GOVERNMENT NOTICE NO. 26

NATIONAL CONSTRUCTION INDUSTRY ACT

(CAP. 53:05)

NATIONAL CONSTRUCTION INDUSTRY (REGISTRATION OF MALAWIAN FIRMS (CONTRACTORS)) REGULATIONS, 2024

IN EXERCISE of the powers conferred by section 29 of the National Construction Industry Act, I, JACOB HARA, Minister of Transport and Public Works, with the advice of the Council, make the following Regulations—

Citation and commencement

1. These Regulations may be cited as the National Construction Industry (Registration of Malawian firms (Contractors)) Regulations, 2024 and shall be deemed to have come into operation on 1st April, 2024.

Interpretation

2. In these Regulations, unless the context otherwise requires—

"construction" means processes involved in the planning, designing, measurements, procurement, erection, building, production, alteration, maintenance, repairs, renovations or demolition of buildings and engineering infrastructure and includes site preparation, excavation, drilling, the supply of products and materials, the supply of equipment and machinery and the installation and repair of fixtures of a building or engineering infrastructure and supervision of such works;

"contractor" means a person who undertakes to carry out construction for another person or for himself whether for a reward or not; and

"firm" means a Malawian firm registered as a contractor in accordance with these Regulations.

Application for registration

3.—(1) A person who intends to carry on business in construction as a Malawian firm contractor shall apply to the Council for registration in the category and class prescribed in the *First Schedule*.

(2) An application for registration shall be in Form 1 prescribed in the *Second Schedule* and shall be accompanied by—

(*a*) a certified copy of a tax registration certificate;

(*b*) proof of valid bank account in the name of the firm;

(*c*) certified copy of orientation course certificate issued by the Council;

(*d*) qualifications of permanent key personel;

(*e*) proof of ownership of plant and equipment;

(*f*) in the case of a body corporate—

(i) certified copy of certificate of incorporation issued under the Companies Act;

Cap. 46:03

(ii) certified copy of Memorandum and Articles of Association;

(iii) certified copies of academic qualifications or valid professional registration certificates for all shareholders and

directors, issued by the relevant professional boards or institutions, or valid licences or permits issued by revelant regulatory authorities in Malawi; and

(iv) particulars and contact details of all directors and shareholders including certified copies of their national identification cards;

(*g*) in the case of a partnership—

(i) certified copy of the business registration certificate issued under the Business Registration Act; Cap. 46:02

(ii) a copy of the partnership agreement;

(iii) certified copies of academic qualifications or valid professional registration certificates for the partners, issued by the relevant professional boards or institutions, or valid licences or permits issued by revelant regulatory authorities in Malawi; and

(iv) particulars and contact details of the partners, including certified copies of their national identification cards; and

(*h*) in the case of a sole proprietor—

(i) certified copy of certificate of the business registration certificate issued under the Business Registration Act; Cap. 46:02

(ii) certified copies of academic qualifications or valid professional registration certificates of the sole proprietor, issued by the relevant professional boards or institutions or valid licences or permit issued by revelant regulatory authorities in Malawi; and

(iii) particulars and contact details of the sole proprietor, including certified copies of their national identification cards.

Registration

4.—(1) Upon receipt of an application under regulation 3, the Council shall assess the application and verify the authenticity of the information submitted in the application.

(2) Notwithstanding the provision of subregulation (1), the Council may conduct a physical verification to ascertain the authenticity of the information submitted by the applicant.

(3) In assessing and verifying the application, the Council shall consider the qualifications for registration listed under section 23(1) of the Act.

(4) In addition to the qualifications for registration listed under section 23(1) of the Act, the Council may consider the following—

(*a*) availability of transportation;

(*b*) adequate office space and office equipment; and

(*c*) adequate personal protective equipment.

(5) The Council shall register an applicant as a contractor in a category and class in accordance with the minimum academic qualifications of, at least, one of the directors, partners or sole proprietors, as the case may be, as prescribed in the *Third Schedule*.

(6) Where the Council is satisfied that the applicant has met the requirements referred to in subregulations (3), (4), and (5), the Council shall—

(*a*) issue a certificate of registration to the applicant, subject to terms and conditions as the Council may prescribe; and

(*b*) register the applicant as a contractor, in accordance with the category and class of registration prescribed in the First Schedule.

(7) The Council shall only register a new applicant into Class 1 to 5 prescribed in the *First Schedule*.

(8) The Council shall register an applicant into Class 6 to 8 where an applicant, who is already registered with the Council, makes an application for upgrading in accordance with the requirements stipulated under regulation 6.

(9) Where the Council determines that an application has not met the registration requirements for the class in which the applicant had applied for, the Council may register that applicant in a class of registration that is lower than the class applied for.

Cap. 46:03

(10) The Council shall not register any firm into Class 7 or Class 8, unless that firm is incorporated under the Companies Act.

(11) The certificate of registration issued under subregulation (6) shall be valid from 1st April to 31st March of the following year.

G. N. 44/2023

(12) The certificate of registration shall be issued to the applicant upon payment of the registration fee prescribed under the National Construction Industry (Fees) Regulations.

(13) The certificate issued under subregulation (6) shall be prima facie evidence of registration with the Council.

(14) A certificate of registration issued under this regulation shall not be transferable.

(15) Notwithstanding the provision of subregulation (1), the Council may reject an application where—

(*a*) any person whose presence is required, is not present, or any document the production of which has been demanded, has not been produced; or

(*b*) the application contains information which is incomplete, inconsistent or misleading.

(16) Where the Council is not satisfied that the applicant has met the requirements for registration, the Council may—

(*a*) reject the application;

(*b*) inform the applicant, in writing, with reasons for its decision; and

(*c*) give the applicant a maximum of twenty-one days to make good the reasons for which the application was rejected.

Renewal of certificate

5.— (1) A firm registered under these Regulations may, upon expiry of the certificate, or thirty days before the expiry of the certificate, submit to the Council an application for renewal of the certificate.

(2) An application for renewal of a certificate shall be made in Form 2 in the *Second Schedule* and shall be supported by—

(*a*) proof of payment of the renewal fee prescribed under the National Construction Industry (Fees) Regulations; G. N. 44/2023.

(*b*) a certified copy of a valid tax clearance certificate;

(*c*) evidence of payment of levy for any constuction project undertaken in the previous financial year;

(*d*) evidence of project registration for any constuction project undertaken in the previous financial year;

(*e*) valid licences or permits issued by relevant regulatory authorities in Malawi; and

(*f*) valid professional registration certificates for all shareholders and directors, partners or sole proprietors issued by the relevant professional boards or institutions in Malaŵi.

(3) Where the Council is satisfied that the applicant has met the requirements for renewal, the Council shall issue a certificate to the applicant, subject to terms and conditions as the Council may prescribe.

(4) Notwithstanding the requirements in subregulation (2), the Council may reject an application for renewal of registration where—

(*a*) the applicant's business registration certificate issued under the Business Registration Act has been canceled or has expired; Cap 46:02

(*b*) in the case of a body corporate, the body corporate or its directors have been convicted of an offence under the Companies Act or any other written law; Cap 46:03

(*c*) the applicant has not paid levy in accordance with the National Construction Industry Levy Order; G. N. 1/2013

(*d*) the applicant did not register any project undertaken in the previous financial year, in accordance with National Construction Industry (Project Registration) Regulations; or G. N. 36/2023

(*e*) the applicant's existing certificate of registration has been suspended or revoked.

Upgrading to a higher class of registration

6.—(1) A firm registered as a contractor under these Regulations may apply to the Council, to be upgraded to any higher class of registration.

(2) An application for upgrading to a higher class of registration referred to in subregulation (1) shall be in Form 3 in the Second Schedule and shall be accompanied by—

(*a*) particulars of at least three duly completed projects executed in current class of registration;

(*b*) a certified copy of a valid tax clearance certificate;

(*c*) valid business registration certificate;

(*d*) a list of key technical personnel and their academic qualifications or valid professional registration certificates, issued by the relevant professional boards or institutions in Malawi;

(*e*) proof of ownership of plant and equipment;

(*f*) financial statements for classes 1 to 4 and audited accounts for classes 5 to 8 for the previous three years;

(*g*) certified copy of lease agreement for rented office space or certified copy of title deed of office building;

(*h*) evidence of payment of levy for the three duly completed projects executed in current class of registration;

(*i*) evidence of project registration for the three duly completed projects executed in current class of registration; and

(*j*) valid licences or permits issued by relevant regulatory Authorities in Malawi.

(3) The Council shall, upon receipt of an application, assess the application received and verify the authenticity of the information submitted in the application.

(4) Notwithstanding the provision of subregulation (3), the Council may conduct a physical verification to ascertain the authenticity of the information submitted by the applicant.

(5) Where the Council is satisfied that the firm registered as a contractor has met the upgrading criteria in subregulation (2), the Council shall issue a certificate of registration for the class applied for.

(6) The certificate of registration under this regulation shall be issued to the applicant upon submission of proof of payment of the difference between the renewal fee of the current class and the renewal fee of the class applied for, as prescribed under the National Construction Industry (Fees) Regulations.

G. N. 44/2023

(7) The Council may reject an application where—

(*a*) any person whose presence is required, is not present, or any document the production of which has been demanded, has not been produced; or

(*b*) the application contains information which is incomplete, inconsistent or misleading.

(8) Where the Council is not satisfied that the applicant has met the requirements upgrading, the Council may—

(*a*) reject the application;

(*b*) inform the applicant, in writing, with reasons for its decision; and

(*c*) give the applicant a maximum of twenty-one days to make good the reasons for which the application was rejected.

Notification of change of particulars

7.—(1) A firm registered under these Regulations shall notify the Council of any change in the particular submitted under regulation 3, within fourteen days of the change.

(2) The Council may make any necessary alteration or correction in the register in relation to any entry made therein.

Notification of business cessation of business

8.—(1) A firm which ceases to carry on business in the construction industry in Malawi shall notify the Council, in writing, within sixty days of the cessation of business.

(2) The Council shall, upon receipt of the notification under subregulation (1) revoke the certificate of registration and strike off the name of the firm from the register.

Death of sole proprietor

9.—(1) Where a person who owns a firm that is registered and operating as a sole proprietor dies, the Council shall revoke its certificate of registration and strike off the name of firm from the register.

(2) Subject to subregulation (1), the administrator of the deceased estate of the person who was the sole proprietor or his or her next of kin shall, within sixty days of the date of the occurrence of the death, apply to the Council for approval of the continuation of the registration for purposes of completing any on-going project.

Change of ownership

10.—(1) A person who, for whatever reasons, intends to take over a firm shall apply for registration of that business in his or her own name and that application shall be treated as a new application.

(2) In the assessment of an application for change of ownership under subregulation (1), the Council shall not take into consideration the experience of the previous owner of the firm.

Striking off and suspension from the register

11.—(1) Subject to the Act, the Council may suspend, or strike off from the register, a firm registered under these Regulations.

(2) Where a firm registered as a contractor is suspended from the register, the suspension may be lifted by the Council, upon the—

(*a*) expiry of the suspension period; or

(*b*) rectification of grounds leading to suspsension, or implementing conditions stated in suspension letter.

(3) A firm whose certificate of registration has been revoked and whose name has been struck off from the register may apply to the Council for a fresh registration in accordance with regulation 3.

(4) The Council shall be allowed to receive and consider an application for a fresh registration under subregulation (3) after the expiry of seven years from the date the firm's name was struck off from the register.

Revocation
G. N. 5/1999
G. N. 32/2017

12. The National Construction Industry (Application Fees) Regulations and the National Construction Industry (Fees and Forms) Regulations are hereby revoked.

NATIONAL CONSTRUCTION INDUSTRY ACT

(CAP. 53:05)

FIRST SCHEDULE

CLASS AND CATEGORY FOR REGISTRATION

1. Registration as in the Building, Civil, Electrical and Steel Structure Contractors

Table 1:*Details of class and categories for registration of Building, Civil, Electrical and Steel Structure Contractors*

Category	*Class*							
	1	*2*	*3*	*4*	*5*	*6*	*7*	*8*
Building Category	50 Million	100 Million	200 Million	500 Million	1 Billion	5 Billion	10 Billion	Unlimited
Civil Category	50 Million	100 Million	200 Million	500 Million	1 Billion	5 Billion	10 Billion	Unlimited
Electrical Category	50 Million	100 Million	200 Million	500 Million	1 Billion	5 Billion	10 Billion	Unlimited
Steel Structure Category	50 Million	100 Million	200 Million	500 Million	1 Billion	5 Billion	10 Billion	Unlimited

Table 2: Details of Class and Category for registration of Specialist Contractors

Category	*Class*			
	1	2	3	4
Roofing	50 Million	100 Million	500 Million	Unlimited
Painting				
Landscaping				
Water proofing				
Bore Hole Drilling				
Road marking				
Telecommunications				
Aluminum fittings				
Safety and				
Fire prevention and protection systems				
Demolition				
Glazing				
Tiling				
Piling				
Mechanical and Engineering Services including but not limited to the following; Air conditioning, Lift and elevator, Plumbing, e.t.c				
Carpentry and Joinery and Dry wall Partitions				

SECOND SCHEDULE reg. 3 (2)

FORM 1

APPLICATION FORM FOR REGISTRATION

To: The Chief Executive Officer
National Construction Industry Council (NCIC)
Private Bag A 146
LILONGWE
Tel: (+265)887829505
Email: ncic@ncic.mw Website: www.ncic.mw

Categories and Class of Registration in the construction industry for which this application is submitted (please tick):

Class	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*
Building Category								
Civil Category								
Electrical Category								
Steel Structure Category								

For Specialist Contractors

Class	1	2	3	4
Specify area of specialisation				

SECTION I—DETAILS OF APPLICANT

1. Registered name of Business Entity .....
Attach certified copy of business registration certificate for sole proprietor and partnership or a certified copy of a certificate of incorporation and Memorandum and Article of Association for body corporates

2. Registration Number and issue date of Business certificate or certificate of Incorporation issued by Government of Malawi

….....…….....

3. Postal Contact Address .....

.....

4. Physical Contact Address (i.e. Location of Main Offices: House/Plot No./Block No./Street and Village/Town/City)

.....

.....

5. (*a*) Telephone.....

(*b*) E mail address.....

(*c*) Website…….....……..

6. Business account details—

   (*a*) Account Name:…….....…….

   (*b*) Name of Banker…….....…..……
   (*Attach valid proof of bank account*)

7. Did you attend orientation training offered by the Council? Yes/No
   (*Attach a certified copy of the Orientation Certificate*)

8. Malawi Revenue Authority Tax Registration Number for the firm…….....……
   (*Attach a certified copy of certificate*)

9. Permit Number from Malawi Energy Regularory Authority (MERA) (for Electrical category only) …….....……
   (*Attach copy a certified of MERA permit. Without a MERA permit, registration cannot be processed*.)

10. Names, qualifications/experience and nationality of shareholders, directors, partners or sole proprietor.

Name	*Nationality*	*Qualifications*

(*Attach copy:*

1. *Certified copies of national identification cards*
2. *Certified copies of academic certificates*
3. *Certified copies of membership certificates issued by Malawian Proffessional Bodies*
4. *Curriculum vitae for , sole proprietors, partners, directors and shareholders*
5.

SECTION II—FINANCIAL STATUS OF APPLICANT

11. Company's Fixed (Immovable) Assets (Certified copies of documents proving ownership i.e. Letters of offer or Title Deeds should be attached). NB: Plant and Equipment are not Fixed Assets for the purpose of Registration.

No.	*Name of Asset*	*Value*	*Type of Document Attached*
1.			
2.			
3.			

Note: *Should the place provided prove in sufficient, details may be provided on separate sheet of paper*

SECTION III—OFFICE AND SERVICE FACILITIES

12. (*a*) Type of Office Building (please tick):
    (i) Permanent
    (ii) Residential
    (iii)Makeshift/Freelance
    (*a*) Ownership status (please tick)
    (i) Owned
    (ii) Rented

SECTION IV—STAFF QUALIFICATIONS

13. Give particulars of personnel (*Including Technical, administrative and Finance*). Please attach copies of detailed CVs and authenticated Certificates or Testimonials.

Name of Personnel	*Nationality*	*Academic / Professional Qualification*	*Position in the Company*	*Working experience (No. of years)*	*Basic Terms of Employment (Permanent or Contract)*

Note:1. *Attach certified copies of national identification cards for all staff and passports and work permits in case of foreign nationals*
2. *Should the place provided prove in sufficient, details may be provided on separate sheet of paper*

SECTION V—PLANT AND EQUIPMENT

14. Particulars of Construction Equipment owned by Company. (*Should the place provided prove in sufficient, details may be provided on separate sheet of paper*).

Name	*Type/Make/Model/ Year of Make*	*Reg No./VIN/ Serial No./ other identification marks*	*Condition (Operational/ Not operational)*

(*Attach copies of Registration Licence and/or any other document as proof of ownership*)

15. Transport including Lorries, Vans, Tippers etc owned

TYPE OF VEHICLE AND YEAR OF MAKE	*REG. NUMBER*	*CONDITION (Runner/Non Runner)*

Note:

1. *Attach certified copied of proof of ownership e.g blue books*
2. *Should the place provided prove insufficient, details may be provided on separate sheet of paper*.

Section VIII—Declaration

16. I/We the undersigned hereby solemnly and sincerely declare as follows—

(*a*) that the information I have given above is true in every respect to the best of my knowledge and belief and understand that, if registered, I shall be bound by the Act and the Regulations made thereunder including any amendments thereto, for as long as my name shall remain on the register;

(*b*) that I/we know that NCIC Registration Certificate remains the property of the Council and that the Council has the right to withdraw it at any time I/we am/are found to abuse it;

(*c*) that I/we shall be responsible for any form of abuse of the NCIC Registration Certificate and also be responsible for disciplinary measures that can be imposed as per disciplinary procedures;

(*c*) that I/we shall at all times adhere to the Laws of Malawi and Codes of Practice for Contractors in the construction industry whose copies I/we am/are in custody of;

(*d*) my/our signing of this application form implies acceptance of responsibility for the veracity and accuracy of all information submitted therein or therewith;

(*e*) failure to complete any part of this application form may result in not being registered

.....
Signature of Applicant.

Declared before me on this ...day of……., 20....

.....
Commissioner for Oaths

Note: *This Declaration must be signed, in the case of an application by a company, by one of the Director or Shareholder, and in the case of a partnership, by one of the partners*.

Section IX—Commitment to Uphold Code of Practice

M/s……..(Name of applicant – firm), as registered contractor by the NCIC, understand that we are expected to exhibit the highest standards of professionalism. Construction services have a direct and vital impact on the quality of life for all people. Accordingly, the services provided require honesty, impartiality, fairness and equity, and must be dedicated to the protection of the public health, safety and welfare. We therefore pledge to perform under a standard of behavior that requires adherence to the highest principles of ethical conduct.

We also recognize that corruption has a devastating impact on the social and economic development of any country. We share in the growing global consensus that action is needed to strengthen transparency and accountability, particularly in international development, trade and investment.

We therefore pledge to support the efforts of the Government of the Republic of Malawi to participate, along with the NCIC and other members of the business community and financing institutions, in forming a coalition against corruption and all unethical conduct.

We welcome the action taken by the Council to strengthen transparency and accountability. In this context we will—

(*a*) abide by the Code of Practice for Contractors engaged in the Construction Industry; and

(*b*) formally undertake to issue instructions to all our employees, agents or other representatives in Malawi to at all times comply with the laws of Malawi and in particular to the laws governing the Construction Industry and to the Codes of Practice for the Construction Industry.

.....
Signature of Applicant.

SECTION X—CHECKLIST OF ATTACHMENTS

	ATTACHMENT	*TICK*
(*a*)	Certificate of Business Registration or Certificate of Incorporation;	
(*b*)	Proof of valid account in firm's name	
(*c*)	MRA Tax Registration or Tax Clearance Certificates;	
(*d*)	Memorandum & Articles of Association (Companies Incorporated and Partnerships);	
(*e*)	national identification card, Certificates and curriculum vitae's of Shareholders, directors, Partners or Sole proprietors;	
(*f*)	curriculum vitae's and certificates of Key Personnel;	
(*g*)	Proof of ownership of fixed assets;	
(*h*)	Proof of ownership of plant and equipment;	
(*i*)	in the case of an application for an electrical contractor, certified copies of valid permits issued by Malawi Energy Regulatory Authority	

For Official Use Only.

(*a*) Application received by:……....……....…… Date: .....

(*b*) Application assessed by……. Date:……..

FORM 2

APPLICATION FORM FOR RENEWAL

NATIONAL CONSTRUCTION INDUSTRY COUNCIL

APPLICATION FOR RENEWAL FORM

1 Firm Identification YEAR: .....

Name of Firm .....

Contact Details .....

2 Registration Details (*please indicate the Category of registration for which the application for renewal is being made*)

Category	*Building*	*Civil*	*Electrical*	*Steel Structure*	*Specialist*
Class					

3 Tax Clearance Certificate Number .....
(1. *Attach copy a certified copy of a valid Tax Clearance Certificate)*

4 Valid Permit or licence Number issued by relevant Regulatory Authorities in Malawi:.....
(*Attach a certified copy of a valid permit or licence from relevant Regulatory Authorities in Malawi*)

5 Valid licence or certificate of membership of professional Body:.....
(*Attach a certified copy of a valid licence or certificate of membership from relevant Malawian Professional Body.*)

6 PROJECTS REGISTRATION

Please provide details of Projects carried out in the past year. Please include projects that are still ongoing from previous years.

No.	*Name of Project (Give brief details on location and scope of works)*	*Project Registration Number*	*Name and Contact Address of Client*	*Contract Value*	*NCIC Levy Paid (attach evidence of levy paid)*	*Date of Award*	*Completion Status*
1							
2							
3							
4							
5							

FORM 3 reg6(2)

APPLICATION FORM FOR UPGRADING OF CONTRACTORS

To: The Chief Executive Officer
National Construction Industry Council (NCIC)
Private Bag A 146
LILONGWE
Tel: (+265)887829505
Email: ncic@ncic.mw Website: www.ncic.mw

SECTION I—DETAILS OF APPLICANT

1. Firm Identification

Name of Firm :.....

Contact Details :.....

Attach copy of valid Business Registration Certificate or Certificate of Incorporation.

Attach copy of lease agreement of rented office premises or proof of ownership of office premises.

SECTION II: DETAILS OF REGISTRATION

2 Indicate details of current Registration and upgrading below:

	Current Category	*Year registered in current category*	*New Category of Application*
Building			
Civil			
Electrical			
Steel Structure			
Specialist			

3 Tax Clearance Certificate Number.....
(1. *Attach copy a certified copy of a valid Tax Clearance Certificate)*

4 Valid Permit or licence Number issued by relevant Regulatory Authorities in Malawi:.....
(*Attach a certified copy of a valid permit or licence from relevant Regulatory Authorities in Malawi*)

5 Valid licence or certificate of membership of professional Body:.....
(*Attach a certified copy of a valid licence or certificate of membership from relevant Malawian Professional Body*.)

SECTION III—FINANCIAL STATUS OF APPLICANT

6. Financial Statements or in the case of firms registered in class 5,6 and 7 Audited Financial Statements for the previous three financial years (*Please attach a Financial Statements/ Audited Accounts*) ….....….

SECTION IV—STAFF QUALIFICATIONS

7. Give particulars of personnel (Including Technical, administrative and Finance). Please attach copies of detailed CVs and authenticated Certificates or Testimonials.

Name of Personnel	*Nationality*	*Academic / Professional Qualification*	*Position in the Company*	*Working experience (No. of years)*	*Basic Terms of Employment (Permanent or Contract)*

Note: *1. Attach certified copies of national identification cards for all staff and passports and work permits in case of foreign nationals*

2. Should the place provided prove in sufficient, details may be provided on separate sheet of paper

SECTION V—PLANT AND EQUIPMENT

8. Particulars of Construction Equipment owned by Company. (Should the place provided prove in sufficient, details may be provided on separate sheet of paper).

Name	*Type/Make/Model/ Year of Make*	*Reg No./VIN/ Serial No./ other identification marks*	*Condition (Operational/ Not operational)*

**Attach copies of Registration Licence and/or any other document as proof of ownership*

9. Transport including Lorries, Vans, Tippers etc owned (attach copies of blue books)

NAME OF REFEREE	*NAME OF REGULATOR*	*POSITION IN FIRM*	*PHONE NUMBER*

Note: *Should the place provided prove in sufficient, details may be provided on separate sheet of paper.*

SECTION VI:—FIRM'S EXPERIENCE

10. Particulars of Contracts duly completed projects executed by the firm in Malawi in the current category and class of registration. Please indicate NCIC Project Registration Number(Projects not registered by NCIC shall not be considered for purposes of upgrading)

No.	*Name of Project (Give brief details on location and scope of works)*	*Project Regist ration Number*	*Name and Contact Address of Client*	*Contract Value*	*NCIC Levy Paid (attach evidence of levy paiment)*	*Date of Award*	*Completion Date*
1							
2							
3							
4							
5							

SECTION VII—PROFESSIONAL REFERENCES

11. Give names and full addresses of two registered Professionals (Architects/Engineers/Surveyors) who supervised the above listed projects and can give reference on the performance of the firm. Attach reference letters on authentic letter heads from the Referees provided.

NAME OF REFEREE	*NAME OF REGULATOR*	*POSITION IN FIRM*	*PHONE NUMBER*

12. A Council appointed official may be required to make a physical verification /inspection of the information given herein. Do you have any objections? (*if yes, please explain*).....

13. The Council may be required to make enquiries with any person or institution in regards to the application. Do you have any objections? (*if yes, please explain*)

.....

SECTION VIII—DECLARATION

14. I/We the undersigned hereby solemnly and sincerely declare as follows—

(*a*) that the information I have given above is true in every respect to the best of my knowledge and belief and understand that I am bound by the NCI Act and the Regulations made thereunder including any amendments thereto, for as long as my name shall remain on the register;

(*b*) that I/we know that NCIC Registration Certificate remains the property of the Council and that the Council has the right to withdraw it at any time I/we am/are found to abuse it;

(*c*) that I/we shall be responsible for any form of abuse of the NCIC Registration Certificate and also be responsible for disciplinary measures that can be imposed as per disciplinary procedures;

(*d*) that I/we shall at all times adhere to the Laws of Malawi and Codes of Practice for Contractors in the construction industry whose copies I/we am/are in custody of;

(*e*) my/our signing of this application form implies acceptance of responsibility for the veracity and accuracy of all information submitted therein or therewith;

(*f*) failure to complete any part of this application form may result in not being registered

.....
Signature of Applicant.

Declared before me on this .... day of……., 20....

.....
Commissioner for Oaths

This Declaration must be signed, in the case of an application by a company, by the Managing Director or Secretary, and in the case of a partnership, by the principal partner or where none is resident in Malawi, by the local representative.

SECTION IX—COMMITMENT TO UPHOLD CODE OF PRACTICE

M/s……..(Name of applicant–firm), as registered contractors by the NCIC, understand that we are expected to exhibit the highest standards of professionalism. Construction services have a direct and vital impact on the quality of life for all people. Accordingly, the services provided require honesty, impartiality, fairness and equity, and must be dedicated to the protection of the public health, safety and welfare. We therefore pledge to perform under a standard of behavior that requires adherence to the highest principles of ethical conduct.

We also recognize that corruption has a devastating impact on the social and economic development of any country. We share in the growing global consensus that action is needed to strengthen transparency and accountability, particularly in international development, trade and investment.

We therefore pledge to support the efforts of the Government of the Republic of Malawi to participate, along with the NCIC and other members of the business community and financing institutions, in forming a coalition against corruption and all unethical conduct.

We welcome the action taken by the Council to strengthen transparency and accountability. In this context we will—

(*a*) abide by the Code of Practice for Contractors engaged in the Construction Industry; and

(*b*) formally undertake to issue instructions to all our employees, agents or other representatives in Malawi to at all times comply with the laws of Malawi and in

particular to the laws governing the Construction Industry and to the Codes of Practice for the Construction Industry.

....
(*to be signed by Managing Director of the firm*) *Date*

SECTION X—CHECKLIST OF ATTACHMENTS

(*a*) Proof of ownership of vehicle, plant and equipment

(*b*) Bank reference letter

(*c*) Professional Reference Letters

For Official Use Only.

(*a*) Application received by:..... Date: .....

(*b*) Application assessed by:..... Date:……..

(c) Decision result:….....…….. Date:……..

THIRD SCHEDULE reg 4(7)

MINIMUM QUALIFICATIONS FOR REGISTRATION INTO A CATEGORY AND CLASS

Table 1

Category	*Class*				
	1	*2*	*3*	*4*	*5*
Building Category	No Qualification	General Technical Certificates in Construction/ Trade Test Grade1	Diploma / Foremanship plus 3 Years' relevant experience post attainment of Diploma/ Foremanship, where the applicant was in charge of similar nature and value of work Or Degree in Built environment plus 1 year experience	Degree in Architecture, Quantity Surveying, Civil Engineering, and 3 years' relevant experience post attainment of degree	Degree in Architecture, Quantity Surveying, Civil Engineering, plus Professional Qualification with Minimum 3 years' relevant experience post attainment of Professional Qualification
Civil Category	No Qualification	General Technical Certificates in Construction/ Trade Test Grade1	Diploma / Foremanship plus 3 Years' relevant experience post attainment of Diploma/	Degree in Architecture, Quantity Surveying, Civil Engineering, and 3 years'	Degree in Architecture, Quantity Surveying, Civil Engineering,

Category	*Class*				
	1	*2*	*3*	*4*	*5*
			Foremanship, where the applicant was in charge of similar nature and value of work Or Degree in Built environment plus 1 year experience	relevant experience post attainment of degree	plus Professional Qualification with Minimum 3 years' relevant experience post attainment of Professional Qualification
Electrical Category	General Technical Certificates in Electrical/ Trade Test Grade1 plus MERA Permit	General Technical Certificates in Electrical/ Trade Test Grade1 plus MERA Permit and 3 years' relevant experience post attainment of Certificate	Diploma in Electrical with MERA Permit/ plus 3 Years' relevant experience post attainment of Diploma or Degree in Electrical Engineering with a MERA Permit plus 1 year post attainment	Degree in Electrical Engineering, and 3 years' relevant experience post attainment of degree with MERA Permit	Degree in Electrical Engineering, with MERA Permit, plus Professional Qualification with Minimum 3 years' relevant experience post attainment of Professional Qualification
Steel Structure Category	General Technical Certificates in Electrical/ Trade Test Grade1	General Technical Certificates in Electrical/ Trade Test Grade1 and 3 years' relevant experience post attainment of Certificate	Diploma in Mechanical Engineering, /Civil Engineering, with 3 years' experience Or Degree in Mechanical Engineering, /Civil Engineering, with 1 Year experience	Degree in Mechanical Engineering, with 3 years' experience Post attainment of the degree	Degree in Mechanical Engineering plus Professional Qualification with Minimum 3 years' relevant experience post attainment of Professional Qualification

Made this 22nd day of April, 2024.

J. Hara
Minister of Transport and Public Works

(FILE NO.MTPW/ADM/400/1/24)