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MINISTRY OF TRADE

Public Notice
Appointment of Commissioners for the Competition and Fair Trading Commission

Pursuant to section 5 of the Competition and Fair Trading Act, it pleased the President of the Republic of Malawi, HIs EXCELLENCY LAZARUS McCARTHY CHAKWERA, to appoint the following eminent Malawians as Commissioners for the Competition and Fair Trading Commission—

1. Dr. JERRY JANA
2. Rev. Dr. ZACC KAWALALA
3. Dr. MAGGIE SIKWESE
4. Professor Davin KAMCHACHA
5. Mr. SUNDIRE MIPANDO
6. Mr. RANGORD CHOKHOTHU
7. Mr. EDWARD ZILEMBA
8. Justice Isaac Mtambo (Retired)
9. Secretary to the Treasury—Ex-Officio.
10. Secretary for Trade—Ex-Officio.

The appointment of Justice Isaac Mtambo was with effect from 16th February, 2021 and that of the rest of the Commissioners was with effect from 23rd September, 2020.

The Ministry of Trade would like to congratulate the new Commissioners on their appointment and wish them all the best as they commence their Three Year tour of duty.

CHRISTINA ZAKEYO
Secretary for Trade

GENERAL NO. 42

COMPETITION AND FAIR TRADING COMMISSION

Public Notice
Board Decisions on Applications for Authorization for Takeovers, Mergers and Acquisitions

At the 56th Board Meeting of the Board of Commissioners ("the Board") for the Competition and Fair Trading Commission ("the Commission") that was held on 18th December, 2020 at Sunbird Nkopola Lodge in Mangochi, the Board made decisions concerning applications for mergers, takeovers and acquisitions pursuant to section 39 (1) of the Act.

(1) Acquisition of Pride Malawi Limited by New Finance Bank Malawi Limited

The Board authorized the acquisition of the microfinance business operations of Pride Malawi Limited with condition.

On 18th February, 2019, the Commission received an application from New Finance Bank Malawi Limited ("NFB") for authorization of a proposed acquisition of Pride Malawi Limited ("Pride Malawi"), a microfinance company.

The Board considered the Technical Committee Chairperson's Report on the acquisition and established that the transaction—

(i) is not likely to substantially lessen competition in the relevant market;

(ii) would save an ailing firm and save jobs that would have otherwise been lost in the absence of the proposed acquisition;

(iii) would allow Pride Malawi customers to access innovative new services provided by NFB, including digital financial services; and

(iv) would result in reduction in financial inclusion.

The Board, therefore, authorized the transaction with a condition that MyBucks, NFB's parent company would continue operating the pro-poor microcredit services targeting low-income individuals, including rural communities and small medium enterprises under the microfinance terms and conditions of accessing credit. This would consequently avert the anticipated reduction in financial inclusion.

(2) Acquisition of Business Assets owned by Oil and Protein Company Limited by Capital Oil Refining Industries Limited

The Board authorized the acquisition of assets of Oil and Protein Company Limited ("OPL") by Capital Oil Refining Industries Limited ("CORI").

On 3rd June, 2020, the Commission received an application for authorization of acquisition of business assets owned by OPL by CORI.

The Board considered the Technical Committee Chairperson's Report on the acquisition. Upon assessment, the Board established that the transaction—

(i) would create a co-dominant player with Sunseed Oil Limited;

(ii) would marginally change the market shares and concentration ratios in the edible vegetable cooking oil industry and

(iii) saved a failing firm, OPL, and would prevent negative financial, economic and social developments that could potentially arise if the assets were not maintained for use.

The Board, therefore, authorized the acquisition of assets of OPL by CORI.
The Board authorized the acquisition of business assets owned by Roofko Steel Company ("Roofko") by Projex Group Limited ("Projex").

On 27th May 2020, the Commission received an application for authorization of acquisition of business assets owned by Roofko by Projex.

The Board considered the Technical Committee Chairperson's Report on the acquisition. Upon assessment, the Board established that the transaction—

(i) would not create a dominant player;

(ii) would not change the market shares and concentration ratios in the iron sheet industry; and

(iii) would prevent negative financial, economic and social developments that could potentially arise if Roofko were to be closed.

The Board, therefore, authorized the acquisition of assets of Roofko by Projex.

The Board authorized the acquisition of 85% shareholding in Paladin (Africa) Limited ("Paladin") by Lotus Resources Limited and Lily Resources Pty Limited ("Lily").

On 20th April, 2020, the Commission received an application for authorization of a proposed acquisition of 85% shareholding in Paladin by Lotus and Lily.

The Board considered the Technical Committee Chairperson's Report on the acquisition. Upon assessment, the Board established that the transaction—

(i) would not result in change of structure nor substantial lessening of competition in the uranium mining market;

(ii) is likely to attract capital and technological investments associated with uranium mining, generate foreign currency and create employment; and

(iii) would guarantee environmental protection for the community and safety for employees in accordance with the plans submitted by the Parties.

The Board, therefore, authorized the acquisition of 85% shareholding in Paladin by Lotus and Lily on condition that the merging parties would observe and implement all environmental and social protection requirements to ensure that the workers and the community are not exposed to danger. It was the Board's resolution that the Commission will—

(i) collaborate with the Environmental Affairs Department to monitor compliance of the merging parties with this order; and

(ii) enter into a Memorandum of Understanding with the merging parties to guide compliance monitoring.

JAMES KAPHALE
Executive Director

GENERAL NOTICE No. 43

ADMINISTRATOR GENERAL ACT
(Cap. 10:01 Laws of Malawi)

Notice

Under the provision of section 9 of the Administrator General Act, the Administrator General hereby gives notice of his intention to apply to the High Court of Malawi, for letters of administration in respect of the estates of the deceased persons whose particulars are given hereunder. All persons who are indebted to the below mentioned deceased persons or those who have anything in their possession which forms part of the said deceased persons' estates, should submit the particulars thereof in writing to the Administrator General, Private Bag 218, Lilongwe, within fourteen (14) days of the date of this notice after which date the deceased estates will be distributed by the Administrator General having regard only to those claims of which he shall have received written particulars.

M. KANDIKOLE
for Administrator General

(1) MALISENI MANDA, formerly of Tumini Jere Village, T.A. Mabulalo, Mzimba, who died at Mzimba District Hospital on the 15th day of February, 2019.

(2) Shakimana Chelota, formerly of Mtengowa Village, T.A. Kachere, Dedza, who died at Mtengowa Pembia, Dedza, on the 18th day of March, 2019.

(3) Alister Zimba, formerly of Pillimon Ngaluwe Village, T.A. Mzukuzuku in Mzimba, who died at Queen Elizabeth Central Hospital, Blantyre, on the 30th day of October, 2019.

(4) Bon Mazumbula, formerly of Kachere Village, T.A. Ganyani, Ntcheu, who died at Kamuzu Central Hospital, Lilongwe, on the 18th day of February, 2020.

(5) Chimatako Gerald, formerly of Mpatu Village, T.A. Kambalame, Salima, who died at Salima District Hospital on the 18th day of November, 2019.

(6) Dave Mangani Mwale, formerly of Kasiwongo Village, T.A. Chivere, Bowa, who died at Kamuzu Central Hospital Lilongwe, on the 1st day of January 2020.


(9) Etaniza Sozela, formerly of Ministry of Justice and Constitution Affairs, who died at Area 25C, Lilongwe City, on the 27th day of May, 2020.

(10) George Paul Lungu, formerly of Pudzana Village, T.A. Mifyanja, Kasungu, who died at Kamuzu Central Hospital on the 14th day of November, 2019.

(11) James Hurry Dokotala, formerly of Nkhoma Village, T.A. Chiloloko, Ntchisi, who died at Ntchi District Hospital on the 17th day of October, 2019.

(12) Gervase Machado, formerly of Kuthindi Village, T.A. Kamenyayawa, Dedza, who died at Kamuzu Central Hospital on the 18th day of December, 2019.

(13) John Mufhi, formerly of Ministry of Education, who died at Kamuzu Central Hospital on the 10th day of February, 2019.

(14) Matida Kwanderi, formerly of Zapata Village, T.A. Machili, Lilongwe, who died at Likuni Mission Hospital on the 8th day of December, 2019.
(15) KIRILI JERE, formerly of Ministry of Transport, who died at Dowa District Hospital on the 29th day of October, 2018.

(16) ROYCE MULIWA CHAWANA, formerly of Ministry of Education, who died at Kamuzu Central Hospital on the 19th day of September, 2019.

(17) EMMANUEL CHIMBU, formerly of Ministry of Internal Affairs (Police), who died at Partners in Hope Clinic, Lilongwe, on the 17th day of July, 2018.

(18) ADELENA KAPERA, formerly of Ministry of Labour, who died at Kamuzu Central Hospital on the 6th day of September, 2019.

(19) FAINNESS KAROMBA, formerly of Ministry Health, who died at Dowa District Hospital on the 1st day of September, 2019.

(20) HELEN THIENOYA, formerly of Ministry of Labour, who died at Salima District Hospital on the 16th day of August, 2019.

(21) IBAN MBULI, formerly of Ministry of Education, who died at Karonga District Hospital, Karonga, on the 17th day of August, 2019.

(22) JACKSON MBIRU, formerly of Ministry of Health, who died at Kamuzu Central Hospital, Lilongwe, on the 8th day of February, 2019.

(23) MARGARET LOANDA, formerly of Ministry of Education, who died at Chiradzulu Central Hospital on the 6th day of May, 2019.

(24) SELLINA NKHATA, formerly of Ministry of Education, who died at Emangweni Mission Hospital on the 26th day of December, 2019.

(25) THOMAS BANDA, formerly of Ministry of Education, who died at Kamuzu Central Hospital on the 31st day of December, 2019.

(26) PETER NGAMPHAMFIRI, formerly of Ministry of Finance, who died at Kamuzu Central Hospital on the 22nd day of October, 2019.

(27) TANZER MVULA, formerly of Saulos Chiluba, T.A. Mtwalo, Mzimba, who died at Mzuzu Central Hospital on the 1st day of October, 2015.

(28) ANDREW CHIMA, formerly of Ministry of Civic Education, Culture and Community Development, who died at Chitipa District Hospital on the 18th day of January, 2019.

(29) LACSON CHIKWUTE, formerly of Ministry of Local Government, who died at Kamuzu Central Hospital on the 1st day of June, 2018.

(30) MATIAS CHAMISI, formerly of Ministry of Agriculture, who died at Masalane Chalama, Lilongwe, on the 28th day of February, 2018.

(31) MAHINDA PURO, formerly of Ministry of Education, who died at Nkhata Bay (Police), on the 10th day of May, 2019.

(32) FOSTER MANDA, formerly of Kachere Village, T.A. Chitimba, Kasungu, who died at Kasungu District Hospital on the 2nd day of July, 2018.

(33) ALEX MURO, formerly of Kafisaka Village, T.A. Kyungu, Karonga, who died at Karonga District Hospital on the 9th day of September, 2019.

(34) WINSTON CHISHANGO, formerly of Mkopondoli Village, T.A. Chilima, Mzimba, who died at Mzimba District Hospital on the 12th day of December, 2019.

(35) BAXTER NCHIMWE, formerly of Ministry of Education, who died at Kamuzu Central Hospital on the 1st day of April, 2019.

(36) DISTINTE MALINDI, formerly of Nkhwambala Village, T.A. Kaloloma, Lilongwe, who died at Mwawathu Private Hospital, Blantyre, on the 2nd day of September, 2019.


(38) SADIKO CHITA, formerly of Dimbuli Village, T.A. Kalomo, Machinga, who died on the 28th day of March, 2019.

(39) SYMONE CHITHIKA, formerly of Ministry of Internal Affairs, who died at Kamuzu Central Hospital on the 9th day of April, 2019.

(40) JAMES PURO, formerly of Ministry of Internal Affairs, who died at Kamuzu Central Hospital on the 21st day of January, 2020.

(41) JOHN CHIHUMULA, formerly of Ministry of Internal Affairs, who died at Partners in Hope Clinic on the 15th day of July, 2019.

(42) JONAS KALILA, formerly of Ministry of Internal Affairs, who died at Salima District Hospital on the 22nd day of January, 2020.

(43) LEWISON MALIHAMA, formerly of Chiphe Village, T.A. Kachere, Dedza, who died at Chiphe Village in Dedza on the 1st day of May, 2019.

(44) LEWISON MSAYI, formerly of Kalima Village, T.A. Msakambawa, Dowa, who died at Dowa District Hospital on the 27th day of November, 2019.

(45) JOSEPH MWALE, formerly of Chirwaya Village, T.A. Kalole, Lilongwe, who died at Kamuzu Central Hospital in Lilongwe on the 19th day of September, 2019.

(46) EMILY CHAWERA TEMBO, formerly of Dzawa Village, T.A. Nkhotakota, Lilongwe, who died at Kamuzu Central Hospital in Lilongwe on the 22nd day of June, 2019.

(47) ALEXANDER KUCHERI, formerly of Kumzumpe Village, T.A. Kachere, Dedza, who died at Kamfunda, T.A. Pembra, Dedza, on the 2nd day of November, 2018.

(48) FLORENCE MTAMBUWA, formerly of Ministry of Health, who died at Dedza District Hospital on the 27th day of January, 2014.

(49) MATHEW ZUEL, formerly of Shingandi Village, T.A. Machinga, Machinga, who died at ABC Community Hospital, Lilongwe, on the 28th day of May, 2019.

(50) LUCIUS B. KAPULU, formerly of Office of President and Cabinet, who died at Area 36, Lilongwe, on the 5th day of July, 2020.

(51) MOSES CHIMUKUMA, formerly of Chalima Village, T.A. Nkhata, Nkhata, who died at Chingungu, S.C. Nkhata, on the 11th day of September, 2019.

(52) OFFICE CHIMANGA, formerly of Mkwenda Village, T.A. Chisenga, Lilongwe, who died at Mkwenda, T.A. Choileka, Lilongwe, on the 2nd day of December, 2019.

(53) RICHARD ROBIN, formerly of Ministry of Education, who died at Kabwadula Rural Hospital, Lilongwe, on the 6th day of December, 2018.

(54) RITA MYETISENI, formerly of Ministry of Economic Planning, who died at Kamuzu Central Hospital on the 14th day of July, 2019.

(55) SAMUEL LOUIS, formerly of Ministry of Health, who died at Lizulu Health Centre, Nchisi, on the 3rd day of April, 2019.

(56) SHADRACK KACHULI, formerly of Chaseta Village, T.A. Malange, Nkhata, who died at Chaseta, T.A. Malange, Nchisi, on the 22nd day of March, 2019.

(57) STANLEY MEKE, formerly of Sagwa Village, T.A. Khombedza, Salima, who died at Salima District Hospital on the 30th day of May, 2019.
(58) BEN ZUZEMBA, formerly of Ministry of Defence, who died at Kamuzu Central Hospital on the 29th day of May, 2019.

(59) MIKI CHIWENENSE, formerly Ministry of Health, who died at Ncheu District Hospital on the 14th day of March, 2019.

(60) BRAVE G. AZIITA, formerly of Ministry of Internal Affairs, who died at Kamuzu Central Hospital on the 23rd day June, 2020.

(61) CHIMBEMBI MASAYI, formerly of Ministry of Internal Affairs, who died at Kamathuku Village, T.A. Mkwadzwanalwa, Ncheu, on the 8th day of August, 2014.

(62) CHIPILHU KULUNGU, formerly of Ministry of Internal Affairs, who died at Kamuzu Central Hospital, Lilongwe, on the 20th day November, 2019.

(63) STEVEN CHIWANDE, formerly of Ministry of Internal Affairs, who died at Queen Elizabeth Central Hospital in Blantyre, on the 7th day of November, 2019.

(64) WILLIE J. NKOMA, formerly of Ministry of Internal Affairs, who died at Ncheu District Hospital on the 9th day of February, 2020.

(65) BERNARD MSHAYA, formerly of Mahwera Village, T.A. Masamba, Nkhotakota, Lilongwe, who died at Mahwera Village, T.A. Masamba, Nkhotakota, Lilongwe, on the 28th day of March, 2019.

(66) HENDRICK J. N. BANDA, formerly of Ministry of Education, who died at Dedza District Hospital in Dedza on the 6th day of June, 2019.

(67) JAMES CHAUNA, formerly of Kamangilira Village, T.A. Simphoni, Mchinji, who died at Salima District Hospital on the 12th day of November, 2019.

(68) ABBREY ABBRAM, formerly of Ministry of Education, who died at Mtmende Health Centre, Dedza, on the 23rd day of February, 2017.

(69) CATHERINE GWELO, formerly of Ministry of Education, who died at Mzuzu Central Hospital in Mzimba on the 10th day of December, 2019.

(70) FELISTA MANDY BOWALEXI, formerly of Kalonga Village, T.A. Dzale, Dowa, who died at Kasungu District Hospital on the 6th day of November, 2019.

(71) HUDSON TERENCE CHIWANDA, formerly of Ministry of Education, who died at Masi Rural Hospital, Dedza, on the 29th day of March, 2020.

(72) BESSNNO MATFIA, formerly of Tongaazi Village, T.A. Mazengera, Lilongwe, who died at Dedza District Hospital on the 25th day of April, 2019.

(73) OSWALD SINGO, formerly of Ministry of Education, who died at Dauyang Lake Hospital in Lilongwe on the 15th day of November, 2019.

(74) LUMBANI KANELU, formerly of Ministry of Internal Affairs, who died at Mzuzu Central Hospital, Mzimba, on the 23rd day of November, 2018.

(75) DOUGLAS MWAFULIRA, formerly of Ministry of Internal Affairs, who died at Kamuzu Central Hospital in Lilongwe on the 17th day of September, 2019.

(76) LUCKY MwANCHI MALANGA, formerly of Iyelo Village, T.A. Mwabulambya, Chilenga, who died at Mzuzu City on the 9th day of September, 2019.

(77) FOSTER MUNTHISI, formerly of Ministry of Transport & Public Works, who died at Mzuzu Central Hospital, Mzimba, on the 1st day of January, 2018.

(78) BENAWENILE MUNTHISI, formerly of Josen Village, T.A. Kambongi Siwande, Mzimba, who died at Area 3 Ngheni, Lilongwe, on the 1st day of March, 2017.

(79) KINOSALE MIZIMULA, formerly of Ministry of Health, who died at Nkhathokota District Hospital in Nkhathokota on the 17th day of July, 2019.