MALAWI GOVERNMENT

(Published 4th February, 2022)

Act

No. 3 of 2022

I assent

DR. LAZARUS MCCARTHY CHAKWERA
PRESIDENT
28th January, 2022

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Authority to borrow and receive the equivalent of SDR 15,600,000 and $485,000
3. Application of the Financing
4. Payments charged on the Consolidated Fund
5. Exemption from taxes, charges, etc.
6. Finalization and signature of the Financing Agreement

An Act to authorize the Government of the Republic of Malawi to borrow from the International Development Association, a credit in various convertible currencies not exceeding in the aggregate, the equivalent of seven million, eight hundred thousand Special Drawing Rights (SDR7,800,000); to receive from the International Development Association, a grant in various convertible currencies not exceeding in the aggregate, the equivalent of seven million, eight hundred thousand Special Drawing Rights (SDR7,800,000); and to receive from the International Development Association, acting as the administrator of the Quality Infrastructure Investment Partnership Single-donor Trust Fund, a grant in an amount not exceeding four hundred eighty-five thousand United States Dollars ($485,000).

ENACTED by the Parliament of Malawi as follows—

Short title

1. This Act may be cited as the International Development Association (Additional Financing for the Southern Africa Trade and Transport Facilitation (Phase 2) Project) Loan (Authorization) Act, 2022.

Authority to borrow and receive the equivalent of SDR15,600,000 and $485,000

2.—(1) The Minister of Finance, on behalf of the Government of the Republic of Malawi, (the "Government") is hereby authorized to—

(*a*) borrow from the International Development Association, a credit in various convertible currencies, not exceeding in the aggregate, the equivalent of seven million, eight hundred thousand Special Drawing Rights (SDR7,800,000) (the "Credit"); and

(*b*) receive from the International Development Association, a grant in various convertible currencies, not exceeding in the aggregate, the equivalent of seven million, eight hundred thousand Special Drawing Rights (SDR7,800,000) (the "Grant"); and

(*c*) receive from the International Development Association, acting as the administrator of the Quality Infrastructure Investment Partnership Single-donor Trust Fund, a grant in an amount not exceeding four hundred eighty-five thousand United States Dollars ($485,000) (the "Grant").

(2) The Credit and Grant, comprising a total sum of money, in various convertible currencies, not exceeding in the aggregate, the equivalent of fifteen million, six hundred thousand Special Drawing Rights (SDR15,600,000); and an amount not exceeding four hundred eighty-five thousand United States Dollars ($485,000) (the "Financing"), shall be applied 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 International Development Association.

(3) The terms and conditions which the Minister of Finance may agree with the International Development Association shall be reduced to writing and such written agreement is hereinafter referred to as the "Financing Agreement".

Application of the Financing

3. The proceeds of the Financing authorized by section 2 shall be appropriated and applied as additional financing for the Southern Africa Trade and Transport Facilitation (Phase 2) Project, and for no other purpose.

4. Any payments required to be made, from time to time, by the Government to the International Development Association under, and in accordance with, the provisions of the Financing Agreement are hereby charged on the Consolidated Fund. Payments charged on the Consolidated Fund

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. Exemption from taxes, charges, etc

6. The Minister of Finance, or such other person as he may appoint, is hereby authorized to— Finalization and signature of the Financing Agreement

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

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

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

Passed in Parliament this twenty fifth day of November, two thousand and twenty one.

FIONA KALEMBA
Clerk of Parliament