

Malawi

## Refugees Act

Chapter 15:04

Legislation as at 31 December 2014

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# Malawi

## Refugees Act

### Chapter 15:04

Assented to on 26 April 1989

Commenced on 26 April 1989

*[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 give effect to refugee conventions as defined in the Act; to make provision relating to refugees; and to provide for matters incidental thereto or connected therewith**

*[3 of 1989; 30 of 1991]*

#### 1. Short title

This Act may be cited as the Refugees Act.

#### 2. Interpretation

(1) In this Act, unless the context otherwise requires-

“border” includes any point of entry into Malawi, whether by air, land or water,

“competent officer” means any immigration officer, border officer, police officer or security officer;

“country of nationality”, in relation to a person who has more than one nationality, means each of the countries of which that person is a national;

“family member” means any spouse or spouses, unmarried children under the age of twenty-one and any other dependant relatives of the refugee;

“refugee” means a person who-

(a) owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events is unable or, owing to such fear, is unwilling to return to that country; or

(b) owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality;

“Committee” means the Refugee Committee established under [section 3](#);

“refugee conventions” means—

(a) the Convention relating to the Status of Refugees, done at Geneva on 28th July, 1951;

(b) the Protocol relating to the Status of Refugees of 13 January, 1967; and