

Namata v. Republic

Statute and Subsidiary Legislation Construed

Court:	Supreme Court Of Appeal
Bench:	The Honorable Justice R.R. Mzikamanda SC JA, The Honourable Justice L.P Chikopa SC JA, The Honourable Justice A.D. Kamanga SC JA
Cause Number:	MSCA Criminal Appeal No. 13 of 2015 (Being Criminal Case Number 65 of 2013, High Court of Malawi, Lilongwe Registry)
Date of Judgment:	March 23, 2018
Bar:	G. Chipeta, Counsel for the Appellant Mrs M. Kachale - Director of Public Prosecutions, Mr Malunda - Principal State AdvocateMs. Piriminta - Senior State Advocate

Constitution of the Republic of Malawi (ss 5, 9, 42(2)(a), 42(2)(c), 42(2)(f)(i), 42(2)(f)(ii), 42(2)(f)(iii), 42(2)(f), 42(2)(g))

Criminal Procedure and Evidence Code (Cap. 8:01) (ss 3, 5, 201, 126, 128, 139, 140, 153 - 157, 254, 256(2), 278)

Penal Code (Cap. 7:01) (ss 278, 271, 319)

Public Finance Management Act (s 31)

Money Laundering, Proceeds of Serious Crime and Terrorist Financing Act (Act No. 11 of 2006) -(ss 35(1), 35(2))

Reserve Bank of Malawi Act

Supreme Court of Appeal Act (s 12)

[Proceeds of Crime Act 2002 \(England\)](#) (ss 327, 328, 329, 340)

[Drug Trafficking Act 1994 \(England\)](#) (s 51)

[Criminal Justice Act 1988 \(England\)](#) (s , 93C (2))