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GENERAL NOTICE NO. 79

LIQUID FUELS AND GAS (PRODUCTION AND SUPPLY) ACT

Cap. 50:03

Liquid Fuels and Gas (Production and Supply) Regulations

Pursuant to Regulation 128 (2) of the Liquid Fuels and Gas (Production and Supply) Regulations, the National Liquid Fuels and Gas Emergency Plan is hereby published for general information—

NATIONAL LIQUID FUELS AND GAS EMERGENCY PLAN FOR LIQUID FUELS AND GAS SUPPLY DISRUPTION (MALAWI)

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ACRONYM AND DEFINITIONS

ESCOM	Electricity Supply Cooperation of Malawi
LFG ACT	Liquid Fuels and Gas (Production and Supply) Act, Cap 50:03
MERA	Malawi Energy Regulatory Authority
MDF	Malawi Defence Force
NLFGEMC	National Liquid Fuels and Gas Emergency Management Committee.
OMG	Operation Management Group
Alert Warning System	A colour-coded system that facilitates a consistent approach in assessing and classifying the severity of liquid fuel supply disruption incidents to enable an appropriate level of readiness and response as the event escalates.
A National Liquid Fuels and Gas Emergency	According to section 34 of the Liquid Fuels and Gas Act (Cap 50:03), an emergency is when accidents, natural disasters or other interruptions or distortions of the product liquid fuels and gas supply by force majeure, negligence or wilful misconduct.
Bulk Liquid Fuels and Gas Users	Bulk liquid fuels and Gas users (with their own storage facilities) are account customers, who purchase petroleum products directly from petroleum companies or from independents.
Curtailment	Supply is reduced, interrupted or stopped either completely or in part.
Essential User	Those agencies (government or private) whose roles have been deemed critical to the maintenance of public safety, security and health or wellbeing in accordance with the prioritisation guidelines.
Liquid Fuels and Gas Rationing	The use of emergency powers – through the issue of liquid fuels and gas emergency orders by the Minister for Energy – to limit the consumption of liquid fuels and gas and to re-allocate supplies to priority uses.
Liquid Fuels and Gas Joint Information Centre	This will be a centre with all information regarding the disruption and it will be activated upon the declaration of a liquid fuels and gas shortage emergency or at such other times as determined by MERA. This will provide timely information to the public on the disruption and its flow-on effects, the actions being taken to mitigate the impact and the cooperation required from the public to control the situation.
National Liquid Fuels and Gas Emergency Management Committee (NLFGEMC)	The main executive channel through which Malawian Government, in cooperation with industry, formulate the overall management response to a widespread fuel shortage. NLFGEMC reports to the Minister responsible for Energy.
Operations Management Group (OMG)	The main technical group responsible for coordinating the response to liquid fuels and gas supply disruption incidents under the leadership of the Operational Area Manager. It consists of government, industry and other stakeholders.

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1.0—INTRODUCTION

1.1 Background

A Fuel and Gas emergency is defined as an imbalance between fuel supply and demand or a price escalation significantly above the recent prevailing average sufficient to result in a general threat to the health and welfare of a country's consumers. It can be local, regional, or even national or international in scope and be triggered by market conditions, physical disruptions, or nature-related emergencies. It can be caused by insufficient supply, excessive demand, or even a perception of such that leads to extreme consumer behaviour resulting in panic buying or storing of excess product to ensure future availability.

Officials at every level of Government must be prepared to respond to such incidents in an appropriate, constructive, and responsive manner. Government can facilitate the operation of markets in periods of stress by increasing monitoring of supply and distribution conditions, observing relative price movements among sectors and regions, and initiating cooperative efforts among industry members, associations, and government officials to identify and correct system bottlenecks or market failures.

Government can work to alleviate such problems by locating or identifying alternative supplies, arranging more flexible delivery arrangements, adjusting regulatory requirements, or encouraging intra-industry sharing of available supplies. Government must also be prepared to provide objective information to the public on market activities, restrain consumers if it appears that overreaction is occurring in light of market fundamentals, or take punitive action in situations where individuals or organizations are found to be taking advantage of market uncertainty to gain unfair advantage.

The above measures can only be effective if there is a coordinated approach to dealing with emergencies which calls for development of a National Liquid Fuels and Gas emergency response plan as road map for managing such an emergency.

The National Liquid Fuels and Gas Emergency Response Plan is therefore established to ensure that any impending disruption to liquid fuels and gas is responded to in the most efficient manner without affecting the well-being of the country's consumers. MERA under section 34 of the LFG Act is mandated to develop and formulate a National Liquid Fuels and Gas Emergency Plan.

The rationale of this plan is to support Malawi Government's robust emergency planning across the downstream liquid fuels and gas. Additionally within the Liquid Fuels and Gas sector, the LFG Act provides for a plan to respond to accidents, emergencies, natural disasters or other interruptions or distortions of the products. This document is prepared in accordance with this regulation.

This document presents the National Emergency Plan and describes the national arrangements established among the Ministry responsible for Energy Affairs, MERA, the downstream liquid fuels and gas industry, consumers and other interested parties for the safe and effective management of both downstream liquid fuels and gas supply emergencies.

1.2 Scope

This plan applies to the downstream liquid fuel network from planning of procurements to storage sites in the country as well as retail outlets to consumers.

It applies to liquid fuels and gas as defined in section 4 of the LFG Act disruptions, such disruptions being considered the critical scenario for the country as defined in the LFG Act.

The plan covers strategic, operational and tactical arrangements.

1.3 Purpose

The purpose of National Liquid Fuels and Gas Emergency Plan is to outline the strategic approach to be taken in the management, preparedness, mitigation, response and recovery of a liquid fuels and gas supply disruption. It includes a communication plan designed to support the successful management of any liquid fuel emergency to minimize the effects of a liquid fuels and gas supply disruption on industry and commerce. This means that key decision-makers, the media and consumers will be provided with information in a timely and effective way.

1.4 Objectives

The main objective of the plan is to ensure seamless supply of Liquid Fuels and Gas.

The specific objectives are to—

- (a) ensure that essential users have sufficient liquid fuels and gas for their essential operations;
- (b) provide an equitable and efficient basis for distributing any remaining stock of liquid fuels and gas to the general public;
- (c) encourage conservation and minimize waste on the utilization of the available stock;
- (d) develop a communication plan which will—
 - (i) ensure the public is kept informed of the situation;
 - (ii) reduce the likelihood of panic buying and of illegal distribution of liquid fuels;
 - (iii) create a framework for managing fuel distribution and reduce the size of queues at retail outlets; and
 - (iv) delay the need for fuel rationing.

1.5 Legislative Mandate

Section 34(1) of The Liquid Fuels and Gas (production and supply) Act provides for the establishment of a National Liquid Fuels and Gas Emergency Plan to prevent, respond and recover from any disruption.

Such emergency plan is to address prevention, response and recovery from liquid fuels and gas disruption. Specifically MERA is mandated to—

- (a) publish the emergency plan in the *Gazette* 14 days after the Ministers approval;
- (b) avail the emergency plan to the public;
- (c) hold pre emergency review consultative meetings of emergency situations to establish corrective measures before declaration of a state of liquid fuels and gas emergency;
- (d) intervene temporarily in the supply chain; and
- (e) implement measures or restrictions provided for in the National Liquid Fuels and Gas Emergency Plan.

1.6 Governance structure

NERA, in collaboration with stakeholders is responsible for the development, review, updating and testing of the arrangements contained in this document which shall be approved by the minister responsible for energy.

NERA shall be responsible for coordinating the prevention, response and recovery to a liquid fuel supply disruption.

The coordination will be done through the NLFGEMC and the OMG. These bodies will consist experts drawn from the liquid fuels and gas industry as well as government, agencies and the regulator. Figure 1 below refers.

Ministry Responsible for Energy

NLFGEMC

NERA

OMG

FIGURE 1—GOVERNMENT STRUCTURE

The NLFGEMC will be the principal co-ordination group responsible for overseeing the management of liquid fuels and gas supply disruptions. NLFGEMC shall also maintain oversight of the Nation Liquid Fuel Emergency Plan to ensure it incorporates identified best practice in emergency response, learning from emergency exercises, and amendments to the process resulting from changes in the structure of the industry.

The OMG is responsible for coordinating the response to liquid fuel supply disruption incidents under the leadership of NERA.

Members of the OMG and other co-opted members will be selected based on the need to—

- (a) understand the nature of the incident in relation to liquid fuels and gas supply;
- (b) understand the present or potential impacts both primary and consequential, of the incident in relation to liquid fuels and gas use and the provision of goods and services to the community; and
- (c) facilitate the development and coordination of responses including the provision of information.

The National Liquid Fuels and Gas Emergency Plan is subject to review annually.

2.0 NATIONAL PERSPECTIVE

The Malawi liquid fuels and gas industry has undergone massive structural changes, and is still set for more changes in preparation for its eventual liberalization and final integration with global markets. Between 2011 and 2012, Malawi experienced a series of liquid fuels and gas supply disruptions. There were stock-outs at many locations throughout the country. These supply disruptions negatively impacted many sectors of the economy with the severity of the hardship ranging from relative consumer inconvenience to loss of business and reputation damage.

Malawi solely relies on imported fuel mainly from Beira, Dar es Salaam and Nacala. Of the three sources, Beira is the main source providing over 70% liquid fuels to Malawi. The Malawi Energy Policy (2003) prescribed the 50%, 30% and 20% route shares among Beira, Dar es Salaam and Nacala respectively to ensure security of supply at all times and that petroleum products land at the least cost. However, the route mix has not been attainable over the years due to structural limitations coupled with weak enforcement mechanisms which poses a threat to security of supply. The main mode of transportation is by road as over 90% of petroleum products are sourced from Beira and Dar es Salaam ports with the balance being transported by rail through Nacala.

The country's importation licensing regime allows for multiple importers which includes importation companies, Oil Marketing companies and individual bulk users who have their own storage depots. Oil marketing companies which have importation licences complement their own imports with supplies from Oil Importing Companies. Currently, the country has a total stock holding capacity of 85.123 million litres distributed among Oil Marketing Companies, ethanol producing

companies and individual bulk users. The stockholding capacity is expected to be boosted by 60 million litres upon full commissioning of the government owned Strategic Fuel Reserves (SFRs) which will be managed by the National Oil Company of Malawi.

The Oil Marketing Companies distribute their products through retail stations which are spread across the country. The distribution network therefore comprises importers, transporters, oil marketing companies and retailers and through the synergies of the industry players, the country enjoys uninterrupted flow of petroleum products.

A number of lessons were learnt during the 2012 fuel supply disruption which among others included—

- (a) uncoordinated response amongst stakeholders;
- (b) lack of the emergency preparedness and response plan;
- (c) inadequate communication relayed to the public;
- (c) inadequate traffic control at retail service stations which led to chaos amongst customers; and
- (d) emerging safety concerns due to unsafe storage conditions of fuel at household level.

These lessons and other emerging issues underscore the importance of developing this plan to ensure adequate preparedness and response to future disruptions as stipulated in the LFG Act.

2.1 Hazard and Risk Analysis

The supply of liquid fuels and gas in Malawi is prone to a number of hazards and risks. These have been summarized in terms of their likelihood of occurrence and impact in the Table 1 below.

Table 1: Hazard and Risk Analysis

<i>Risk/trigger</i>	<i>Likelihood</i>	<i>Impact</i>
SUPPLIER (SOURCE POINTS)		
Failure to source bids—		
(a) poor credit rating/ high risk profile	medium	high
(b) previous performance e.g. payment default	very high	high
Failure to supply contracted volumes—		
(a) inadequate supplier capacity-supplier bankruptcy, financial incapacity, operational capacity	medium	high
(b) stock out at the port	medium	high
(c) mechanical failure of equipment at the depot	high	low
(d) price shocks	medium	high
(e) breach of contract	medium	high
(f) quality of product	low	high
Failure of a major market participant (importer)—		
(a) late submission of nominations	low	high
(b) late submission of releases	high	low
(c) importer capacity constraints-operational/financial/human resource	medium	high
(d) sabotage	low	high
Loss of facilities—		
(a) fire explosion	low	high
(b) threat of attack	low	high
(c) industrial action	medium	high
(d) earthquake	low	high
(e) large spills	low	high
TRANSPORTATION		
Critical transportation constraint—		
(a) disruptions of road and rail infrastructure e.g. due to severe weather disruptions, earthquake, volcanoes, etc.	high	high
(b) failing to access routes due to civil strife	low	very high

Loss of people—

<i>Risk/trigger</i>	<i>Likelihood</i>	<i>Impact</i>
(a) labour dispute	medium	medium
(b) health epidemic	low	low
(c) disagreements with transporters e.g. on rates ..	medium	high
(d) disputes between governments	low	high
(e) uncompetitive practices e.g. monopoly	medium	very high

Storage depots—

(a) fire Explosion	medium	high
(b) threat of attack	low	high
(c) industrial action	medium	high
(d) earthquake	low	high
(e) large spills	low	high
(f) tied volume due to product contamination	low	medium
(g) sabotage by OMCs not to offload	high	high

Distribution—

(a) potential or actual industrial relations emergencies ..	medium	high
(b) wilful misconduct by retailers e.g. hoarding of fuel ..	low	medium

3.0 PREVENTION AND MITIGATION

3.1 Responsibility for prevention and/or mitigation

Liquid fuels and gas importers, suppliers, transporters and retailers will be responsible for ensuring that mitigation strategies and effective measures are put in place to prevent (where possible) any liquid fuels and gas supply disruptions in the country.

MERA's role in prevention and mitigation is through its oversight function as an industry regulator.

3.2 Prevention Strategies

One objective of this plan is to identify and implement strategies that reduce the likelihood of supply disruptions. It must be cognisant of the need for economic efficiency given that the cost of prevention measures must be borne by the national economy either in the cost of supply of liquid fuels or through other means.

Liquid fuels and gas supply chain participants shall incorporate prevention strategies to address supply disruptions to their operations as part of internal risk management. This is driven by the commercial imperatives of the competitive business environment within which they operate.

Ministries, departments, agencies and essential service providers will be responsible for developing internal risk management strategies to address supply disruptions to their operations.

3.3 Mitigation Strategies

In planning for mitigation strategies, it is important to consider the relative ability of customers to provide their own mitigation mechanisms.

The mitigation action provided in section 5.4 will act as a guide as the players are providing their specific actions to the disruption.

4.0 PREPAREDNESS

4.1 Responsibility for preparedness

MERA in collaboration with the NLFGEMC and OMG and the Ministry responsible for Energy is responsible for ensuring preparedness for, and the response to, liquid fuels and gas supply disruption incidents with inherent or actual widespread community impacts within the country.

4.2 Planning and arrangements

The following plans have been developed and will be used in the event of a significant liquid fuels and gas supply disruption that threatens the health, safety and property of the community—

- (a) strategic fuel reserves management plan;
- (b) liquid fuel supply disruption response plan; and
- (c) recovery coordination plan.

MERA will undertake the operational planning and implementation of preparedness activities in collaboration with the NLFGEMC and OMG.

These include—

- (a) establishing a program to test the liquid fuels and gas supply disruption and the liquid fuel supply emergency response plan;
- (b) organize and participate in test simulation exercises; and
- (c) contribute to response planning and regular reviews of the strategic and operational plans.

MERA may invite other relevant stakeholders to participate in the NLFGEMC or in exercises, where appropriate.

MERA will provide a full report of major exercises and actual incidents to the Minister responsible for Energy and the NLFGEMC and recommend areas of improvement.

5.0 RESPONSE PLAN

In the event of a national liquid fuels and gas disruption which could lead to an emergency, both the industry and government have significant roles to play in managing the situation and its consequences.

5.1 Response Structure

5.1.1 Malawi Energy Regulatory Authority

The lead agency responsibility in the event of a severe or extended liquid fuels and gas emergency will be assumed by MERA. MERA will receive the full support of other government agencies and industry, determine the need to consult with or assemble the NLFGEMC and the OMG and will coordinate collection, assessment, and dissemination of information necessary to implement individual response measures comprising specific emergency response programs.

5.1.2 National Liquid Fuels and Gas Emergency Management Committee

The NLFGEMC is responsible for providing overall policy guidance and making the necessary approvals under the chairmanship of the Principal Secretary responsible for Energy.

The Committee comprises representatives from—

- (1) Ministry of Natural Resources, Energy and Mining (Chair)
- (2) MERA (Secretariat).
- (3) Liquid fuels and gas importers.
- (4) Oil marketing companies representatives.
- (5) Department of Disaster Management Affairs.
- (6) Ministry of Transport and Public Works.
- (7) Department of Energy.
- (8) Ministry of Foreign Affairs and International Cooperation.
- (9) Ministry of Home Affairs and Internal Security.

Depending on the nature of the emergency, other organisations may be co-opted to be part of the NLFGEMC.

The Chairperson is responsible for convening meetings of the NLFGEMC and briefing the Minister as required.

The terms of reference of the Committee are to—

- (1) Assist MERA to review and guide implementation of the National Liquid Fuel Emergency Plan.
- (2) Review and endorse recommendations made by the OMG.
- (3) Ensure availability of adequate resources.
- (4) Develop, publish, review and maintain implementation procedures.
- (5) Participate in exercises to test the plan.
- (6) Review post-operative reports of fuel supply disruption emergencies with a view to amending the arrangements of the plan as required.
- (7) Provide guidance during a liquid fuels and gas supply disruption.

5.1.3 Operations Management Group

The OMG is the main technical group responsible for the implementation of the response to a liquid fuels and gas supply disruption.

It will identify stakeholders to help in dealing with specific triggers. Additionally the OMG is responsible for assisting MERA in the strategic management of a liquid fuels and gas disruption through the provision of information, expert advice, resources and support.

MERA chairs meetings of the OMG to gather and assess information, and to coordinate the response to the incident.

The core membership of the MOG will include—

- (1) MERA (Chair).
- (2) Liquid fuels and gas importers.
- (3) Oil Marketing Companies Representatives.
- (4) Department of Disaster Management Affairs.
- (5) Ministry of Transport.
- (6) Ministry of Natural Resources, Energy and Mining.
- (7) Department of Energy.
- (8) Transporters Representatives.
- (9) Ministry of Foreign Affairs and International Cooperation.

MERA may invite other organizations to form part of the OMG as operational requirements dictate.

The terms of reference for the OMG are—

- (a) to monitor stock levels and preparing reports;
- (b) to monitor route performance and security;
- (c) to monitor fuel supply contracts;
- (d) to identify and prioritize essential users;
- (e) assessing and validating alternative routes;
- (f) coordinate mitigation responses to any emergency;
- (g) preparing monthly and quarterly reports for NLFGEMC; and
- (h) and any other matters as required from time to time.

Table 2 provides a more explicit listing of agencies that would be involved in liquid fuel emergency response and their roles.

TABLE 2—LIST OF AGENCIES IN LIQUID FUELS AND GAS EMERGENCY RESPONSE

<i>Agency</i>	<i>Type</i>	<i>Role</i>
MERA	Government Parastatal	Controlling agency
Reserve Bank of Malawi	Quasi-Government	Support Organisation
Ministry of Finance	Government Ministry	Support Organisation
Fuel Suppliers	Industry Organisation	Combat Agency
Fuel importers	Industry Organisation	Combat Agency
Local Commercial Banks	Industry Organisation	Support Organisation
Fuel Inspectors	Industry Organisation	Combat Agency
Ministry of Natural Resources Energy and Mining	Government Ministry	Support Organisation
Department of Energy	Government Department	Combat Agency
Fuel Transporters	Industry Organisation	Combat Agency
Ministry of Health	Government Ministry	Support Organisation
Ministry of Justice	Government Ministry	Support Organisation

<i>Agency</i>	<i>Type</i>	<i>Role</i>
Southern Africa Development Community	Regional Body	Support Organisation
Competition and Fair Trading Commission	Government Parastatal	Support Organisation
Oil Marketing Companies	Industry Organisation	Combat Agency
Malawi Defense Force	Government Department	Support Organisation
Malawi Police Service	Government Department	Support Organisation
Department of Disaster Management Affairs	Government Department	Support Organisation
Ministry of Foreign Affairs and International Cooperation	Government Ministry	Support Organisation
Ministry of Transport and Public Works	Government Ministry	Support Organisation

Note: Combat Agencies will be responsible for undertaking the response actions whilst support organisations will assist the Combat Agencies in their roles.

Details of the roles and responsibilities are as below.

MERA (LEAD AGENCY)

- (1) Facilitate meetings of the National Fuel Emergency Management Committee (NLFGEMC).
- (2) Chair meetings for the Operations Management Group (OMG).
- (3) Establish and manage the Joint information Centre.
- (4) Coordinate the activities of all responding services and agencies.
- (5) Monitor all aspects of the operation to ensure appropriate decision making.
- (6) Prepare and maintain all legislative papers for proclaiming or revoking a liquid fuels and gas emergency.
- (7) Obtain specialist advice and mobilize resources for the implementation of the plan as necessary.
- (8) Coordinate and arrange advertising of educational and directive instructions.
- (9) Establish effective communications with the oil industry and the general public through the media.
- (10) Provide situation reports to the Minister and NLFGEMC members.
- (11) Arrange a debriefing of NLFGEMC and OMG following an emergency.
- (12) Provide a post incident analysis report to the National Liquid Fuels and Gas Emergency Management Committee and the Minister for Energy.
- (13) Ensure the regular testing and updating of this plan.
- (14) Prepare an annual report of incidents and mitigation measures.

LIQUID FUEL AND GAS MARKETING COMPANIES AND IMPORTERS

- (1) Advise MERA of the existence or likelihood of a potential fuel supply disruption.
- (2) Provide information or training to fuel retail outlet operators during a fuel supply disruption emergency.
- (3) Continue to supply fuel to nominated essential service station outlets.
- (4) Maintain database of bulk storage facilities.
- (5) Maintain database of fuel retail outlets.

MINISTRY OF TRANSPORT

- (1) Promote and enforce road safety during liquid fuels and gas supply disruption emergency.
- (2) Provide advice on matters affecting motorists during a liquid fuels and gas supply disruption.
- (3) Facilitate issuance of necessary permits to transporters.

DEPARTMENT OF ENERGY AFFAIRS.

- (1) Provide advice on matters of policy during an emergency.
- (2) Assist with implementation of mitigation measures as highlighted in this plan.

DEPARTMENT OF DISASTER MANAGEMENT AFFAIRS

- (3) To assist with technical expertise in coordination of disasters caused by liquid fuels and gas emergencies.

MINISTRY OF DEFENCE

- (4) Uphold the sovereignty and territorial integrity of the republic and guard against threats to the safety of its citizens by force of arms.
- (5) Providing technical expertise and resources to assist the civil authorities.

RESERVE BANK OF MALAWI

- (1) Advise on monetary matters relating to the emergency.
- (2) Regulate and prioritize forex availability.

MINISTRY OF FINANCE

Facilitate resource mobilization and budget allocations for purchasing liquid fuels and gas.

MINISTRY OF HEALTH

To assist with medical expertise during a health related emergency.

COMPETITION AND FAIR TRADING COMMISSION

Ensure fair trading practices during disruption.

MALAWI POLICE SERVICE

Maintain public order.

5.2 Operational Response

This section describes the stages of an operational response which include identifying triggers for a potential or actual event occurring, describing the crisis levels against which the event will be judged and classified, and detailing activation and operation procedures. Actual events may dictate that a number of these stages run concurrently and are an iterative process.

5.2.1 Triggers for Activation (potential events)

Liquid fuels and gas emergency can be caused by a number of events. These can be broadly separated into two different categories:

- (1) A developing, "rising tide", incident which evolves over a period of several days or even weeks. It does not have an immediate effect but over a relatively long period of time could seriously impact supply. In this case MERA may conduct a watching brief, monitoring the situation, and making preparations, in readiness for any deterioration to an emergency.
- (2) A "sudden shock" crisis which happens instantly or develops within a few hours and immediately impacts liquid fuels and gas supply. In this case MERA is likely to activate a national response plan to the emergency.

A summary of the major events which can be triggers for liquid fuels and gas disruptions are shown in table 1 under section 2.1 together with the assessment of their likelihood and impacts. This list is not exhaustive, recognizing that other unforeseen events can occur.

5.2.1 Levels of Response

Crisis levels are intended to ensure consistent approach to the assessment of an emergency situation and to confirm that an appropriate level of response is implemented as required.

NERA will determine the crisis level following discussions with the key OMG, NLFGEMC and liquid fuels and gas industry responders and wider Government stakeholders, and evaluating the need to activate a national government response, notifying responders accordingly.

To move from one crisis level to the other the situation should be prevalent for at least seven days continuous.

FIGURE 2—CRISIS LEVEL

Situation Normal (60 days and above) (WHITE)	Situation is normal: The period is used for testing, auditing and reviewing the NLFGEF and for maintaining contacts between Government, the Regulator and Industry
Early Warning (30 -60 days) (BLACK)	Where there is concrete, serious and reliable information that an event may occur which is likely to result in significant deterioration of the supply situation and is likely to lead to an alert for emergency level being triggered
Alert (10-30 days) (AMBER)	When a supply disruption or exceptionally high liquid fuels and gas demand occurs, which result in significant deterioration of the supply situation, but the market is still able to manage that disruption or demand without the need to resort to non-market measures
Emergency (Below 10 days) (RED)	In the event of exceptionally high demand, significant supply disruption and when all relevant market measures have been implemented but the supply is insufficient to meet the remaining demand. Immediate action to coordinate emergency response and consequent management across industry and Government should be undertaken. Non-market measures in particular, to maintain safety of the network and safeguard supplies to customers shall be implemented.

The regulations envisaged that the 60 days will be applicable due to the utilization of liquid fuels storage reserves which are not yet operational. Currently the country threshold is 15 days cover. This plan therefore envisages that a national Liquid Fuels and Gas emergency will exist when the supply dwindles below fifteen (15) days until the storage reserves become operational. Refer to Appendix A.

It is expected that once National Oil Company of Malawi (NOCMA) Strategic Fuel Reserves are commissioned and filled, the 60 days stock cover will be attainable.

WHITE—NORMAL OPERATING SITUATION

Response Trigger

Normal operating situation.

Minor incidents that occur in the supply chain that have no, or minimal impact on supply to the market.

Actions

- (1) No intervention required by Government or industry outside of normal operating procedures.
- (2) Market participants communicate amongst themselves to resolve short demand and supply imbalances.
- (3) MERA liaises with stakeholders to monitor situation.

Sales to the General Public

During this stage all trading in liquid fuels and gas through retail outlets to the general public will be as normal.

Sales to Essential Users

There will be no restrictions placed on the sale or distribution of liquid fuels and gas to emergency services and essential users.

Bulk Liquid Fuels and Gas Users

Bulk liquid fuels and gas users (with their own storage facilities) are considered as account customers, who purchase petroleum products directly from petroleum companies or from independents. Market participants utilise existing contractual arrangements to manage short-term supply and demand imbalances.

LEVEL ONE-BLACK—INCREASED VULNERABILITY OR RISK OF A SUPPLY DISRUPTION OR LIMITED DISRUPTION.

Response Trigger

Incidents that have the potential to result in tightening of allocations (amount or duration) for bulk customers, with regular stock outs of some grades at the majority of retail sites.

Actions

- (1) MERA will inform government of the nature of the event.
- (2) Liquid fuels and gas market participants will communicate amongst themselves to resolve short demand and supply imbalances.

- (3) MERA will liaise with members of the NLFGEMC as required. MERA will maintain a line of communication to get timely information updates on the risk, and is kept informed of the implementation of precautionary measures and mitigation options being undertaken.
- (4) MERA will activate the National Liquid Fuel Disruption Response Plan and the internal response teams.

Sales to the General Public

During this stage there is no impact on daily routines and essential users remain fully supplied. All trading in liquid fuel through retail outlets to the general public will be as normal.

Sales to Essential Users

There will be no restrictions placed on the sale or distribution of liquid fuels and gas to essential users.

Bulk Liquid Fuels and Gas Users

Market participants utilise existing contractual arrangements to manage short-term supply and demand imbalances.

Supporting Strategies

The actions taken in this phase will concern planning for the avoidance of further escalation or escalating demand restraint.

LEVEL TWO—ALERT (AMBER) - INCREASING DISRUPTION

Response Trigger

There are escalating shortages with uncertain supply channels which may result in—

- (1) Short term, acute disruption.
- (2) Long term, mild disruption.

Actions

The industry stakeholder will develop and implement remedial strategies to mitigate effects of actual and potential further disruption.

NERA will notify the members of the NLFGEMC within 24 hours of noting that the alert status is now Amber and will activate the Operations Management Group (OMG).

NLFGEMC will notify the line Ministry about the impending emergency. NERA will convene meetings with the OMG to develop or review response actions to lessen the impact of the liquid fuel disruption in the country.

The following options will be considered by the OMG as means to assist with conserving fuel stocks—

- (1) Allow market mechanism to adjust to meet supply/demand imbalances.
- (2) Use of light handed- demand restraint options considered by the OMG such as.
- (3) Corporate information campaigns.
- (4) Car pooling.
- (5) Public transport campaigns.
- (6) Conduct risk assessments to consider lead time items.

Sales to the General Public

The initial response for this stage will seek the support of the general public, and essential users to conserve fuel by using vehicles for essential journeys only.

During this stage all trading in liquid fuels and gas through retail outlets to the general public will be as normal. However, depending on the availability of supplies, service stations shall introduce restrictions in the amount of fuel they supply.

Sales to Essential Users

There are no impacts on the ability of essential users to access liquid fuels and gas.

Bulk Liquid Fuels and Gas Users

Market participants utilise existing contractual arrangements to manage short-term supply and demand imbalances.

Bulk liquid fuels and gas users will be requested to implement demand restraint options within their fleet to conserve the level of fuel available in the market.

Government Agencies

Government agencies will begin to implement their own internal demand restraint measures.

Supporting Strategies

The actions taken in this phase will concern planning for the avoidance of restrictions, or if restrictions appear inevitable, preparing for possible escalation to Red Alert status through—

- (1) Briefing the Minister responsible for Energy and other Government Ministers.
- (2) Coordinating a meeting as required by regulation 125 of Liquid Fuels and Gas (Production and Supply) Regulations.
- (3) Completing legislative papers for the Minister's declaration of a liquid fuel emergency and promulgating regulations.
- (4) Preparing media releases.
- (5) Organising distribution of proformas to essential service organisations.

LEVEL THREE-RED—WIDESPREAD DISRUPTION*Response Trigger*

There are escalating shortages with—

- (1) Uncertain supply channels.
- (2) A significant impact on daily routines.
- (3) Impacts on industry or
- (4) Widespread stand-downs.

or

A national liquid fuels and gas emergency is declared by the Minister responsible for Energy.

Action

The industry stakeholders will develop and implement strategies to mitigate effects of actual and potential further disruption. MERA will notify the members of the NLFGEMC that the alert status is now Red and will activate the Operations Management Group (OMG).

MERA will convene meetings with the OMG to determine the severity of the event and confirm the alert status as being Red.

NLFGEMC will, brief the Minister responsible for Energy on the situation at hand.

The OMG will develop or review response actions to lessen the impact of the liquid fuel and gas disruption in the country.

The OMG will consider whether there is a need to implement demand restraint through the declaration of a national liquid fuel and gas emergency under the LFG Act. MERA will be responsible for implementing legislative responses as required.

Supporting Strategies

The strategies described here are intended to be flexible enough to deal with a changing situation during the course of a liquid fuels and gas shortage emergency. The choice of strategies for managing such an emergency will depend on the cause of the emergency, the products affected, the current product stock levels, and the expected duration of the emergency.

Voluntary Restraint

During stage one there are no mandatory restrictions in the sale of fuel to either essential users, bulk users or the general public. Voluntary restraint and fuel conservation strategies will be determined by the OMG with reference to the prevailing supply situation and expected duration of the event.

Retail Restrictions

Retail restrictions may be triggered by a National Liquid Fuel and Gas Emergency. Restrictions will involve the following strategies.

For the general public the following retail sales restrictions may apply—

- (1) Maximum transaction value on fuel purchases.
- (2) Restrictions on filling containers.
- (3) Restricted service station trading hours.

The following vehicles for essential users are automatically exempt from retail restrictions—

- (1) Identifiable national security vehicles.
- (2) Corrective services vehicles.
- (3) Ambulances.
- (4) Fire service vehicles.
- (4) National emergency service vehicles.

OMG will come up with measures to safeguard against abuse.

Bulk Liquid Fuel and Gas Allocation

During a national liquid fuel and gas emergency, suppliers may provide up to a nominated percentage of bulk liquid fuels and gas users normal requirements.

Those organizations with bulk liquid fuels and gas tanks and whose activities are considered to be an essential service may apply for liquid fuels and gas supplies of up to 100% of their normal requirements. However, vehicles from such organisations will be expected to utilize this supply in preference to retail outlets.

Further Retail Restrictions

Further restrictions may be implemented if fuel reserves become critical and remaining fuel stocks are required for essential users only. The nature of these restrictions will be determined by the OMG with reference to the prevailing supply situation and the expected duration of the event.

The limited supplies should be prioritized with, or without, intervention through the use of statutory emergency powers as follows—

The country's objectives in the priority allocation of limited liquid fuels and gas supply are to—

- (1) Protect the health, safety and property of the community.
- (2) Minimise broader disruption.
- (3) Minimize negative socio-economic impact to the country.

In practice these objectives are supported by the following priority guidelines as determined by the NLFGEMC, to ensure that the allocation of limited liquid fuels and gas supplies is in the public interest and consistent with all of the above principles:

- (1) Energy infrastructure—
 - (a) production, supply and distribution of electricity; and
 - (b) importation, transportation and distribution of liquid fuels and gas supplies.
- (2) Essential services—
 - (a) production, supply and distribution of water supplies;
 - (b) health services as determined by the Ministry of Health;
 - (c) maintenance of law and order by Malawi Police Service and Malawi Defence Force;
 - (d) maintenance of emergency service provision;
 - (e) waste management;
 - (f) energy and water services to populations at risk; and
 - (g) maintenance of the judicial system and the correctional system.
- (3) Industries providing essential goods and services to the community—
 - (a) production, supply and distribution of basic food and other basic supplies;
 - (b) child protection, children in care and community well-being;
 - (c) maintenance of emergency service provision;
 - (d) maintenance of mortuary services (identification, certification, religious practices, storage and burials);
 - (e) maintenance of communication networks;
 - (f) maintenance of banking and financial services; and
 - (g) continuity of critical Government functions.

(4) Supply to members of the public.

(5) All other industries—

(a) supporting business continuity and minimizing economic impacts; and

(b) recovery of Government, business and community services from a liquid fuel supply disruption.

The Schedule will not override contractual arrangements except where emergency powers have been invoked.

It may not apply where customers have other technically viable alternatives to manage the consequences of a reduction in liquid fuel supply. For all other industries, every effort will be made to maximise the availability of supply, recognizing their importance to the nation and national economy.

5.3 NOTIFICATION, ACTIVATION AND DECLARATION

5.3.1 Notification and Activation

As an incident may be identified through unexpected routes, all organisations will alert their counterparts as soon as an emerging incident is identified.

MERA will make an initial evaluation of the incident, and decide if it is necessary to consult with, or assemble, the OMG. MERA in collaboration with the OMG will also determine the crisis level, activate emergency response, and advise the NLFGEMC and other stakeholders accordingly. The NLFGEMC is responsible for notifying the Minister responsible for Energy about the crisis level. The crisis level is kept under regular review. MERA will, in collaboration with the OMG regularly review the crisis level and decide if any changes should be made, notifying all stakeholders.

Following activation of an emergency response, individual organisations will be responding and operating in line with this plan. Individual organisations are therefore expected to develop response procedures for their organisations.

5.3.2 Declaration of Liquid Fuels and Gas Emergency

In the event of liquid fuels and gas supply disruption, demand restraint measures described will be implemented in the first instance without the use of emergency powers.

The decision to declare liquid fuels and gas emergency will have profound implications for the economy and society. It is required when there are significant reductions in the normal supply of liquid fuels and gas, and for a significant duration.

Regulation 124 of the Liquid Fuels and Gas (Production and Supply) Regulations stipulates that a national liquid fuel and gas emergency shall be deemed to exist, when a natural disaster or accident, war, civil strife or any act of sabotage to the supply of liquid fuels in Malawi dwindles below sixty (60) days of cover of continuous consumption without replenishment.

The Minister shall by notice published in the *Gazette* declare a national liquid fuels and gas emergency.

5.4 RESPONSE ACTION

From the identified risks, a number of mitigation actions are proposed which will be activated depending on the nature of impending or actual disruption, though just like risks, they are not exhaustive.

It is important that any threat to disruption of fuel and gas is prevented or mitigated before it can turn into a state of emergency. Therefore the measures presented in table 3 below are both preventative and corrective for preparedness and response to a supply disruption.

TABLE 3—TRIGGERS AND MITIGATION ACTIONS

<i>Risk/trigger</i>	<i>Mitigating Actions</i>
Supplier Failure to source bids Poor credit rating/ high risk profile	<p>(a) prioritising forex allocation to fuel procurement</p> <p>(b) hedging, guarantees by Reserve Bank of Malawi (RBM)</p> <p>(c) adequate import cover</p> <p>(d) timely importer compensations</p> <p>(e) continued implementation of the Automatic Pricing Mechanism</p>
Previous performance e.g. payment default	<p>(a) continuous supplier engagement</p> <p>(b) guarantees</p> <p>(c) timely importer compensations</p> <p>(d) prioritising forex allocation</p>

<i>Risk/trigger</i>	<i>Mitigating Actions</i>
	<ul style="list-style-type: none"> (e) pool of prequalified alternative/spot suppliers (f) long term financial arrangements with financial institutions (g) use of letter of credit (h) timely tendering for supplier
Failure to supply contracted volumes	(a) due diligence evaluation of potential supplies
Inadequate supplier capacity -supplier bankruptcy, financial incapacity, operational capacity	<ul style="list-style-type: none"> (b) prequalifying more suppliers (c) spot purchasing (d) drawing from strategic fuel reserves (e) diversification of suppliers
Stock out at the port(ships failing to berth)	<ul style="list-style-type: none"> (a) prequalifying more suppliers (b) tightening contracts (c) drawing from strategic fuel reserves (d) bridging of volumes
Mechanical failure of equipment at the depot	<ul style="list-style-type: none"> (a) Provisions for loading hospitality in supplier contracts (b) prequalifying more suppliers (c) drawing from strategic fuel reserves
Price shocks	<ul style="list-style-type: none"> (a) prequalifying more suppliers (b) tightening contracts (c) drawing from strategic fuel reserves (d) lock the premiums for contract period
Breach of contract	<ul style="list-style-type: none"> (a) prequalifying more suppliers (b) tightening contracts (c) spot purchasing (d) drawing from strategic fuel reserves
Quality of product	<ul style="list-style-type: none"> (a) prequalifying more suppliers (b) engaging reputable inspectors (c) utilizing all approved routes and assuring adherence to agreed routes and destinations (d) tightening contracts (e) put in place product certification process
Failure of a major market participant (importer)	
Late submission of nominations	<ul style="list-style-type: none"> (a) spot purchases (b) negotiations for contract extension
Late submission of releases	<ul style="list-style-type: none"> (a) continuous engagement with suppliers (b) loading plan
Importer capacity constraints-operational/ financial/human resource	<ul style="list-style-type: none"> (a) provision for importation framework waivers (b) proper planning for balance of supply and demand (c) use of inland storage (d) seamless coordination (e) independent emergency importing taskforce (f) spot purchases (g) drawing from Strategic Fuel Reserves
Sabotage	<ul style="list-style-type: none"> (a) provision for importation framework waivers (b) independent emergency importing taskforce

<i>Risk/trigger</i>	<i>Mitigating Actions</i>	
Loss of facilities		
Fire Explosion	<ul style="list-style-type: none"> (a) spot purchases (b) engaging other prequalified suppliers (c) routine integrity inspection (d) drawing from strategic fuel reserves (e) observing the route mix 	
Threat of attack	<ul style="list-style-type: none"> (a) spot purchases (b) engaging other prequalified suppliers (c) observing the route mix 	
Industrial action	<ul style="list-style-type: none"> (a) spot purchases (b) engaging other prequalified suppliers (c) observing the route mix 	
Earthquake	<ul style="list-style-type: none"> (a) spot purchases (b) engaging other prequalified suppliers (c) observing the route mix 	
Large spills	<ul style="list-style-type: none"> (a) spot purchases (b) engaging other prequalified suppliers (c) observing the route mix 	
Finance		
Depreciation of Malawi Kwacha	continued implementation of Automatic Pricing Mechanism	
Unavailability of Forex	long term financial arrangements of allocation of Forex for fuel supply.	
TRANSPORTATION		
Critical transportation constraint		
Disruptions of road and rail infrastructure e.g. due to severe weather disruptions, earthquake, volcanoes, etc.	<ul style="list-style-type: none"> (a) identify alternative routes (b) identify temporary measures that could reduce risk to an acceptable level (c) identify alternative mode of transport (d) diversification of routes (e) observing route mix 	
Failing to access routes due to civil strife	<ul style="list-style-type: none"> (a) explore and validate alternative routes (b) identify temporary measures that could reduce risk to an acceptable level (c) identify alternative mode of transport (d) inter-government agreements (e) identify alternative source point 	
Loss of people		
Labour dispute	<ul style="list-style-type: none"> (a) mediate any disputes (b) dispute resolution mechanisms put in place (c) identify alternative transporters (d) identify a pool of trained drivers that can be engaged (e) review of condition of service 	
Health epidemic	<ul style="list-style-type: none"> (a) identify a pool of trained drivers that can be used (b) identify instant medical measures (c) alternative route (d) routine medical check ups 	

<i>Risk/trigger</i>	<i>Mitigating Actions</i>
Other Risks	
Delays in delivery of volumes	<ul style="list-style-type: none"> (a) vehicle tracking system (b) demurrage charges
Disagreements with transporters e.g. on rates	<ul style="list-style-type: none"> (a) vehicle tracking system (b) demurrage charges (c) identify alternative transporters (d) mediate disputes (e) judicial intervention (f) review of freight rates (g) agreed framework for remuneration review (h) tightening contracts
Sovereignty	
Disputes between governments	<ul style="list-style-type: none"> (a) alternative routes (b) arbitration at international level (c) bilateral and regional agreements
Uncompetitive practices e.g. monopoly	<ul style="list-style-type: none"> (a) identify alternative service providers/product (b) arbitration (c) legal action (d) reducing barriers to entry (e) market monitoring (f) competition and fair trade laws (g) diversification of transporters
Storage depots	
Fire Explosion	<ul style="list-style-type: none"> (a) procure additional volumes, (b) working relationship (MOU) with fire brigade (c) identify idle space in the existing depots and make hospitality arrangements
Threat of attack	<ul style="list-style-type: none"> (a) identify temporary measures that could reduce risk to an acceptable level (b) stepping up security measures, e.g. campsite armed security personnel
Lack of Preventive Maintenance	<ul style="list-style-type: none"> (a) routine checks on the storage facilities (b) installation of firefighting equipment (c) routine fire drill
Industrial action	<ul style="list-style-type: none"> (a) mediate any disputes (b) judicial intervention (c) engage temporary workers from other sites (d) drawing from strategic fuel reserves
Earthquake	<ul style="list-style-type: none"> (a) procure additional volumes (b) identify idle space in the existing depots and make hospitality arrangements (c) drawing from strategic fuel reserves
Large spills	<ul style="list-style-type: none"> (a) procure additional volumes (b) identify idle space in the existing depots and make hospitality arrangements (c) drawing from strategic fuel reserves

<i>Risk/trigger</i>	<i>Mitigating Actions</i>
Other Risks	
Tied volume due to product contamination	(a) procure additional volumes (b) identify idle space in the existing depots and make hospitality arrangements (c) drawing from strategic fuel reserves (d) routine monitoring of seals (e) testing the product before offloading
Sabotage by OMCs not to offload	(a) regulatory intervention (b) legal action (c) routine inspections (d) demurrage charges (e) streamline delivery and receipt process for the product (f) provide storage incentives
Distribution	
Potential or actual industrial relations emergencies	(a) mediate any disputes (b) judicial intervention (c) engage temporary workers from other sites (d) moral suasion
Willful misconduct by retailers e.g. hoarding of fuel	(a) mediate disputes (b) judicial intervention (c) regulatory intervention

Upon declaration of the national liquid fuels and gas emergency, more measures will be imposed to manage the situation. Some of these measures include—

- (1) Encouraging organisations to reduce fuel usage by maintaining only essential activities of the organization.
- (2) Issuing more or suspending or revoking some licenses as the situation may arise.
- (3) Rationing liquid fuels and gas sales at all or some points in the supply chain.
- (4) Prioritising essential services.

6.0 PUBLIC INFORMATION

Communicating accurate and timely information to the media and public is essential to managing liquid fuels and gas emergency. Effective communication helps minimize public confusion and anxiety, encourages positive public response to appeals for voluntary conservation efforts, and improves public understanding of possible mandatory measures for dealing with the emergency.

MERA through the NLFGEMC will take a leading role in coordinating and monitoring a nationwide public information process to support activities related to actual and potential liquid fuels and gas supply emergencies.

MERA in collaboration with the same committee will be responsible for coordinating briefings and disseminating timely and accurate information to the general public and providing guidelines that encourage emergency fuel demand reduction.

The public information process will involve a nationwide, interagency, multimedia approach that informs the public.

Background Information

- (1) The prevailing fuel situation.
- (2) Societal impacts on health, environment, essential services etc.
- (3) Cause of the emergency.

- (4) Actions already taken.
- (5) Scale and anticipated duration.
- (6) Expected time scale for restoration.
- (7) Market issues i.e. price implications.
- (8) Fuel supply and demand balance.

Measures being taken

- (1) Actions to increase fuel supply.
 - (2) Actions to reduce fuel demand.
 - (3) Special conservation efforts.
 - (4) Security and safety issues.
- 6.1 Establish Joint Information Centre.

MERA in collaboration with the Ministry responsible for Energy will establish a Joint Information Centre (JIC) to provide a common location for all involved stakeholders to share and disseminate information to the media and the public during a fuel and gas emergency. The stakeholders could include but not limited to representatives of OMCs, importers, transporters representatives, media groups and the Ministry of Information. This will enhance the coordination, timelines, and accuracy of information released regarding the emergency situation.

6.2 Communication Channels

A number of communication channels shall be used to disseminate information to the general public during the emergency. Some of the communication channels include—

- (1) Press release.
- (2) Press briefing.
- (3) Consultative meetings.
- (4) TV and radio programs.
- (5) Fliers and brochures.
- (6) Social media.

All communications made to the general public will be prepared by MERA and issued after consulting with all involved stakeholders. All Government agencies will be encouraged to provide appropriate information about services or assistance for the public for inclusion in the releases.

In order to obtain adequate information from all stakeholders, MERA may contact individual heads of OMCs to request their assistance and ask the heads to provide names of contact persons from their institutions.

Materials provided during the information release could include list of mandatory or voluntary conservation measures, telephone numbers, and contact people for special assistance and advice on dealing with potential or actual fuel emergencies. MERA would provide individual OMCs with camera-ready materials to be printed and distributed through retail outlets.

7.0 RECOVERY PHASE

The Recovery Phase shall begin when the emergency situation has been brought under control, the initiation of response activities has ended, and the relaxation of protective response actions taken is being considered. During this recovery phase of an emergency, MERA in collaboration with the NLFGENC will—

- (1) Review recovery actions and develop strategies for meeting ongoing national liquid fuels and gas needs.
 - (2) Continue to monitor the situation.
 - (3) Compile a post emergency assessment report detailing lessons learnt and recommendations for improvement.
 - (4) Keep accurate records of emergency responses.
 - (5) Assess any environmental impacts from emergency response efforts and develop remedial strategies for restoring resources to the pre-emergency condition.
-

APPENDIX A

Situation Normal (15 days and above) (WHITE)	Situation is normal: The period is used for testing, auditing and reviewing the NLFGEF and for maintaining contacts between the Government, the Regulator and Industry
Early Warning (10 -15 days) (BLACK)	Where there is concrete, serious and reliable information that an event may occur which is likely to result in significant deterioration of the supply situation and is likely to lead to an alert for emergency level being triggered
Alert (5-10 days) (AMBER)	When a supply disruption or exceptionally high liquid fuels and gas demand occurs, which result in significant deterioration of the supply situation, but the market is still able to manage that disruption or demand without the need to resort to non-market measures
Emergency (Below 5 days) (RED)	In the event of exceptionally high demand, significant supply disruption and when all relevant market measures have been implemented but the supply is insufficient to meet the remaining demand. Immediate action to coordinate emergency response and consequent management across industry and Government should be undertaken. Non-market measures in particular, to maintain safety of the network and safeguard supplies to customers shall be implemented.

Made this 1st day of September, 2018.

REV. DR. J. P. BVUMBWE
Board Chairperson, Malawi Energy
Regulatory Authority

(FILE NO. MERALA/1/11)

GENERAL NOTICE NO. 80

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 her 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 she shall have received written particulars.

PETER CHISAMA
for Administrator General

(1) EZEKIEL KWATIWANI, formerly of Chigwasa Village, T.A. Kalolo, Lilongwe, who died at The Clinic Hospital on the 12th day of October, 2015.

(2) LOYCE CHILEMBWE KUYEWAWA, formerly of Champiti Village, T.A. Champiti, Ntcheu, who died at Queen Elizabeth Central Hospital on the 8th day of July, 2016.

(3) LOTANI CHILOZI, formerly of Kabudula Village, T.A. Kabudula, Lilongwe who died at Kamuzu Central Hospital on the 27th day of February, 2017.

(4) ROBINS NOPROBLEM MKONDA, formerly of Chembe Village, T.A. Nankumba, Mangochi, who died at Monkey Bay Community Hospital, on the 15th day of September, 2016.

(5) JHN MBETAYASAMBA, formerly of Ministry of Natural Resources, who died at Ntchisi District Hospital, on the 31st day of January, 2017.

(6) FLEX CHIMWANO, formerly of Ministry of Health, who died at Nkhoma Mission Hospital on the 24th day of December, 2017.

(7) MASAUKO PHIRI, formerly of Ministry of Education, who died at Sinoya Village on the 14th day of October, 2017.

(8) FRANK F. KALONDE, formerly of Ministry of Health, who died at Kamuzu Central Hospital on the 14th day of July, 2017.

(9) IGNATIUS CHEKAONDA, formerly of Ministry of Agriculture, who died at Ntcheu District Hospital on the 06th day of October, 2017.

(10) CHRISPIN K. MBUNA, formerly of Ministry of The Accountant General, who died at Kamuzu Central Hospital on the 20th day of June, 2017.

(11) RODRICK ZAWANDA, formerly of Ministry of Education, who died at Ntcheu District Hospital on the 27th day of August, 2017.

(12) VANUWICK OFENI CHAPENDEKA, formerly of Ministry of Agriculture, who died at Mitundu Community Hospital on the 2nd January, 2018.

(13) SLVIO KUDZINGO, formerly of Ministry of Accountant General, who died at Matapa, Lilongwe, on the 17th day of October, 2017.

(14) LESTON MGAWANYUMBA, formerly of Ministry of Accountant General, who died at Queen Elizabeth Hospital on the 9th day of September, 2017.

(15) VICTOR SAKALA, formerly of Ministry of Accountant General, who died at Mchinji District Hospital on the 10th day of November, 2017.

(16) SYDNEY HALLIASI, formerly of Ministry of Accountant General, who died at Chakhumbira Village on the 30th day of December 2017.

(17) JOE CHANGWA, formerly of Ministry of Accountant General, who died at Ntcheu District Hospital on the 26th day of January, 2017.

(18) JUDITH SAMBIKANI, formerly Ministry of Education, who died at Nkhamenya Community Hospital on the 22nd day of October, 2017.

(19) LYMORT SEVEN, formerly of Accountant General, who died at Likuni Mission Hospital on the 04th day of January, 2018.

(20) ERNEST E.F NTINGWI, formerly of Accountant General, who died at Dowa District on the 3rd day of March, 2017.

(21) DIVALA CHIMANGENI, formerly of Accountant General, who died at T.A. Nthondo Village, Ntchisi, on the 6th day of September, 2017.

(22) HACE SAUKA, formerly of Accountant General, who died at Chiwambo Village, Lilongwe, on the 26th day of November, 2017.

(23) GELD GENDA, formerly of Accountant General, who died at Kapesi Village, Dedza, on the 9th day of February, 2018.

(24) JOHN CHIMALIRA formerly of Ministry of Health who died at Dedza District Hospital, on 7th day of January, 2017.

(25) GEORGE IZIDOLI formerly of Ministry of Agriculture who died at Mwindi Village, Lilongwe on 18th day of December, 2017.

(26) DZAUTSI JAMES BANDA, formerly of Accountant General, who died at Ntcheu District Hospital on the 11th day of December, 2017.

(27) FALLOT CHIMBALAME, formerly of Accountant General, who died at Kamuzu Central Hospital on the 20th day of December, 2017.

(28) RAPHAEL CHAGUZIKA, formerly of Accountant General, who died at Ntchisi District Hospital on the 17th day of November, 2017.

(29) EDWARD KAZOMBO, formerly of Ministry of Education, who died at Kasungu District Hospital on the 17th day of November, 2017.

(30) BONNEX CHAOMBA, formerly of Ministry of Water, who died at Queen Elizabeth Hospital on the 3rd day of July, 2017.

(31) YEMBEKEZANI CHIDZANIA, formerly of Ministry of Information, who died at Deyang Luke Hospital on the 3rd day of May, 2017.

(32) HYSOY H. K. CHIDZENJE, formerly of Accountant General, who died at Ntchisi District on the 15th day of November, 2017.

(33) AXON B. KACHALE, formerly of Mwandama Village, T.A. Chikulamayembe, Rumphi, who died at Kamuzu Central Hospital on the 29th day of September, 2016.

(34) ESTHER KAUNDA, formerly of Accountant General, who died at Partners In Hope Clinic on the 17th day of March, 2016.

(35) CHRISSE NAIJIRA, formerly of Kayonanga Village, T.A. Mtwalo Mzimba, who died at Blantyre Adventist Hospital on the 13th day of November, 2016.

(36) COLLINGS MWASE, formerly of Ministry of Internal Affairs, who died at Kamuzu Central Hospital on the 31st day of January, 2018.

(37) SUZGIKA GONDWE, formerly of Ministry of Education, who died at Nkhota-Kota District Hospital on the 8th day of May, 2014.

GENERAL NOTICE No. 81

CHANGE OF NAME RESTRICTION ACT

Change of Name Restriction Regulation Notice of approval to change Name

Notice is hereby given that approval has been granted by His Excellency THE PRESIDENT PROF. ARTHUR PETER MUTHARIKA to the underlisted persons to change names as stated below—

CHARITY MUNGONI to CHARITY STEPHENS

AUSTIN KAUNDA to AUSTIN KAUNDA MANYUNGWA

All persons are authorized and required at all times to designate, describe and address such persons by the said new names only.

Dated this 29th day of August, 2018.

K. BENI

(REF. NO. 11/06/04/XXIV)

for Chief Secretary to the Government

GENERAL NOTICE No. 82

NATIONAL COUNCIL FOR HIGHER EDUCATION ACT

(Cap. 30:12)

Notice of appointment

NOTICE IS HEREBY GIVEN to the general public that pursuant to section 4 (4) of the National Council for Higher Education Act (Cap. 30:12) the following individuals have been appointed as members of the National Council for Higher Education—

- | | |
|-------------------------|--------------------|
| 1. DR. BRUCE MUNTHALI: | <i>Chairperson</i> |
| 2. DALTON MPHEPO | <i>Member</i> |
| 3. DR. CLEMENCE KADZERA | <i>Member</i> |
| 4. REV. JOHN GONDWE | <i>Member</i> |
| 5. MR. ALBERT JEREMIAH | <i>Member</i> |
| 6. MRS. TEMWA SIMWAKA | <i>Member</i> |

7. The Secretary for Education or his/her designated representative *ex-official*

8. The Secretary to the Treasury or his/her designated representative *ex-official*

9. The Comptroller of Statutory Corporation or his/her designated representative *ex-official*

10. The Secretary for Human Resource Management and Development or his/her designated representative *ex-official*

11. Vice Chancellor of University of Malawi representing public universities *ex-official*

12. Vice Chancellor of Malawi University of Science and Technology representing public universities *ex-official*

13. Vice Chancellor of Malawi Adventist University representing public universities *ex-official*

The appointments are with effect from 26th July 2018.

Dated this 7th day of September, 2018.

BRIGHT MSAKA SC

Minister of education, Science and
Technology

(FILE NO. EDU/11G/18/145)

GENERAL NOTICE No. 83

TRAFFICKING IN PERSONS ACT

(No. 3 of 2015)

Designation of Enforcement Officers

IT IS HEREBY published for general information that in exercise of the powers conferred by section 26 of the Trafficking in Persons Act, 1, CECILIA CHAZAMA, Minister of Home Affairs and Internal Security, has designated the following persons as enforcement officers for the purposes of the Act—

- Police officers;
- Immigration officers; and
- Labour officers.

Dated this 14th day of September, 2018.

CECILIA CHAZAMA
Minister for Home Affairs
and Internal Security

(FILE NO. HA/2/1)

THE MALAWI GOVERNMENT GAZETTE
THE OFFICIAL JOURNALS OF PATENTS, TRADE MARKS
AND DESIGNS

for

MALAWI

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