

Malawi

Immunities and Privileges Act

Chapter 16:01

Legislation as at 31 December 2014

FRBR URI: /akn/mw/act/1984/16/eng@2014-12-31

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PDF created on 9 July 2022 at 21:16.

Collection last checked for updates: 31 December 2014.

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Assented to on 17 April 1984

Commenced on 17 April 1984

[This is the version of this document at 31 December 2014.]

[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.]

An Act to determine the extent of the immunity of foreign states from the jurisdiction of the courts of Malawi; to provide for diplomatic and consular privileges and immunities by giving effect to certain international conventions and otherwise and for privileges and immunities of international organizations; and for connected purposes

Part I – Preliminary

1. Short title

This Act may be cited as the Immunities and Privileges Act.

2. Interpretation

(1) In this Act—

"**commercial purposes**" means purposes of any commercial transaction as defined in [section 5 \(3\)](#);

"**consular officer**" means any person, including the head of a consular post, entrusted in that capacity with the exercise of consular functions and any person in the service of the government of a Commonwealth country performing any such functions;

"**consular post**" means any consulate-general, consulate, vice-consulate or consular agency;

"**diplomatic agent**" has the meaning assigned to it in Article 1 in the First Schedule.

(2) In the Articles set out in the First and Second Schedules—

"**agent of the receiving State**" or "authorities of the receiving State" shall be construed as including a police officer and any person exercising a power of entry into or upon premises under any written law;

"**grave crime**" shall be construed as meaning any offence which, on first conviction, is punishable with imprisonment for a term which may extend to five years or with a more severe sentence;

"**national of the receiving State**" shall be construed as meaning a citizen of Malawi.

[First and Second Schedules]