

Malawi

Fines (Conversion) Act

Chapter 8:06

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Fines (Conversion) Act

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Malawi

Fines (Conversion) Act

Chapter 8:06

Commenced on 9 December 2005

[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.]

An Act to provide for the conversion of amounts of existing fines for offences expressed in Kwacha or in pounds to penalty values so as to take into account the depreciation of the value of the Malawi currency and to provide for connected matters

Part I – Preliminary

1. Short title

This Act may be cited as the Fines (Conversion) Act.

2. Interpretation

In this Act, unless the context otherwise requires—

“**fine**” means an amount of money prescribed in an Act as punishment or penalty for an offence against the Act, but does not include—

- (a) an amount prescribed by section 21 (e) of the General Interpretation Act or by a provision of any other Act as the amount of a fine that may be prescribed for an offence or a contravention against any subsidiary legislation; or

[Cap. 1:01]

- (b) a fine prescribed by any subsidiary legislation for an offence or a contravention against such subsidiary legislation;

“**penalty value**” means the amount in Kwacha ascertained by converting a fine in accordance with [section 5](#).

3. Non application of Cap. 45:02

The Decimal Currency Act shall not apply in respect of the conversion of fines.

Part II – Conversion of fines to penalty values

4. Fines to be converted to penalty values

Where a provision in an Act prescribes a fine and the fine is stated as—

- (a) an amount in Kwacha or in pounds; or
- (b) a rate specified as an amount in Kwacha or in pounds,

the amount shall be converted to a penalty value by a calculation in accordance with [section 5](#) and the provision in the Act shall, for the purposes of the Act or of any other written law, be read as if the amount

were instead stated as the penalty value so ascertained, and such penalty value shall apply in substitution of the stated amount.

5. Method of conversion

If a fine or the rate of a fine—

- (a) is expressed in Kwacha and was last varied, or, if never varied was prescribed by an Act which was passed, in the year specified in Column 1 of Part I of the Schedule, the penalty value of the fine shall be ascertained by multiplying the amount stated in the Act by the multiplier number specified in relation to such year in Column 2 of that Part;

[Schedule Part I]

- (b) is expressed in pounds, the penalty value of the fine shall be ascertained by multiplying the amount of the fine stated in the Act by the multiplier number specified in Part II of the Schedule.

[Schedule Part II]

Schedule (Section 5)

Part I – Multiplier numbers for fines expressed in kwacha

Column 1 Year in which fine or rate of a fine was prescribed or last varied	Column 2 Multiplier number
From:	
1971 to 1981	100
1982 to 1986	75
1987 to 1992	50
1993 to 1995	40
1996 to 2000	20
2001 to 2004	10
2005	1

Part II – Multiplier number for fines expressed in pounds

The multiplier number for fines expressed in pounds is 1,000.