

PUBLIC ENTERPRISES (PRIVATIZATION)

Act
No. 7 of 1996

I assent

BAKILI MULUZI
PRESIDENT
17th April 1996

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An Act to provide for the privatisation and commercialization of public enterprises, public commercial entities and public commercial assets; to provide for the establishment of the Privatization Commission; to provide for the sale of public enterprises, public commercial entities and public commercial assets; and to provide for matters connected with or incidental to the foregoing

that person's spouse, child, parent, brother, sister, grandchild or grandparent;

"investor" means an individual, a company, an established fund, a mutual fund, a financial institution, or any other institution, whether local or foreign, intending to invest in a public enterprise under this Act, but does not include the Government, a local authority or a public enterprise;

"market value" means the value of a public enterprise at the time the sale is agreed;

"mutual fund" means any collective investment scheme which purchases shares in a portfolio of companies and subdivides such portfolio into individual units for sale of such units to investors;

"privatization" means the transferring to the private sector of part or the whole of the equity or other interest held by the Government, directly or indirectly, in a public enterprise;

"Privatization Revenue Account" means the account established under section 39:

"property" means all property, movable or immovable, and all estates, interests, easements, and rights, whether legal or equitable, in or out of property, choses-in-action, money and good-will;

"Public Appointments Committee" means the Public Appointments Committee established under section 56(7) of the Constitution;

"public enterprise" means a corporation, board, commission, company, parastatal body or similar body, corporate or unincorporate, in which the Government has direct or indirect ownership, equity or interest and includes partnerships, joint ventures or any other form of business arrangement or organization or any commercial entities or commercial assets howsoever held or created in which the Government has direct or indirect interest but does not include a Government department or a local authority;

"specified Government department" means a department of the Government specified by the Minister under section 37;

"stocks" and "shares" in relation to a public enterprise includes loans, stocks, debenture and debenture stock and options on any stocks, shares, loan, debentures or debenture stock and rights;

"stockbroker" means a person who carries on the business of buying and selling stocks or shares for and on behalf of other persons.

PART II

OBJECTIVES OF PRIVATIZATION AND REFORM OF PUBLIC ENTERPRISES

*Objectives of
privatisation of
public
enterprises*

3. (1) The privatization programme to be carried out under this Act shall have the following broad objectives-
- (a) To foster increased efficiency in the economy;
 - (b) To increase competition and reduce monopoly in the economy
 - (c) To promote participation by the Malawian public in enterprises; and
 - (d) To raise revenue for the Government
- (2) The Minister may, on the advice of the Commission and with the approval of the Cabinet, from time to time, issue policy directions prescribing further objectives of privatisation of public enterprises and the guidelines to be followed for the proper and effective implementation of the provisions of this Act, and such objectives and guidelines shall be valid for all purposes unless inconsistent with the Act and only to the extent of the inconsistency.

PART III

THE PRIVATIZATION COMMISSION

*Establishment of
the Commission*

4. There is hereby established a body to be known as the Privatization Commission (in this Act otherwise referred to as the "Commission") which shall be a body corporate with perpetual succession and a common seal capable of suing and being sued in its corporate name, and with power, subject to this Act, to do or perform all such acts and things as a body

corporate may by law do or perform.

***Composition of
The Commission***

- 5.-(1) The Commission shall consist of a Chairman and other such members as may be appointed by the President by notice published in the *Gazette*, and every such appointment shall be subject to confirmation by the Public Appointments Committee.
- (2) In appointing members under subsection (1), the President shall have regard to the need for continuity of service on the Commission, so that least half of the members appointed thereunder shall be re-appointed for the next term of office.

***Tenure of office
and vacancies***

6. (1) A member of the Commission shall hold office for a period of three years and shall be eligible for reappointment but the office of that member shall become vacant-
- (a) if he resigns by giving one month notice, in writing, to the President;-
 - (b) upon his death;
 - (c) if he is absent, without the consent in writing of the Chairman or without valid excuse, from three consecutive meetings of the Commission of which he has had notice;
 - (d) if the President so directs;
 - (e) if he becomes an undischarged bankrupt;
 - (f) if he participates directly or indirectly in acquiring shares or other interests in a public enterprise in the primary privatization of that enterprise, in contravention of this Act..

***Allowances of
members***

7. Members of the Commission shall be paid such allowances as the Minister shall determine.

***Authority and
functions of the
Commission***

8. (1) Re (*sic*) Commission shall be the sole authority in Malawi to implement the privatization of the direct or indirect Government ownership of, or interest in, any public enterprise and shall do so in accordance with this Act, and no other person or other authority shall have power to perform such function.
- (2) The function of the Commission shall be to plan, manage, implement and control the privatization of public enterprises in Malawi and in particular, but without derogation from the

generality of the foregoing, -

- (a) to formulate, and recommend to Cabinet for approval, privatization policy guidelines;
- (b) to implement the privatization programme in accordance with the policy guidelines approved by the Cabinet;
- (c) to oversee all aspects of the implementation of the privatization programme in Malawi;
- (d) to monitor progress of the privatization programme in Malawi;
- (e) to prepare the long term divestiture sequence plan and submit such plan to the Cabinet for approval;
- (f) to report the sale of each public enterprise to the Cabinet, specifying the method of sale used and the reasons why such method was considered appropriate, the proceeds realised and other particulars;
- (g) to carry out or cause to be carried out an assessment of the market value of the public enterprise that is to be privatized;
- (h) Subject to any existing rights, to ensure that privatization of each public enterprise is carried out according to the following principles, that is to say, that-
 - (i) each transaction is fully transparent to the public at large;
 - (ii) participation is competitive by making it open to all investors;
 - (iii) the process is fair and efficient;
 - (iv) the transaction is such as to reduce concentration of ownership and marketing;
- (i) to set prequalification criteria for the selection of potential buyers of, or investors in, a public enterprise to be privatized, and evaluate offers from them, in accordance with such criteria, with regard to -
 - (i) the ability and commitment of buyers to develop the enterprise; and
 - (ii) the track record of buyers and their expertise in the type of enterprise on offer; and
 - (iii) the price.
- (j) to ensure that monopolies are not created nor maintained in the process of privatization in relation to consumer markets; but so,

however, that concentrated production does not in itself constitute a monopoly for the purposes of this Act;

- (k) to prepare or cause to be prepared the relevant documentation necessary to effect the privatization of any public enterprise;
- (l) to seek potential investors in public enterprises;
- (m) to maintain records, safeguard information and establish such administrative procedures as shall ensure confidentiality of information;
- (n) to maintain close liaison with all relevant institutions in the process of privatization;
- (o) to publicize activities of the privatization programme; and
- (p) to do all such things as are necessary or incidental or conducive to the better carrying out of the functions of the Commission specified in this Act.

(2) Any recommendation or report by the Commission to the Cabinet under this Act shall be submitted through the Minister.

Proceedings of the Commission

9. (1) Subject to the other provisions of this Act, the Commission may regulate its own procedure.

(2) The Commission shall meet for the transaction of business at least once every three months at such places and at such times as the Chairman may determine.

(3) A special meeting of the Commission may be called by the Chairman upon written notice of not less than seven days received from any member of the Commission and shall be called if at least four members so request in writing:

Provided that if the urgency of any particular matter does not permit the giving of such notice, a special meeting may be called upon giving a shorter notice.

(4) Half of the members of the Commission shall form the quorum of any meeting of the Commission.

(5) There shall preside at any meeting of the Commission -

- (a) the Chairman;
 - (b) in the absence of the Chairman such member as the Chairman may designate or such member as the members present and forming a quorum may elect from among their number for the purpose of that meeting.
- (6) The decision of the Commission on any matter before any meeting shall be that of the majority of the members present and voting at the meeting and, in the event of an equality of votes, the person presiding shall have the casting vote in addition to his deliberative vote.
- (7) No member of the Commission shall attend to the business of his office by representation and where a member is unable to attend any meeting of the Commission he may request that his apologies for failure to attend be recorded.

Committees of the Commission

10. (1) There shall be a committee of the Commission to be known as the Executive Committee which shall consist of the Chairman of the Commission, who shall be the chairman of the committee, and such number of other members of the Commission as the Commission shall appoint.
- (2) The functions of the Executive Commission shall be to-
- (a) transact the business of the Commission in between meetings of the Commission and to take decisions thereon which shall be effective;
 - (b) determine the agenda of meetings of the Commission; and
 - (c) perform such other matters as the Commission may assign to it.
- (3) The Executive Committee shall meet as such times and places as the Chairman shall determine.
- (4) In addition to the Executive Committee, the Commission may, for the purpose of performing its function under this Act, establish other committees and delegate to any such committee such of its functions as it considers necessary, and the Commission may appoint as members of a committee established under this subsection persons who are or are not members of the Commission and such persons shall hold office for such period as the Commission may determine.

- (5) Subject to any special or general direction of the Committee, any committee established under this section may regulate its own procedure.
- Minutes of Meetings*** 11. The Commission shall cause minutes to be kept of the proceedings of every meeting of the Commission and of every meeting of a committee of the Commission.
- Disclosure of interest*** 12. If any person is present at a meeting of the Commission or of any committee of the Commission at which any matter which is the subject of consideration is a matter in which that person or his immediate family member or his professional or business partner is directly or indirectly interested in a private or professional capacity, he shall, as soon as is practicable after the commencement of the meeting, disclose such interest and, unless the Commission or the committee otherwise directs, shall not take part in any consideration or discussion of, or vote on, any question touching on such matter.
- Co-opted persons*** 13. (1) The Commission may in its discretion at any time and for any period invite any person, and the Minister may in like manner nominate any officer in the public service, to attend any meeting of the Commission or of any of its committees and take part in the deliberations of the meeting, but such person or officer shall not be entitled to vote at the meeting.
- (2) Section 12 shall apply, *mutatis mutandis*, to a person or an officer attending a meeting of the Commission pursuant to subsection (1).

**PART IV
SECRETARIAT**

- Secretariat of the Commission*** 14. The Secretariat of the Commission shall consist of the Executive Director and other employees of the Commission appointed under this Part.
- Executive Director of the Commission*** 15. (1) The Commission shall appoint, on such terms and conditions as it may determine with the approval of the Minister, an Executive Director of the Commission who shall be the chief executive officer of the Commission and shall in addition perform such duties as the Commission shall assign to his office and ensure the effective administration and implementation of the provision of this Act.

- (2) Without derogation from the generality of the responsibilities and duties of the Executive Director conferred under subsection (1), the duties of the Executive Director shall include the following-
- (a) to prepare and update a database of all public enterprises;
 - (b) to formulate and submit to the Commission proposals and recommendations for privatization of public enterprises;
 - (c) to prepare for consideration by the Commission the policy framework, programme strategies, selection criteria and annual targets for privatization of public enterprises;
 - (d) to establish operational guidelines and transparent procedures for preparation and implementation of the privatization of public enterprises; and
 - (e) to carry out studies on issues relating to improving the business environment and recommend policy changes to facilitate the privatization programme.
- (3) The Executive Director or, in his absence, such other officer of the Commission as the Executive Director may designate shall attend meetings of the Commission and may address such meetings, but shall not vote on any matter:

Provided that the person presiding at any meeting may, for good cause, require the Executive Director or such other officer to withdraw from such meeting.

- (4) Section 12 shall apply, *mutatis mutandis*, to the Executive Director and to such other officer referred to in this section.

Other employees

16. The Commission may appoint, on such terms and conditions as it may determine, such other employees, subordinate to the Executive Director, as it considers necessary for the performance of its function and to assist the Executive Director in discharging his duties and responsibilities.

- Disclosure by employees***
17. (1) An employee of the Commission or a consultant to the Commission who, or whose immediate family member, is directly or indirectly interested in a private or professional or official capacity in any matter relating to the privatization programme shall disclose such interest.
- (2) A disclosure of interest made under this section shall be made to the Executive Director who shall take such decision as he considers appropriate in each case and submit a report thereon to the Commission.
- Oath of secrecy***
18. Every -
- (a) member of the Commission;
 - (b) member of a committee of the Commission;
 - (c) employee of the Commission;
 - (d) consultant in the service of the Commission,
- Shall, upon assumption of his office, take such oath of secrecy as may be approved by the Commission or as may otherwise be prescribed under this Act.
- Prohibition of publication or disclosure of information by unauthorized persons***
19. (1) No person shall, without the consent in writing given by or on behalf of the Commission, publish or disclose to any person, otherwise than in the course of his duties, the contents of any document, communication or information which relates to, and which has come to his knowledge in the course of, his duties under this Act.
- (2) Any person who knowingly contravenes subsection (1) shall be guilty of an offence.

PART V

PROCEDURE FOR PRIVATIZATION AND COMMERCIALIZATION

- Privatization of public enterprises***
20. A public enterprise shall be privatized in accordance with the divestiture sequence plan or as the Commission may otherwise determine..
- Special rights of the Government***
21. In any agreement for the sale of a public enterprise, the parties may agree that the Minister responsible for finance may retain or at any time after the date of the agreement acquire, a share

in the privatised, which share shall confer special rights to enable the Government in the national interest to intervene in the operations of the enterprise where such intervention is necessitated by the specific actions or undertaking of the enterprise.

- Allotment of shares* 22. The shares of a public enterprise shall be allotted by the Commission.
- Obligations of shareholders* 23. The shareholders in any public enterprise, when so requested by the Commission, shall provide to the Commission such information as the Commission may reasonably require, subject to any prohibition or restrictions contained in any written law on the provision of such information.
- Obligations of public enterprises* 24. (1) A public enterprise scheduled for privatisation, and in which there is no private ownership, shall -
- (a) carry out any recommendations, made by the Commission, for preparing the enterprise for privatization;
 - (b) keep up-to-date all business records and books of accounts;
 - (c) make available to the Commission its manpower development, investment or financing plan if any has been developed;
 - (d) prepare the accounts and a financial statement of the enterprise for every financial year and cause the accounts to be audited not later than four months after each financial year;
 - (e) maintain a register of its fixed assets, which register shall be reconciled with the financial statement;
 - (f) not perform any action that would result in the assets of the company being dissipated;
 - (g) not undertake any new capital investment programmes, unless a project appraisal report approved by the Commission, is prepared showing that -
 - (i) routine plant, equipment and vehicle renewal is required;
 - (ii) rehabilitation expenditure is essential to keep the operations of the public enterprise running or to improve the marketability of the enterprise;
 - (iii) the new capital investment has a pay back period of less than two years.

- (iv) the new capital investment will contribute to the promotion of export or import substitution;
 - (v) the public enterprise demonstrates that the new capital investment will not result in a deterioration of its operations;
 - (h) as far as possible establish and document all contractual, legal and other obligations;
 - (i) not give any person information which might give undue advantage to that person or to any potential investor; and
 - (j) if so requested by the Commission, disclose all of any information whatever about the enterprise;
- (2) Any person who knowingly contravenes subsection (1) shall be guilty of an offence.

Modes of privatisation

25. (1) The Commission may employ the following modes of privatization -
- (a) public offering of shares;
 - (b) private sale of shares through negotiated or competitive bids;
 - (c) offer of additional shares in a public enterprise to reduce Government share holding;
 - (d) sale of the assets and business of the public enterprise;
 - (e) re-organization of the public enterprise before the sale of the whole or any part of the enterprise;
 - (f) buy outs of a public enterprise by management or employees in that enterprise;
 - (g) any other method the Commission may consider appropriate.
- (2) Save as may be otherwise provided in regulations made under this Act, the Commission shall ensure that each public enterprise is sold at its market value.

Valuation of Public enterprises

26. (1) The valuation of public enterprises shall be performed by independent valuers who shall issue a certificate of valuation or an opinion of the value.

<i>Eligible buyers</i>	27.	The shares in a public enterprise shall be liable to be sold to any person whether or not such person is a citizen of Malawi.
<i>Sales of Shares to members, etc.</i>	28.	No member of the Cabinet or of the Commission or of a committee of the Commission and no employee of the Commission or consultant to the Commission shall purchase shares in a public enterprise, unless the sale is by public offer of shares.
<i>Established funds</i>	29.	An established fund may, with the consent of the contributors to that fund, purchase shares in a public enterprise on behalf of the contributors.
<i>Purchase of shares by citizens of Malawi</i>	30.	Where the purchasers are citizens of Malawi, shares may be offered at a discount which shall be in accordance with prescribed guidelines; and it shall be a condition of every sale of shares at a discount that the shares so purchased shall not be disposed of within two years of the date of purchase.
<i>Shares not to be sold on credit</i>	31.	The shares of a public enterprise shall not be sold on credit.
<i>Negotiations for sale</i>	32. (1)	The Commission shall appoint a competent negotiating team for each sale to act on behalf of the Commission.
	(2)	A person appointed on the negotiating team shall-
	(a)	have proper professional qualifications and experience and shall not be a person held in bad business standing;
	(b)	take an oath of secrecy as approved by the Commission or as may be prescribed; and
	(c)	disclose any personal or professional interest he may have, whether direct or indirect, before accepting the appointment.
<i>Conversion of private companies to public company Cap. 46:03</i>	33.	The Commission may convert a public enterprise scheduled for privatization, which is not a public company, into a public company in accordance with the provisions of the Companies Act.

<i>Trading in shares</i>	34.	Notwithstanding any provision in any other written law to the contrary, a bank or financial institution may, for the purposes of this Act, carry on the business of a stockbroker or a dealer in stocks and shares.
<i>Liquidation Cap. 46:01</i>	35.	The Commission may liquidate a public enterprise in accordance with the provisions of the Companies Act.
<i>Completion of sale</i>	36.(1)	The final sales agreement to transfer shares to the successful bidder shall be signed by <ul style="list-style-type: none"> (a) The minister Responsible for finance, where the shares sold were directly owned by the Government (b) The respective shareholder, where the shares sold were not directly owned by the Government
<i>Cap. 46:03</i>	(2)	The transfer of shares shall be in accordance with the provisions of the Companies Act.
<i>Commercialization of specified Government department</i>	37. (1)	The Minister, in consultation with the Minister responsible for the Government department to be commercialized, may specify, by notice in the <i>Gazette</i> , any Government department for purposes of commercialization under this Act.
<i>Cap. 46:03</i>	(2)	A specified Government department shall be incorporated under the Companies Act.
	(3)	A Government department specified under this section may – <ul style="list-style-type: none"> (a) fix its own rates, prices and charges for goods and services provided; (b) capitalize assets; and (c) borrow debenture stocks
<i>Publication of certain information</i>	38. (1)	The Commission shall publish by notice in the <i>Gazette</i> and in at least two newspapers in general circulation in Malawi the names of public enterprises approved to be privatised.
	(2)	The Commission shall keep proper and maintain records of - <ul style="list-style-type: none"> (a) the names of the approved public enterprises to be privatised as published under subsection (1);

- (b) the registered consultants, valuers, lawyers, public accountants and banks dealing with the privatization process;
 - (c) the bidders and bid prices;
 - (d) the successful bidders and the reason for selecting such bidders;
 - (e) the price of shares and any other special conditions of the sale of shares; and
 - (f) any other matters as the Commission may deem appropriate.
- (3) Any person having or claiming to have an interest in a public enterprise to be privatized shall make his claim in writing to the Commission within a period of sixty days after the notice referred to in subsection (1) is published, and if he fails to do so within that period he shall be deemed to have relinquished all interests in the public enterprise.

PART VI FINANCIAL PROVISIONS

- Use of proceeds* 39. (1) Such amount of the proceeds of every sale of public enterprises as the Minister shall determine with the advice of the Commission shall be paid into a fund to be known as the Privatization Revenue Account to be established by the Minister responsible for finance and to be held at the Reserve Bank of Malawi or at such other bank or place as that Minister, on the advice of the Commission, may direct.
- (2) With the prior approval of the Minister responsible for Finance, the funds held on the Privatization Revenue Account may be used for -
- (a) funding the Commission;
 - (b) funding the cost of privatization under this Act;
 - (c) funding the restructuring of public enterprise to be privatized;
 - (d) supporting payments for retrenchment, redundancy or other form of lay off resulting from privatisation processes under this Act;

- (e) funding of any project within the Government development plans.

***Funds of the
Commission***

- 40. (1) Subject to section 41, the funds of the Commission shall consist of such moneys as may -
 - (a) be appropriated by Parliament for the purposes of the Commission;
 - (b) be paid to the Commission by way of grants or donations or otherwise received by the Commission;
 - (c) be retained by the Commission out of the proceeds of sales of public enterprises as may be approved by the Minister responsible for finance;
 - (d) be received by the Commission under subsection (2);
 - (e) constitute proceeds of the sales of the annual reports and progress reports of the Commission; and
 - (f) otherwise vest in or accrue to the Commission.
- (2) The Commission may -
 - (a) accept money by way of grants or donations from any source in or outside Malawi;
 - (b) subject to the approval of the Minister, and the Minister responsible for finance, raise, by way of loans from any source in or outside Malawi, such money as it may require for the discharge of its functions; and
 - (c) charge and collect fees in respect of programmes, publications, seminars, documents, consultancy services and other services provided by the Commission.
- (3) The Commission may invest in such manner as it thinks fit such of its funds as it does not immediately require for the performance of its functions.

- Financial year*** 41. The financial year of the Commission shall be the period of twelve months ending on 31st December in each year or on such other date as the Minister may specify by Order published in the *Gazette*;
- Provided that the first financial year of the Commission may be such shorter or longer period than twelve months as the Minister shall determine but being not less than six months nor more than eighteen months.
- Accounts*** 42. (1) The Commission shall cause to be kept proper books of accounts and other records relating to its accounts.
- (2) The accounts of the Commission shall be audited annually by independent auditors appointed by the Commission and approved by the Minister.
- Annual reports*** 43. (1) As soon as practicable, but not later than six months after the expiry of each financial year, the Commission shall submit to the Minister a report concerning its activities during that financial year.
- (2) The report referred to in subsection (1) shall be in such form as the Minister shall approve and shall include information on the financial affairs of the Commission and there shall be appended to the report -
- (a) an audited balance sheet;
- (b) an audited statement of income and expenditure; and
- (c) such other information as the Commission may consider appropriate or as the Minister may direct.
- (3) The Minister shall, during the meeting of the National Assembly next following receipt by him of the report referred to in subsection (1), lay the report before the National Assembly, but otherwise the Commission may publish the report for sale to the public.
- Progress reports*** 44. The Commission shall every six months, at the end of June and at the end of December, produce a report on its activities during that period, giving details of bids received and selected and other particulars and shall publish the report for sale to the public.

PART VII
MISCELLANEOUS PROVISIONS

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| <p><i>Vesting of existing property in the Commission</i></p> | <p>45.</p> | <p>Any property, procured or acquired for the purposes of the privatization programme shall, on commencement of this Act, vest in the Commission.</p> |
| <p><i>Arbitration</i></p> <p><i>Cap. 6:03</i></p> | <p>46.</p> | <p>Any dispute between an investor and the Commission arising from the privatization process shall be settled by arbitration in accordance with the Arbitration Act.</p> |
| <p><i>Falsification of information</i></p> | <p>47. (1)</p> | <p>A person who knowingly -</p> <ul style="list-style-type: none">(a) falsifies any information;(b) does not disclose any material facts when lawfully required to do so;(c) solicits for use by any person not authorized under this Act any confidential information, relating to the privatization of a public enterprise shall be guilty of an offence. |
| | <p>(2)</p> | <p>A person convicted of an offence under subsection (1) shall not thereafter be eligible to participate in the purchase of shares in the public enterprise in relation to which the offence is committed.</p> |
| <p><i>Penalty for offences</i></p> | <p>48.</p> | <p>A person guilty of an offence under this Act shall be liable to a fine of K50,000 or of an amount equivalent to the financial gain or loss generated by the offence, if such amount be greater, and to imprisonment for five years.</p> |
| <p><i>Regulations</i></p> | <p>49.</p> | <p>The Minister, on the advice of the Commission, may make regulations prescribing -</p> <ul style="list-style-type: none">(a) sale tender procedures;(b) public flotation procedures;(c) pre-qualification and registration of bidders procedures;(d) public announcement requirements; |

- (e) tender evaluation procedures;
- (f) tender selection procedures;
- (g) negotiation guidelines;
- (h) final sale monitoring guidelines;
- (i) pre and post sale audit requirements;
- (j) any forms required for the purposes of this Act;
- (k) any thing required to be prescribed under, or for the purposes of, this Act; and
- (l) such other matters as are necessary or conducive for the better carrying out of this Act.

Prior leases and agreements

50. (1) Any leases and agreements entered into in relation to enterprises to be privatized under this Act in anticipation of the coming into force of this Act are hereby nullified.
- (2) The Commission shall have power to inquire into the sale of any public enterprise effected at any time before the commencement of this Act to determine whether or not the sale was done in the best public interest.
- (3) Where the Commission is of the opinion that the sale referred to in subsection (2) was not done in the best of public interest, the Commission shall have the power to renegotiate the purchase of the public enterprise in question with the new owner thereof, following, as far as possible, the principles and procedures outlined in this Act.

Passed in Parliament this tenth day of April, one thousand, nine hundred and ninety-six.

R. L. Gondwe
Clerk of Parliament