



Ministry of Trade

**PRESS STATEMENT ON KEY ASPECTS OF THE CONTROL OF GOODS
ACT AND ITS REGULATIONS**

Date: 29th July, 2020

I am pleased to welcome you to this press briefing in which I will highlight the key aspects of the new Control of Goods Act of 2018 which came into force on 10th July, 2020. The accompanying Control of Goods Regulations came into operation on 24th July 2020. These are: the Control of Goods (Public Interest Grounds Thresholds) and Control of Goods (Import and Export Licence) Regulations.

The Act, among other things, empowers my office to restrict or ban or allow export/import under licence from or into Malawi.

With a view to promote investments, development of the productive sectors and ensuring transparency whilst taking into consideration food security, the Ministry embarked on the revision of this Act to take into account these concerns.

The old Control of Goods Act raised a lot of concerns among stakeholders in respect of its objectives vis-à-vis other objectives, among others, the development of the productive sectors and ensuring food security. In particular, the concerns surrounded the transparency and predictability of implementing this Act.

In this regard, the main departure of this new Act from the old one is the introduction of transparency and predictability mechanisms, which are addressed in sections 4 to 9.

However, the Act stipulates that my office could only institute measures if it is deemed necessary or expedient in the public interest as listed in section 4(3).

In other words, the public interest grounds will serve as trigger points to any action under this Act. This is to ensure predictability. My office, under this Act may also institute a measure based on an application and submission of evidence by an interested party (section 5). Interested party is defined under section 2.

The Control of Goods (Import and Export Licence) Regulations empower my office to designate goods whose import into or export out of Malawi require a licence. The lists of goods which require an import or export licence before importation or exportation are presented in the Annex to this Statement.

To allow smooth transition from the old Act to the new Act and in order to operationalize the new Control of Goods Act, and the accompanying Regulations, all previous licences issued by the Ministry under this Act are hereby revoked. Traders are therefore requested to apply for fresh Import or Export Licences through the Ministry of Trade before **Friday, 7th August, 2020**. Traders intending to import or export licensable goods as designated in the Act should apply for an import or export licence by filling the form which can be collected from the Ministry. An applicant for an Import Licence shall be required to pay a non-refundable **application fee of K5,000** and a **licence fee of K20,000**. A licence issued under the new Regulations shall be valid for one year.

Lastly but not the least, I wish to thank you all members of the media for making yourselves available to cover this very important event.

You have a very strategic role to inform and educate the entire nation of Malawi. I have faith in you and trust that we will work very closely for the good of the people of this great nation.

I thank you for your attention.

Annex

Goods for which an Import permit is required:

1. Wild Animals, Wild Animal Trophies and Wild Animal Products
2. Meat
 - a) Bovine and
 - b) Swine
3. Live Poultry, Day Old Chicks, Undressed and Dressed Poultry
4. Fish whether frozen, dried or live and eggs and spawn thereof
5. Table Eggs
6. Fresh Milk
7. Fruit and Vegetables (Fresh & Preserved) lettuce, cabbage, cauliflower, rape, turnips, fresh beans, fresh peas, green pepper, fresh chillies, garlic, onions, carrots, beetroot, radishes, tomatoes, egg plants, irish/sweet potatoes, bananas, mangoes, pineapples
8. Grain of any variety such as rice, barley, beans and groundnuts in all forms including meals, flours and residues
9. Maize a) dried maize, on or off the cob; b) crushed maize; c) samp; d) maize grits; e) maize cones; f) hominy chop; g) Maize offals; or h) processed maize meal with or without additives
10. Refined and Crude Cooking Oil
11. Cane Sugar
12. Bottled Water
13. Canned, Glass & Plastic Bottled Non-Alcoholic drinks exceeding three cases
14. Liquor in Sachets
15. Canned and Bottled Alcoholic drinks exceeding three cases.
16. Coarse and Table Salt
17. Cement

18. Soap:
 - a) Laundry bar soap and
 - b) Powdered detergent (loosely packaged detergent powdered soap weighing more than 15kg)
19. Matches
20. Plastic Products - below 60 micron
21. Second Hand Clothes exceeding one bale. Underwear (pants,bras) - strictly not to be imported
22. Second hand items:
 - a) Kitchen utensils
 - b) Refrigerators
23. Ball Point Pens
24. Fertiliser

Goods for which an Export permit is required

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, including the following- Beryllium; c)tantalum d) uranium e) lithium f) columbite Cobalt; g) thorium h) germanium; j) titanium; k) nickel; and any materials containing such metals.
2. Petroleum products
3. The following gemstones in the unmanufactured state –Corundum b) Garnet c) Quartz d) Tourmaline d) Turquoise f) Beryl g) Zircon h) Jade i) Olivine j) Feldspar k)Topaz l)Opal m)Chrysoberyl n) Spinel o) Lazurite
4. Scrap Metal

5. Hides and Skins in processed and non-processed form
6. Rice, including: a) rice meals; b) rice bran; c) rice residues.
7. Maize including a) dried maize, on or off the cob; b) crushed maize; c)Samp d) maize grits; e) maize cones; f) hominy chop; g) Maize offals; or h) processed maize meal with or without additives
8. Raw round Hardwood timbers.
9. Sorghum
10. Soya Beans
11. Cotton Lint and Seed
12. Oil Seeds and residues from Oil Seeds