

Malawi

Courts Act

Chapter 3:02

Legislation as at 31 December 2017

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Courts Act
Contents

Part I – Preliminary 1

 1. Short title 1

 2. Interpretation 1

Part II – General 3

 3. Process of courts 3

 4. Legal practitioners 3

Part III – High Court 4

 General 4

 5. Constitution of High Court 4

 5A. Judges to have powers of subordinate courts 4

 6. Senior Judge of the High Court 4

 6A. Establishment of divisions of court 4

 7. Registrars 5

 7A. Establishment of District Registries and appointment of District Registrars 5

 7B. Seals of District Registries 5

 7C. Powers, functions and duties of District Registrars 5

 7D. Transfer of proceedings 5

 7E. Rules to regulate practice and procedure in District Registries 6

 7F. Directions by the Chief Justice as to duties and functions of District Registries 6

 8. Powers and duties of Registrar and other officers of Court 6

 9. Proceedings of High Court to be disposed of by single judge 6

 10. Vacations 7

 11. Additional jurisdiction 7

 12. Procedure in perjury 7

 Arrest and attachment before judgment 8

 13. Arrest before judgment 8

 14. Attachment before judgment 8

 15. Imprisonment for debt 8

 16. Committal of judgment debtors 9

 17. Saving of provisions relating to examination of judgment debtors 9

 Appellate jurisdiction of the High Court 10

 18. Appellate criminal jurisdiction 10

 19. Appellate civil jurisdiction 10

 Civil appeals from subordinate courts 10

20. Civil appeals from subordinate courts to the High Court	10
21. Reservation of points of law	10
22. Power of High Court in civil appeals	10
23. Appeal not to operate as stay of execution	11
24. Subordinate court shall conform to order of High Court	11
Revision by High Court of proceedings of subordinate courts	11
25. Revision in criminal proceedings	11
26. General supervisory powers of High Court	11
27. No revision where appeal lies	11
28. No right of party to be heard on revision	12
Practice and procedure	12
29. Practice and procedure of the High Court	12
Costs and fees	12
30. Costs to be in the discretion of the High Court	12
31. Costs when proceedings could have been commenced in subordinate court	12
32. Fees	12
Part IV – Subordinate courts	13
General	13
33. Establishment of courts of magistrates	13
34. Constitution of courts of magistrates	13
35. A court of a magistrate to have jurisdiction throughout Malawi	13
36. Places and times of sittings of subordinate courts	13
37. Records to be kept	13
38. Seals	13
Civil jurisdiction of courts of magistrates	14
39. Civil jurisdiction of courts of magistrates	14
40. Counterclaims in subordinate courts	14
41. Relinquishing part of claim	15
42. Claims not to be split	15
43. Jurisdiction to grant relief by way of interpleader	15
44. Res judicata	15
45. Stay of proceedings	15
46. Transfer of proceedings	15
47. Set-off	15
48. Discovery	16

49. Process to compel appearance	16
50. Arrest	16
51. Attachment of property	16
52. Sections 50 and 51 not to be construed as conferring jurisdiction under section 16	16
53. Variation and suspension of judgments	16
54. Contempt of court	17
55. Setting aside judgments	17
56. Attachment of debt	17
Execution	17
57. Suspension of execution	17
Criminal jurisdiction of courts of magistrates	17
58. Criminal jurisdiction of courts of magistrates	17
Procedure	17
59. Rules of court regulating practice and procedure in subordinate courts	17
Part V – Miscellaneous	18
60. Proceedings to be in open court	18
61. Protection of judicial officers	18
62. Expenses of witnesses	18
63. Notice to bring persons from prison	19
64. Proof of customary law	19
65. Interest on judgments	19
66. Execution of warrants	19
67. Rules of court	19
68. Saving of rights of Government	19
69. Savings	19
70. Saving of offices	20
Schedule (Section 32)	21

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Commenced on 1 August 1958

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[Note: This version of the Act was revised and consolidated in the Forth Revised Edition of the Laws of Malawi (L.R.O. 1/2015), by the Solicitor General and Secretary for Justice under the authority of the Revision of the Laws Act.]

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An Act to consolidate the law relating to the High Court and certain courts subordinate thereto

Part I – Preliminary

1. Short title

This Act may be cited as the Courts Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"**civil matter**" means a civil matter that is not a commercial, criminal, family or probate matter;

[23 of 2016]

"**commercial matter**" means a civil matter of commercial significance arising out of or connected with any relationship of commercial or business nature, whether contractual or not, including—

- (a) the formation or governance of a business or commercial organization;
- (b) the contractual relationship of a business or commercial organization;
- (c) liabilities arising from commercial or business transactions;
- (d) the restructuring or payment of commercial debts;
- (e) the winding-up of companies or bankruptcy of persons;
- (f) the enforcement or review of commercial arbitration award;
- (g) the enforcement of foreign judgments of commercial matters subject to the provisions of the law;
- (h) the supply or exchange of goods and services;
- (i) banking, negotiable instruments, international credit and similar financial services;
- (j) insurance services; or
- (k) the operation of stock and foreign exchange markets,