

**MALAWI GOVERNMENT**

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**(Published 3rd May 2019)**

**Act**

**No. 21 of 2019**

I assent

PROF. ARTHUR PETER MUTHARIKA

PRESIDENT

29th April, 2019

**ARRANGEMENT OF SECTIONS**

SECTION

1. Short title
2. Authority to borrow the sum of EUR 80, 000, 000
3. Application of the loan
4. Repayment charged on the Consolidated Fund
5. Exemption from taxes, charges, etc.
6. Finalization and signature of the Agreement

**An Act to authorize the Malawi Government to borrow from the European Investment Bank, the sum of eighty million Euros (EUR 80,000,000)**

ENACTED by the Parliament of Malawi as follows—

1. This Act may be cited as the European Investment Bank (Malawi M1 Road Rehabilitation Project) Loan (Authorization) Act, 2019. Short title

2.—(1) The Minister of Finance, Economic Planning and Development, on behalf of the Malawi Government, is hereby authorized to borrow from the European Investment Bank, the sum of eighty million Euros (EUR 80,000,000) for the purpose specified in section 3, at the times and upon the terms and conditions which the Minister may, in his discretion, agree with the European Investment Bank. Authority to borrow the sum of EUR 80,000,000

(2) The terms and conditions which the Minister of Finance, Economic Planning and Development shall agree with the European Investment Bank shall be reduced to writing. The written agreement is hereinafter referred to as "the Agreement".

Application of  
the loan

3. The proceeds of the loan authorized by section 2 shall be appropriated and applied for the purpose of financing the rehabilitation of 302 kilometres of the single carriageway M1 road project in Malawi.

Repayment  
charged on the  
Consolidated  
Fund

4. The sums required, from time to time, for the repayment of the credit, the payment of service charges, commitment charges and any other payments to be made by the Government to the European Investment Bank, under and in accordance with the provisions of the Agreement, are hereby charged on the Consolidated Fund.

Exemption from  
taxes, charges,  
etc.

5. All sums to be paid in accordance with section 4 shall, notwithstanding the provisions of any other written law, be paid without deductions for, and free from, any tax or charge whatsoever, and shall be free from all restrictions or limitations imposed by or under any written law of Malawi.

Finalization and  
signature of the  
Agreement

6. The Minister of Finance, Economic Planning and Development or any other person he may appoint, is hereby authorized to—

(a) settle the terms of the Agreement, but not so as to affect the general purpose thereof, nor to increase the amount of the loan;

(b) sign the Agreement on behalf of the Malawi Government;  
and

(c) do such other things as may be necessary to implement the terms of the Agreement.

Passed in Parliament this fifteenth day of March, two thousand and nineteen.

FIONA KALEMBA  
*Clerk of Parliament*