IN THE HIGH COURT OF MALAWI

PRINCIPAL REGISTRY

CIVIL DIVISION

JUDICAL REVIEW CASE NUMBER 7 OF 2023

BETWEEN:

THE STATE (On the application of

BLANTYRE INTERNATIONAL UNIVERSITY) **CLAIMANT**

AND

NATIONAL COUNCIL FOR HIGHER EDUCATION **DEFENDANT**

CORAM: JUSTICE M.A. TEMBO,

B. Chimkango, Counsel for the Claimant
P. Likongwe, Kananji and Kalusa, Counsel for the Defendant
Makhambera, Court Clerk

ORDER

1. This is the order of this Court on the claimant's application seeking permission to apply for a judicial review of the putative defendant's decision, the impugned decision, made on 27th January, 2023 stopping the claimant from offering academic programmes that were not registered with the defendant.
2. The claimant is one of the higher education institutions that are subject to regulation by the defendant which is itself a regulatory institution created under the National Council for Higher Education Act (the NCHE Act) to regulate higher education in Malawi.
3. The impugned decision is contained in the defendant's letter addressed to the claimant dated 12th January, 2022 which the claimant states it received on 27th

January, 2023. The defendant clarified that there was a typo and the letter herein should have borne the year 2023 and not 2022.

4. The application was brought in the usual manner, without notice to the putative defendant, pursuant to Order 19 rule 20 (3) of the Court (High Court) (Civil Procedure) Rules. This Court considered the application and directed that it be brought on notice to the putative defendant pursuant to Order 19 rule 20 (4) of the Court (High Court) (Civil Procedure) Rules. The defendant contested the application.

5. As correctly noted by the parties to this application, it must be observed at the outset that the purpose of an application for permission to apply for judicial review, like the instant one, is firstly to eliminate at an early stage, applications which are either frivolous, vexatious or hopeless and secondly to ensure that an application is only allowed to proceed to substantive hearing if the court is satisfied that there is a case fit for further consideration. See *State and Governor of the Reserve Bank of Malawi ex parte Finance Bank of Malawi* Miscellaneous Civil cause number 127 of 2005 (High Court) (unreported); *Ombudsman v Malawi Broadcasting Corporation* [1999] MLR 329 and *Inland Revenue Commissioners v National Federation of Self Employed and Small Businesses Limited* [1981] 2 All ER 93.

6. As further correctly observed by the parties, this Court is further aware that permission to apply for judicial review will be granted if the Court is satisfied that there is an arguable case for granting the relief claimed by the applicant. At this stage, there is no need for this Court to go into the matter in depth. Once the Court is satisfied that there is an arguable case then permission should be granted. The discretion that the court exercises at this stage is not the same as that which the court is called on to exercise when all the evidence in the matter has been fully argued at the hearing of the application for judicial review. See *Ombudsman v Malawi Broadcasting Corporation* [1999] MLR 329.

7. This Court must therefore consider whether the facts as presented by the claimant show that there is an arguable case fit for further investigation at a full hearing. There is no need for this Court to go into the matter in depth. Once the Court is satisfied that there is an arguable case then permission should be granted.

8. The case of the claimant is contained in the sworn statement of Charles Lemson Chanthunya, the Chancellor of the claimant. He states that on 27th January, 2023, the claimant received a letter from the defendant stopping the claimant from advertising and offering academic programmes that were not registered with the defendant. The letter is exhibited and marked CLC1. The letter reads:

> **An Order to Stop Offering Unregistered Programmes**
>
> I would like to inform you that at its 38th ordinary meeting which was held on 16th December, 2022, the Council noted that you were calling for applications for programmes that were not registered. The Council resolved that you should stop offering such programmes with immediate effect as the practice contravenes the NCHE Act No 15 of 2011.
>
> You may wish to note that the NCHE Act clearly stipulates that any person who, without the authority of the Council: (a) offers or pretends to offer any higher education programme or part thereof; (b) purports to confer a qualification granted by a higher education institution, or in collaboration with a higher education institution; or (c) purports to perform an act on behalf of a higher education institution, commits an offence and on conviction, shall be liable to a fine of two million kwacha (K2 000 000) and to imprisonment for fourteen years.
> The Council, has therefore, ordered that you stop offering any programmes that have not been granted final registration by the Council.
> Your usual cooperation will be highly appreciated.

9. He then indicated that the defendant's order essentially stops the claimant from offering academic programmes that have students and lecturers on board

on account that the claimant should not have started offering the said programmes before it could register them with the defendant.

10. He stated that the defendant's decision contradicts the defendant's own rules that it applies when registering academic programmes in that the defendant would, among others, assess lecturer/student ratio and whether all lecturer positions are filled by persons possessing appropriate qualifications specified for the positions in relation to any academic programme under consideration for registration, which in essence entails that offering an academic programme is a prerequisite for registration. He exhibited a copy of the defendant's template for assessment of new programmes marked CLC2.

11. He then indicated that besides the foregoing, the defendant's decision requiring the claimant to register academic programmes is illegal as the NCHE Act does not make it a requirement that the claimant should first register an academic programme with the defendant before offering it nor does it provide for the conditions and criteria for registration of academic programmes. He asserted that the NCHE Act only provides for registration and accreditation of institutions and accreditation of programmes and not registration of programmes. He alluded to sections 2 (a) –(h), 15 (b) and (g). 19 (1)- (3), 20 (1) (a) –(g), 27 (1)- (5), and 28 (1) (a)-(c) of the NCHE Act. He added that these provisions clearly spell out the conditions and criteria that the defendant shall take into account in registering and accrediting institutions of higher learning.

12. He then indicated that, accordingly, there is no provision in the NCHE Act that addresses registration of individual academic programmes other than registration and accreditation of an institution of higher learning as provided under section 19 (1) and 27 (1) and (2) of the NCHE Act. He expressed his belief that the defendant's action is illegal in contravening the NCHE Act and its own rules that requires an academic programme to have students and lecturers before it is considered for registration by the defendant.

13. He then stated that section 34 (1) of the NCHE Act which the defendant has applied in its order that stops the claimant from offering unregistered academic programmes is not a provision requiring registration of programmes but rather a punishment for a person who has not registered with the defendant

as an institution of higher education, hence not having authority to offer such a programme.

14. He further expressed his belief that the defendant acted irrationally and in bad faith in stopping the claimant from offering programmes that have students despite the fact that the claimant had started advertising and offering the said programmes to students from as far back as 2016 under the watch of the defendant. He added that the defendant's decision is not only illegal but also harsh and unreasonable meant to intimidate and embarrass the claimant. He added that the further that the said decision is an infringement of the claimant's right to free enjoyment of the right to economic activity enshrined in the Constitution and the right to administrative justice. He therefore sought permission that the defendant's decision be reviewed. If granted the permission to apply for judicial review, the claimant would seek the following declarations and orders:

1. A declaration that the defendant's decision stopping the claimant from offering unregistered academic programmes when registration of the same is not a requirement under the Act is unlawful;
2. A declaration that the defendant's decision is ultra vires as it does not have any authority to register an academic programme under the Act;
3. A declaration that the defendant acted irrationally and in bad faith in stopping the claimant from offering unregistered academic programmes against its own requirement requiring that the claimant to indicate lecturer-student ratio and whether all lecturer positions are filled by persons possessing appropriate qualifications specified for the positions in relation to any academic programme under consideration for registration.
4. A declaration that the defendant acted unreasonably and in bad faith in using excessive and harsh action in stopping the claimant from offering programmes that have registered students, and that the claimant has been advertising and

offering to students from as far back as 2016 under the watch of the defendant.

5. A like order to certiorari quashing the decision of the defendant.
6. An order of injunction stopping the decision of the defendant.
7. An order for costs.
8. And any other order the court may deem fir in the circumstances.

15. The claimant submitted that it was offering academic programmes as a prerequisite to registration as per the defendant's own rules. And that the defendant however has issued an order stopping the claimant from offering the said programmes because the claimant did not register the programmes with the defendant.
16. The claimant then contended that there is no provision in the Act that addresses registration of the individual programmes other than registration and accreditation of an institution of higher learning as provided under section 19 (1) as read with section 27 (1) and (2) of the NCHE Act. It asserted that the NCHE Act only provides for registration and accreditation of institutions and accreditation of programmes, not registration of programmes, as provided in sections 2 (a) –(h), 15 (b) and (g), 19 (1)- (3), 20 (1) (a) –(g), 27 (1)- (5), and 28 (1) (a)-(c) of the NCHE Act. It contended that, these provisions clearly spell out the conditions and criteria the defendant shall take into account in registering and accrediting institutions of higher education.
17. The claimant then submitted that section 34 (1) of the NCHE Act which the defendant has applied in its order, that stops the claimant from offering unregistered academic programmes, is not a provision requiring registration of programmes but rather a punishment for a person who has not registered with the defendant as a higher education institution, hence not having authority to offer such a programme.
18. The claimant asserted that the defendant therefore acted illegally in stopping the claimant from offering academic programmes when registration is not a requirement under the Act. It asserted further that the defendant also acted *ultra vires* in stopping the claimant from offering academic programmes when it had no authority or power to register an academic programme under the

NCHE Act. It reiterated that the powers of the defendant under the Act are to register and accredit an institution of higher education, on one hand, and accredit an academic programme on the other hand. It insisted that nowhere in the Act is the defendant given power to register an academic programme.

19. The claimant reiterated that the defendant acted unreasonably by forcefully stopping the claimant from offering academic programmes contrary to its own requirements that an academic programme should have students and lecturers as one of the requirements for registration. And that this entailed that, pursuant to the defendant's own requirements, offering an academic programme is a prerequisite for registration.
20. The claimant submitted that there is therefore a triable issue that cannot be disposed of at this stage. And the claimant sought that this Court grant permission to apply for judicial review.
21. On the other hand, the putative defendant sought that the claimant's permission application herein be dismissed for not disclosing a case fit for further investigation a full judicial review hearing. The case of the putative defendant is contained in the sworn statement of Elias Selengo who is the Acting Director of Registration and Accreditation for the defendant. He stated as follows.
22. He stated that the defendant is the regulator of higher education in Malawi pursuant to the NCHE Act under which it was established. He then stated that, in pursuance of its mandate under the NCHE Act which provides for the defendant to design and recommend to the Minister institutional quality assurance standards, the defendant developed a minimum standards framework that would improve education standards for higher education institutions in Malawi. He indicated that the process of developing the standards involved desk reviews to study what other countries have done on educational standards for higher education. Further, that the defendant called a stakeholder's consultation meeting to determine minimum criteria and procedures for registration and deregistration of education programmes and institutions of higher learning in Malawi. He indicated that all higher learning institutions in Malawi were represented. He asserted that, following the meeting, minimum standards were set, recommended to the Minister, duly approved and signed by the Minister and evaluation framework for accreditation was developed. He then stated that the minimum standards and

evaluation framework were disseminated to all institutions of higher learning on 3rd December, 2015 at Golden Peacock in Lilongwe. He exhibited the Minimum Standards for Higher Education Institutions marked ES1.

23. He then pointed out that paragraph 8.1 of the Minimum Standards for Higher Education Institutions states that higher education institutions shall have their programmes registered by the defendant. And that the claimant was well aware of this development. He asserted that the registration of new programmes being a quality assurance mechanism is well in line with the mandate of the defendant to design and recommend an institutional quality assurance system for higher education.

24. He then asserted that by a letter dated 13th April, 2016, the claimant applied for registration of nine degree programmes. A copy of the claimant's letter was exhibited marked ES 2. He indicated that on 31st October, 2016, the defendant wrote the claimant informing the claimant that the defendant had refused to register seven programmes that the claimant had applied for registration. A copy of the said letter was exhibited marked as ES 3. He added that the claimant replied through a letter dated 2nd November, 2016 and a copy of that letter was exhibited marked ES 4.

25. He then stated that after considering the claimant's application for registration and accreditation, the defendant approved the accreditation of the claimant together with eight higher education programmes with conditions. And that the defendant resolved not to accredit three programmes. He noted that this was communicated by the defendant to the claimant by letter dated 18th December, 2019 exhibited and marked ES 5. He added that the claimant acknowledged this communication by letter dated 20th December, 2019 marked and exhibited as ES 6.

26. He then asserted that the defendant noted that the claimant was advertising for higher education programmes that the claimant had not registered with the defendant. He then noted that, in paragraph 5 of the grounds for permission to apply for judicial review, the claimant admits that it had students in third and fourth year at the time of the impugned stop order herein which entails that it had been offering unregistered and unaccredited programmes for almost four years without any authority from the defendant.

27. He then indicated his belief that it is an offence under the NCHE Act for any person to offer any higher education programme without the authority of the defendant as regulator of higher education.
28. He then stated that the defendant held its 38th meeting on 16th December, 2022 and, among other resolutions, it resolved that the claimant should stop offering unregistered programmes with immediate effect. And that on 12th January, 2023, the defendant issued a stop order stopping the claimant from offering programmes that were not registered with the defendant. He indicated that this was communicated to the claimant by a letter of 12th January, 2023. This letter has been reproduced above.
29. He then observed that the claimant has relied on the form for the assessment of new programmes and argues that because the form assesses the lecturer/student ratio, then it means a higher education institution must of necessity employ lecturers and enroll students before it can apply for registration of the education programme. He asserted that this is against a background of a clear paragraph 8.1.1 of the Minimum Standards and section 34 of the NCHE Act which requires prior registration before offering education programmes.
30. He then indicated that the relevance of the lecturer/student ratio and qualification of lecturers is paramount. He indicated further that, however, in the registration of new programmes, the defendant usually considers as not applicable the actual lecturer/student ratio because there is no actual at the time of assessment. He indicated that the defendant considers the qualification of lecturers. And that the defendant checks if a university has, at present, lecturers qualified to teach a programme that a university intends to introduce. He added that this entails looking at the profile of available lecturers, but goes on to consider qualifications of any lecturer a university intends to employ once a programme is registered.
31. He then indicated that there is a simple answer to the claimant's contention that because the form assesses the lecturer/student ratio, then it means a higher education institution must of necessity employ lecturers and enroll students before it can apply for registration of the academic programme. He asserted that the answer is planning. He asserted that the defendant as regulator expects that a higher education institution must first plan and formulate an academic programme before it starts enrolling students for the programme. He

explained that the planning will include preparing a syllabus, identifying qualifications of lecturers who can teach the academic programme, planning on the right class size for such an academic programme for the students to learn and get the maximum benefit from the academic programme. He indicated that by the time students are enrolled and come to the higher education institution the academic programme is already planned, formulated and approved by the defendant as regulator. He therefore expressed the belief that the claimant's contention is untenable in the premises.

32. He then indicated that the defendant has wide powers to regulate higher education in Malawi which includes, but is not limited to:

a. Setting minimum standards for higher education institutions and the programmes being offered by institutions;
b. Designing and recommending institutional quality assurance systems for higher education;
c. Registering and accrediting of higher education institutions whether public or private;
d. Deregistering and disaccrediting higher education institutions whether public or private;
e. Assessing the quality of higher education programmes being offered;
f. Developing a national qualifications framework which is compatible with regional and international standards.

33. He then asserted that the defendant protects the general public from diploma mills that offer educational degrees and diplomas that are worthless. He then pointed out the Minimum Standards for Higher Education were disseminated to all institutions of higher education in Malawi, including the claimant. And that in terms of section 8.1.1 of the said 2015 Minimum Standards, it is mandatory for all institutions of higher education to register their programmes with the defendant.

34. He then noted that the claimant does not dispute that it was offering programmes that were not registered with the defendant until the stop order. And that it is clear that this act of the claimant was contrary to the NCHE Act and the Minimum Standards for Higher Education made under the NCHE Act.

35. He asserted that the claimant was approaching this Court for a remedy in relation to its own acts that on the face of the law were illegal and unlawful. He asserted further that courts are not in the business of aiding illegality. He therefore submitted that the present application be dismissed as it is not fit for further investigation at a full judicial review hearing.
36. The defendant then submitted that this Court ought to purposively interpret the NCHE Act. It pointed out that the learned author FAR Bennion in Statutory Interpretation (1997) 3rd edition at page 731 discusses purposive interpretation by stating that purposive interpretation of an enactment is one which gives effect to the legislative purpose by following the literal meaning of the enactment where that meaning is in accordance with the legislative purpose and by applying a strained meaning where the literal meaning is not in accordance with the legislative purpose.
37. The defendant then alluded to the dicta of Lord Diplock in *Jones v Wrotham Park Settled Estates* [1980] AC 74 at 105 where he stated that:

> ...I am not reluctant to adopt a purposive construction where to apply the literal meaning of the legislative language used would lead to results which would clearly defeat the purpose of the Act.

38. The defendant then submitted that in the present case, interpreting the NCHE Act as meaning that once registered, a higher education institution can be offering any academic programmes without registering the academic programmes with the defendant and that the defendant would have nothing to say would be defeating the purpose of the NCHE Act. And that such an interpretation would give an absurd result not intended by Parliament. It observed that the long title to the NCHE Act states that it is an Act to regulate higher education that includes academic programmes and not just higher education institutions only.
39. The defendant then noted that section 2 of the NCHE Act defines higher education as all learning programmes leading to qualifications registered under the National Qualifications Framework but may not include vocational training. And that the said section defines National Qualifications Framework as a structured description which classifies and registers qualifications according to a set of national standards for levels of learning, obtained at

different levels compatible with regional and international structures and standards.

40. The defendant then referred to section 15 of the NCHE Act which provides for its functions, among others, namely:

> (e) to regulate, determine and maintain standards of teaching, examinations, academic qualifications, academic facilities;
> (f) to develop a national qualifications framework which is compatible with regional and international standards;
> (i) to design and recommend an institutional quality assurance system for higher education
> (j) to recommend to the Minister institutional quality assurance standards for the establishment, standardization and accreditation of higher education institutions including standards of-
>
> (i) teaching and learning
> (iii) the development of curricula.

41. The defendant asserted that provisions in section 15 of the NCHE Act outlined above gives it powers to regulate higher education programmes.
42. The defendant then pointed out that in terms of section 20 (1) (e) of the NCHE Act it shall register an institution as a private higher education institution if the defendant is satisfied that the higher education to be provided by the institution is of a quality that it will enable the institution to provide a standard of education no less than the minimum standards set by the defendant.
43. The defendant then submitted that it is mandated to regulate every aspect of higher education. And that it would be absurd to interpret the NCHE Act as meaning that once a higher education institution is registered then it can offer high education programmes and the defendant cannot question the said programmes. It asserted that this would go against the purpose of the NCHE Act. It also asserted that in such a scenario members of the public would be duped by unscrupulous people offering higher education programmes that are worthless.
44. The defendant then asserted that section 27 (1) of the NCHE Act provides that the Minister may, on the recommendation of the defendant, prescribe the

institutional quality assurance standards to govern the performance, operations and general conduct of higher education institutions.

45. The defendant also observed that section 35 (1) of the NCHE Act provides that the Minister, in consultation with the defendant, may make regulations for the better carrying into effect the provisions of this NCHE Act. And further that section 35 (2) (e) and (h) of the NCHE Act provides that without prejudice to the generality of the preceding sub section, the regulations may provide for minimum standards of instruction for the grant of any qualification and conditions governing use and protection of qualifications for higher education respectively.

46. The defendant then submitted that the preceding sections give the Minister power to make regulations for the better carrying into effect the provisions of the NCHE Act, setting the minimum standards for any qualification and to protect qualifications. And that this necessarily means that the defendant has power to inspect and check on the quality of higher education programmes offered in Malawi so that the value of the qualifications should not be devalued.

47. The defendant asserted that as empowered by section 27 and 35 of the NCHE Act, the Minister issued Minimum Standards for Higher Education. It asserted further that such Minimum Standards are the whole purpose of passing the NCHE Act and creation of the defendant. It noted that paragraph 8.1.1 of the Minimum Standards states clearly that Higher Education Institutions shall have their programmes registered with the defendant. And that the decision to register programmes shall take into account relevance of the programme to the socio-economic, cultural and industrial development of Malawi.

48. The defendant then indicated that offering of a programme by a higher education institution, like the claimant, where the programme is not registered with it and authorized by it, is criminalized under section 34 (1) of the NCHE Act. And that this Court should not aid the claimant's illegality in this matter as courts are not to aid illegality as held in the case of *The State (On the Application of Hellen Buluma) v The Ombudsman* Judicial review case number 9 of 2023 (High Court) (unreported).

49. The defendant reiterated that the claimant's application is therefore hopeless and not fit for further investigation at a full hearing.

50. In reply, the claimant indicated that the Minimum Standards were not made pursuant to sections 27 and 35 of the NCHE Act especially given that section 27 deals with accreditation of academic programmes and not registration of programmes. And further that these Standards were not Gazzetted as required under the General Interpretation Act. On the last point, the defendant responded that this aspect was being raised orally at the Bar and that had it been made in the skeleton arguments filed in advance of the hearing then the defendant would have responded accordingly by bringing the relevant Gazzette. This Court similarly observes that the claimant has indeed taken the defendant by surprise with regard to the question of Gazzetting and this Court will not take that aspect into account as it is unfair to ambush a party at a hearing without due notice.

51. With regard to the provision pursuant to which the Minimum standards were made by the Minister herein, requiring registration of academic programmes, this Court observes that the Minimum Standards themselves say that they were made pursuant to section 15 of the NCHE Act. Section 15 (i) and (j) of the NCHE Act provide for the function of the defendant to develop the Minimum Standards embodying an institutional quality assurance system for higher education in Malawi. In that case, the claimant was correct to submit that with regard to registration of academic programmes, the accreditation provisions in sections 27 and 35 of the NCHE Act are not applicable.

52. However, it remains the case that the Minimum Standards in question herein were promulgated by the Minister herein pursuant to the provisions in section 15 of the NCHE Act as part of the regulatory framework managed by the defendant as submitted by the defendant herein. These standards clearly stipulate that all academic programmes be registered with the defendant before students are enrolled.

53. It would be absurd indeed to read the NCHE Act in its entirety and in particular section 15 and section 35 (1) of the said Act to mean that the defendant has no power to register academic programmes before they are offered especially also in view of the clear Minimum Standards herein on the point. And it is absurd to insist that all that the defendant has to do is register and accredit the institutions of higher learning and programmes. As indicated by the defendant, it has the function of regulating, determining and maintaining standards of teaching, examinations, qualifications and academic

facilities in terms of section 15 (e) of the NCHE Act. Further, the Minister, in consultation with the defendant, has power to make regulations under section 35 (1) of the NCHE Act to ensure that the function in section 15 (e) of the NCHE Act is achieved. The Minimum standards requiring registration of academic programmed made by the Minister were made in that context. The Minimum standards are an expression of the power to regulate academic programmes as provided to the defendant under section 15 (e) of the NCHE Act. Otherwise, how does the defendant regulate higher education or academic programmes in Malawi pursuant to section 15 (e) of the NCHE Act without registering the same?

54. This Court agrees with the defendant that the assertion by the claimant, that it must actually offer and enroll students in academic programmes before registering them so that it finds the lecturer/student ratio, is an absurd one. There is no rational explanation for such a sequencing of events. It is rationale that the lecturer/student ratio can indeed easily be determined by looking at the required number of qualified lecturers against the projected number of students, as submitted by the defendant. It is absurd to insist that a higher education institution must have students enrolled and that this is the only way to determine the lecturer/student ratio as a prerequisite to registration. Therefore, the argument by the claimant that the defendant requirements that an academic programme should have students and lecturers as one of the requirements for registration is clearly untenable. And so too it is untenable the claimant's assertion that that this entailed that, pursuant to the defendant's own requirements, offering an academic programme is a prerequisite for registration. The claimant has unsuccessfully attempted to justify its wrongful acts that were contrary to the Minimum Standards that it was aware of since 2015 prior to enrolling students in academic programmes that it had not registered with the defendant.

55. On the whole, this Court concludes that if this Court were to agree with the claimant then this Court would defeat the purpose of the NCHE Act which in section 34 (1) also clearly prohibits the offering of academic programmes by any person, including the claimant, without the authority of the defendant herein. The defendant was within its powers to stop the illegal acts of the claimant. The claimant cannot say that it can only be subject to criminal

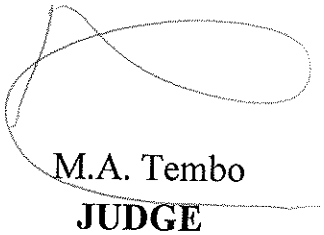
sanctions when the regulator is clearly doing its best to bring the claimant in line with the relevant regulations in the course of regulating the claimant.

56. Education standards need to be maintained for the good of this country and for posterity. The right to engage in economic activity on the part of the claimant cannot be allowed to trample this greater good of the need to ensure provision of quality education that is equally a matter on which the Constitution places a premium. It must be observed in that regard that section 25 (3) (b) of the Constitution provides that private institutions of higher learning shall be permissible provided that the standards maintained in such institutions are not inferior to official standards in State institutions.

57. In the foregoing circumstances, this Court finds that the present case is not fit for consideration at a full hearing. Contrary to the claimant's submission, there are no serious issues fit for further investigation at a full judicial review hearing. The application for permission to apply for judicial review is accordingly declined.

58. Costs are for the defendant.

Made in chambers at Blantyre this 12th May, 2023.



M.A. Tembo
JUDGE