

Malawi

Presidents (Salaries and Benefits)

Chapter 2:02

Legislation as at 31 December 2014

FRBR URI: /akn/mw/act/1994/26/eng@2014-12-31

There may have been updates since this file was created.

PDF created on 21 February 2024 at 14:36.

Collection last checked for updates: 31 December 2014.

[Check for updates](#)



About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from the Laws.Africa Legislation Commons, a collection of African legislation that is digitised by Laws.Africa and made available for free.

www.laws.africa
info@laws.africa

There is no copyright on the legislative content of this document.
This PDF copy is licensed under a Creative Commons Attribution 4.0 License (CC BY 4.0). Share widely and freely.

Presidents (Salaries and Benefits)
Contents

1. Short title 1

2. Interpretation 1

3. Application of this Act to a former President 1

4. Salary, pension and benefits of the President, etc. 1

5. Circumstances when benefits, etc., not payable or available to a former President or former Vice-President 2

6. Death of the President, etc. 2

Schedule (Sections 4 and 6) 2

Malawi

Presidents (Salaries and Benefits)

Chapter 2:02

Commenced on 2 December 1994

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

[Note: This version of the Act was revised and consolidated in the Fifth Revised Edition of the Laws of Malawi (L.R.O. 1/2018), by the Solicitor General and Secretary for Justice under the authority of the Revision of the Laws Act.]

[26 of 1994; 19 of 1995; 7 of 2002]

An Act to provide for the salary, benefits, pension and other retirement benefits of the President, Vice-President, former Presidents and former Vice-Presidents of the Republic of Malawi and to provide for matters connected therewith or incidental thereto

1. Short title

This Act may be cited as the Presidents (Salaries and Benefits) Act.

2. Interpretation

In this Act, unless the context otherwise requires—

“**former President**” or “former Vice-President” means the person who was duly elected and took office as President, or, as the case may be, who was duly appointed and took office as Vice-President, of the Republic of Malawi;

“**Vice-President**” means First Vice-President and Second Vice-President.

3. Application of this Act to a former President

The application of this Act shall extend to any former President who ceased to hold office before the commencement of this Act and shall so apply retrospectively to the date he ceased to hold office.

4. Salary, pension and benefits of the President, etc.

(1) Subject to the other provisions of this Act—

(a) the President shall be entitled to—

(i) such salary, which shall be tax-free, as Parliament may, from time to time, appropriate to him;

(ii) the benefits and facilities specified in Part I of the Schedule;

[Schedule Part I]

(b) the Vice-President shall be entitled to the salary, benefits and facilities specified in Part II of the Schedule;

[Schedule Part II]

(c) a former President shall, upon ceasing to hold office of President, be entitled to the gratuity, monthly pension, benefits and facilities specified in Part III of the Schedule; and

[Schedule Part III]

- (d) a former Vice-President shall, upon ceasing to hold office of Vice-President, be entitled to the gratuity, monthly pension, benefits and facilities specified in Part IV of the Schedule.

[Schedule Part IV]

- (2) The salary of the President shall not, without his consent, be reduced during his term of office, and shall be reviewed at annual intervals.
- (3) The salary, pension, gratuity and other benefits of the President, the Vice-President, a former President and a former Vice-President shall be a charge on the Consolidated Fund.

[7 of 2002]

5. Circumstances when benefits, etc., not payable or available to a former President or former Vice-President

- (1) The pension, other benefits and facilities conferred by this Act on a former President or former Vice-President shall not be paid or enjoyed and shall not accrue during any period when the former President or former Vice-President, as the case may be, is in receipt of a salary from the Government or other State body.
- (2) A former President or former Vice-President shall cease to be entitled to receive or enjoy the whole or part of the pension, other benefits and facilities conferred by this Act if—
- (a) he ceased to hold office upon impeachment in accordance with the Constitution; or
 - (b) he is convicted of an offence and sentenced to imprisonment for a term exceeding six months without the option of a fine, and, in addition, the National assembly, on a motion supported by not less than two-thirds of the members of the Assembly, resolves that the former President or former Vice-President, as the case may be, shall not receive, or be entitled to, the whole or such part of the pension and other benefits as it may determine.

6. Death of the President, etc.

- (1) Subject to subsection (2), where the President, the Vice-President, a former President or a former Vice-President who is entitled to benefits conferred by this Act dies while in or after having left office, the surviving spouse and any children of the family who have not attained the age of eighteen years shall be entitled jointly to the pension specified in Part III or IV of the Schedule, as the case may be.

[Schedule Part III and IV]

- (2) The pension payable under subsection (1) shall cease to be payable, after twenty-four months (excluding the month in which the deceased died) or upon the death of the last eligible beneficiary thereof, whichever is the sooner.

Schedule (Sections 4 and 6)

Salary and other benefits of the President, Vice-President, former President and former Vice-President

Part I – The President

Benefits

Free house in Blantyre, Zomba, Lilongwe and Mzuzu, and at Chikoko Bay in Mangochi

Free food

Free water

Free electricity

Free medical services and personal physician for the President, spouse and children under the age of eighteen years

Free transport

Duty free importation of items for personal use

Motorcade escort

Presidential convoy

Staff

1 Chief of Staff

1 Aide-de-Camp (ADC)

Personal Assistants

3 Personal Bodyguards

1 Secretary

1 Staff Supervisor

1 Head Security Guard

Security Guards

3 Storekeepers

6 Cooks

4 Chauffeurs

4 Head Gardeners

Gardeners

House staff

1 Copy Typist

1 Messenger

1 Tailor

1 Valet

1 Lady-in-waiting/Dresser

Other benefits

Spouse entitled to travel abroad at Government expense if in the company of the President

Spouse entitled to travel abroad privately at Government expense but restricted to three times a year for a duration not exceeding fourteen days each time

Part II – Vice-President

Benefits

Tax-free salary equal to two-thirds of the President's salary

Free house in Lilongwe

Free food

Free water

Free electricity

Free guest houses in Blantyre and Mzuzu

Free medical services and physician on call

Medical insurance for the spouse and children under the age of eighteen years

3 Motor cars

Motorcade escort by the Police

Duty-free importation of up to two personal motor vehicles every five years

Duty-free importation of other items for personal use

Staff

Personal Assistants

1 Personal Bodyguard

1 Staff Supervisor

1 Head Security Guard

6 Security Guards

1 Storekeeper

2 Cooks

2 Chauffeurs

1 Head Gardener

4 Gardeners

Other benefits

Spouse entitled to travel abroad at Government expense if in the company of the Vice-President

Spouse entitled to travel abroad privately at Government expense but restricted to two times a year for a duration not exceeding fourteen days each time

Part III – Former President

Benefits

Tax-free lump sum gratuity calculated in accordance with the formula applicable in the case of Civil Servants or one year tax-free salary, whichever is greater

Tax-free monthly pension at fifty per cent (50%) of the President's salary

Except where a house is provided at Government expense, a monthly housing allowance equal to forty percent (40%) of his salary at the time of ceasing to hold office as President:

Provided that nothing in this Part shall be construed as obliging the Government to provide a former President a house at Government expense

2 Motor vehicles (a saloon and a 4-wheel drive 10 seater)

Free electricity

Free water

Free telephone

Free medical services and a personal physician

Free local travel by scheduled air transport

Staff

1 Personal Secretary at S8 Grade

1 Head Guard (Personal Bodyguard)

6 Security Guards

1 Staff Supervisor (E.O.)

1 Assistant Accountant (E.O.)

1 Storekeeper

1 Messenger

1 Valet

1 Housekeeper

1 Steward

4 Housemen

2 Cooks

1 Chauffeur

2 Drivers

2 Laundrymen

1 Head Gardener

3 Gardeners

Other benefits

Housing Allowance for staff

Medical insurance for the former President, spouse and children under the age of eighteen years

In each year, one first class return air ticket for the former President and for the spouse to travel abroad

Duty-free importation, on application to the Minister responsible, of the following—

Foodstuff and beverages for personal consumption

Two personal motor vehicles every five years

Personal clothing

Books, newspapers and periodicals for personal use

Any other necessities

[19 of 1995]

Part IV – Former Vice-President

Benefits

Lump sum gratuity calculated in accordance with the Civil Service formula or one year tax-free salary, whichever is greater

Tax-free monthly pension at fifty per cent (50%) of the Vice-President's salary

1 Motor car

Except where a house is provided at Government expense, a monthly housing allowance equal to forty per cent (40%) of his salary at the time of ceasing to hold office as Vice-President:

Provided that nothing in this Part shall be construed as obliging the Government to provide a former Vice-President a house at Government expense

Free electricity

Free water

Free medical services

Staff

1 Cook

1 Chauffeur

1 Gardener

1 Security Guard

Other benefits

Duty-free importation of one motor vehicle once in every five years

In each year one return air ticket for the former Vice-President and the spouse to travel abroad

Housing allowance for staff

Medical insurance for the former Vice-President, the spouse and children under the age of eighteen years.