box 30366,
Lilongwe 3
Malawi

Telephone No. (265) 780244

Telex 44873 TRADE MI

Fax No. (265) 780680

E-Mail: MCI eo.wn.apc.org

Or through the following Regional Offices:

The Regional Commercial Office,
Ministry of Commerce and Industry,
P.O. Box 944,
Blantyre,
Malawi.

Tel: (265) 620422

The Regional Commercial Office,
Ministry of Commerce and Industry,
P.O. Box 313,
Mzuzu,
Malawi.

Tel: (265) 332104/192

General information on exports from Malawi may be obtained from:-

The General Manager,
Malawi Export Promotion Council,
Delamere House,
P.O. Box 1299,
Blantyre,
Malawi

Tel: (265) 620499

Telex No. 44589 Export MI

Fax (265) 635429

General information regarding imports to Malawi may be obtained from:-

The Executive Director,
Malawi Chamber of Commerce and Industry,
P.O. Box 258,
Blantyre,
Malawi

Tel: (265) 671988
Fax (265) 671147

Telex No. 43992 Chamber MI

6. **Statutory Instruments**

This memorandum is published for information only and shall not be taken in any way to vary the provisions of the under-mentioned Government Notices, which may be amended from time to time.

Control of Goods (Import & Export) (as amended)	GN. 307 of 1987
Control of Goods (Import & Export) (Agriculture) Regulations, 1988	GN. 82 of 1988
Control of Goods (Import & Export) (Agriculture) Order, 1988	GN. 83 of 1988
Control of Goods (Import & Export) (Commerce) Regulations	GN. 85 of 1988
Control of Goods (Import & Export) (Commerce) Order, 1988	GN. 85 of 1988
Control of Goods (Import & Export) (Amendment Order)	GN.123 of 1994
Control of Goods (Import & Export) (Amendment Order) 1996	GN. 17 & 18 of 1996

Goods requiring Import Licences from all sources

1. Clothing and uniforms, designed for military, naval, air force or police use
2. Radioactive substances
3. Mist nets for the capture of wild birds
4. Wild animals, wild animal trophies and wild animal products, (including birds and reptiles) and any egg produced by such birds or reptiles.
5. Live fish, including the eggs and spawn thereof.
6. Compound products containing flour, meal residues and other preparations of any kind suitable only for use as animal foodstuffs and excluding the following:-
 - (a) Chemical additions to animal foodstuffs;
 - (b) Antibiotic growth stimulants;
 - (c) Inert fillers;
 - (d) Trace elements;
 - (e) Synthetic animal foodstuffs;
 - (f) Bird seed;
 - (g) Cat and dog foods.
7. Eggs of poultry, whether in shell, pulp or dried forms; eggs of wild birds.
8. Live poultry, including day-old-chicks
9. Meat

The importation of all meats, including dressed poultry, is prohibited without prior permission in writing from the Minister of Commerce and Industry. The Minister has, however, exempted the following from import licensing control:-

All tinned meat

All potted meats

Meat soaps

Meat pastes

Edible meat fats

Tallow

All cooked or cured meats other than cooked pork, ham and bacon.

The importation of all animals and other animal products require to be certified as free from disease before importation.

11. Dieldrin
12. Aldrin
13. Kitchen and table salt

PART III

Goods Exempted from Import Licensing

The following goods, unless otherwise restricted, originating in any country, may be imported without the authority of an Import Licence:-

1. Goods in transit through Malawi
2. Used personal and household effects, imported by a person arriving in Malawi to take up residence or employment therein.
3. Goods temporarily imported into Malawi by a bona fide tourist for his own use
4. Goods not exceeding a total value of K2,000 accompanying a person entering Malawi and intended for private use of such person or his family.
5. Any bona fide unsolicited gift not exceeding K2,000 in value
6. Samples and advertising materials intended solely for use in the taking of orders, and not for sale.

7. Any goods exported from Malawi for repair and return, and in respect of which a certificate to that effect has been issued by an officer of the Department of Customs and Excise.

PART IV

Import of military type clothing

Import licences for military type clothing of any kind will be issued only if the importer produces evidence that he has obtained an order from the Army or Police authorities.

PART V

Other legislation affecting importation of certain goods requiring Import licences

1. **Firearms and Ammunition Ordinance**

All applications for permits for the importation of firearms, ammunition and explosives should be made to the Inspector General of Police, Private Bag 305, Capital City, Lilongwe 3.

2. **Dangerous Drugs Ordinance**

The importation of certain drugs and poisons is controlled by the Ministry of Health and Population. Applications should be made to the Secretary for Health and Population, P.O. Box 30377, Capital City, Lilongwe 3.

REGULATIONS

Merchandise Marks

The attention of importers is drawn to the provisions of the Merchandise Marks Act, which prohibits the importation of goods bearing forged trade marks or false trade descriptions, or marked with offending marks in terms of the Act.

Weights and Measures

The attention of importers is drawn to the provisions of the Weights and Measures Act and to the Weights and Measures (Sale of Articles) Regulations (Govt. Notice No. 59) of controlling the sale of certain articles in specified weights.

PART VI

Goods Requiring Export Licences

The following goods **shall not be exported without a licence:-**

1. Implements of war, (other than arms and ammunition), atomic energy materials of strategic value, and items of primary strategic significance used in the production of arms and ammunition and other implements of war:-

Beryllium, Cobalt, Tantalum, Uranium, Lithium, Columbium, Niobium (columbium) Thorium, Germanium, Titanium, Nickel and Nickel alloys including any materials containing such metals.
2. Petroleum products
3. Wild animals, wild animal trophies and wild animal products including birds and reptiles and any egg produced by such birds or reptiles.
4. Maize and maize meal including:-
 - (a) dried maize, on or off the cob;
 - (b) crushed maize
 - (c) maize grits;
 - (d) maize cones;
 - (e) maize offals;
 - (f) Hominy chop
but excluding green maize on the cob.
5. Unmanufactured tobacco
6. Tea

PART VII

REGIONAL TRADING ARRANGEMENTS

1. COMMON MARKET FOR EASTERN AND SOUTHERN AFRICA (COMESA)

Malawi is a member of the Common Market for Eastern and Southern Africa (COMESA) currently grouping 22 countries of Eastern and Southern Africa. Under the provisions of the Treaty establishing the COMESA, all goods may be traded among member States under preferential treatment as long as they satisfy the requisite Rules of Origin.

Interested parties requiring more information on the subject may contact:-

The Secretary General,
Common Market for Eastern and
Southern African States,
Lotti House
Cairo Road,
P.O. Box 30051,
10101 LUSAKA
Zambia

Telex: ZA 40127

Cable: PTA LUSAKA

Telephone: 260-1-229725/32

Fax : 260-1-225107.

or 227321/22

The Secretary for Commerce and Industry,
P.O. Box 30366,
Lilongwe 3.
Malawi.

Fax: (265) 780680

Tel: (265) 780244

The Controller of Customs and Excise,
P/Bag 20,
Blantyre.

Tel: 620288

Copies of the COMESA Certificate of Origin may be obtained from the:-

The Executive Director,
Malawi Chamber of Commerce and Industry,
P.O. Box 258,
Blantyre.

Tel: 671988

2. SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC)

Malawi is also a member of the Southern African Development Community (SADC). SADC member states are in the process of negotiating a Trade Protocol under which goods will be traded on preferential basis subject to the fulfilment of specified criteria.

For further information please contact:-

The Executive Secretary,
Southern Africa Development Community,
Private Bag 0095,
Gaberone,
BOTSWANA

Tel: 35863
Fax: 372848
Telex: 2555 BD

The Secretary for National Economic Council,
P.O. Box 30136,
Lilongwe 3.

Tel: 782300
Fax: 782224

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

Tel: 780244
Fax: 780680