The Malawi Gazette Supplement, dated 9th February, 2024, containing a Bill

NOTICE

The following Bill, for introduction in Parliament, is published for general information.

LILONGWE 9th February, 2024.

FIONA. KALEMBA
Clerk of Parliament

INTERNATIONAL DEVELOPMENT ASSOCIATION (REGIONAL CLIMATE RESILIENCE PROGRAM FOR EASTERN AND SOUTHERN AFRICA 2 PROJECT) (AUTHORIZATION) BILL, 2024

MEMORANDUM

This Bill seeks to authorize the Minister of Finance and Economic Affairs, on behalf of the Government of the Republic of Malawi, to receive from the International Development Association a grant in various convertible currencies, not exceeding in the aggregate, the equivalent of one hundred and eighty-two million seven hundred thousand Special Drawing Rights (SDR 182,700,000), for the purpose of financing the Regional Climate Resilience Program for Eastern and Southern Africa 2 Project ("the Project").

The main objectives of the Project are to improve resilience to water-related climate shocks in Malawi and in the Eastern and Southern Africa region and to assist Malawi and the region respond promptly and effectively in case of an Eligible Crisis or Emergency.

Specifically, the Project aims to—

(a) support regional and national institutional capacity building in watershed and catchment management, strengthening cooperation on climate and related disasters risk management and climate financing through—

(i) consolidating basin plans and instruments for catchment management, land and forest restoration plans, flood-risk mapping, and nature-based solutions; conducting feasibility studies of proposed interventions based on the consolidated plans to reduce soil erosion rates, improve crop productivity, boost water storage, and reduce vulnerability to flood damage on infrastructure; developing flood mapping and zoning to enhance resilience of beneficiaries and infrastructure; and supporting the engagement of Malawi in climate resilient transboundary water resources management and promoting gender balance in staffing at relevant authorities;
(ii) supporting the institutionalization of government-led emergency management and disaster response capacity at national, district, and local levels against climate change exacerbated floods and cyclones; and

(iii) enhancing Malawi’s national monitoring, reporting and verification unit; enabling tracking land-use change, forest degradation and deforestation, and associated carbon emissions; and creating an enabling environment to facilitate access to carbon markets, and strengthening Malawi’s capacity to monitor carbon stocks and measure the reduction resulting from its various mitigation activities, including natural resources management, landscape restoration, and land-use changes;

(b) enhance infrastructure investments and sustainable asset management for climate resilience through—

(i) basin-level infrastructure development by supporting the reconstruction and rehabilitation of critical connectivity infrastructure, including roads, bridges, and hydraulic infrastructure impacted by Tropical Cyclone Freddy; and supporting the construction or rehabilitation of hydraulic infrastructure in the transboundary Shire River Basin, including river training and riverbank protection structures, drainage systems, dykes, and weirs; and

(ii) district-led resilience building by providing Performance-Based Grants (PBGs) to support district-level infrastructure, landscape management investments, and nature-based solutions;

(c) enhance adaptive climate services through community preparedness in urban areas; and engaging in planning of community level risk reduction plans to mainstream climate dimensions in social protection policy design and operations through—

(i) redesigning and rolling out an urban social registry; enhancing resilience of beneficiaries to floods, cyclones and droughts in selected cities, including the design of an urban Proxy Means Test to be used as a prioritization criterion for ex-post household-focused interventions; preparation of ex-ante emergency action plans; and development of prevention and adaptation strategies for climate change-exacerbated floods, droughts, and cyclones; and

(ii) supporting central government units and urban councils in designing an urban, climate smart, public works program (UPWP) that combines aspects of climate smart operational maintenance of public infrastructure and land restoration activities across green spaces and urban watersheds, including maintenance of urban drainage canals, peri-urban water retention and urban open space rehabilitation activities; the development of UPWP design guidelines and operational manuals and training of urban councils and relevant community structures; and piloting the UPWP in selected urban centers to live test the guidelines and operational manuals;
(d) support project management and implementation activities, including implementation supervision, management of procurement and financial management, including carrying out of audits; management of environmental and social aspects; monitoring and evaluation and reporting activities, conducting an impact assessment at baseline, midterm, and completion; knowledge management and communication activities; and supporting the participation of Malawi in the RCRP Regional Steering Committee to increase coordination and learning across the region, all through the provision of consulting services, non-consulting services, operating costs and acquisition of goods for the purpose; and

(e) provide contingent and immediate emergency response to an Eligible Crisis or Emergency, as needed.
INTERNATIONAL DEVELOPMENT ASSOCIATION (REGIONAL CLIMATE RESILIENCE PROGRAM FOR EASTERN AND SOUTHERN AFRICA 2 PROJECT) (AUTHORIZATION) BILL, 2024

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Authority to receive the equivalent of SDR 182,700,000
3. Application of the Grant
4. Payments charged on the Consolidated Fund
5. Exemption from taxes, charges, etc.
6. Finalization and signature of the Agreement

A BILL

entitled

An Act to authorize the Government of the Republic of Malawi to receive a grant from the International Development Association, in various convertible currencies, not exceeding in the aggregate, the equivalent of one hundred and eighty-two million seven hundred thousand Special Drawing Rights (SDR 182,700,000)

ENACTED by the Parliament of Malawi as follows—

1. This Act may be cited as the International Development Association (Regional Climate Resilience Program for Eastern and Southern Africa 2 Project) (Authorization) Act, 2024.

2.—(1) The Minister of Finance, on behalf of the Government of the Republic of Malawi (the "Government"), is hereby authorized to receive from the International Development Association, a grant in various convertible currencies, not exceeding in the aggregate, the equivalent of SDR 182,700,000.
equivalent of one hundred and eighty-two million, seven hundred thousand Special Drawing Rights (SDR 182,700,000) (the “Grant”) for the purpose specified in section 3, at the time and on the terms and conditions which the Minister may, in his discretion, agree with the International Development Association.

(2) The terms and conditions which the Minister, may agree with the International Development Association shall be reduced in writing and such written agreement is hereinafter referred to as the “Agreement”.

3. The proceeds of the Grant authorized by section 2 shall be appropriated and applied solely for the purpose of financing the Regional Climate Resilience Program for Eastern and Southern Africa 2 Project (“the Project”), and for no other purpose.

4. Any payments required to be made, from time to time, by the Government to the International Development Association, under and in accordance with the provisions of the Agreement, are hereby charged on the Consolidated Fund.

5. All sums to be paid in accordance with section 4 shall, notwithstanding the provisions of any other written law, be paid without deductions for, and free from, any tax or charge whatsoever, and shall be free from all restrictions or limitations imposed by, or under, any written law of Malawi.

6. The Minister, or such other person as he may appoint, is hereby authorized to—

(a) settle the terms of the Agreement, but not so as to affect the general purpose thereof, nor to increase the amount of the Grant;

(b) sign the Agreement on behalf of the Government; and

(c) do such other things as may be necessary to implement the terms of the Agreement.

Objects and Reasons

The object of this Bill is to authorize the Minister of Finance and Economic Affairs, on behalf of the Government of the Republic of Malawi, to receive from the International Development Association, a grant in an amount not exceeding, in the aggregate, one hundred and eighty-two million seven hundred thousand Special Drawing Rights (SDR 182,700,000) for the purposes of financing the Regional Climate Resilience Program for Eastern and Southern Africa 2 Project.

T. CHAKAKA-NYIRENDA
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