



## REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES<sup>1</sup>

### NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT ON IMPORT LICENSING PROCEDURES (2016)

#### MALAWI

The following notification, dated 25 April 2016, is being circulated at the request of the delegation of Malawi.

#### Outline of the System

Import licensing system is regulated by the Control of Goods Act (Cap 18:08), and Schedule Part 1 of the Control of Goods Act (Import and Export) (Agriculture) Regulations, 1988 establishing the list of goods subject to import licensing. The licensing system is administered by the Department of Trade.

#### Purpose and Coverage

##### 1 IMPORT AND EXPORT LICENSING POLICY

Malawi operates a liberal import and export licensing system under which very few commodities are subject to import and export licensing. In general, import and export licences are issued by the Ministry of Industry and Trade although 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 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 a period of six months from the date of issue and are subject to extension in cases where such a need arises, provided that 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, 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.

<sup>1</sup> See G/LIC/3, Annex, for the Questionnaire.

#### 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 to clear the importation of all goods whose qualification for entry under Open General Licence is not clear to them. 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.

##### 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; and
  - (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 Industry and Trade. The Minister has, however, exempted the following from import licensing:

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.

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

13. Portland Ordinary Cement.
14. Cane Sugar.
15. Agricultural products.
16. Livestock products.

### **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**

1. Merchandise Marks

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

2. 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) controlling the sale of certain articles in specified weights.

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