LAWS OF MALAWI

CHAPTER 57:01 LAND

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LAWS OF MALAWI

LAND

INCLUDING LAND (AMENDMENT) ACT (No.6 of 2004)

CHAPTER 57:01

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PART 1

PRELIMINARY

1. This Act may be cited as the Land Act. Short title

2. In this Act, unless the context otherwise requires- Interpretation

“authorized officer” means an officer in the Public Service duly authorized by the Minister for the purposes of this Act or any Part thereof;

“customary land” means all land which is held, occupied or used under customary law, but does not include any public land;

“customary law” means the customary law applicable in the are concerned:

“existing laws” means any law contained in the Schedule or any law which was repealed or replaced by any such law;

“existing Orders” means the Orders in Council specified in Part 1 of the Schedule;

“Government land” means all public land other than public roads;

“lease” includes an agreement for a lease, and any reference to a lease shall be construed as a reference to a lease granted under this Act or the existing laws;

“traditional court” means a traditional court established under section 3 of the Traditional Court Act; Cap. 3:03

“magistrate” means a Resident Magistrate or other grade magistrate exercising jurisdiction in the area concerned;

“magistrate’s court” means any subordinate court constituted under section 54 of the Court Act; Cap: 3:02

“private land” means all land which is owned, held or occupied under a freehold title, or a leasehold title, or a Certificate of Claim or which is registered as private land under the

Cap. 58:01 Registered Land Act;

“ public land” means all land which is occupied, used or acquired by the Government and any other land, not being customary land or private land, and includes-

5 of 1976 (a) any land held by the Government consequent upon a reversion thereof of the Government on the termination , surrender or failing-in of any freehold or leasehold estate therein pursuant to any covenant or by operation of law; and

(b) not withstanding the revocation of the existing Orders, any land which was, immediately before the coming into operation of this Act, public land within the meaning of the existing Orders;

“public road” means a public road as defined in and by section 3 of the public Roads Act;

Cap. 69;02 “rules good husbandry” means, due regard being given to the character and situation of the land in question –

(a) the maintenance of the land (whether arable, woodland or pasture) free from harmful weeds, clean and in a good state of cultivation and fertility and in good condition;

(b) the maintenance an clearing of drains, earthworks and access roads;

(c) the maintenance and proper repair of fences hedges and field boundaries;

(d) the execution of repairs to any building upon the land; and

(e) such rules of good husbandry as may be prescribed or required under this Act or under any other law.

Protection 3. No suit, prosecution or other legal proceeding shall lie in their personal capacities against any of authorized authorized officer, or against any authorized officer, or against any person acting under his

officer authority , for any thing in good faith done or omitted or intended to be done or omitted or

intended to be done under this Act.

PART II

GENERAL

Power of 4. –(1) Land shall not be assured to or for the benefit of , or acquired by or on behalf of any body corporations corporate, unless such body corporate is authorized by a licence issued by the President to hold To hold land lands in Malawi:

Cap. 46:03 Provided that this section shall not apply to a body corporate

8 Edw.7 incorporated in Malawi in accordance with the Companies Act or a body corporate coming within c. c.69 the terms of section 275 of the Companies (Consolidation) Act, 1908, of the United Kingdom in its

application to Malawi, or a body corporate established by or under a written law which empowers it

to hold land.

(2) A disposition of any estate or interest in land in Malawi to or for the benefit of a body corporate shall, unless such body corporate is authorized in accordance with subsection (1 to hold lands in Malawi, be of no effect and unenforceable in any court, and any documents of title relating to such unenforceable disposition shall not be registrable in Malawi.

(3) The Minister may make rules prescribing the particulars to be furnished, the forms to be used and the fees to be paid in relation to applications for and grants of licences for the purposes of subsection (1).

(4) The issue of licences for the purposes of subsection (1) shall be in the absolute discretion of the President and the decision of the President whether or not to issue a licence shall be final and shall not be questioned in any court.

5. –(1) The Minister may make and execute grants, leases or other dispositions of public or Minister’s customary land for any such estates, interests or terms, and for such purposes and on such power to dispose

terms, and conditions as he may think fit: public land or

customary land

Provided that the Minister shall not make any grant of customary land for an estate greater than a lease for 99 years.

(2) The Minister shall, in every grant of a lease of public or customary land , reserve a rack-rent in respect thereof:

Provided that-

(a) the Minister may, in his discretion, reserve a rent which is less than a rack rent in leases granted under this section to local government or public utility bodies, statutory corporations, Chiefs, missions or religious bodies, scientific and philanthropic bodies or any other organizations, associations, bodies or undertaking s;

(b) where, having regard to all the circumstance of the case the minister is satisfied that it is neither expedient, equitable or necessary to reserve a rack rent in any lease granted, or to be granted, under this section, he may, in his discretion, reserve in any such lease a rent which is less than a rack rent.

6.-(1) If any moneys due to the Government in respect of any rent payable under any lease or right Financial

To occupancy of land or any other agreement relating to the occupation or use of land made penalty for

Under this Act or any other law remain unpaid at the end of a period of ninety days after the same delay became due and payable , the amount so remaining unpaid shall, at the end of such period , be increased in

By a penalty equal to one-tenth of the sum so remaining unpaid, or by a penalty of ten shillings, whichever is the greater, and the penalty imposed under this section shall be deemed to be part of such moneys and shall be recoverable by the Government in the same manner as such moneys are recoverable.

(2) The Imposition of a penalty under this section shall not affect the powers conferred upon the Minister by section 14 to enforce forfeiture of a lease and to re-enter upon land on the breach, or non-observance by a lessee of any of the covenants or conditions contained or implied in the lease.

(3) The exercise by the Minister of the powers conferred by section 14 to enforce a forfeiture and re-enter upon land shall not affect the right of the Government to recover rent or any Mondays due to the Government under subsection (1).

(4) The Minister may in any case or class of cases, if he considers that the circumstances so warrant, exempt the lessee from payment of any penalty due by the lessee under subsection (1).

Minister 7. The Minister may appoint such authorized officers for the administration of

May appoint this Act as he shall think fit, which officers shall be known by such styles or

duly authorized are titles as the Minister may direct, and shall undertake such duties and

officers exercise such powers as specified in this Act or in any regulations made

thereunder.

PART III

PUBLIC LAND

Vesting of 8. All public lands is vested in perpetuity in the President.

Public land

Use and occupation 9. No right of entry into any Government land shall be implied in

Occupation of favour of any person and the use and occupation of all Government

Government land land reserved for the use and occupation of the President, shall be

controlled by the Minister.

Unlawful use of public 10. Any person who uses or occupies any public land and is not

Land to be an offence entitled to such use or occupation by virtue of a valid grant, lease or other disposition made by the Minister under any law for the time being in force at the date of such grant, lease or disposition, shall be liable to a fine of £100 and to imprisonment for six month, and in the case of a continuing offence, to a further fine of £5 in respect of every day during which the offence continues.

PART IV

PRIVATE LAND

11. The Minister may accept the surrender of any lease made under this Act or the Minister may

Existing laws, or any amendment thereto, on such terms and conditions as he may think fit. Accept

Surrenders

12.The Minister, may, in his discretion, wholly or partially relieve any person from the Minister

liability to perform or observe any covenant, condition, agreement or stipulation binding may relieve

on such person by virtue of any grant, lease or other disposition made under this from liability

Act or the existing laws, and may extend the time for the performance or observance of to perform

any such covenant, condition, agreement or stipulation. Covenants,

etc

13. In every lease granted under this Act there shall be implied such covenants with the implied

Minister by or on behalf of the lessee as may be prescribed to the intent that such covenant

covenants shall continue in full force and effect (Save where earlier satisfied) throughout in leases

t the term granted:

Provided that any such implied covenant may, in the Minister’s discretion, be expressly excepted

from any such lease by the terms thereof, or may be expressly modified or varied thereby to such

extent as the Minister may direct.

14. On the breach or non-observance by a lessee of any of the covenants or conditions Minister’s power

contained or implied in his lease, and on behalf of the lessee to be performed or of re- entry

observed, or if the lessee shall fail or neglect to comply with any orders, directions or

instruction made or given under this Act, or if the lessee, or any one of them if more than

one, shall become bankrupt or make any assignment for the benefit of his creditor or enter

into an agreement or make any arrangement with his creditors for the liquidation of his debts

a company, shall go into liquidation whether voluntary ( save for the purpose of amalgation

or reconstruction) or compulsory, then and in any of the said cases, the Minister may, without

prejudice to any other right which he may have in law or in equity, determine the lease by notice

in writing to the lessee or by re-entry on any part of the demised premises in the name of the

whole.

15. –(1) Unless otherwise expressly stated in the lease there shall be implied in every Exception and

lease exceptions and reservations of the following in favour of the Minister- reservations 1 of 1981

(a) All mines, royal and base minerals, mineral substances of every description,

mineral oil deposits, quarries, gravel, sales of such crops at the auction floors or at other source of payment in accordance with such arrangements as the Minister may agree with the authorities of the auction floors or other source of payment.

17.In revising any rent the Minister shall not take into consideration any enhanced Matters not

value of the demised premises attributable to improvements effected thereon by to be taken

the lessee during the term of the lease. Into account

18. –(10 If the Minister decides to alter a rental on revision, he shall cause the Procedure on

lessee to be notified in writing of the amount of the revised rental and the date alteration of

from which it shall become payable, which date shall not be less than six months rent

from the date of such notice.

(2) If the rental shall be increased on such revision, and if, within six months

of the date of the notice, the lessee does not notify the Minister in writing that

he objects to the revised rental and intend s to terminate his lease in accordance

with section 19, the revised rental shall become payable as from the date

specified.

19. –(1) If the lessee notifies the Minister of his intention to terminate his Surrender in

lease under section 18, he may surrender his lease to the Minister at any time lieu of revision

before the date specified as the date on which the revised rental shall become of rent

payable.

(2)If the lessee fails to surrender his lease before such date the lease shall

continue in full force and effect and the revised rental shall become payable as

from the date specified.

20. If the lessee shall surrender his lease in accordance with section 19, Compensation for

he shall upon registration of a deed of Surrender in the Deeds Registry, improvements on

be entitled to such compensation in respect of any improvements effected surrender

by him upon the demised premised during the term as the Minister may

determine to be reasonable in all the circumstances.

21. The acceptance by the Minister of any rent reserved by a lease, or any part Acceptance of

thereof, shall not constitute or be construed as a waiver of any previous breach of rent not to

by the lessee of any of the covenants or conditions contained or implied in the waive breach of

lease and on his part to be performed and observed. covenant

22. An authorized officer may distrain for any rent due in respect of any land Authorised

granted, leased or otherwise disposed of under this Act or the existing laws, officer may or any amendment thereto. distrain

23. Any notice require to be given under this Act or under any grant, lease or Service of notices

other disposition of land made thereunder, shall be deemed to be sufficiently

served on a grantee, lessee or other person in favour of whom such other

disposition is made, if addressed to him by prepaid registered post at his last

known address, or, if such grantee, lessee or person is a company, at its registered

office, or principal office or place of business in Malawi, and on the Minister if

addressed to him by prepaid registered post at the Central government offices, Lilongwe.

Fees 24. The prescribed fees shall be payable in respect of such matters as may be

Prescribed:

Provided that in any special case the Minister may remit or reduce any such

fees .

Prior within 24A –(1) Any person who intends to offer for sale or otherwise to convey, lease, notification totransfer or assign any private land shall, not less than thirty days before ha makes Minister of such offer or otherwise conveys, leases, transfer or assigns, give notice in writing

Intention to the Minister of his intention. In this subsection “sale” includes any manner of

to sell, etc. selling or letting by bids

private land

7 of 1974

(2) Any person who acts, or attempts to act, in contravention of the provisions of subsection (1) shall be liable to a fine of K1,000 and to imprisonment for a term of twelve months.

(3) Nothing in this section shall apply to-

(a) any offer of sale, conveyance, lease, transfer or assignment by or direct to the Government;

(b) any agreement to lease, or any lease, for a non-renewable term of not more than three years;

(c) any sale pursuant to any order of court or by any officer in the public service acting in his official capacity and pursuant to any written law;

(d) any mortgage or other hypothecation by way of security for repayment of money lent in good faith or for the due performance of the terms and conditions of any contract entered into in good faith:

Provided that this paragraph shall not apply to any mortgage or hypothecation given for the purpose of the evasion or avoidance of the provisions of this section.

(4) The Minister may, by regulations published in the Gazette, prescribe forms for the purposes of this section.

PART V

CUSTOMARY LAND

vesting of 25. All customary land is hereby declared to be the lawful and undoubted property of customary the people of Malawi and is vested in perpetuity in the President for the purposes land and of this Act.

Mineral rights

thereof in

President 1

of 1981

26. The Minister shall, subject to this Act, and to any other law for the time Minister to administer

Being in force, administer and control all customary land and all minerals and control customary

in, under or upon any customary land, for the use or common benefit, land and mineral rights

direct or indirect, of the inhabitants of Malawi: thereof

Provided that a Chief may, subject to the general or special directions of the

Minister, authorize the use and occupation of any customary land within his area,

in accordance with customary law.

27. –(1) Wherever it appears to the Minister that any customary lands is needed for Acquisition of

a public purpose, that is to say a purpose which is for the benefit, direct or indirect, customary

of the community as a whole, or a part of the community, he may declare, by notice land for

under his hand and published ion the Gazette, that such land is public land, and public

thereupon such land shall become public land: purposes 1

0f 1969

Provided that this subsection shall not apply to any customary land required for use

as a public road or for the widening or diversion thereof, but such land shall be

acquired for such purpose under or in accordance with the Public Roads Act. Cap.69:02

(2) Whenever any customary land is required for temporary use for a public

purpose, such use not being in the opinion of the Minister likely to necessitate

occupation for a period in excess of 7 years, the Minister may authorize the

temporary use and occupation of the land for such public purpose, and such

land shall remain customary land throughout the period of temporary use

and occupation:

Provided that, on the expiry of such a period, the Minister may authorize such

temporary use and occupation for a further period of three years.

28 Any person Compensation to in-

(a) any grant, disposition, permit or licence of or in respect of customary land, dividuals for loss, Made or given by the Minister under section 5; damage or disturbance

(b) any declaration made under section 27 (1) that any such land is public land; or

(c) the temporary use and occupation of customary land under section 27 (2),

Suffers any disturbance of, or loss or damage to any interest which he may have or, immediately prior to the happening of any of the events above mentioned in this section, may have had in such land, shall be paid such compensation for such disturbance, loss or damage as shall be reasonable.

29.-(1) Whenever it appears to the Minister that any public land is surplus to Land no longer

the requirements of the Government, he shall so declare by notice made under needed for public

his hand and published in the Gazette, and thereupon such land shall become purpose 1of 1969

customary land.

(2) Notwithstanding any other provision of this Act, the Minister may give to any

Chief directions relating to the disposition of customary land, or the occupation

thereof by any persons or classes of persons specified in such directions, and may

by such directions restrain any native authority or other person from procuring the

removal of any such persons or classes of persons from customary land.

(3) The Minister may take such actions as he may deem necessary to ensure

compliance with any directions given by him under this section.

30. Nothing in this Act shall be construed as preventing the application of the Conversion of to

Customary Land (Development) Act to any customary land and the subsequent customary land

registration of such land under the Registered Land Act as Private land. registered land

Cap. 59: 01

Cap. 58:01

PART VI

USER OF LAND

31. (1) Subject to this Act, the Minister may, from time to time, be Order under Minister’s power to his Hand and published in the Gazette, or by regulations made under section regulate, manage or

39, or by directions or instructions made or given by him in writing in any control the user of

individual case, make provision for regulating, managing and controlling the land

user of all land other than public land or private land situate within a

Municipality or Township.

(2) Without derogation from the generality of subsection (1), any such

Order, regulation, direction or instruction, may make provision regulating

and controlling the use to which land may be put, the method of cultivation

and growing of crops and keeping livestock, the maintenance of proper

drainage of such land and the fencing, hedging and modes of access to

such land, the preservation and protection of the source, course and banks

of streams and generally for the good management and conservation of the

soil, water, woodland, pasture and other natural resources thereof .

Different Orders, regulations, directions or instructions may be made

or given by the Minister in respect of different areas of land.

(3) If any person contravenes this section, or any regulation, direction or

instruction made or given thereunder, he shall be liable to a fine of £100

and to imprisonment for six months, and, in the case of a continuing

offence, to a further fine of £5 for every day during which the offence

continues.

(4) If any person is convicted of an offence under this Section, the Minister

may by notice under his hand terminate that person’s right (however arising)

to occupy land in respect of which such offence was committed and such

person shall, not more than thirty days after being given such notice, vacate

the land. If he fails, omits or refuses so to vacate the land his use and

occupation of it shall be unlawful.

32. –(1) If any person fails to comply within a reasonable time with the

terms of any Order or with any regulation, direction or instruction made

or given under section 27 (1) the Minister may by notice in writing under

his hand require such person to make such compliance within such time as

the Minister may specify in the notice.

(2) If any person to whom notice has been given under subsection (1) fails

to comply with the terms thereof within the time specified the Minister

may by further notice under his hand terminate that person’s right

(howsoever arising) to occupy the land to which the regulation, direction

or instruction in question related and such person shall, not more than thirty

days after being given such further notice, vacate the land. If he fails,

omits or refuses to vacate the land his use and occupation of it shall be

unlawful.

33. Any authorized officer may at all reasonable times enter upon any land

to which section 31 (1) applies for the purpose of ensuring that this Part is

being complied with.

34. If any person obstruct s or impedes any person lawfully exercising any

powers or performing any functions or duties conferred or imposed upon him

by or under this Part, he shall be liable to the penalties provided for in section

31 (3) and subsection (40 of that section shall as well apply to that person so

offending.

35. Where, by Virtue of section 31 (40 or 32(20, the right of a person to occupy land is terminated by the Minister by Order, than, from the date of such Order, such land shall-

(a) if it is held by such person directly under a grant, lease or other disposition of public or customary land made under this Act or the existing laws, revest in the President as public land;

(b) if it is held by such person under a lease, licence or other disposition of private land,revest in the person entitled to the land on the termination of the lease, licence or interest created by such other disposition;

(c) in any other case, become vested in the President as public land.

35A. [Repealed by 21 of 1970].

PART VII

TRESPASS OR ENCROACHMENT UPON, OR UNLAWFUL OCCUPATION OF, LAND

36. –(1) If any person trespasses or encroaches upon any public land or any private land or is deemed under this Act to be in unlawful use or occupation of any such land is situated may, upon a sworn complaint being made by the person having lawful title to the land, issue a summons to such first-mentioned person 9herein after referred to as the “defendant”) requiring him to attend at the court of that magistrate to answer such complaint. Upon the hearing of the summons, the magistrate, if he is satisfied that such person has trespassed or encroached upon the land, or is, or is deemed to be, in unlawful use or occupation thereof,

Make an order requiring the defendant, his family or other dependants (if any) to vacate the land within seven days, or such other longer period as the magistrate. If the defendant fails to comply with such an order he may be removed from the land by any authorized officer, police officer or officer of the court authorized in that behalf and for that purpose by the magistrate.

(2) If any person trespasses or encroaches upon any customary land or is deemed under this Act to be , in unlawful use or occupation of any such land then the Traditional Court having jurisdiction in the area where the land is situated may, upon a sworn complaint being made to it by, or on behalf of, the Minister, or by, or on behalf of, the Chief having jurisdiction in that area, issue a summons requiring such first-named person (hereinafter referred to as “the defendant”) to attend before the Traditional Court to answer the complaint. Upon the hearing of the summons the Traditional Court may, if it is satisfied that the defendant has trespassed or encroached upon the land, or is deemed to be, in unlawful use or occupation thereof , make an order requiring the defendant, his family or other dependants (if any) to vacate the land within seven days, or such other longer period as the Traditional Court may determine, from the date of the making of the order by the Traditional Court. If such person fails to comply with the order, he may be removed from the land by any authorized officer, police officer or officer of Traditional Court authorized by the Traditional Court in that behalf.

(3) When determining in accordance with subsection (1) or subsection (2), the period of time which shall be allowed to a defendant within which to vacate the land, the magistrate or, as the case may be, the Traditional Court shall take into consideration the period of time which may reasonably be required to enable the defendant, if he be so minded, for his own use and benefit

(a) to take down, disassemble and remove from the land, or any part thereof , any buildings, structure, fence or improvement of any kind whatsoever which he may have erected upon or made to the land;

(b) to harvest, collect, take-in and remove from the land or any part thereof, any crops, plants, trees, shrubs or other matter which he may have sown, planted or cultivated on the land during his occupation thereof; and

(c) to remove from the land any chattels belonging to him.

(4) The provisions of this section shall be in addition to, and not in substitution for, the provisions an y other law relating to ejectment from land.

37. The practice and procedure to be observed in any proceedings in the magistrate’s court or in the Traditional Court under this Part, shall be the practice and procedure prescribed by, in or under the courts Act and the Traditional Court Act respectively, which is variation as to forms or otherwise as this Part, and the circumstances of the case, may require.

PART VIII

MISCELLANEOUS

38. The Minister, in the exercise of his functions under this Act, shall act subject to the general or special directions of the president.

39. Subject to this Act, the Minister may, from time to time, make regulations for any of the purposes of this Act and to give effect thereto and, in particular, may by such regulations prohibit the unlawful or unauthorized use or occupation of land, and may prescribe as penalties for the breach of any such regulation a fine not exceeding K200, or imprisonment for a term not exceeding six months, or both such fine and imprisonment and, in the case of a continuing breach, a further fine not exceeding K10 for everyday during which the breach continues.

40. In any proceedings before a court in which the question arises as to whether or not any land in public land, private land or customary land, a certificate purporting to be signed by the Minister shall be *prima facie* proof that the land is public land, private land or customary land, as the case may be.

41. The Minister may, by notice published in the Gazette, deputy any authorized officer to exercise and perform such of the Minister’s powers or duties under this Act as he may specify in the notice

42. The Minister may, by notice published in the Gazette provide that any other Act, or any subsidiary legislation made thereunder, shall be read and construed with such adaptations or medications as may be necessary to bring that Act or subsidiary legislation into conformity with this Act.

43. Any grant, right of occupancy, disposition, permit or licence made, issue or given under or by virtue of the existing laws (now revoked or replaced) shall be as valid, and shall have effect, as if they were made, issued or given under this Act.

44. Nothing in this Act shall prejudice the grant or issue under the Mines and Minerals Act of any licence or permit, or the exercise of rights conferred on the holder of any such licence or permit or any claim by that Act.

SCHEDULE

PART 1

G.N. The Nyasaland Protectorate (African Trust land) Orders in Council,

180/1950 1950 to 1963.

To

G.N

251/1963 The Malawi (Africa Trust Land) 9Modification) Order, 1964.

G.N.

114/1964 (M)

PART II

8 of 1951 The Public Lands Ordinance.

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Land (Development of Lakeshore Plots) (Control) Order [Subsidiary]

SUBSIDIARY LEGISLATION

NOTE

DEFINITION OF “PUBLIC LAND”

Under s.2

Paragraph 9b) of the defeinition of ‘public land” in section 2 of the Act continues in force the following proclamations made under section 8 (1), 11 (1) and 11 (2), respectively, of the Nyasaland Protectorate (Africa Trust Land) Order in Council, 1950 (Now repealed)-

(a) under section 8 (1)-

G.N. 44 OF 1951, 101 OF 1952, 102 OF 1952, 142 OF 1952, 145 OF 1952, 146 of 1952, 152 of 1952, 153 of 1952, 160 of 1952, 161 of 1952, 206 of 1952, 1 of 1953, 36 of 1953, 49 of 1953, 50 of 1953;

(b) under section 11 (1)-

G.N. 58 of 1953 59 of 1953;

(c0 under section 11 (2)-

G.N. 60 of 1953, 61 of 1953.

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LAND 9 DEVELOPMENT OF LAKESHORE PLOTS) G.N. 42/1988

(CONTROL) ORDER

Under ss. 26 and 31

1. This Order may be cited as the Land (Development of Lake – Citation shore Plots) (Control) Order.

2. –(1) On the land described in the First Schedule hereto no control person shall, without the prior consent of the Minister-

(a) enter into occupation of any plot or property;

(b) erect a cottage or a building structure of any description whatsoever;

(c)fence any plot, property or structure;

(d) in respect of any rights to land, [pay compensation to a chief, village headman or other traditional authority by whatsoever title designated or to any person whomsoever; and

(e) do or perform any thing or act 9including the clearing of grounds or the planting of trees, shrub or other vegetation) in preparation of, or connected with, the foregoing activities.

(2) The provisions of subparagraph (1) shall not apply-

(a) to the indigenous people of Malawi living in the are in the enjoyment of their customary rights in relation to their traditional livelihood, dwelling, commerce and business and business and the sustenance of an economic and improved standard of living;

(b) in respect of properties developed or being developed or authorized for development before the commencement of this Order;

(c) to extensions to an existing property not exceeding 10 per cent of the area of its structure of to adjustments or repairs to an existing property:

Provided that in the case of subparagraphs (b0 and (c0, the Minister may at any time require alterations of any nature to ne made to existing developments or plans if he considers such alterations to be desirable in the public interest or for the espousing or protection of the customary rights of the indigenous people of Malawi living in the area.

(d) to the development of hotels, inns and other establishments directly related to the promotion of tourism in Malawi and if a certificate to that effect in Form 1 set out in the Second Schedule has been issued by the Department of Tourism.

3. The consent of the Minister shall be in Form II set out in the Second Schedule and shall be subject to-

(a) the following general conditions, that is to say, that-

(i) the grantee shall not suffer any thing or act to be done or performed which is injurious to public safety or public health or which interferes, in any degree whatsoever, with the customary rights of the indigenous people of Malawi living in the area;

(ii) the grantee shall develop his property or otherwise carry out development work on his property or otherwise carry out development work on his property only in accordance with such specific or general recommendations of the Commissioner as he may deem necessary or relevant in regard to factors of environment, sanitation, location from the water front and customary easements;

(iii) the grantee shall at all reasonable times permit the Commissioner to enter and inspect the premises for the purposes of this Order;

(iv) any lease or other title deeds held by the grantee pertaining to the property concerned shall, for non –compliance with the provisions for the Order as determined by the Commissioner, be surrendered forthwith upon demand by the Commissioner; and

(b) such special conditions as the Minister may endorse on the consent .

4. The fees specified in the Third Schedule shall be payable in respect of the matters respectively specified in that schedule and in the case of the application fee such fee shall be non-refundable notwithstanding that the application has not been granted.

FIRST SCHEDULE

1. THE MANGOCHI LAKESHORE AREA

All that piece and parcel of land containing an area of five two seven nought (5270) hectares or thereabouts situate in the eastern and western shores of Lake Malawi in the Mangochi District the boundaries whereof are shown on the Survey Department Sketch Plan No. 220/86 and thereon edged with red colour and are otherwise described as follows:-

1. Western Lakeshore Area: From the Mangoch Township boundary along the M15 road northwards to its junction with the D110 road; thence along D110 road to its junction with S39 road; thence along the S39 road to its junction with the D231 road; thence along the D231 road to its junction with the M18 road; thence along the M18 road to the Mangochi District/Ntcheu District boundary; thance northwards along Nankolukolo Stream to the mouth of that stream.

2. eastern Lakeshore Area: From the Mangochi Township boundary along the M3 road to its junction with the S58 road; thence along the S58 road northwards to its junction with the D228 road; thence along the D228 road to its junction with the undesignated road between Makanjira and Fort Maguire Ruins and thence along that undesignated road to the said ruins.

SECOND SCHEDULE

FORM1 – FORM OF TOURISM PROMOTION CERTIFICATE

MALAWI GOVERNMENT

LAND ACT

(CAP. 57:01)

LAND 9DEVELOPMENT OF LAKE SHORE PLOTS) (CONTROL)

ORDER

(UNDER PARA. 2 (20 (d))

TOURISM PROMOTION CERTIFICATE

CERTIFICATE No. ……………………………………………………….

AREA: (including the Department of Survey Sketch Plan No.) ……………………..

………………………………………………………………………………….

PLOT NUMBER: …………………………………………………………………….

ESTIMATED VALUE OF THE DEVELOPMENT: K………………………………

DEEDS OF TITLE HELD: …………………………………………………………..

DEVELOPER – NAME: …………………………………………………………….

………………………………………………………………………..

ADDRESS: …………………………………………………………..

………………………………………………………………………..

Nationality : …………………………………………….....................

In the case of individuals, if not Malawian, state the following passport

Details –

(i) Number:…………………………………………………………………………

(ii) Date of Expiry: …………………………………………………………………

(iii) Nationality:……………………………………………………………………..

This is to certify that the development of the Plot described above is in the interest of promoting the tourist industry in Malawi and will be undertaken to establish a (state whether hotel, inn, rest-house, club or other tourist resort) …………………………………………

……………………………………………………………………………………………….. and that the plans have been inspected and the site visited for verification

Date ……………………….. ……signed …………………………………………………….

*Chief Tourism Officer*

(Official Stamp)

FORM II- FORM OF THE MINISTER’S CONSENT

MALAWI GOVERNMENT

LAND ACT

(Cap. 57;01)

LAND (DEVELOPMENT OF LAKESHORE PLOTS) (CONTROL)

OREDER

CONSENT No……………………………………………………………………………

AREA: (including the Department of Survey Sketch Plan No.) ……………………….

……………………………………………………………………………………

PLOT NUMBER: ……………………………………………………………………….

Nature of Development: ………………………………………………….........................

……………………………………………………………………………………………………………………………………………………………………………………………………

This is certify that the Minister’s consent has been granted to (name of grantee) ……………

………………………………………………………………………….. to develop, or carry out development work on the plot described above subject to the provisions of the LAND Act and to the general conditions stipulated in the Land (Development of Lakeshore Plots) (Control) Order, and to the special conditions stated hereunder.

Date …………………………… signed ………………………………………………………

Commissioner for Lands

9Office Stamp)

SPECIAL CONDITIONS

1. ………………………………………………………………………………….................

…………………………………………………………………………………………………………………………………………………………………………………………………….

2………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………

THIRD SCHEDULE

Fees

Matter Fee

K t

1. On application for the Minister’s consent ….. .. .. .. .. .. 10 00 non-refundable

2. For the issue of Tourism Promotion Certificate 100 00

3. For the grant of the Minister’s consent 75 00

Control of Land (Bua/ Rusa Development Area) Order/ Control of Land (Chifupa Ridge Tea Area) Order

CONTROL OF LAND (BUA/RUSA DEVELOPMENT AREA) G.N. ORDER

Under s. 31

1. This Order may be cited as the Control of Land (Bua/ Rusa Development Area) Order.

2. On the land described in the Schedule no person shall, without the prior consent in writing of the Minister or his authorized representative-

(a) make any new garden;

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land containing an area of 318,407.24 (thre hundred and eighteen thousand four hundred and seven decimal point two four) acres or thereabouts known as Bua/Rusa Development are in the Kasungu/ Mchinji Districts the boundaries whereof as delineated in red on survey Department Sketch Plan No. 26/71 are as follows-

Commencing a t a point where the Kasungu /Mchinji road crosses the Rusa River map Grid ref. WA472-271, thence following the Kasungu/ Mchinji S19 road in south-westerly direction to a point map Grid ref. WV 139-980 , thence in a straight line due west for a distance of approximately 98,000 ft. to a point map Grid ref. VV840-980, thence in a straight line due north for a distance of approximately 47,000 ft. to a point on the Malawi/ Zambia International boundary map Gid ref. VA 840-120, thence following the said Malawi/Zambia International boundary in a northeast and northerly direction to its junction with the kasungu National Park boundary map Grid ref. VA917 – 238, thance following the said Kasungu National Park boundary in a northeast direction to its junction with the Navumbi River map Grid ref. WA077 – 309., thence following the Navumbi River down river to its confluence with the Rusa River down river in an easterly direction to the point of commencement.

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CONTROL OF LAND (CHIFUPA RIDGE TEA AREA) ORDER

Under s. 31

1. This Order may be cited as the Control of Land (Chifuka Ridge Tea Area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

(a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

Control of Land (Chifupa Development Area) Order Shedule

All that Piece or parcel of land comprising an area of 5,732.8 9five thousand seven hundred and thirty –two decimal point eight) acres or thereabouts commencing at a point situate on summit of an unnamed hill (Grid Reference 262-509, Sheet 1134 A3) the boundary shall run in a straight line for approximately 3,400 feet on a true bearing of 196 degrees 00 minutes; thence in a straight line for 5,250 feet on a true bearing of 209 degrees 30 minutes; thence in a straight line for 4,900 feet on a true bearing of 202 degrees 30 minutes; thence in a straight line for 7,200 feet on a true bearing of 232 degrees 30 minutes; thence in a straight line for 3,900 feet on a true bearing of 178 degrees 30 minutes; thence following a track in a westerly direction for approximately 11, 250 feet; thence in a straight line for 2,400 feet on a true bearing of 24 degrees 00 minutes; thence in a straight line for 6800 feet on a true bearing of 9 degrees 00 minutes; thence in a straight line for 4,900 feet on a bearing of 23 degrees 30 minutes; thence in a straight line for 3,900 feet on a true bearing of 38 degrees 30 minutes; thence in a straight line for 7,550 feet on a true bearing of 55 degrees 30 minutes; thence in a straight line for 9,500 feet on a true bearing 89 degrees 30 minutes to the point of commencement which said piece or parcel of land is more particularly described on Survey Department Sketch Plan Number 27/69.

Control of Land (Chilumba Area) Order Control of Land (Dwangwa Sugar Project) Order

Control of land (CHILUMBA AREA) ORDER G.N.

Under s. 31 87/1972

1. This Order may be cited as the Control of Land (Chilumba Area) Order.

2. On the land described in the Schedule no person shall, without the price consent in writing of the Minister or his authorized representative-

(a) make any new garden;

(b) plant any tree or shrub

Erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land containing an area of 4,409 9four thousand four hundred and nine ) acres or thereabouts situate at Chilumba in the Karonga District the boundaries whereof (as delineated in red on Survey Department Sketch Plan No. 199/71) are as follows-

The Northern Boundary follows the line of the foothills of Mphiri Hill in an approximately westerly direction from a point immediately north of French’s Club House on the shores of Deep Bay (approximate grid reference 88476250.6367000 E) to appoint of the northern bank of the Tcharo Stream (approximate grid reference 88 468 000 N 6360 000 E) and from that point follows the course of the said stream to a point to the north of Chilumba Secondary School, in a general westerly direction to a point 88 474 000 63 47 000, and then proceeds in a general southerly direction to a point on the shore of Youngs Bay to the east of Mwamtawale Village (88 448 000 N 6358 000 E).

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CONTROL OF LAND (DWANGWA SUGAR PROJECT) G.N.

ORDER 178/1975

UNDER S.31

1. This Order may be cited as the Control of Land (Dwangwa Sugar Project) Order.

2. On the Land Described in the Schedule no person shall, without the prior consent in writing of the Minister or his authorized representative-

(a) make any new garden;

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

ALL THAT piece or parcel of land Comprising 48,750(forty-eight thousand, seven hundred and fifty) hectares or thereabouts) hectares or thereabouts.

Commencing at the Mouth of the Mkoma/Khuyu River at G.R. 113436, along the river to the confluence of the of the Mkoma and Khuyu Rivers at G.R. 098425, along the Khuyu River to the point whereit crosses the New Lakeshore Road line at G.R. 084427, along the Road line to the point where it is crossed by an un-named stream at G.R. 095389, along the un-named stream to one of its sources as G.R.. 084360, in a straight line to a point on the Mkoma River at G.R. 059382, along the Kangoza Stream to G.R. 061360, in a straight line to a point on the Luluzi River at G.R. 068321, in a straight line to the source of an un-named stream at G.R. 080311, along the stream to G.R. 088309, in a straight line to a point on the Changanjo Stream at G.R. 09 0287, in a straight line to a point on the Kaungozi River at G.R. 102257, in a straight line to a point on the Mazunguza Stream at G.R. 118230, along the Mazunguza Stream to its confluence with the Kaungozi River at G.R. 137228, along the Kaungoza River to its confluence with the Rupashe River are G.R. 146180, along the left bank of the Rupashe River to its confluence with the Dwangwa River at G.R. 191174, along the right bank of the Dwangwa River to G.R. 181164, in a straight line to G.R. 1941150, in a straight line to G.R. 1941150 in a straight line G.R. 193133 along the Mowi stream to its source at G.R. 176110, in a straight line to the source of an un named stream at G.R. 177107, along the stream to G.R. 217093, along an un named stream to its source at G.R. 226078, in a straight line to G.R. 229072, along an un named stream to G.R. 239093, along an named stream to G.R. 236059, in a straight line to G.R. 245053, in a straight line to G.R. 239041, in a straight line to G.R. 237034, in a straight line to a G.R. 228018, following the boundary of the Nkhotakota Game Reserve to the Liwaladzi River at G.R. 237008and then to G.R. 229998, then continuing to follow the Game Reserve boundary which is denoted by a cleared path along the base of the escarpment to G.R. 250907.5, along an unnamed stream to its confluence with the Bua River at 285898, along the left bank of the Bua River to G.R. 366887, in a straight line to G.R. 357893, in a straight line to G.R. 344885, in a straight line to G.R. 333890, following the road line along the western edge of the Dzadza Swamp to a point on the Matumbi Stream at G.R. 30890, along the Matumbi Stream to its mouth at G.R. 309960, thence following the Lake Malawi Shore line northwards to the commencement point at G.R. 113437, which said land is for the purpose of identification shown on Survey Department Sketch Plan No. 68/75 and thereon edged with red colour.

G.N. CONTROL OF LAND (HARA IRRIGATION PROJECT)

170/1969 ORDER

Under s. 31

1. This Order may be cited as the Control of Land (Hara Irrigation Project) Order.

2. It shall be an offence under section 31 of the Act for any person, without the prior consent in writing of the Minister or his authorized representative, to do any of the following things on the land specified in the Schedule hereto-

Control of Land(Kasindula Irrigation Area) Order

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land commencing at a point on the Hara River at map Grid Reference 622 600-8 838 700; thence in a northerly direction along the Livingstonia –Karonga road at map Grid Reference 631 750-8 839 100; thence in a northerly direction along Livingstonia –Karonga road to a point in the vicinity of Mnakanyamali Village at map Grid Reference 631 800-8 842 200; thence along the Mnakanyamali-Kapika road in a north-westerly direction to a point at MAP Grid Regerence 622100-8 845 200; thence in a southerly direction to the point of commencement on the Hara River the boundaries whereof are delineated on Survey Department Sketch Plan No. 103/69 and are thereon edged with red colour.

CONTROL OF LAND (KASINDULA IRRIGATION AREA) ORDER G.N.

Under s. 31 30/1969

1. This Order may be cited as the Control of Land (Kasindula Irrigation Area) Order.

2. On the land described in the Schedule hereto no person shall, without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land comprising 8,788.31 (eight thousand seven hundred and eighty-eight decimal point three one) acres or thereabouts commencing at the junction of the Chikwawa-Chiromo and Chikwawa-Mwanza roads at Grid Reference 922,264 (1634B2), by the Chikwawa –Chiromo road in a south-easterly direction for approximately five miles to a point just south of the Massea road turn-off Grid Reference 891,195; thence in a straight line due north for approximately 0.8 miles Grid Reference 891,208; thence in a straight line in a north-westerly direction for approximately 0.6 miles Grid Reference 882, 212; thence in a straight line in a north-easterly direction for approximately 0.8. miles Grid Reference 891,208; thence in a straight line in a north-westerly direction for approximately 0.6 miles Grid Reference 882,212; thence in a straight line in a north –easterly direction for approximately 1 mile Grid Reference 891,224; thence in a straight line due north for 1.1. miles to a point on the Chikwawa -Mwanza road ; thence following the Chikwawa- Mwanza road in a north-easterly direction for approximately 2.4. miles to the Chikwawa-Chiromo turn-off being the point of commencement which premises are delineated on Survey Department Sketch Plan No. 212/68 and are thereon edged with red colour.

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Control of Land (Kasungu Smallholder Flue-Cured Tobacco Development Project Area) Order

CONTROL OF LAND (KASUNGU SMALLHOLDER FLUE-CURED TOBACCO DEVELOPMENT PROJECT AREA)ORDER

Under S. 31

1. This Order may be cited as the Control of Land (Kasungu Smallholder Flue-Cured Tobacco Development Project Area)Order.

2. On the land described in the Schedule no person shall, without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All the piece or parcel of land containing an area of 43,544 (forty- three thousand five hundred and forty-four) acres or thereabouts situate in the Linyangwa area in the Kasungu District the boundanries whereof as delineated in red on Survey Department Sketch Plan No. 97/73 are as follows-

Commencing at the confluence of the Lisitu and Kunga Streams, at grid reference: WA322-589. Thence, along the Kungu upstream to its source, at grid reference: WA368-483. Thence in a north-easterly direction to the confluence of the Kalindi Stream and an unnamed tributary, at grid reference: WA383-487. Thence, upstream along the Kalindi Stream to its source, at grid reference: WA379-477. Thence on a straight line southerly direction to an unnamed dambo, on grid bearing of 16, at distance of approximately 7,400 feet, at grid reference : WA384-455. Thence, along the said dambo, in as southerly direction up to a grid reference : WA 372-440, the source of another unnamed dambo. Thence in a generally south-westerly direction along unnamed dambo, to grid reference: WA290-404. Thence in a straight line on grid of , for approximately 8,300 feet to grid reference: WA275-384 near the south of an unnamed dambo. Thence along the said dambo, in a southerly direction to grid reference: WA275-357. Thence, along the said dambo in a north-westerly director to grid reference: WA239-387, the source of the unnamed dambo. Thence on grid bearing of 32 , for approximately 5,400 feet, at grid reference: WA230-401. The source of an unnamed dambo. Thence, along the said dambo in a northerly-easterly direction, until it joins the National Park Boundary, at the source of Lisitu Stream, grid reference:wa240-413. Thence along the National Park Boundary (Lisitu Stream) to the point of commencement, grid reference: WA322-589.

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Control of Land (Kawalazi Tea AREA) Order

CONTROL OF LAND (KAWALAZI TEA AREA) ORDER G.N. 27/1969

Under s. 31

1. This Order may be cited as the Control of Land (Kawalazi Tea Area) Order.

2. On the land described in the Schedule no person shall, without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All the piece or parcel of land comprising 6,416.20 9six thousand four hundred and sixteen decimal point two nought) acres or thereabouts commencing at triangulation station 65 NYT, Chirundwe, Grid Reference 243,159 91134 01), by a straight line in a south westerly direction for approximately 3.2 miles to the summit of a hill Grid Reference 22 113; thence in a straight line in a westerly direction for approximately 2.4 miles to the summit of a hill Grid Reference 186 123 on the watershed between the Kawalazi and Kvuzi Rivers; thence following the said watershed in a northerly direction for approximately 3.5. miles to the summit of a hill Grid Reference 185 1789; thence in a straight line in an easterly direction for approximately 3.8. miles to the triangulation station 65 NYT being the point of commencement all which premises are delineated on Survey Depart Sketch Plan No. 200/68 and are thereon edged with red colour.

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CONTROL OF LAND (KAWALAZI TEA AREA EXTENSION)ORDER G.N.

Under s. 31 121/1969

1. This Order may be cited as the Control of Land (Kawalazi Tea Area Extension) Order.

2. On the land described in the Schedule no person shall, without the consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land comprising1,944(one thousand nine hundred and forty-four) acres or thereabouts commencing at Triangulation Station 65 NYT Map Grid Ref. 243.159; thence by a straight line in a westerly direction for a distance of 3.8. miles to Grid Ref. 185.177 which said line is the northern boundary of the Kawalazi Control Area as shown on Survey Department Sketch Plan No. 200/68 attached to the Control of Land (Kawalazi TEA Area ) Order 1969 registered as Deed Number 35002; thence along a stratight line in a north-north-easterly direction for a distance of 1,000 yards to Grid Ref. 187.186 at the source of ndalunguwa Stream; thence downstream along the Ndalunguwa Stream ; thence downstream along the Ndalunguwa Stream in an easterly direction to its confluence with the Lwambadza River; thence downstream along the Lwambaza River in a south-easterly direction for a distance of 200 yards to its confluence I with an unnamed stream Grid Ref. 228.178; thence in a south-easterly direction along the unnamed stream to its source; thence in a straight line to the point of commencement. All which premises are delineated on Survey Department Sketch Plan No. 57/69 and are thereon edged with red colouR

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G.N. CONTROL OF LAND (LILONGWE CONTROLLED AREA) ORDER

Under s. 31

1. This Order may be cited as the Control of Land (Lilongwe Controlled Area) Order.

2.On the land described in the Schedule no person shall, without the prior consent in writing of the Minister or his authorized representative.-

( a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All the piece or parcel of land containing an area of 110, 076 acres or thereabout in the Lilongwe District

Commencencing on mile South of Lumbadzi market on the Great North road at its junction with the short-cut to Salima Road, thence following the said short –cut to the Salima Road , thence along the Salima road for ¾ mile to the culvert across the Nakapeche stream at map reference WV 939723, thence by the Nakapeche stream down stream to its confluence with the Ngoma stream, thence by the Ngoma down stream to its confluence with the Nvumbu stream, thence by the Nvumbu stream downstream to its confluence with the Chitenta stream thence by the Chitenta stream downstream to its confluence with the Chimwa stream thence by the Chimwa stream down stream to its confluence with the Lilongwe river, thence by the Lilongwe river downstream to its confluence with the Nanjire river, thence by the Nanjire river upstream to the point where it is crossed by main Dedza/ Lilongwe road, thence along the main Dedza/Lilongwe road in a northwesterly direction to the point where the road crosses the Capital City boundary in an anti-clockwise direction to the confluence of the Lingadzi river and the Kamankuku dambo at G.R. WV 807582, thence upstream ALONG THE Lingadzi river to its confluence with the Mteza stream at G.R. WV 786607, thence upstream along the Mteza stream to its confluence with the Ciwangombe dambo at G.R. WV 751778, thence upstream along the Ciwagombe to its confluence with an unnamed dambo at G.R. WV 728807, thence up the unnamed stream in a northerly direction to G.R. WV 732836 thence across the watershed in a north-easterly direction to G.R. WV 737842 at the head of an unnamed dambo, and downstream to its confluence with the Mapanda dambo at G.R. WV 743843, thence upstream along the Mapanda dambo to the point where it crosses the Linlongwe District boundary at G.R. WV 730863, thence easterly and southerly along the Lilongwe District boundary to the Lumbadzi river bridge on the Lilongwe-Kasungu road, thence southerly along the Lilongwe-Kasungu road to the point of commencement the boundaries whereof are for the purpose of illustration shown on Survey Department Sketch Plan. No. 91/71 attached and thereon edged with red colour.

CONTROL OF LAND (LIWONDE CONTROLLED AREA) ORDER G.N. 98/1970

Under s.31

1. This Order may be cited as the Control of Lalnd (Liwonde Controlled Area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All those three pieces or parcel of land marked Extension Block I , Extension Block II and Extension Block III on Survey Department Sketch Plan No. 34/70 and thereon edged in red colour together comprising 1,476 9One Thousand Four Hundred and seventy-six) acres or thereabouts; commencing at a point on the Liwonde-Balaka road some two miles from the west bank of the Shire River, the boundary follows a straight line in a northerly direction for 500 feet; thence by a fine parallel to the main Liwonde- Balaka road in a south-easterly direction for approximately 4, 000 feet to where it meets a small unnamed stream ; thence by the said unnamed stream downstream in an easterly direction to its confluence with the Shire River; thence by the west bank of the shire River in a northerly direction for approximately two miles to a point opposite its confluence with Likwenu Stream; thence across the Shire River and by the Likwenu Stream upstream for approximately three miles to where it meets the liwonde –Nacala railway; thence by the Liwonde-Nacala railway in a westerly direction for approximately 11,700 feet to the most southerly corner of the old Liwonde Estate SD/356; thence by the southern boundary of the said estate in a westerly direction to the Shire River; thence across the Shire River and by its west bank in a northerly direction for approximately 2,000 feet to its confluence with an unnamed stream; thence by the said unnamed stream upstream for approximately 4,000 feet; thence by a straight line in a north-easterly direction for approximately 8,000 feet to a period distant 500 feet from the centre of the main Liwonde- Blaka road on its south side; thence by a line parallel to the main Liwonde-Balaka road in a north-westerly direction for approximately 6,400 feet; thence by a straight line in a northerly direction for 500 feet to the point of commencement.

Excepting and reserving therefrom all that area edged in red colour on Sketch Plan No. 92/68 annexed to Government Notice No. 166 of 1968 and registered as deed No. 34453.

CONTROL OF LAND (LIWONDE CONTROLLED AREA) ORDER G.N. 193/1971

Under s.31

1. This Order may be cited as the Control of Lalnd (Liwonde Controlled Area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land containing an area of (875) eight Hundredand Seventy-Five acres shown edged red on Survey Department Sketch Plan No. 94/71 and bounded s follows-

From the point where the existing Control Order boundary leaves the Nacala Rail line in a south-westerly direction, eastward along the line of rail to a point where the Likwenu Stream crosses the railway, thence up the Likwenu Stream to its junction with the first small unnamed stream, thence in a south-westerly direction in a straight line to the south-west survey beacon of the Liwonde Estate SD 356, thence following the boundary of the existing Control Order.

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CONTROL OF LAND (LUWEYA IRRIGATION SCHEME) ORDER G.N. 155/1972

Under s.31

1. This Order may be cited as the Control of Land (Luweya Irrigation Scheme) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land containing an area of 7,055 (seven thousand and fifty-five) acres or thereabouts situate at Luweya in the Nkhatabay Bay District the boundaries whereof (as delineated in red on Survey Department Sketch Plan No. 105/72) are as follows:

Commencing at a point where the Chinteche/Nkhata Bay road crosses the Luweya river at grid ref. XB. 308-981; thence along the said in a south-westerly direction for a district of approximately 1,000 ft, at grid ref. XB.305-980; thence by a cut line on a grid bearing of  a distance of approximately 2,200 ft. at grid ref. XB. 300-985; thence by a cut line on a grid bearing of  a distance of approximately 13,800 ft. and grid ref. XB. 275-951; thence by a cut line on a grid bearing of  a distance of approximately 27,100 ft. at grid ref. XC. 261-033 on the Luweya river; thence following the said river, down river in a general southerly direction to the point of commencement at grid ref. XB 308-981.

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CONTROL OF LAND (MAGANGA AND KULUUNDA RICE AREA)) ORDER G.N.

28/1969

Under s.31

1. This Order may be cited as the Control of Land (Maganga and Kulunda Rice Area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land comprising 31,450 (thirty-one thousand four hundred and fifty) acres or thereabouts commencing at the Mpatsanjoka bridge on the Grand Beach road 7.7 miles east of the Salima railway crossing in a straight line due west for approximately 3 miles to a tributary of the said Mpatsanjoka River; thence in a straight line on a true bearing of  approximately 7 miles to the junction of the Salima-Kachulu road and the Kawanga turn off; thence in a straight line due west for approximately 2.2 miles to where it intersects the line of the old proposed railway to Domira Bay; thence in a straight line on a true bearing of  a distance of 0.7 miles; thence on a true bearing of  a distance of 2.2 miles; thence on a true bearing of  a distance of 0.3 miles; thence due east from the line of the said old proposed railway for a distance of 4 miles to a point 1.4. miles west of the Kachulu Court; thence in a straight line on a true bearing of  approximately 5 miles; thence in a straight line due east for approximately 1.5 miles to a pointon the Bibi Kuluunda road (D276) near Bifu Hill; thence by the said Bibi Kuluunda road in a southerly direction for approximately 2.7 miles to where it crosses the Mpatsanjoka River; thence by the Mpatsanjoka River upstream to where it meets the Grand Beach road being the point of commencement all which premises are delineated on Survey Department Sketch Plan No. 203/68 and thereon edged with red colour.

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CONTROL OF LAND (MANGULENJE SETTLEMENT AREA) ORDER G.N. 31/1969

Under s.31

1. This Order may be cited as the Control of Land (Mangulenje Settlement Area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

Commencing at Beacon B14 being the .W. corner of Nchalo Estate (SD/4564) the boundary follows the new main Chikwawa-Chiromo road in a N.W. direction for approximately 12,600 feet to G.R. XT 95006; thence in a straight line on a Grid Bearing of  approximately 21,000 feet to a large marked tree opposite the old Lundu Court (G.R. YT 005109); thence along the Lundu-Nyamphota track to beacon B15 being the .NE. corner of Nchalo Estate; thence along the Northern boundary of Nchalo Estate to the point of commencement Beacon B14 all which premises are for the purpose of illustration more particularly shown on survey Department Sketch Plan No. 173/68 and thereon edged with red colour.

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CONTROL OF LAND (MANGULENJE SETTLEMENT SCHEMENo.2 AND SUCOMA NORTH EXTENSION) ORDER G.N. 225/1969

Under s.31

1. This Order may be cited as the Control of Land (Mangulenje settlement Scheme No. 2 and Sucoma North Extension) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land comprising 7,843.0 (seven thousand eight hundred and forty-three) acres or thereabouts commencing at a point on the main Chikwawa-Chiromio Road approximately 4 miles south east of Tomali Village at Map Grid Ref. XT950-076; thence north-west along said road to map Grid Ref. XT930-084; thence due north for a distance of 11,800 ft. to a point on the Mwanza River at map Grid RefXT 930-120; thence downstream along the Mwanza River to map Grid Ref. YT014-123;thence in a straight line in a south-eastern direction for a distance of 11, 450 feet to a point on the Lundu Tsekani track map Grid Ref. YT032-095; thence in a north westerly direction along the Nyampota-Lundu track to Grid Ref. YT005-109;thence in a straight line in a south-westerly direction for a distance of 2, 300 feet to map Grid Ref. XT950-076 which is the point of concement, which said land is for the purpose of identification shown on Survey Department Sketch Plan No. 107/69 and thereon edge with red colour.

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CONTROL OF LAND (MASENJERE AREA) ORDER G.N. 267/1970

Under s.31

1. This Order may be cited as the Control of Land (Masenjere Area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land comprising 9,042 (nine thousand and forty-two) acres or thereabouts commencing at a point on the east bank of the Bua River where the road from Nkhotakota to Liwaladzi Mission crosses the said river at grid ref. XA297.5-867thence by the east bank of the said river down river to the confluence with the Khako Stream grid ref. XA219-875; thence by the south bank of the said stream grid to grid ref. XA278-878 where the Khako stream crosses the Nkhotakota-Liwaladzi Mission road ;thence along the west side of the said road on a bearing of  a distance of 2, 500 ft. to grid ref. XA272-898

Oon Msenjere Stream; thence by the left bank of the said stream upstream to its confluence with an unknown tributary grid ref. XA 254-903; thence following the unknown tributary in a north-westerly direction to grid ref. XA250- 907.5 at the base of the escarpment; thence following the base of the escarpment in a northerly direction to grid ref. XA229-998; thence on a bearing of  a distance of 28,400 ft to grid ref. XA294-941 on the Kapwipwi stream; thence on a bearing of  a distance of 12,000 ft to grid ref. XA291-904 on the confluence of the Msenjere Stream with the Bua River; thence on a bearing of  a distance of 12,300 ft. to the point of concement which said land is for the purpose of identification shown on Survey Department Sketch Plan No. 109/69 and thereon edge with red colour.

CONTROL OF LAND (MUBANGWESETTLEMENT SCHEME) ORDER G.N. 86/1972

Under s.31

1. This Order may be cited as the Control of Land (Mubangwe settlement Scheme) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land comprising 8605(eight thousand six hundred and Five) acres or thereabouts known as MUbangwe Settlement Scheme, Chief Mtwalo in the Mzimba District the boundaries whereof (as delineated in red on survey Department Sketch Plan No. 44/72) are as follows:-

Commencing at point A M.R. 594769 then along Katonthowolo river to junction with stream M.R. 872583 then following stream to track M.R. 865545 then along track to stream M.R. 889516 the following stream to its confluence with the Kasitu river M.R. 903517; thence along Kasitu to the M14 road M.R. 926554 and then following the new alignment to point A.

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CONTROL OF LAND (NACARA RAIL LINK)) ORDER G.N. 68/1971

Under s.31

1. This Order may be cited as the Control of Land (Nacala Rail Link) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All those areas of land each comprising 126 (One hundred and twenty -six) acres or thereabouts situate within one quarter of mile from the following Railway Stations in the Kasupe District: Nkaya, Molipa, Lambulila, Namanja, and Nayuchi.

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CONTROL OF LAND (NANKUMBA PENISULAR AREA) ORDER G.N. 140/1972

140/1975

Under s.31

1. This Order may be cited as the Control of Land (NANKUMBA PENISULAR AREA) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land comprising 965 (Nine hundred and Sixty-Five) hectares or thereabouts situated at Nankumba Penisular in the Mangochi District the boundaries whereof (the same to be more precisely ascertained and defined by survey) are more particularly described and delineated on Survey Department Sketch Plan No. 302/74 and thereon edged with red colour.

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CONTROL OF LAND (NCHALO CONTROLLED AREA) ORDER G.N. 202/1969

Under s.31

1. This Order may be cited as the Control of Land (Nchalo Controlled Area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land containing an area of 732.85 (seven hundred and thirty-two) decimal point eight five)acres or thereabouts situated at Nchalo in the Chikwawa District of the Southern Region the boundaries whereof as delineated on Survey Department Sketch Plan No. 110/69 and thereon edged with red colour.

CONTROL OF LAND (NDAKWERA SETTLEMENT AREA (CHIKWAWA) ORDER G.N. 224/1969

Under s.31

1. This Order may be cited as the Control of Land (Ndakwera Settlement Area (Chikwawa)) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land comprising 8,706 (eight thousand seven hundred and six) acres or thereabouts commencing at a point on the Tomali to Ndakwera Market road map grid ref. XT841-078; thence along said road in a south-westerly direction to grid ref. XT777-047 in Masamba Village; thence due north in a straight line for a distance of 25,350 ft. to grid ref. XT776-125 on the Nadzitimbe river thence downstream in a general south-easterly direction to map grid ref. XT841-103;thence in a straight line due south for a distrance of 8,400 ft. to the point of commencement which said land is for the purpose of identification shown on Survey Department Sketch Plan No. 108/69 and thereon edged with red colour.

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CONTROL OF LAND (NGABU AREA) ORDER G.N. 226/1969

Under s.31

1. This Order may be cited as the Control of Land (Ngabu Area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land comprising 2,122 (two thousand one hundred and twenty-two) acres or thereabouts commencing at a point on a tributary of the Nyakamba Stream (G.R. YS 002 785 Sheet 1634 B4); thence by a straight line due north for approximately 1,500 feet; thence by a straight line on a true bearing of  approximately 3,800 feet; thence by a straight line on a true bearing of  approximately 4,400 feet; thence by a straight line on a true bearing of  approximately 4,200 feet to where it meets the Nyakamba Stream; thence by the Nyakamba Stream and its tributary upstream to the point of commencement which said is for the purpose of identification shown on survey Department Sketch Plan No. 45/69 and thereon edged with red colour.

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CONTROL OF LAND (NKHAMANGA PLAIN) ORDER G.N. 225/1969

Under s.31

1. This Order may be cited as the Control of Land (Nkhamanga Plain) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land containing an area of 66,412 (sixty –six thousand four hundred and twelve) acres or thereabouts situate at the Nkhamanga Plain in the Rumphi District the boundaries whereof as delineated in red on survey Department Sketch Plan No. 228/70 are as follows-

Commencing at a point where the district roads D11 and D12 meet map Grid ref. WC750-729; thence following the D11 district road in a south-west a northerly direction to its junction with the M1 road at map Grid ref. WC638-933; thence following the said M1 road in a south-easterly direction for a distance of approximately 7 miles to a point map Grid ref. WC720-884 approximately ½ mile west of Luviri School, thence off the road in a north-east and northerly direction following a track to its junction with 294 district road near Chikula masinda School at map grid ref. WC735-916; thence following the said D294 road which is the southern boundary of the Thulwe Settlement Area in a south-eastern direction to a point map Grid ref. WC 7099-908; thence off the road in north –west and northerly direction following a track to a point on Kapulikanga Borehole map Grid ref. WC789-934; thence following a track in a south-easterly direction to its junction with the track running from Chakoma to Bolero at a point map Grid ref. WC 811-920; thence following the track to Bolero in a southerly direction to its junction with D294 district road at map Grid ref. WC814-908; thence along D294 district road in a southerly direction to its junction with M1 road map Grid ref. WC807-861; thence following the said M1 road in an easterly direction to its junction with the district road D12 at map Grid ref.WC847-825; thence following the said D12 road in a south-westerly direction to the point of commencement.

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CONTROL OF LAND (NKOPOLA AREA) ORDER G.N. 128/1969

Under s.31

1. This Order may be cited as the Control of Land (Nkopola Area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land containing an area of 29.78 (twenty-nine decimal point seven eight) acres or thereabouts and 20.45 (twenty decimal point four five) acres or thereabouts respectively situate at Nkopola in the Mangochi District the boundaries whereof as demarcated by survey beacons are more particularly described and delineated on survey Department Deed Plan No. 443/68 hereunto annexed and thereon edged with red colour.

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CONTROL OF LAND (NKUKI SETTLEMENT AREA) ORDER G.N. 63/1969

Under s.31

1. This Order may be cited as the Control of Land (Nkuki settlement Area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land containing an area of 26 square miles thereabouts commencing approximately one mile north of Yonam Village on the Yonam –Nkuki-Casamwalala road and bounded by the Nkuki-Yonam road in a southerly direction for approximately 8,550 feet; thence by a straight line on an approximate true bearing of  12,276 feet; thence by a straight line on an approximate true bearing of  17985 feet; thence by a straight line on an approximate true bearing of  5,544 feet; thence by a straight line on an approximate true bearing  15,312 feet; thence by a straight line on an approximate true bearing  15,642 feet ; thence by a straight line on an approximate true bearing of  12408 feet; thence by a straight line on an approximate true bearing of  6,600 feet; thence by a straight line on an approximate true bearing of  6,900 feet; thence by a straight line on an approximate true bearing of  of  3,600 feet; thence by a straight line on an approximate true bearing of  9,700 feet to the Nkuki-Yonam road being the point of commencement which said land is more particularly delineated on Survey Department Sketch Plan 1/69.

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CONTROL OF LAND (PARTS OF DEDZA AND NCHEU DISTRICT “CONTROLLED AREA) ORDER G.N. 276/1970

Under s.31

1. This Order may be cited as the Control of Land (Parts of Dedza and Ncheu District “controlled Area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land together containing 45,603 (forty-five thousand six hundred and three) acres or thereabouts situate in the Dedza and Ncheu Districts the boundaries whereof as delineated in red on Survey Department Sketch Plan No. 127/70 are as follows-

Commencing at a point on the tributary on Livulezi River Grid ref. XV733-235; thence the boundary follows the said tributary down-stream for a distance of 7,221 ft. to grid ref. XV755-240; thence in a straight line due east for a distance of 4,923 ft. to Grid ref.XV769-240 ON the Livulezi River; thence following the said river upstream for a distance of 4,596 ft. to Grid ref. XV767—230; thence in a straight line due east for a distance of 6,399 ft. to Grid ref. XV786-230 joining a track; thence along the said track in a generally south-easterly direction for a distance of 8,205 ft. to Grid ref. XV800-208; thence in a straight line due south for a distance of 3,609ft. to Grid ref. XV800-196 on the track from Chikwawa School; thence along the said track in a due east and southerly direction for a distance of 7,548 ft. to Grid ref. XV821-191 on the Bwanje River; thence following the Bwanje River upstream for a distance of 37,743 ft. to Grid ref. XV850-085; thence in a straight line due south for a distance of 4,923 ft. to Grid ref. XV850-070; thence in a straight line due east for a distance of 1,968 ft. to Grid ref. XV856-070 on the Bwanje River thence following the said river upstream for a distance of 24,615 ft. to Grid ref. XV-XU850-000 thence in a straight line due west for a distance of 11,160 ft. to Grid ref.XV-XU816-000 on an unnamed stream thence following the said stream upstream for a distance of 10,830 ft. to Grid ref. XU781-988 on the Railway line from Balaka to Salima; thence following the Railway line in a north-west direction for a distance of 4,596 ft. to Grid ref. XU770-997; thence in a straight line due north for a distance of 18,378 FT. to Grid ref XV770-053 on an unnamed stream; thence following the said unnamed stream upstream for a distance of 11,160 ft. to Grid ref. XV740-034; thence in a straight line due north for a distance of 7,875 ft. to Grid ref. XV740-056 to freehold estate boundary SD/730;thence following the south-east and north boundaries of said estate to G.R. XV740-065 thence in a straight line due north for a distance of 8,205 ft. to Grid ref. XV740-090 on the road from Golomoti station to Chikwawa Shool; thence following the District raod in a northerly direction for a distance of 6,237 ft. to Grid ref. XV745-107 at the junction with a track, thence following the said track in a north-easterly direction for a distance of 32,163 ft. to Grid ref. XV787-195 on a track to the east of an unnamed village; thence by the said track in a west, north-westerly direction for a distance of 10,830 ft. to Grid ref. XV756-203 joining the district road; thence following the said district road in a north-westerly direction for a distance of 984 ft. to Grid ref. XV755-206 at the junction with a track; thence following the said track in a north- westerly direction crossing the Livulezi River for a distance of 11,160 ft. to Grid ref. XV733-235 the point of commencement.

CONTROL OF LAND (PROHIBITION OF RIBBON DEVELOPMENT ) ORDER G.N.

233/1969

88/1971

Under s.31

1. This Order may be cited as the Control of Land (Prohibition of Ribbon Development) Order.

2. No person shall, without the prior consent in writing of the Minister or his authorized representative erect any building of any description whatsoever on any land within 400ft. of the centre line of the carriageway of the road specified in the schedule hereto.

SCHEDULE

Road Approximate

Serial Length

No. Particulars (Miles)

M1 Blantyre City Boundary to Zomba Town Planning Area Boundary 27

M2 Blantyre City Boundary to the Junction with S70 to Nkula Falls 6

M1 Blantyre City Boundary to the Namicha Stream, Mulanje 41

M7 Blantyre City Boundary to the junction with M1 at Fundi Cross 26

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CONTROL OF LAND (PROHIBITION OF RIBBON DEVELOPMENT ) ORDER G.N.

130/1970

88/1971

Under s.31

1. This Order may be cited as the Control of Land (Prohibition of Ribbon Development) Order.

2. No person shall, without the prior consent in writing of the Minister or his authorized representative erect any building of any description whatsoever on any land within 400ft. of the centre line of the carriageway of the road specified in the schedule hereto.

SCHEDULE

Road Approximate

Serial Length

No. Particulars (Miles)

M1 from the North-eastern boundary of the Zomba Township for a

distance of 32 miles to the southern boundary of the liwonde Town 32

Planning Area

M1 from the north-western boundary of the Liwonde Town Planning

Area for a distance of 3 miles in the direction of Balaka 3

M1 a distance of 3 miles in both directions from the point where the road

crosses the railway at Balaka 6

M1 a distance of 3 miles in both directions from the Market at Ntcheu

Trading Centre 6  
M1 from a point on the road between Ntcheu and Dedza 3 miles south-east of

the junction with road S21 to a point 3 miles north-east of the second

junction with road S21 to a point 3 miles south-east of the junction with

road S21 between Dedza and Lilongwe 8

M1 From the Lilongwe Township boundary for a distance of 5 miles in a

southerly direction 5

M3 from the Liwonde Planning Area boundary to the western boundary of

Mangochi Township 46

M15 from the junction with road M3 at Mangochi to Monkey Bay 42

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CONTROL OF LAND (PROHIBITION OF RIBBON DEVELOPMENT ) ORDER

G.N.

88/1971

Under s.31

1. This Order may be cited as the Control of Land (Prohibition of Ribbon Development) Order.

2. No person shall, without the prior consent in writing of the Minister or his authorized representative erect any building of any description whatsoever on any land within 400ft. of the centre line of the carriageway of the road specified in the schedule hereto.

SCHEDULE

Road Approximate

Serial Length

No. Particulars (Miles)

M1 from the 5 mile mark referred to in Government Notice No. 130 of

1970 to Kalumbu turn off 4

M1 from Lumbadzi River for a distance of 5 miles in the direction of

Kasungu, and from the same river to the junction with S15 12

M1 from Kasungu Government Hospital for a distance of 4 miles in

a northerly direction and from the said hospital to Kavunguti River in a

southerly direction 7

M4 from the western edge of the Capital City Boundary to the junction with S11 8

M5 from the eastern edge of the Capital City Boundary to the junction with

road S15 6

M5 from Salima Township boundary westward to Salima District Boundary 11

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CONTROL OF LAND (PROHIBITION OF RIBBON DEVELOPMENT ) ORDER G.N.

90/1973

152/1973

Under s.31

1. This Order may be cited as the Control of Land (Prohibition of Ribbon Development) Order.

2. No person shall, without the prior consent in writing of the Minister or his authorized representative erect any building of any description whatsoever on any land within 400ft. of the centre line of the carriageway of the roads specified in the schedule hereto, except that this Order will not apply to the erection of traditional buildings on any land comprising villages existing and established on the date of this Order situated along that stretch

Of road Serial Number M19 included in the Schedule.

SCHEDULE

Road Approximate

Serial Length

No. Particulars (Miles)

M18 Monkey-Bay-Mua road from junction road M15 APPROX. 8 miles

south of Monkey Bay to Mua junction M17 some 40 miles

south of Salima 36 miles

M17 from junction road M1 about 7 miles west of Balaka to Junction

with road N5 some 1 ½ miles distance west of salima township 90 miles

S.33 from junction road D210 at Benga northwards to junction road M10 at a

Nkhotakota 33 miles

S. 53 Junction road M10 to Dwangwa 32 miles

S.53 From Bandawe northwards to junction M12 at a point approx. 2 miles

west of Nkhata-Bay to Mzuzu township boundary 32 miles M12 from junction road S53 near Nkhata Bay to Mzuzu township boundary 27 miles

M14 from junction Mzuzu township boundary north-wards to junction with road

M1 at Enguewini 27 miles

M1 from 3 miles south of junction with road M14 at Enguewini northwards

to a point 3 miles beyond Kachece 13 miles

M19 from Chiweta northwards to junction road M11 at livingstonia escarpment

turn-off 10 miles

M11 from junction road M19 northwards to a point 1 mile north of the aerodrome

access road at Karonga 58

CONTROL OF LAND (PROPOSED LIWONDE NATIONAL PARK AREA) ORDER G.N. 258/1970

Under s.31

1. This Order may be cited as the Control of Land (proposed liwonde national park area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

(d) cut any tree or vegetation except resident’s own domestic use.

SCHEDULE

All that piece or parcel of land together containing an area of 56,146 (fifty six thousand one hundred and forty –six ) acres or thereabouts situate in the Kasupe and Mangochi Districts of the Southern Region the boundaries whereof are more particularly described and delineated on Survey Department Sketch Plan No. 179/70 and thereon edged with red colour.

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CONTROL OF LAND (RUSA Cattle Ranch Area)ORDER G.N. 232/1969

Under s.31

1. This Order may be cited as the Control of Land (proposed liwonde national park area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land COMPRISING 52,316 (fifty-two thousand three hundred and sixteen) acres or thereabouts commencing at a point south of Chikungu Village on the Kasungu-Mchinji road at Grid Ref. WA. 241-100; thence in a straight line due west for a distance of 15, 200 feet to Grid Ref. WA. 195-100 on the Mwanje Dambo; thence down the Mwanje Down in a north-westerly direction to its confluence with the Rusa River Grid Ref. WA. 160-182; thence along the Rusa River down river to the confluence with the Mavumbi Stream Grid Ref. WA.377-247;thence in a straight line for a distance of 20,900 feet to Grid Ref. WA. 320-220;thence due west in a straight line for a distance of 19,500 feet to Grid Ref. WA. 260-220; thence in a

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CONTROL OF LAND (PROPOSED LIWONDE NATIONAL PARK AREA) ORDER G.N. 258/1970

Under s.31

1. This Order may be cited as the Control of Land (proposed liwonde national park area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

(d) cut any tree or vegetation except where the materials are required for an existing resident’s own domestic use

SCHEDULE

All that piece or parcel of land together containing an area of 56,146 (fifty six thousand one hundred and forty –six ) acres or thereabouts situate in the Kasupe and Mangochi Districts of the Southern Region the boundaries whereof are more particularly described and delineated on Survey Department Sketch Plan No. 179/70 and thereon edged with red colour.

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CONTROL OF LAND (PWADZI PROTECTED AREAS) ORDER G.N. 55/1974

Under s.31

1. This Order may be cited as the Control of Land (PWADZI PROTECTED AREAS) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

(d) cut any tree or vegetation except resident’s own domestic use.

SCHEDULE

First: All that piece or parcel of land containing an area o five thousand nine hundred and twenty-two (5,922) hectares or thereabouts situated in the Southern part of Pwadzi Area in the Chikwawa District and defined by survey) are more particularly described and delineated on survey Department Sketch Plan No. 259/73 and thereon edged with red colour.

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Second : ALL THAT piece or parcel of land containing an area of forty thousand six hundred and forty-two (4,642) hectares or thereabouts situate in the Northern Part of Pwadzi Area in the Chikwawa District the boundaries whereof (the same to be more precisely ascertained and defined by survey) are more particularly described and delineated on Survey Department Sketch Plan No. 260/73 and thereon edged with red colour.

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CONTROL OF LAND (RUSA Cattle Ranch Area)ORDER G.N. 232/1969

Under s.31

1. This Order may be cited as the Control of Land (proposed liwonde national park area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land comprising 52,316 (fifty-two thousand three hundred and sixteen) acres or thereabouts commencing at a point south of Chikungu Village on the Kasungu-Mchinji road at Grid Ref. WA. 241-100; thence in a straight line due west for a distance of 15, 200 feet to Grid Ref. WA. 195-100 on the Mwanje Dambo; thence down the Mwanje Down in a north-westerly direction to its confluence with the Rusa River Grid Ref. WA. 169-240.5 thence following the Rusa River downstream to Grid Ref. WA.377-247;thence in a straight line for a distance of 20,900 feet to Grid Ref. WA. 320-220; thence due west in a straight line for a distance of 19,500 feet to Grid Ref. WA. 260-220; thence in a

Straight line due south for a distance of 28,300 feet on the Kasungu-Mchinji road Grid Ref. WA. 260 -133.5; thence along the south –west of the Kasungu-Mchinji road to the point of commencement, which said land is for the purpose of identification shown on Survey Department Sketch Plan No. 114-69 and thereon edged with red colour.

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CONTROL OF LAND (THE CENTRAL REGION LAKE-SHORE DEVELOPMENT PROJECT POTENTIAL GRAZING AREAS)ORDER G.N.139/1972

Under s.31

1. This Order may be cited as the Control of Land (The Central Region Lake-Shore Development Project Potential Grazing Areas) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that piece or parcel of land together containing a total area of 21,211.33 (twenty-one thousand two hundred and eleven decimal poin three three) acres situate and known as Block 1 and Block 11 at Nkanga range in the Salima District the boundaries whereof as demarcated by beacons are more particularly described and delineated on Survey Department Sketch Plan No. 150/72 and thereon edge in red.

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CONTROL OF LAND (WESTERN ESCARPMENT OF THE LOWER SHIRE VALLEY ZONE A, ZONE B AND ZONE C)ORDER G.N.56/1974

Under s.31

1. This Order may be cited as the Control of Land (Western Escarpment Of The Lower Shire Valley Zone A, Zone B And Zone C) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that pieces of land containing a area of one hundred and forty-six thousand three hundred and seventy –nine (146,379) hectares or thereabouts situate in the western escarpment of the Lower Shire Valley Area extending from Chikwawa to Nsanje District the boundaries whereof (the same to be more precisely ascertained and defined by survey) are more particularly described and delineated on Survey Department Sketch Plan No. 253/73 and thereon edged with red colour.

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CONTROL OF LAND (WOVWE CONTROLLED AREA)ORDER G.N.24/1971

Under s.31

1. This Order may be cited as the Control of Land (Wovwe Controlled Area) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that pieces of land containing an area of 10,650 (ten thousand six hundred and fifty) acres or thereabouts situate at Wovwe in the Karonga District the boundaries whereof as delineated in red on Survey Department Sketch Plan No. 174/70 are as follows-

Commencing at a point Grid ref. XD 230-589 on the district road 5, 000ft. South-West of the main Karonga-Livingstonia road crossing of the Wovwe River, the boundary follows the western side of the said district road in a southerly direction to Grid ref. XD 239-494 some 8,850 ft. south of the Kasangamara Village; thence on a bearing of  a distance of approximately 9,583 ft. to Grid ref. XD 210-497; thence on a bearing of  a distance of approximately 24, 166 ft. to Grid ref. XD 168-558 thence on a bearing of  a distance of approximately 15,000 ft. to Grid ref. XD 203-588; thence on a bearing of 88 for a distance of approximately 9,000 ft. to the point of commencement.

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CONTROL OF LAND (WOVWE CONTROLLED EXTENSION AREA)ORDER G.N.41/1972

Under s.31

1. This Order may be cited as the Control of Land (WOVWE CONTROLLED EXTENSION AREA) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that pieces of land containing an area of 703.3 (Seven nought three decimal three acres or thereabouts situate at Wovwe in the Karonga District the boundaries whereof as delineated in red on Survey Department Sketch Plan No. 156/71 are as follows-

Commencing at a bridge over the Wovwe River on the Karonga/ Chilumba road. Proceeding south east along this road to the bridge over the Hangarawe River. South along the river to a point Map Reference XD23 85 (Map 1034A3) south west from this point to a point Map reference XD 2325-5710 on the Wovwe River. North along the Wovwe River to the commencement.

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CONTROL OF LAND (NORTH-WEST MZIMBA FLUE-CURED TOBACCO DEVELOPMENT ) ORDER

G.N.21/1976

Under s.31

1. This Order may be cited as the Control of Land (North-West Mzimba Flue-Cured Tobacco Development) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that pieces of land comprising an area of 257.63 (two hundred and fifty –seven decimal point six three) square kilometers or thereabouts as follows-

Commencing at the mid-point of South Rukurau River at its confluence with Chamaji Stream at grid reference 463 481; thence following South Rukuru in the Northerly direction to a point of confluence between South Rukuru and a minor stream at grid reference 503 583; thence following the said minor stream in a South –Easterly direction to a point at grid ref. 562 550; thence on a grid bearing of 27 degrees to grid reference point 573 572 on the boundary of piece of land leased to A.C.E. Lungu, as delineated on Survey Department Sketch Plan No. 173/73 up to a point on its North -Easterlyrn boundary at grid reference 578 581; thence in a North-Easterly direction to a peak of a hill at grid reference 580 586; thence on a grid bearing of 85 degrees in an Easterly direction to a peak of a hill at grid reference 603 588; thence on a grid bearing of 34 degrees 30 minutes in a North-Easterly direction to a peak of another hill at grid reference 609 598; thence on a grid bearing 26 degrees in a North-Easterly direction to a peak of a hill (Secondary Trigonometrical Station) at grid reference 618 616; thence on a grid bearing of 67 degrees 30 minutes in a North-Easterly direction to a peak of a hill at grid reference 666 636; thence on a grid bearing of 90 degrees due East to road No. D. 161 at grid reference 686 636; thence following the road No. 161 in a South Westerly direction to a bridge at grid reference 673603; thence following Manthulo Stream in a generally South-Westerly direction to a bridge at grid reference 673 603; thence following Manthulo Stream in a generally South-Westerly direction to a bridge on Malidade/Mpherembe Road at grid reference 614 548; thence following the road to Kafukule in a South-Eastrly direction and then South-Westerly direction to a point along that road at grid reference 670 412; thence on a grid bearing of 270 degrees due west to a point on Chamaji Stream at grid reference 535 412; thence downstream to its confluence with South Rukuru River and the point of commencement at grid reference 463 481, which said land is for the purpose of identification shown on survey Department Sketch Plan No. 174/75 and thereon edged red colour.

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CONTROL OF LAND (MPASADZI SMALLHOLDER FLUE CURED TOBACCO DEVELOPMENT AREA) ORDER

G.N.66/1976

Under s.31

1. This Order may be cited as the Control of Land (MPASADZI SMALLHOLDER FLUE CURED TOBACCO DEVELOPMENT AREA) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that pieces of land comprising approximately twelve thousand four hundred (12, 400) hectares.

Commencement at the head of a tributary drainage line of the Kambulauju Stream, at the road D191 at G.R 508966; along D191 in NNW direction to the corner at G.R. 462066, thence in SW direction along the drainage line (unnamed) to its junction with Mpasadzi R. at G.R. 415013; thence northwards along Mpasandzi R. to G.R. 411021; thence in a NW direction along the drainage line marked Kembala to its junction with tha marked Kamfutu at G.R. 375065; thence along Kamfutu drainage line marked Juni at 378966; thence along Juni Stream to its Junction with Mpasadzi to its Junction with Kambulauju Stream at G.R. 450928; thence NE along Kambulauju Stream and tributary drainage line to starting point at 508966. All which parcel of land is for the purpose of identification shown on Survey Department Sketch Plan No. 186/75 and thereon edged with red colour.

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CONTROL OF LAND (KASUNGU NATIONAL PARK) (BUFFER ZONE) ORDER

G.N.149/1977

Under s.31

1. This Order may be cited as the Control of Land (KASUNGU NATIONAL PARK) (BUFFER ZONE) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

(d) hunt or carry any firearm;

(e) set fire to any vegetation.

SCHEDULE

All that pieces of land comprising eleven thousand two hundred (11,200) hectares or thereabouts situate at and known as Zones A and B near Kasungu National Park in the Kasungu District the boundaries whereof are as delineated on Survey Department Sketch Plan No. 104/77 and thereon edged red.

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CONTROL OF LAND (DWAMBAZI FOREST RESERVE ) ORDER

G.N.1/1978

Under s.31

1. This Order may be cited as the Control of Land (DWAMBAZI FOREST RESERVE ) Order.

2. On the land described in the Schedule no person shall without the prior consent in writing of the Minister or his authorized representative-

a) make any new garden

(b) plant any tree or shrub;

(c) erect any building of any description whatsoever.

SCHEDULE

All that pieces of land containing area of seventy-eight thousand nine hundred and twenty –five decimal point eight nine one (78,925.891) hectares or thereabouts situate at Dwambazi in the Nkhotakota Districts the boundaries whereof as delineated in red on Survey Department Sketch Plan No. 1/77 are as follows:

Commencing at the confluence of Lunguzi Stream with Dwangwa River on the opposite bank to the Nkhotakota Game Resrve, GRXB 083088; thence by the Lunguzi Stream upstream to its confluence with Chatuvi Stream GRXB 060109; thence by the Chavuti Stream to beacon FD2, GRXB 061112; thence in a straight demarcated line on a true bearing of  a n approximate distance of 400 metres to beacon FD3 on the source of Kadyasenjele Stream to beacon FD 4 on its confluence with Vuuka Stream GRXB 061123; thence by theVuuka stream downstream to beacon FD5 on its confluence with Rupashe River, GRXB 118165; thence by theRupashe River upriver to beacon FD6 on its confluence with Chamalukwa Stream, GRXB 043206; thence by the Chamalukwa stream upstream to beacon FD 7 on its source, GRXB 051215; thence in a straight demarcated line on a true bearing of () for an approximate distance of 443 metres to beacon FD8 on Luluzi Stream, GRXB 051219; thence by the Luluzi Stream downstream to becoan FD9 on its confluence with an unnamed stream, GRXB 062316;thence by the unnamed stream upstream to beacon FD10 GRXB 053312;thence in a straight demarcated line on a true bearing of 334 for an approximate distance of 1.25 km to beacon FD11, GRXB 048323;thence in a straight demarcated line on a true bearing of 35 for an approximate distance of 2.94 km. to beacon FD12, GRXB 065348; thence in a straight demarcated line, on a true bearing of 35 for an approximate distance of 2.94 km to beacon FD13 on Kangoza Stream, GRXB 061360; thence by the Kangoza Stream downstream to beacon FD14, on, its confluence with Nkoma River GRXB 059383;thence by the Nkoma River upriver to beacon FD15 on its confluence with an unnamed stream GRXB 059384; thence by the unnamed stream upstream to beacon FD16, GRXB 059385; thence in a straight demarcated line, on a true bearing of 355 for an approximate distance of 3.15 km to beacon FD17 on Khuyu river GRXB 057417; thence by the Khuyu River upstream to beacon FD18 on its confluence with Kajando Stream GRXB 055416; thence by the Kajando stream upstream to beacon FD20 on its source GRXB 049424; thence in a straight demarcated line, on a true bearing of 5 for an approximate distance of 1.81 km to beacon FD21 GRXB 051442; thence in a straight demarcated line on a true bearing of 42 for an approximate distance of 1.50 km to beacon FD22 GRXB 058451; thence in a straight demarcated line, on a true bearing of 9 for an approximate distance of 250 metres to beacon FD23 GRXB 058453; thence in a straight demarcated line on a true bearing of 259 for an approximate distance of 1.8km to beacon FD24, GRXB 041450; thence in a straight demarcated line, on a true bearing of 337 for an approximate distance of 369 metres to beacon FD25 on Kaluweya Stream GRXB 039453; thence by the Kaluweya Stream upstream to beacon FD26 on its source, GRXB 018466; thence in a straight demarcated line, on a true bearing of 348 for an approximate distance of 260 metres to beacon FD27 on the source of Kabvuzi Stream, GRXB 017468 thence by the Kabvuzi Stream downstream to beacon FD28 on its confluence with Dwambazi River, GRXB 02295 thence by the Dwambazi River upriver to beacon FD30 on the boundary of south Viphya Forest Reserve , GRWB 818551; thence by the South Viphya Forest Reserve boundary in a south-westerly direction to beacon FD 31, GRWB 810543; thence in a straight

(2) Any certificate signed by an authoprised officer under section 40 of the Act in accordance with the powers conferred upon him by an Order of the Minister made under section 41 of the Act shall be in the form set in the Second Schedule, or with such modification as the circumstances of the case may require.

4. Subject to the general or special directions of the Minister, an authorized Proceedings by

officer may make a sworn complaint and carry on proceedings under authorized officer

section 36 (1) of the Act against any person who it appears has trespassed

or encroached upon public land, or is, or is deemed to be, in unlawful use

or occupation of such land.

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FIRST SCHEDULE reg 3(1)

THE LAND ACT

CERTIFICATE UNDER SECTION 40

(By the Minister)

By virtue of the powers conferred upon me by section 40 of the Land

Act, I, ………………………………………………………………...

Minister of …………………………… hereby certify-

(a) that the land more particularly described in the Schedule hereto

Is ………………………………… (1) ………………..land;

And

(b) that the lawful title to the said land is vested in …………..

…………………………………of …………………………..

Dated ……………………… day of …………………………, 19 …..

The Schedule above referred to

(2)

………………………………….

Minister of Natural Resources

N.B. –(1) Insert ‘public’ or ;private’ or ‘customary’ as the case may be.

(2) Set out a full description of the land and where possible a plan

should be annexed to the certificate showing clearly the boundaries.

SECOND SCHEDULE reg. 3 (2)

THE LAND ACT

Certificate under 40

(by an Authorised Officer)

By virtue of the powers conferred upon the Minister under section 40 of the Land Act and deputed to me by Order under the hand of the Minister (acting in exercise of the powers conferred upon him by section 41 of the Act) dated the ………………….. day of …………………….. 19 ………… and published in Government Notice ……………… of 19 ………., I, ……………………………….., Secretary for ………………… hereby certify-

(a) that the land more particularly described in the Schedule hereto is ……………………..(1) ………………………………, land; and

(b) that the lawful title to the said is vested in …………………………………………..

……………………………………………………………….. of ………………………..

Dated …………………………… day of ……………...., 19…………………….

The Schedule above referred to

…………………………….

Secretary for ……………….

N.B. (1) Insert “public,” “private” or “customary” as the case may be.

(2) Set out a full description of the land and where possible a plan should be annexed

to the certificate showing clearly the boundaries.

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G.N. 169/1969 DELEGATION OF POWERS ORDER

Under s. 41

The Minister has deputed and authorized the Commissioner for Lands, for and on his behalf ,and subject to his special and general written directions-

Cap. 57: 01 (a) to administer the Land Act in accordance with the provisions thereof and the prescribed Regulations made thereunder;

(b) to make grants, lease or other dispositions in accordance with section 5;

(c) To sign, seal, execute and perfect as may act and deed and to deliver and accept -

(i) grants, lease or other dispositions of public or customary land, and surrenders made under section 11;

(ii) agreement or licences in respect of the control or use of running or stagnant water or affecting the dispositions of interests or rights therein;

(d) to sign and issue documents including documents of consent;

(e) to grant relief from liability to perform, and to extend the time for performance or observance of any covenant, condition, agreement or stipulation in accordance with the provisions of section 12;

(f) to except from any lease any implied covenant or covenants and to vary or modify such covenant or covenant s in the provisions of section 13;

(g) to serve notice o determination of any lease in accordance with the provisions of section 14;

(h) to determine the amount of compensation payable in accordance with the provisions of section 28 but should any individual or Chief object to the amount so determined for any reason the matter shall be referred to me.