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The role of the local councils in the Malawi Vision 2063  
through the lens of Medium Implementation Plan -  
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Act

By

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***Abstract***

This study strived to analyse the level and extent of involving local government authorities in the development of the Malawi Secondary Cities Plan and its associated legislative instruments. The findings of the study demonstrate lack of coordination between the central and local government authorities leading to an obvious decimal or no progress at all. Local councils must take an active role through its association and demand more involvement for the betterment of the general citizenry.

**Type of Paper:** Sectoral Review

**Key words:** Local; Council, Vision 2063; Malawi, SDG 11

## **1.0 Introduction**

The Medium Implementation Plan (MIP-1) of the Malawi Vision 2063 running from 2021 to 2030 puts much emphasis on the local councils as actors in the country's long term development agenda. Under Pillar 3 - Urbanization, Government of Malawi (2021:x1) annotated:

[Sustainable Municipal Self-financing Mechanism: Enhancing own revenue generation and management capacities for city, town and district councils.].

The MIP-1 indicated the establishment of the industry directorates at all councils to promote one-stop business and information provision services for the micro, small and medium enterprises, Furthermore, transfer all the public land in cities and town jurisdictions to town/city councils to comply with the land laws and to expand revenue base for councils through ground rent. Consequently, the local councils would be amongst the implementers of the MIP-1 in liaison with the district plans/strategies.

### **1.1 The constitution roles of the local councils**

Sections 146 through 151 of the Malawi Constitution outlines the establishment and functions of the Local Government. Section 147(2) of the Malawi Constitution stipulates that the offices of the local government shall include mayors in the cities and municipalities and local councillors in all areas and local government officers shall

have such functions, powers and responsibilities as shall be laid down by an Act of Parliament.

The local councils are therefore the bedrock of the local government and have the mandate to be involved in all the issues affecting the citizenry within the specified jurisdiction.

## **1.2 The statutory provisions governing local councils**

This is enshrined in the Local Government Act 1998, Local Government Amendment Act 2010 and Local Government Amendment Act 2017. Section 3 of the Local Government Act stipulates that the objectives of the local government shall be to further the constitutional order based on the democratic principles, accountability, transparency and participation of the people in decision-making and development processes.

### **1.2.1 The functions of the local government**

These are stipulated under Section 10 of the Local Government Act 1998 as well as Schedule 2 of the said Act. Schedule 2 of the Local Government Act is extensive and provides a wide spectrum of functions of the local councils such that no activity can take place in any council without its prior approval. Similarly, any development plans or otherwise would be implemented smoothly and efficiently if the councils were fully adequately consulted and prior approvals obtained.

## **2.0 Councils' roles in the national matters**

While the Constitution and the Local Government Act vests substantial powers in the local councils there is a need to evaluate whether the local councils are involved in the formulation of the national agendas, policies and plans. Consequently, there was a review of some of the Government of Malawi's development plans and agendas as well as statutory provisions to evaluate the involvement of the local councils.

### **2.1 Malawi Secondary Cities Plan (2022)**

Championed by the National Planning Commission and issued out in 2022, Malawi has to build eight secondary cities as outlined in MIP-1. The choice of the secondary cities as a priority was largely based on potential to urbanise, levels of connectivity and the existing potentials for wealth creation - the Malawi Government (2022:iii). The proposed secondary cities are Karonga, Nkhata Bay, Kasungu, Salima/Chipoka, Mangochi/Monkey Bay, Liwonde, Luchenza and Bangula - the Malawi Government (2022:5). The The Malawi Secondary Cities Plan (2022) does not however provide any documentary evidence that the local councils in which the secondary cities will be constructed took an active role in deciding what has to be done in formal of approvals from the concerned councils as per the per the proceedings of the council outlined in Sections 13 and 13 of the Local Government Act.

### **2.1.1 The disclosures in the concerned local councils**

Any direct involvement by the local councils in the Malawi Secondary Cities Plan (2022) would have been disclosed either in the developmental reports or the local media. A critical review of the local councils affected by the secondary cities plan are briefly evaluated below:

#### **2.1.1.1 Karonga District Council**

Karonga District Council approved MWK720 billion District Development Plan for the 2024 to 2030 to achieve growth, environmental sustainability as well as social and equity resilience achieved through twelve key developmental areas to overcome inadequate access to potable water, poor childhood development, limited access to agricultural markets, environmental degradation and climate but also unsustainable energy sources - Malawi News Agency (2025a). There are clear indications that Karonga District Council has not factored in the secondary cities plans. There is also a confusion as to whether Karonga is now a town council as stated by Sabola (2024).

#### **2.1.1.2 Nkhata Bay District Council**

The Council approved MWK8 billion for the 2024/2025 fiscal year with much focus on the construction, renovation and furnishing of health facilities as well as construction of Usisya Police Unit - The Nation Online (2024c). No considerations made for the secondary cities plan. The 2025/2026 budget was increased to MWK12

billion - MBC Online (2025) but without any reference to the Malawi Secondary Cities Plan.

### **2.1.1.3 Kasungu District Council**

Kasungu Municipal Council approved MWK105 billion Urban Development Plan in July 2025 for the next five years in tandem with the Malawi Vision 2063 - Times 360 Malawi (2025). The first Urban Structure Plan was finalised in 2019 - Banda (2019). Kasungu is yet to be a secondary city but engagements with the private sector to establish small industries in readiness of the status are underway - MBC Online (2023). There is no reference to the Malawi Secondary Cities Plan.

### **2.1.1.4 Salima District Council/Chipoka**

Salima District Council unveiled MWK32,9 billion budget in the 2025/2026 fiscal year and out of that MWK20 billion was earmarked for salaries while MWK1.7 billion was pegged for development activities including infrastructure projects and social services - Malawi News Agency (2025b). There is thus no inclusion of the Malawi Secondary Cities Plan in the Salima Council's development plans. There is however a different dynamic by the Malawi Investment and Trade Centre which stipulates that it managed to secure a USD5 billion financing deal from the Chinese Investors for the Chipoka Secondary City with the investment period spread over five years from 2025 - Mangazi (2025). There is strong evidence of the misalignment of the central government

through the Malawi Investment and Trade Centre and the Salima District Council as such huge investment can not be done without full consultation of the citizens in Chipoka or Salima as a whole.

#### **2.1.1.5 Mangochi District Council/Monkey Bay**

MWK1.9 billion Project for the construction of the council chamber and finance office of the Mangochi District Council co-funded by the Government of Iceland and Malawi Government as part of the Government's plan to transform Mangochi into a city - The Nation Online (2024a). There were no signs of the commencement of the development of the secondary city if the State of Nation Address for 2025 is to go by as the list of several development projects in Mangochi highlighted by Chirombo (2025). There were no specific considerations for the Malawi Secondary Cities Plan.

#### **2.1.1.6 Machinga District Council/Liwonde**

The Machinga District Council approved MWK158 billion District Development Plan running from 2025 up to 2030 to address critical areas such as food security, education, disaster risk management, healthcare and other services to improve the livelihood of its citizens - Mibawa TV (2025). There is no recognition of the Malawi Secondary Cities Plan.

#### **2.1.1.7 Luchenza Municipality Council**

The latest developmental projects in Luchenza were perhaps the installation of the streetlights and construction of thirty six high-rise apartments designed for police officers - Munthali (2024). The developmental projects earmarked in the 2024/2025 fiscal year were a well designated-dumpsite for both solid and liquid waste , tar on the new bus depot and construction of bridges - The Nation Online (2024b). There appears to be no involvement of the local authorities regarding the Malawi Secondary Cities Plan.

#### **2.1.1.8 Nsanje District Council/Bangula**

Nsanje District Council revised upwards its fiscal budget from MWK7 billion in the 2024/2025 fiscal year to MWK12.5 billion in the 2025/2026 fiscal year and the projects to be funded were included in the annual investment plan - Nayeja (2025). There were no budgetary allocations for the development of Bangula as a secondary city.

## **2.2 Special Economic Zones Act**

Enacted in early 2024, the Act empowers the Malawi Investment Trade Centre (referred to as the Authority) to designate places as Special Economic Zones in Malawi and license the special economic zones developers; operators; and enterprises. There seems to be no coordination between the local councils and Malawi Investment Trade Centre as seen in some examples below:

- a) Section 24 of the Special Economic Zones Act stipulates that the minister responsible for land, on application by the Authority, may allocate the land for the development of a special economic zone. This appears to contravene Section 21(2) of Schedule 2 of the Local Government Act which reads “Development plans shall be prepared in conjunction and consultation with other agencies having a public responsibility for or charged with producing plans for development whether generally or specifically and affecting the whole or a substantial part of the Council.” Special Economic Zones can only succeed with the full blessings of the councils.
- b) Section 25 of the Special Economic Zones Act stipulates that the minister responsible for Land may, by notice published in the Gazette, make regulations for land use in a special economic zone. This appears to be in contrast with Section 2 of the Second Schedule of the Local Government Act in respect of the environmental protection which is the responsibility of the local council unless subject to any other written law. The known law regarding the environment is the Environment Management Act 2016 which recognises the role of the councils as outlined in Section 26 of the said Act as follows “Section 26 : District Environmental Sub-Committees - (1) (1) Notwithstanding sections 15 and 16 of the Local District government Act, the Authority shall, in consultation with local Environment authorities, issue guidelines for the establishment and strengthening

committee of a committee on the environment for each district (in this Act Cap. 22:01 otherwise referred to as the “District - Environment Sub-Committee”).” The functions of the District Environmental Sub-Committees are outlined in Section 26(2) of the Environment Management Act 2016 and this means that Special Economic Zones must be approved by the Councils too. This critical element is missing in the Special Economic Zones Act regardless of the fact that Section 12(3) thereof stipulates that the Malawi Investment and Trade Centre (Authority) shall carry out, or cause to carry out a detailed social, environmental and economic feasibility study to determine the viability of an area before making a recommendation to the Minister to declare the area a special economic zone”. This does not clearly outline that the local councils must approve such areas for such activities and there is bound to be unnecessary tension and little progress in the implementation of the special economic zones in Malawi if the Special Economic Zones Amendment Act is not passed to clearly outline the roles of the local councils which have jurisdictions over such special economic zones. This argument appears to be true as the Chigumula Industrial Park in Blantyre to be created under the Special Economic Zone awaits approval from the Blantyre City Council as noted by Lumwira (2025): [...the Chigumula Industrial Park project has made a significant progress as designs for access roads and waste water infrastructures and layout plans were done and submitted to Blantyre District Council for approval.”].

- c) Section 27 of the Special Economic Zones covers matters regarding the facilities which the special economic zone developer must provide and maintain. The local councils subject to the Liquid Fuels and Gas (Production and Supply) Act and the Explosives Act control and license the manufacture and storage and use of petroleum products, explosives, fireworks and other combustible or hazardous materials under Section 6 of the Second Schedule of the Local Government Act. This means any facilities which can hold such materials will be subjected to the local councils' approvals and therefore a need to amend the Special Economic Zones Act. Furthermore, Section 9 of the Second Schedule of the Local Government Act states that Subject to the provisions of the Public Health Act, the Town and Country Planning Act and any development plan or scheme made thereunder, a Council shall have power to regulate the design, construction, alignment etc of any new building or alteration or refurbishment or improvement of an existing building. The Town and Country Planning Act was repealed by the Physical Planning Act 2016. The role of the local councils in the physical planning is adequately covered in Part IV of the Physical Planning Act 2016 as they shape and approve the physical development plans which will affect the special economic zones. Consequently, the Special Economic Zones Act has to be amended accordingly to reflect the absolute powers vested in the local councils.

- d) Section 1 (g) (i) and (iii) of the Exemptions Schedule in the Special Economic Zones Act exempts the wholesaler's or retailer's licence from local authorities under the Business Licensing Act as well as the billing and business permit fees levied by the local government authorities. This appears not to have been in consultation with the local authorities and is very likely to be a serious bone of contention as the local authorities would have nothing to do with the special economic zones thereby giving a little chance of success.

### **2.3 Real Estate Management Act**

Enacted in November 2024 and became operational on 13th January 2025, the Act regulates the activities of the real estate industry clearly articulated in Section 3 thereof as follows:

[Subject to section 4, for the purpose of this Act, a person engages in the practice of real estate business if, on behalf of another person, for compensation or valuable consideration directly or indirectly paid or expressly or impliedly promised, or with intent to collect or receive compensation or valuable consideration therefore the person—

(a) appraises, auctions, sells, exchanges, buys, leases or rents or offers, attempts or agrees to appraise, auction or negotiate the sale, exchange, purchase, lease or rental of, any land, or otherwise acts as a broker in relation to any land;

(b) advertises or holds out to the public by any oral, printed or

online representation that the person is engaged in the business of appraising, auctioning, buying, selling, exchanging, leasing or renting, land;

(c) manages land or engages in any other business concerned with the management of land, either in a consultative capacity or as an agent;

(d) takes any part in procuring of sellers, purchasers, lessors, lessees, landlords or tenants of land; or

(e) directs or assists in procuring of prospects, or the negotiation or closing of any real estate transaction which results in a sale, exchange, lease, lease or rental of land of another or is calculated to have that result.].

Section 2 of the Real Estate Management Act provides some important definitions as follows:

[...

“real estate agent” means a person who performs any act or engages in any transaction which results or is intended to result in the sale, exchange, purchase, renting or leasing of real estate or in a loan secured or to be secured by mortgage or other encumbrance on real estate, and includes a real estate auctioneer;

"real estate developer" means a person who carries on, whether in whole or in part, the business of real property development;

“real estate manager” means a person who oversees the maintenance, security, facility management, rental income, payment of fees and taxes of real property; and

“real property” means land or interest in land including any lease issued under the Land Act or the Customary Land Act.].

Section 7 of the Real Estate Management Act stipulates the appointment of the Government real estate managers and agents. Section 7(2) states that the Government real estate managers and agents shall undertake estate management of Government property in Government departments or entities as may be required from time.

The word local government was just mentioned once in the Real Estate Management Act under Section and is in reference to the appointment of one representative from the Local Government Association into the Real Estate Management Council. There are however a lot of activities carried out by the local councils involving the real estate business as prescribed in the Local Government Act and Local Government Amendment Act 2017 as noted below:

- a) Section 20 of the Local Government Act is about management of the council’s estates. It is not clear whether there is any connection with Section 7 of the Real Estates Management Act in regard to the Government real estate managers and agents. Such ambiguity is fundamentally flawed at law and there is need to amend the Real Estate Management Act to clearly stipulate on how real property of the local councils should be dealt with.
- b) Ground rates are not featured in the Real estate

transactions certificate under Section 41 of the Real Estate Management Act. The rateable properties are determined by the local government authorities under Section 61 of the Local Government Amendment Act 2017 such that the exempted properties are only those under the diplomatic mission where the Minister of Foreign Affairs has approved as such and usually based on the reciprocity agreements with the State of the relevant diplomatic mission as per Section 84(1) and (2) of the Local Government Act. It is therefore important that the clearance of the all outstanding ground rates must be a condition proper to the issuance of the real estate transactions certificate involving transfer of title of land. This is because the Government of Malawi is not even exempted from paying grounds rates to the councils but pays fifty percent of the amount of rates of the assessable property in line with Section 85 of the Local Government Act.

- c) Section 32 of the Real Estate Management Act refers to the matters of registering real estate developers and one condition is that they must have identified land for real estate development. The real estate development will be carried out in specific local governments which must also give permission as per Section 2 of Schedule 2 of the Local Government Act. It would therefore be ideal to include the permission to demand a permission from the local councils as part of the registration process of the real estate developers.

### **3.0 Conclusion and recommendations**

There is no congruence between the local governments authorities (be it district, municipality and town councils) and the Central Government through National Planning Commission on the implementation of the Malawi Secondary City Plan. The obvious consequences are low chances of the success rate of the other Malawi Secondary Cities Plan. Other regulatory bodies established by the Central Government to oversee development plans such as the Malawi Trade and Investment Centre in spearheading the special economic zones did not take into account the important roles played by the local councils. This is also observable in the prescribed activities of the Real Estate Management Council. Consequently, Malawi will fail to achieve its objectives of the Malawi Vision 2063 especially as espoused in the Medium Implementation Plan (MIP-1) of the Malawi Vision 2063 running from 2021 to 2030. The planning costs and consultations involved in the Malawi Secondary Cities Plan will go into the drain if the local councils do not own that initiative. Malawi will also fail to achieve the relevant Sustainable Development Goals especially the SDG 9 - Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (this is particularly important for the Malawi Secondary City Plans and Special Economic Zones Act) and SDG 11- Make cities and human settlements inclusive, safe, resilient and sustainable.

It is therefore recommended that local councils must take

an active role in any proposed development plan and statutory instrument to influence the scope and direction of such initiatives. This can be through the Ministry of Local Government, Malawi Local Government Association (MALGA) and National Local Government Finance Committee (NLGFC). Where they are not consulted and are not aware of such developments, the local councils can seek amendments of particular legislative instruments to incorporate their input from such time they become aware so that real tangible benefits can cascade down to the local masses and truly achieve development in Malawi otherwise the good intentions as espoused in the development plans and legislative instruments will remain farfetched dreams and not materialize if the local government authorities in form of the local councils are sidelined in the planning and implementation stage.

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