



OUR TOBACCO OUR ECONOMY

TOBACCO BUYER LICENSE APPLICATION FORM

Official Use Only

Application No. _____

Date of Submission _____

Applications are to be hand-delivered to the TC Head Office

Section 1 Type of license required

A. New Application

B. Renewal

Section 2 Applicant Details and Establishment

Applicant should make sure name of applicant tallies with the name appearing on the Certificate of Incorporation

A. Name of Applicant _____

B. Business Address of Applicant

C. Physical Address _____

D. Telephone No. _____

E. Email _____

F. Business type _____ ***(Attach certificate of incorporation)***

G. Volume intending to purchase _____

Tobacco Industry Act No. 10 of 2019; Sections 67 and 68

Section 3 Financial Standing (For New Applicants Only)

Enclose the following documents:

- A. Documents evidencing financial capacity to operate the business i.e. copies of bank representations.
- B. Evidence of share capital of not less than US \$1 million
- C. Documents evidencing capacity for financial management i.e. copies of annual audited accounts.
- D. Evidence of tax compliance.

Section 4 Details of Directors

Please attach copies of ID, Work permit (if foreign), and evidence of good financial standing, for each director listed.

Name _____ ID No. _____ Nationality _____ Phone _____ E-mail _____ Position in firm _____	Name _____ ID No. _____ Nationality _____ Phone _____ E-mail _____ Position in firm _____
Name _____ ID No. _____ Nationality _____ Phone _____ E-mail _____ Position in firm _____	Name _____ ID No. _____ Nationality _____ Phone _____ E-mail _____ Position in firm _____

Note: Please attach separate form if more than available space for the Directors

Section 5 Buying Staff

Please list down all individual experienced buying personnel and attach each one's CV and copy of work permit if international.

The following persons will be authorized to buy tobacco solely on our behalf under the licence and we shall be vicariously liable for any offence or misconduct committed by them in the course of their duty:

NAME	YEARS OF EXPERIENCE
A. _____	_____
B. _____	_____
C. _____	_____
D. _____	_____
E. _____	_____
F. _____	_____
G. _____	_____
H. _____	_____
I. _____	_____
J. _____	_____
K. _____	_____
L. _____	_____

Note: Please attach separate form if more than available space for the individual buyers

Section 6 Fees

The Tobacco Industry Act (Tobacco Industry Stakeholders Licensing and Fees) (Amendment) Regulations, 2021 (Government Notice No. 23) prescribes a **USD 5,000 annual license fee** for tobacco buyers. The fee shall be paid upon advice from the Commission for meeting the requirements of the application.

Tobacco Industry Act No. 10 of 2019; Sections 67 and 68

Section 7 Operational facilities (For New Applicants Only)

A. Physical address of place of operation

B. Actual size of operating facility _____

C. Do you have adequate storage capacity of at least 30% of purchases.

Yes No

D. Indicate number of employees you have OR intend to have on the facility.

E. Please enclose proof of access to or ownership of or existence of a contract with another company that owns processing facilities.

Section 8 Conditions of application

A. The Commission may reject any application where it considers that any of the requirements to obtain a license are not met, or where any false declaration has been made, where an applicant is conflicted, or if the application is not satisfactory or is abandoned.

B. The Commission may undertake such additional checks or seek any additional information before granting any applicant a license, including additional checks with enforcement authorities within Malawi.

C. The Commission may share details about operators and relevant persons with enforcement authorities in Malawi, and on request with other Government Departments and their agencies.

D. This application form with appropriate proof of identity documents, documents demonstrating financial standing, proof of tax compliance, and any other attachments specified, shall together constitute the application.

E. The application is valid only within the application period prescribed by the Commission.

Section 9 Declarations and Signatures

- A. I/We hereby declare that all of the information in this application is true and accurate and all statements or information provided about persons or any person made in this application are made with their agreement.
- B. I/We agree to abide by the conditions of this application and with any terms and conditions of the license.

I/We confirm that the following have been enclosed (Please tick)

- Copies of ID, Work permit (if foreign), and evidence of good financial standing, for each Director listed in 4.
- CVs of all individual buyers listed in 5.
- Documents evidencing financial capacity to operate the business i.e. copies of bank representations **(Only for new applicants)**
- Documents evidencing share capital of not less than US \$1 million **(Only for new applicants)**
- Documents evidencing capacity for financial management i.e. copies of annual audited accounts
- Proof of access to or ownership of or existence of a contract with another company that owns processing facilities
- Tax compliance evidence **(Only for new applicants)**

Signed _____ Name _____

Date _____ Position _____

Conditions for licensing

Granting of this license is subject to the following conditions: -

- i. All buyers shall participate in buying tobacco through both contract and auction marketing (67(3))
- ii. To be responsible for hiring and making payment for the transportation of tobacco from estate to tobacco floors for contracted tobacco.
- iii. To buy only on licensed tobacco floors.
- iv. To buy a minimum of 500,000 kilograms tobacco (green weight) either as a single tobacco type or a composite of all types
- v. To declare inter-traded tobacco details.
- vi. To maintain all requirements as per section 67 and any other requirements relevant in the Act and subsidiary regulations.
- vii. The buyer shall upon application and authorization, re-sell not more than 10% of the floor purchase.
- viii. To be subjected to specific penalties with respect to specific violations in line with the provisions of the Act and subsidiary regulations.
- ix. To furnish returns regarding the condition, quantity and quality of tobacco purchased at the end of the season and as may be requested by the Commission from time to time.
- x. To pay levies as outlined in the Act, regulations and government Notice Number 2.