

MALAWI CITIZENSHIP ACT

(CAP. 15:01)

MALAWI CITIZENSHIP (DUAL CITIZENSHIP) REGULATIONS, 2021

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Notification and registration of dual citizenship
3. Restoration of citizenship
4. Notification of dual citizenship of minors
5. Issuance and use of travel documents
6. Fees

SCHEDULES

IN EXERCISE of the powers conferred by section 34 of the Malawi Citizenship Act, I, RICHARD CHIMWENDO BANDA, Minister of Homeland Security, make the following Regulations—

1. These Regulations may be cited as the Malawi Citizenship (Dual Citation
Citizenship) Regulations, 2021.

2.—(1) A notification by a citizen of Malawi who holds the citizenship of any other country in addition to the citizenship of Malawi under section 6 (3) of the Act, shall be accompanied by an application for registration as a dual citizen.

Notification
and registra-
tion of dual
citizenship
No. 11 of
2019

(2) A notification and application for registration under subregulation (1) shall be in Form AA, set out in the First Schedule.

(3) The Minister shall, upon registering the applicant, issue the applicant with a dual citizenship registration certificate in Form AB, set out in the First Schedule.

3.—(1) An application for restoration of Malawi citizenship under section 6 (5) of the Act shall be in Form AC, set out in the First Schedule.

Restoration of
citizenship
No. 11 of
2019

(2) An application under subregulation (1) shall be accompanied by—

(a) a certified copy of the applicant's valid or expired Malawi passport;

(b) a certified copy of a passport of any one of the parents of the applicant, where the applicant was included;

(c) a certified copy of a birth certificate of the applicant;

(d) any other document that may prove the Malawi citizenship of the applicant or the Malawi citizenship of any one of the parents of the applicant; or

(e) where the applicant does not possess any one of the documents in paragraphs (a), (b), (c) or (d), an affidavit sworn by anyone of the parents of the applicant attesting to the Malawi citizenship of the applicant or a relative of the applicant attesting to the Malawi citizenship of any one of the parents of the applicant or the applicant.

(3) The application under subregulation (1) shall, in addition to documents prescribed under subregulation (2), be accompanied by the applicant's oath of allegiance set out in the Second Schedule of the Act.

(4) An applicant who is resident in another country, may lodge an application for restoration of citizenship with the Malawi diplomatic mission in that country or the Malawi diplomatic mission accredited to that country or the Malawi diplomatic mission nearest to that country.

No. 11 of 2019 (5) The Minister shall, upon being satisfied that the applicant lost his Malawi citizenship under circumstances prescribed in section 6 (5) of the Act, restore the applicant's Malawi citizenship and issue the applicant with a certificate of dual citizenship in Form AD, set out in the First Schedule.

(6) Where an application for restoration of citizenship has been rejected, the Minister shall inform the applicant, in writing, of the decision and the reasons for the rejection.

Notification of dual citizenship of minors
No. 11 of 2019

4.—(1) A notification of dual citizenship of a minor under section 7 (1) of the Act shall be accompanied by an application for registration as a dual citizen.

(2) A notification and application under subregulation (1) shall be in Form AE set out in the First Schedule.

(3) The Minister shall, upon receipt of the notification and application, register the person as a dual citizen and issue the person with a dual citizenship certificate in Form AF, set out in the First Schedule.

Issuance and use of travel documents

5.—(1) A citizen of Malawi who is registered as a dual citizen shall—

(a) on application, be issued a Malawi passport or travel document;

(b) on entering Malawi using a Malawi passport, submit to an Immigration Officer details of the passport of the other country;

(c) where he enters Malawi using a Malawi passport, be permitted to remain in Malawi without a time limitation; and

(d) leave Malawi using the same passport he used to enter the country.

(2) The Immigration Officer shall record details of the passport submitted by the citizen under subregulation (1) (b).

(3) A dual citizen who uses a Malawi passport interchangeably with the passport of another country, with the intent to deceive an Immigration Officer, shall, upon conviction, be liable to a fine of one hundred thousand Kwacha and to imprisonment for six months.

6. The fees payable in respect of any matter under these Regulations shall be those fees prescribed under the Second Schedule.

FIRST SCHEDULE

reg.2 (2)

FORM AA MALAWI CITIZENSHIP ACT (CAP. 15:01)

PASSPORT SIZE PHOTO OF APPLICANT
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NOTIFICATION AND REGISTRATION OF DUAL CITIZENSHIP (To be completed in duplicate and in BLOCK CAPITAL LETTERS)

PART I – NOTIFICATION

I.....(full name), of Village.....
T/A.....District..... being a citizen of Malawi by
*birth/descent, of full age and capacity, hereby give notice to the Minister that I hold dual
citizenship having acquired additional citizenship as a citizen of
..... (state the country). I acquired my additional citizenship by
*birth/decent/registration/naturalization/adoption.

Dated at this day of
..... 20..... (Signature)

PART II- APPLICATION FOR REGISTRATION

1. I.....(full name) ofaddress)
having acquired additional citizenship as.....(nationality) hereby apply
for registration as a dual citizen.

2. I am a Malawian by *birth/descent

3. National identification number.....

4. Place and date of birth.....

5. Details of parents

(a) Father

(i) Full name.....

(ii) Village.....

(iii) Traditional Authority.....

(iv) District.....

(v) Date and place of birth.....

(vi) National identification number

(b) Mother

(i) Full name.....

(ii) Village.....

(iii) Traditional Authority.....

- (iv) District.....
- (v) Date and place of birth.....
- (vi) National identification number.....
6. Particulars of my present Malawi Passport
 Passport number..... Place of issue.....
 Date of issue..... Date of expiry.....
7. Particulars of additional passport:
 Passport number..... Place of issue.....
 Date of issue..... Date of expiry.....
8. Evidence of citizenship of any other country

9. Permanent place of residence

10. Particulars of any convictions in criminal proceedings taken against me in any country

11. Particulars of any pending criminal proceedings taken against me in any country

12. Are you a dual citizen of any other country other than Malawi? If yes, please list the countries:

PART III- AFFIDAVIT OF RELATIVE

I,(full name and address) of Village.....Traditional Authority.....District.....National identification number.....being a citizen of Malawi by *birth/descent/ registration/naturalization/adoption, hereby certify that the applicant is known to me and is my.....(state relationship), that the applicant is a citizen of Malawi by *birth/descent and that the particulars in this application are correct to the best of my knowledge and belief.

Dated at this day of
 20..... (Signature)

Before me

.....
 *Magistrate/Commissioner for Oaths

PART IV — DECLARATION BY PERSON GIVING NOTIFICATION

13. I, (full name) do solemnly and sincerely declare that to the best of my knowledge and belief the particulars stated in this application are true and correct in all respects.

Declared at this day of
..... 20..... (Signature)

Before me

.....
*Magistrate / Commissioner for Oaths

*Delete whichever is inapplicable

FORM AB

reg. 2 (3)

MALAWI CITIZENSHIP ACT
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DUAL CITIZENSHIP REGISTRATION CERTIFICATE

Certificate number.....

File number.....

This is to certify that the under-mentioned has been registered as a dual Malawian citizen under section 6 (5) of the Malawi Citizenship Act.

Full name.....

Place and date of birth.....

Other nationality.....

In witness whereof I have here unto set my hand thisday of
.....20.....at.....

.....
Minister

FORM AC

reg. 3 (1)

MALAWI CITIZENSHIP ACT
(CAP. 15:01)

PASSPORT SIZE
PHOTO OF
APPLICANT

APPLICATION FOR RESTORATION OF MALAWI CITIZENSHIP AS A
DUAL CITIZEN

(To be completed in duplicate and in BLOCK CAPITAL LETTERS)

PART I — APPLICATION

1. I,.....(full name)
having renounced my Malawi Citizenship, apply for restoration of the citizenship as a dual citizen.
2. Date of birth.....
3. Place of birth.....
4. Village.....Traditional Authority.....District.....
5. I acquired Malawi citizenship by *birth/descent/registration/naturalization/adoption.
6. I renounced/lost my Malawi citizenship on the..... day of.....
*19/20..... and now desire restoration of the renounced/lost Malawi citizenship.

7. Details of parents

(a) Father

- (i) Full name
- (ii) Village.....
- (iii) Traditional Authority.....
- (iv) District.....
- (v) Date and place of birth.....
- (vi) National identification number

(b) Mother

- (i) Full name.....
- (ii) Village.....
- (iii) Traditional Authority.....
- (iv) District.....
- (v) Date and place of birth.....
- (vi) National identification number.....

8. Particulars of any criminal convictions in any country

.....
.....
.....

9. Particulars of any pending criminal proceedings in any country

.....
.....

**** Attach supporting documents listed in regulation 3 (2)****

PART II — AFFIDAVIT OF RELATIVE

I,(full name) of Village.....Traditional Authority.....District.....National identification number..... being a citizen of Malawi by *birth/descent/registration/naturalization/adoption, hereby certify that the applicant is known to me and is my.....(state relationship), that the applicant is a citizen of Malawi by *birth/descent and that the particulars in this application are correct to the best of my knowledge and belief.

Declared at this day of
..... 20..... (Signature)

Before me

.....
*Magistrate/Commissioner for Oaths

PART III — DECLARATION BY APPLICANT

I, (full name) do solemnly and sincerely declare that to the best of my knowledge and belief the particulars stated in this application are true and correct in all respects.

Declared at this day of
..... 20..... (Signature)

Before me

.....
*Magistrate/Commissioner for Oaths

*Delete whichever is inapplicable

FORM AD

reg. 3 (5)

MALAWI CITIZENSHIP ACT
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RESTORATION OF MALAWI CITIZENSHIP AS A DUAL CITIZEN

Certificate number.....

File number

WHEREAS(full name)
of(address) has applied to me under
section 6 (5) of the Malawi Citizenship Act for restoration of *his/her Malawi citizenship,
and state that before *he/she lost the citizenship, *he/she was a citizen of Malawi by
*birth/descent.

NOW, THEREFORE, I, in exercise of the powers conferred upon me by the said Act, hereby restore *his/her citizenship and register *him/her as a dual citizen by *birth/descent while retaining the citizenship of, and declares that subject to the said Act, *he/she shall be a citizen of Malawi with effect from the date of this certificate.

IN WITNESS whereof I have hereunto set my hand this day
of 20..... at

.....
Minister

*Delete whichever is inapplicable

FORM AE

MALAWI CITIZENSHIP ACT
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reg. 4 (2)

PASSPORT SIZE PHOTO OF APPLICANT
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NOTIFICATION OF DUAL CITIZENSHIP UPON ATTAINING
THE AGE OF NINETEEN YEARS

PART I — NOTIFICATION

1. I,(full name) a citizen
of Malawi by *birth/descent do hereby notify the Minister that in addition to my citizen-
ship of Malawi, I am a citizen of.....(State the
country) having acquired the said citizenship as a minor.
2. Home address in Malawi
 - (a) Village.....
 - (b) Traditional Authority.....
 - (c) District.....
3. Date of birth.....
4. Place of birth.....
5. Particulars of parents
 - (a) Father
 - (i) Full name.....
 - (ii) Nationality.....
 - (iii) Date of birth.....
 - (iv) Place of birth.....
 - (b) Mother
 - (i) Full name.....
 - (ii) Nationality.....
 - (iii) Date of birth.....
 - (iv) Place of birth.....

6. Particulars of my present Malawi passport

Passport number..... Place of issue.....

Date of issue..... Date of expiry.....

7. Particulars of additional passport:

Passport number..... Place of issue.....

Date of issue..... Date of expiry.....

PART II — AFFIDAVIT OF *PARENT/RELATIVE

I..... (full name) of Village.....T/A..... District.....
being a citizen/dual citizen of Malawi hereby certify that the person mentioned in
paragraph 1, is my (state relationship)*. He/she is a citizen of
Malawi by *birth/descent and that* he/she is also a citizen of(state
the country). The particulars in this notification are correct in all respects to the best of my
knowledge and belief.

Declared at this day of
..... 20..... *Signature of parent/relative*

Before me:

.....
*Magistrate / Commissioner for Oaths

PART III — DECLARATION BY PERSON PROVIDING THE NOTIFICATION

I,(full name) do solemnly and sincerely
declare that to the best of my knowledge and belief, the particulars stated in this application
are true and correct in all respects.

Declared at this day of)
..... 20.....) (Signature)

Before me

.....
*Magistrate/Commissioner for Oaths

*Delete whichever is inapplicable

FORM AF

reg. 4 (3)

MALAWI CITIZENSHIP ACT
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DUAL CITIZENSHIP REGISTRATION CERTIFICATE

Certificate number.....

File number.....

This is to certify that the under-mentioned acquired dual citizenship as a minor and has been
registered as a dual Malawian citizen under section of the Act.

Full name.....
 Place and date of birth.....
 Other nationality.....
 In witness whereof I have hereunto set my hand thisday of
20.....at.....

.....
Minister

SECOND SCHEDULE (reg.6)

FEES				
Matter				K t
1. Application for dual citizenship	..	..	..	100,000.00
2. Application for restoration of citizenship	..	..	..	100,000.00
3. Notification of dual citizenship for minors	..	..	..	50,000.00
4. Replacement of lost certificate	..	..	..	25,000.00

Made this 12th day of November, 2021.

(FILE NO. HA/02/01)

R. C. BANDA
Minister of Homeland Security