

1540 COMMITTEE MATRIX OF MALAWI

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: MALAWI
 Date of Report: 3 September 2014
 Date of Committee Approval:

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.	YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1 Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 18 February 1986	
2 Nuclear Weapons Free Zone/ Protocol(s)	X	Pelindaba Treaty, deposit 23 April 2009	
3 Convention for the Suppression of Acts of Nuclear Terrorism	X	Deposit 7 October 2009	
4 Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 17 December 2013	

5	2005 Amendment to the CPPNM			
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 21 November 2008	
7	Chemical Weapons Convention (CWC)	X	Deposit 11 June 1998	
8	Biological Weapons Convention (BWC)	X	Deposit 2 April 2013	
9	Geneva Protocol of 1925	X	Deposit 14 September 1970	
10	Other Conventions/Treaties	X	State Party to 12 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): 1997 International Convention for the Suppression of Terrorist Bombing, Deposit 11 August 2003 1999 International Convention for the Suppression of the Financing of Terrorism, Deposit 11 August 2003 Partial Test Ban Treaty, deposit: 26 November 1964, Moscow OAU Convention on the Prevention and Combating of Terrorism, deposit: 4 July 2003 International Health Regulations (2005)	
11	International Atomic Energy Agency (IAEA)	X	Since 2006	
12	Hague Code of Conduct (HCOC)	X	Subscribed	
13	Other Arrangements			
14	General statement on non-possession of WMD	X	State stated that it “does not manufacture, procure, possess or supply weapons of mass destruction.”	
15	General statement on commitment to disarmament and non-proliferation	X	State stated that it is “an ardent believer of the need to ensure that international disarmament, non-proliferation and arms control regime is effective and mutually agreeable by all States.”	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State stated that it is “committed to refrain from providing any form of support to non-state actors that attempt to develop, acquire, manufacture, possess, transport, and transfer or use nuclear, chemical or biological weapons and their means of delivery.”	

17	Other ¹	X	<p>Member of:</p> <p>African Union (AU)</p> <p>Southern African Development Community (SADC)</p> <p>Eastern and Southern Africa 'Anti-Money' Laundering Group (ESAAMLG)</p> <p>Egmont Group of Financial Intelligence Units</p> <p>International Maritime Organisation (IMO)</p> <p>World Health Organisation (WHO)</p> <p>World Customs Organisation (WCO) and Signed WCO Declaration on implementation of Framework of Standards to secure and facilitate global trade (SAFE Framework of Standards)</p> <p>World Organisation for Animal Health (OIE)</p> <p>International Criminal Police Organization (INTERPOL)</p> <p>State party to the 2005 Revised Cotonou Agreement, as revised (ACP member)</p>	
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1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?	National legal framework					Enforcement: civil/criminal penalties and others					Remarks
	YES			if YES, source document of national implementation law	YES			if YES, source document			
	N W	C W	B W		N W	C W	B W				
1 manufacture/produce	X	?	?	<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, sections 66 (peaceful use commitment), 67 (prohibited activities) 1994 Constitution, section 211(1)" Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement."</p> <p>CW: 1994 Constitution, section 211(1)" Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement."</p> <p>BW: 1994 Constitution, section 211(1)" Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement."</p>	X			<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, section 67 (3), Part XIV</p>			
2 acquire	X	?	?	<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, sections 66 (peaceful use commitment), 67 (prohibited activities) 1994 Constitution, section 211(1)" Any international agreement ratified by an Act of</p>	X			<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, section 67 (3), Part XIV</p>			

				<p>Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p> <p>CW: 1994 Constitution, section 211(1)” Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p> <p>BW: 1994 Constitution, section 211(1)” Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p>				
3	possess	X	?	?	<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, sections 66 (peaceful use commitment), 67 (prohibited activities) 1994 Constitution, section 211(1)” Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p> <p>CW: 1994 Constitution, section 211(1)” Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p> <p>BW: 1994 Constitution, section 211(1)” Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p>	X		<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, section 67 (3), Part XIV</p>
4	stockpile/store	X	?	?	<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII,</p>	X		<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII,</p>

				<p>sections 66 (peaceful use commitment), 67 (prohibited activities) 1994 Constitution, section 211(1)" Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement."</p> <p>CW: 1994 Constitution, section 211(1)" Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement."</p> <p>BW: 1994 Constitution, section 211(1)" Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement."</p>			section 67 (3), Part XIV	
5	develop	X	?	<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, sections 66 (peaceful use commitment), 67 (prohibited activities) 1994 Constitution, section 211(1)" Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement."</p> <p>CW: 1994 Constitution, section 211(1)" Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement."</p> <p>BW: 1994 Constitution, section 211(1)" Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of</p>	X		<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, section 67 (3), Part XIV</p>	

				Parliament ratifying the agreement.”				
6	transport	X		<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, sections 66 (peaceful use commitment), 67 (prohibited activities)</p>	X		<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, section 67 (3), Part XIV</p>	
7	transfer	X	? ?	<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, sections 66 (peaceful use commitment), 67 (prohibited activities) 1994 Constitution, section 211(1)” Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p> <p>CW: 1994 Constitution, section 211(1)” Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p> <p>BW: 1994 Constitution, section 211(1)” Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p>	X		<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, section 67 (3), Part XIV</p>	
8	use	X	X ?	<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, sections 66 (peaceful use commitment), 67 (prohibited activities) Penal Code Chapter 7:01, section 239 (intent to” harm” through ”<u>any</u> explosive substance”)</p> <p>CW: Penal Code Chapter 7:01, sections 240, 248 (“poisonous and other noxious thing”) 1994 Constitution, section 211(1)” Any international agreement ratified by an Act of</p>	X	X	<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, section 67 (3), Part XIV Penal Code Chapter 7:01, section 239 (intent to” harm” through ”<u>any</u> explosive substance”)</p> <p>CW: Penal Code Chapter 7:01, sections 240, 248 (“poisonous and other noxious thing”)</p>	

				<p>Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p> <p>BW: Penal Code Chapter 7:01, section 346 (“Communicating infectious diseases to animals”) 1994 Constitution, section 211(1)” Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p>				<p>BW: Penal Code Chapter 7:01, section 346 (“Communicating infectious diseases to animals”)</p>	
9	participate as an accomplice in abovementioned activities	X	X	?	<p>NW: Penal Code Chapter 7:01, section 22 (“Offences committed by joint offenders”)</p> <p>CW: Penal Code Chapter 7:01, section 22 (“Offences committed by joint offenders”)</p> <p>BW: Penal Code Chapter 7:01, section 22 (“Offences committed by joint offenders”)</p>	X	X	?	<p>NW: Penal Code Chapter 7:01, section 22 (“Offences committed by joint offenders”)</p> <p>CW: Penal Code Chapter 7:01, section 22 (“Offences committed by joint offenders”)</p> <p>BW: Penal Code Chapter 7:01, section 22 (“Offences committed by joint offenders”)</p>
10	assist in abovementioned activities	X	X	?	<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, section 67(2) (“assisting”) Penal Code Chapter 7:01, sections 21, 23 (“aids and abets”, “counselling another to commit an offence”)</p> <p>CW: Penal Code Chapter 7:01, sections 21, 23 (“aids and abets”, “counselling another to commit an offence”) 1994 Constitution, section 211(1)” Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p>	X	X	?	<p>NW: Atomic Energy Act, No.16 of 2011, Part XVIII, section 67 (3), Part XIV Penal Code Chapter 7:01, sections 21, 23 (“aids and abets”, “counselling another to commit an offence”)</p> <p>CW: Penal Code Chapter 7:01, sections 21, 23 (“aids and abets”, “counselling another to commit an offence”)</p>

				<p>BW: Penal Code Chapter 7:01, sections 21, 23 (“aids and abets”, “counselling another to commit an offence”) 1994 Constitution, section 211(1)“ Any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement.”</p>			<p>BW: Penal Code Chapter 7:01, sections 21, 23 (“aids and abets”, “counselling another to commit an offence”)</p>		
11	finance abovementioned activities	X	X	X	<p>NW: Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006 Money Laundering, Proceeds of Serious Crime and Terrorist Financing Regulations of 2011 (Government Notice No 39 of 2011)</p> <p>CW: Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006 Money Laundering, Proceeds of Serious Crime and Terrorist Financing Regulations of 2011 (Government Notice No 39 of 2011)</p> <p>BW: Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006 Money Laundering, Proceeds of Serious Crime and Terrorist Financing Regulations of 2011 (Government Notice No 39 of 2011)</p>	X	X	X	<p>NW: Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006 (Financial Intelligence Unit) Money Laundering, Proceeds of Serious Crime and Terrorist Financing Regulations of 2011 (Government Notice No 39 of 2011) National Committee on Anti-Money-Laundering/Combating Financing of Terrorism</p> <p>CW: Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006 (Financial Intelligence Unit) Money Laundering, Proceeds of Serious Crime and Terrorist Financing Regulations of 2011 (Government Notice No 39 of 2011) National Committee on Anti-Money-Laundering/Combating Financing of Terrorism</p> <p>BW: Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006 (Financial Intelligence Unit) Money Laundering, Proceeds of Serious Crime and Terrorist Financing Regulations of 2011 (Government Notice No 39 of 2011) National Committee on Anti-Money-Laundering/Combating Financing of Terrorism</p>
12	abovementioned activities related to means of delivery ²								

13	involvement of non-State actors in abovementioned activities	X	X	<p>NW: Penal Code Atomic Energy Act, No.16 of 2011 Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006</p> <p>CW: Penal Code Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006</p> <p>BW: Penal Code Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006</p>	X	X	<p>NW: Penal Code Atomic Energy Act, No.16 of 2011 Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006</p> <p>CW: Penal Code Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006</p> <p>BW: Penal Code Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006</p>	
14	Other	X	X	<p>NW: Mutual Assistance in Criminal Matters Act No.24 of 1991 (within the Commonwealth)</p> <p>CW: Mutual Assistance in Criminal Matters Act No.24 of 1991 (within the Commonwealth)</p> <p>BW: Mutual Assistance in Criminal Matters Act No.24 of 1991 (within the Commonwealth)</p>	X	X	<p>NW: Mutual Assistance in Criminal Matters Act No.24 of 1991 (within the Commonwealth)</p> <p>CW: Mutual Assistance in Criminal Matters Act No.24 of 1991 (within the Commonwealth)</p> <p>BW: Mutual Assistance in Criminal Matters Act No.24 of 1991 (within the Commonwealth)</p>	

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials³

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework					Enforcement: civil/criminal penalties and others					Remarks
	YES			if YES, source document	YES			if YES, source document			
	NW	CW	BW*		NW	CW	BW				
1 Measures to account for production	X	?	?	<p>NW: INFCIRC/409, Additional Protocol and SQP Atomic Energy Act, No.16 of 2011, Parts IV, XIII (safeguards) Atomic Energy Regulations of 2012, Part II</p> <p>CW: Pesticides Act Parts IV and V</p> <p>BW: Biosafety Act, Part IV (genetic modification of organisms / gene therapy)</p>	X	?	?	<p>NW: Atomic Energy Act, No.16 of 2011, Part II (Atomic Energy Regulatory Authority), Part VI (Inspections and enforcement) , Part XIV (Offences and Penalties) Atomic Energy Regulations of 2012, Part II, section 11 (enforcement)</p> <p>CW: Pesticides Act Parts VIII and X</p> <p>BW: Biosafety Act, Parts VII, IX</p>			
2 Measures to account for use	X	?	?	<p>NW: INFCIRC/409, Additional Protocol and SQP Atomic Energy Act, No.16 of 2011, Parts IV, XIII (safeguards) Atomic Energy Regulations of 2012, Part II</p> <p>CW: Pesticides Act Parts IV and V</p> <p>BW: Public Health Act Parts III – VII (notification, prevention of infectious diseases) Control and Diseases of Animals Act, sections</p>	X	?	?	<p>NW: Atomic Energy Act, No.16 of 2011, Part II (Atomic Energy Regulatory Authority), Part VI (Inspections and enforcement) ,Part XIV (Offences and Penalties) Atomic Energy Regulations of 2012, Part II, section 11 (enforcement)</p> <p>CW: Pesticides Act Parts VIII and X</p> <p>BW: Public Health Act Parts II, XVI Control and Diseases of Animals Act, sections 12, 13, 14, 22</p>			

				3, 4 Biosafety Act, Part IV (genetic modification of organisms / gene therapy) Plant Protection Act, section 4 (plant pests or diseases)				Biosafety Act, Parts VII, IX Plant Protection Act, sections 5 and 11		
3	Measures to account for storage	X	?	?	NW: INFCIRC/409, Additional Protocol and SQP Atomic Energy Act, No.16 of 2011, Parts IV, XIII (safeguards) Atomic Energy Regulations of 2012, Part II CW: Pesticides Act Parts IV and V BW: Biosafety Act, Parts IX	X	?	?	NW: Atomic Energy Act, No.16 of 2011, Part II (Atomic Energy Regulatory Authority), Part VI (Inspections and enforcement) ,Part XIV (Offences and Penalties) Atomic Energy Regulations of 2012, Part II, section 11 (enforcement) CW: Pesticides Act Parts VIII and X BW: Biosafety Act, Parts VII, IX	
4	Measures to account for transport	X			NW: Atomic Energy Act, No.16 of 2011, Parts IV, XI Atomic Energy Regulations of 2012, Parts II, XIV	X			NW: Atomic Energy Act, No.16 of 2011, Part II (Atomic Energy Regulatory Authority), Part VI (Inspections and enforcement) ,Part XIV (Offences and Penalties) Atomic Energy Regulations of 2012, Part II, section 11 (enforcement)	
5	Other measures for accounting	?	?	?	NW: Environment Management Act, 1996 CW: Environment Management Act, 1996 BW: Environment Management Act, 1996	?	?	?	NW: Environment Management Act, 1996 CW: Environment Management Act, 1996 BW: Environment Management Act, 1996	
6	Measures to secure production	X			NW: Atomic Energy Act, No.16 of 2011, Parts IV, V, VII, X, XIII (security, physical protection) Atomic Energy Regulations of 2012, Part II, III, sections 18(8), Part V, section 29(b), Part XII (radioactive waste management)	X			NW: Atomic Energy Act, No.16 of 2011, Part II (Atomic Energy Regulatory Authority), Part VI (Inspections and enforcement) , Part XIV (Offences and Penalties) Atomic Energy Regulations of 2012, Part II,	

									section 11 (enforcement)	
7	Measures to secure use	X	?	<p>NW: Atomic Energy Act, No.16 of 2011, Parts IV, V, VII, X, XIII (security, physical protection), Atomic Energy Regulations of 2012, Part II, III, sections 18(8), Part V, section 29(b), Part XII (radioactive waste management)</p> <p>BW: Public Health Act Parts III – VII (notification, prevention of infectious diseases) Control and Diseases of Animals Act, sections 3, 4, 5</p>	X	?	<p>NW: Atomic Energy Act, No.16 of 2011, Part II (Atomic Energy Regulatory Authority), Part VI (Inspections and enforcement) ,Part XIV (Offences and Penalties) Atomic Energy Regulations of 2012, Part II, section 11 (enforcement)</p> <p>BW: Public Health Act Parts II, XVI Control and Diseases of Animals Act, sections 12, 13, 14, 22</p>			
8	Measures to secure storage	X		<p>NW: Atomic Energy Act, No.16 of 2011, Parts IV, V, VII, X, XIII (security, physical protection) Atomic Energy Regulations of 2012, Part II, III, sections 18(8), Part V, section 29(b), Part XII (radioactive waste management)</p>	X		<p>NW: Atomic Energy Act, No.16 of 2011, Part II (Atomic Energy Regulatory Authority), Part VI (Inspections and enforcement) , Part XIV (Offences and Penalties) Atomic Energy Regulations of 2012, Part II, section 11 (enforcement)</p>			
9	Measures to secure transport	X		<p>NW: Atomic Energy Act, No.16 of 2011, Parts IV, V, VII, X, XIII (security, physical protection) Atomic Energy Regulations of 2012, Parts II, XIV</p>	X		<p>NW: Atomic Energy Act, No.16 of 2011, Part II (Atomic Energy Regulatory Authority), Part VI (Inspections and enforcement) , Part XIV (Offences and Penalties) Atomic Energy Regulations of 2012, Part II, section 11 (enforcement)</p>			
10	Other measures for securing	?	?	<p>NW: Environment Management Act, 1996</p> <p>CW: Environment Management Act, 1996</p> <p>BW: Environment Management Act, 1996</p>	?	?	<p>NW: Environment Management Act, 1996</p> <p>CW: Environment Management Act, 1996</p> <p>BW: Environment Management Act, 1996</p>			

11	Regulations for physical protection of facilities/ materials/ transports							
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X	?	?		X	?	?
13	Reliability check of personnel							
14	Measures to account for/secure/ physically protect means of delivery							

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority	X	Atomic Energy Act, No.16 of 2011, Part II	X	Atomic Energy Regulatory Authority	
2	IAEA Safeguards Agreements	X	INFCIRC/409 in force, 3 August 1992 Additional Protocol, in force 26 July 2007 Amended Small Quantities Protocol (SQP), 29 February 2008	X	INFCIRC/409 in force, 3 August 1992 Additional Protocol, in force 26 July 2007 Amended Small Quantities Protocol (SQP), 29 February 2008	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources					
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources					
5	IAEA Incident and Trafficking Database of nuclear and other radioactive material out of regulatory control	X	Participates	X	Participates	
6	Other Agreements related to IAEA	X	Member State of the African Regional Cooperative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA) Country Programme Framework Agreement (CPF), 2010	X	Member State of the African Regional Cooperative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA) Country Programme Framework Agreement (CPF), 2010	

7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other	X	Member: Forum of Nuclear Regulatory Bodies in Africa (FNRBA)	X	Member: Forum of Nuclear Regulatory Bodies in Africa (FNRBA)	

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Ministry of Foreign Affairs and International Cooperation	X	Ministry of Foreign Affairs and International Cooperation	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Initial Declarations	X	Initial Declarations	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					
5	Other	X	National Report referred to a Chemical Weapons Bill	X	National Report referred to a Chemical Weapons Bill	

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work	X	Biosafety (Management of Genetically Modified Organisms) Regulations	X	Biosafety (Management of Genetically Modified Organisms) Regulations	
2	Other legislation/ regulations related to safety and security of biological materials					
3	Other	X	National Authority on Biological Weapons Convention National Report referred to a Biological and Toxin Weapons Convention Implementation Bill	X	National Authority on Biological Weapons Convention National Report referred to a Biological and Toxin Weapons Convention Implementation Bill	

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework					Enforcement: civil/criminal penalties, and measures of implementation, etc					Remarks
	YES			if YES, source document	YES			if YES, source document			
	N W	C W	B W		N W	C W	B W				
1 Border control	X	X	X	<p>NW: Customs and Excise Act, as amended, section 3 Immigration Act, as amended</p> <p>CW: Customs and Excise Act, as amended, section 3 Immigration Act, as amended</p> <p>BW: Customs and Excise Act, as amended, section 3 Public Health Act Part VI, section 38 Immigration Act, as amended</p>	X	X	X	<p>NW: Customs and Excise Act, as amended, Parts II, III, XVII (Malawi Revenue Authority's Customs & Excise Division) Immigration Act, as amended (Ministry of Internal Affairs and Public Security's Immigration Department)</p> <p>CW: Customs and Excise Act, as amended, Parts II, III, XVII (Malawi Revenue Authority's Customs & Excise Division) Immigration Act, as amended (Ministry of Internal Affairs and Public Security's Immigration Department)</p> <p>BW: Customs and Excise Act, as amended, Parts II, III, XVII (Malawi Revenue Authority's Customs & Excise Division) Public Health Act Part VI, section 38 Immigration Act, as amended (Ministry of Internal Affairs and Public Security's Immigration Department)</p>			
2 Technical support of border control measures	X	X	X	<p>NW: ASYCUDA++ (Automated System for Customs Data) Mobile non-intrusive cargo scanners</p>	X	X	X	<p>NW: ASYCUDA++ (Automated System for Customs Data) Mobile non-intrusive cargo scanners</p>			

				<p>CW: ASYCUDA++ (Automated System for Customs Data) Mobile non-intrusive cargo scanners</p> <p>BW: ASYCUDA++ (Automated System for Customs Data) Mobile non-intrusive cargo scanners</p>			<p>CW: ASYCUDA++ (Automated System for Customs Data) Mobile non-intrusive cargo scanners</p> <p>BW: ASYCUDA++ (Automated System for Customs Data) Mobile non-intrusive cargo scanners</p>		
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology								
4	Enforcement agencies/authorities	X	X	X	<p>NW: Customs and Excise Act, as amended, Parts II, III Atomic Energy Act, No.16 of 2011, Part II</p> <p>CW: Customs and Excise Act, as amended, Parts II, III Pesticides Act Part VIII</p> <p>BW: Customs and Excise Act, as amended, Parts II, III Public Health Act Part VI, section 38 Plant Protection Act, section 5 Control and Diseases of Animals Act, section 12 Biosafety Act, Part VII Biosafety (Management of Genetically Modified Organisms) Regulations Part II</p>	X	X	X	<p>NW: Customs and Excise Act, as amended, Parts II, III, XVII (Malawi Revenue Authority's Customs & Excise Division) Atomic Energy Act, No.16 of 2011, Part II (Atomic Energy Regulatory Authority)</p> <p>CW: Customs and Excise Act, as amended, Parts II, III, XVII (Malawi Revenue Authority's Customs & Excise Division) Pesticides Act Part VIII (Inspectors)</p> <p>BW: Customs and Excise Act, as amended, Parts II, III, XVII (Malawi Revenue Authority's Customs & Excise Division) Public Health Act Part VI, section 38 (Department of Health) Plant Protection Act, section 3 (Inspectors) Control and Diseases of Animals Act, sections 12, 14 (Inspectors) Biosafety Act, Part VII, section 40 Biosafety (Management of Genetically Modified Organisms) Regulations Part II (National Biosafety Regulatory Committee)</p>
5	Export control legislation in place	X	?	?	<p>NW: Atomic Energy Act, No.16 of 2011, section 57</p>	X	?	?	<p>NW: Atomic Energy Act, No.16 of 2011, Parts II, XIV</p>

				<p>(export of radioactive waste), 64(1) (export of radioactive sources), 66(3) (export of nuclear material) Atomic Energy Regulations of 2012, Part XI (Export of radioactive sources)</p> <p>CW: Pesticides Act Part V</p> <p>BW: Plant Protection Act, section 12 Plant Protection (export) Regulations Biosafety Act, Part IV Biosafety (Management of Genetically Modified Organisms) Regulations Part III Control and Diseases of Animals Act, section 6</p>			<p>(Atomic Energy Regulatory Authority)</p> <p>CW: Pesticides Act Part VIII</p> <p>BW: Plant Protection Act, section 11 Biosafety Act, Part VII, section 40 Control and Diseases of Animals Act, section 22</p>		
6	Licensing provisions	X	?	?	X	?	?	<p>NW: Atomic Energy Act, No.16 of 2011, Parts IV, V, sections 64, 66(3) Atomic Energy Regulations of 2012, Part XI</p> <p>CW: Pesticides Act Part V</p> <p>BW: Plant Protection (export) Regulations, section 4 (phytosanitary certificate) Biosafety Act, Part IV Biosafety (Management of Genetically Modified Organisms) Regulations Part III</p>	<p>NW: Atomic Energy Act, No.16 of 2011, Parts II, XIV (Atomic Energy Regulatory Authority)</p> <p>CW: Pesticides Act Part VIII</p> <p>BW: Plant Protection (export) Regulations, section 5 Biosafety Act, Part VII, section 40</p>
7	Individual licensing	X	?	?	X	?	?	<p>NW: Atomic Energy Act, No.16 of 2011, Parts IV, V, section 64 Atomic Energy Regulations of 2012, Part XI</p> <p>CW: Pesticides Act Part V</p> <p>BW: Biosafety Act, Part IV Biosafety (Management of Genetically Modified Organisms) Regulations Part III</p>	<p>NW: Atomic Energy Act, No.16 of 2011, Parts II, XIV (Atomic Energy Regulatory Authority)</p> <p>CW: Pesticides Act Part VIII</p> <p>BW: Biosafety Act, Part VII, section 40</p>

8	General licensing									
9	Exceptions from licensing	X			NW: Atomic Energy Act, No.16 of 2011, Section 7(i) Atomic Energy Regulations of 2012, Part XI	X			NW: Atomic Energy Act, No.16 of 2011, Parts II, XIV	
10	Licensing of deemed export/visa									
11	National licensing authority	X	?	?	NW: Atomic Energy Act, No.16 of 2011, Part II Atomic Energy Regulations of 2012, Section 16(2) CW: Pesticides Act Part II BW: Plant Protection Act, Plant Protection (import / export) Regulations Biosafety Act, Part IV Biosafety (Management of Genetically Modified Organisms) Regulations Part II	X	?	?	NW: Atomic Energy Act, No.16 of 2011, Parts II, XIV (Atomic Energy Regulatory Authority) CW: Pesticides Act Parts II, VIII (Pesticides Control Board) BW: Plant Protection Act, Plant Protection (import / export) Regulations (Ministry of Agriculture) Biosafety Act, Part IV Biosafety (Management of Genetically Modified Organisms) Regulations Part II (national Biosafety Regulatory Committee)	
12	Interagency review for licenses									
13	Control lists	X		?	NW: Atomic Energy Regulations of 2012, Fourth Schedule BW: Plant Protection (import) Regulations, Second Schedule (List of Plant Pests and Diseases)	X		?	NW: Atomic Energy Regulations of 2012, Fourth Schedule BW: Plant Protection (import) Regulations, Second Schedule (List of Plant Pests and Diseases)	
14	Updating of lists									
15	Inclusion of technologies									

16	Inclusion of means of delivery								
17	End-user controls								
18	Catch all clause								
19	Intangible transfers								
20	Transit control	X			NW: Atomic Energy Act, No.16 of 2011, section , 64(1)	X			NW: Atomic Energy Act, No.16 of 2011, Parts II, XIV (Atomic Energy Regulatory Authority)
21	Trans-shipment control								
22	Re-export control								
23	Control of providing funds	X	X	X	NW: Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006 Money Laundering, Proceeds of Serious Crime and Terrorist Financing Regulations of 2011 (Government Notice No 39 of 2011) Exchange Control Act, Chapter 45:01 CW: Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006 Money Laundering, Proceeds of Serious Crime and Terrorist Financing Regulations of 2011 (Government Notice No 39 of 2011) Exchange Control Act, Chapter 45:01 BW: Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006 Money Laundering, Proceeds of Serious Crime	X	X	X	NW: Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006 (Financial Intelligence Unit) Money Laundering, Proceeds of Serious Crime and Terrorist Financing Regulations of 2011 (Government Notice No 39 of 2011) Exchange Control Act, Chapter 45:01 National Committee on Anti-Money-Laundering/Combating Financing of Terrorism CW: Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006 (Financial Intelligence Unit) Money Laundering, Proceeds of Serious Crime and Terrorist Financing Regulations of 2011 (Government Notice No 39 of 2011) Exchange Control Act, Chapter 45:01 National Committee on Anti-Money-Laundering/Combating Financing of Terrorism BW: Money Laundering, Proceeds of Serious Crime and Terrorist Financial Act 11 of 2006 (Financial Intelligence Unit)

					and Terrorist Financing Regulations of 2011 (Government Notice No 39 of 2011) Exchange Control Act, Chapter 45:01				Money Laundering, Proceeds of Serious Crime and Terrorist Financing Regulations of 2011 (Government Notice No 39 of 2011) Exchange Control Act, Chapter 45:01 National Committee on Anti-Money-Laundering/Combating Financing of Terrorism	
24	Control of providing transport services									
25	Control of importation	X	?	?	<p>NW: Atomic Energy Act, No.16 of 2011, sections 64(1) , 66(3) Atomic Energy Regulations of 2012, Part XI</p> <p>CW: Pesticides Act Part V</p> <p>BW: Public Health Act, section 126 (vaccines) Plant Protection Act, section 12 Plant Protection (import) Regulations Biosafety Act, Part IV Biosafety (Management of Genetically Modified Organisms) Regulations Part III Control and Diseases of Animals Act, section 6</p>	X	?	?	<p>NW: Atomic Energy Act, No.16 of 2011, Parts II, XIV (Atomic Energy Regulatory Authority)</p> <p>CW: Pesticides Act Part VIII</p> <p>BW: Public Health Act, Part XVI Plant Protection Act, section 11 Biosafety Act, Part VII, section 40 Control and Diseases of Animals Act, section 22</p>	
26	Extraterritorial applicability									
27	Other	X	X	X	<p>NW: Mutual Assistance in Criminal Matters Act No.24 of 1991(within the Commonwealth)</p> <p>CW: Mutual Assistance in Criminal Matters Act No.24 of 1991(within the Commonwealth)</p> <p>BW: Mutual Assistance in Criminal Matters Act No.24 of 1991(within the Commonwealth)</p>	X	X	X	<p>NW: Mutual Assistance in Criminal Matters Act No.24 of 1991(within the Commonwealth)</p> <p>CW: Mutual Assistance in Criminal Matters Act No.24 of 1991(within the Commonwealth)</p> <p>BW: Mutual Assistance in Criminal Matters Act No.24 of 1991(within the Commonwealth)</p>	

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	X	List of Prohibited Imports and Restricted Imports – Malawi Revenue Authority	
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	<p>Date of Request: 3 September 2014</p> <p>Assistance required in areas of legislation, capacity building and technical support.</p> <ol style="list-style-type: none"> 1. Support to harmonise the two current drafts domestic implementation of the CWC and BWC. 2. Development of a comprehensive and harmonized legislation on counter-terrorism. 3. Training of personnel in the security services and border control agencies in areas of detection of malicious materials as well as equipment. 4. Support towards a survey to determine schedules of chemicals to be reported in accordance with the Chemical Weapons Convention. <p>Date of Request: 30 September 2014</p> <p>Assistance for capacity building of border management and security agencies in the handling of potential sources of chemical and biological weapons.</p> <ol style="list-style-type: none"> 1. Support to establish and enhance the human and technical capacity of the Border Management Agencies to manage the threat posed by potential sources of weapons of mass destruction. 2. Support for the training of border management and security agents and provision of relevant technology to assist in the detection of potential elements that could be used in chemical and biological weapons. 3. Assistance to strengthen bio-security measures and infectious disease surveillance, detection and diagnostic capacity. 	
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)			

7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact	X	<p>Mr. Warren Gunda (Deputy Director of Political Affairs, Ministry of Foreign Affairs and International Cooperation Tel: +265-1-789-088 / 789-115 Mobile: +265-888-875-460 Email: area15111@yahoo.com / area15111@gmail.com</p> <p>Col. George A. Jaffu, Jr, 'psc' (Defence Advisor, Permanent Mission of Malawi to the United Nations) Tel: 212-317-8738 Mobile: 646-726-0144 Fax: 212-317-8729 Email: gjaffu@gmail.com</p>	
10	Other ⁴	X	1540 Committee visit to Malawi from 5-8 August 2014	

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.