BOMA LA MALAWI

(Linavomelezedwa pa 01 February 2018)

Lamulo

Nambala 9 la 2018

Ndikuvomereza

PROF. ARTHUR PETER MUTHARIKA

PULEZIDENTI

2 February, 2018

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Kalozera Wachiwiri

Lamulo lokhazikitsa ndondomeko za kapewedwe ndi ntchito zolimbana ndi HIV ndi Edzi; kupereka ufulu komanso udindo kwa anthu omwe ali ndi HIV kapena amene akhudzidwa ndi HIV ndi Edzi; kukhazikitsa bungwe la National AIDS Commission; komanso kukhazikitsa ndondomeko za ntchito ndi zina zonse zokhudzana ndi HIV ndi Edzi

LAKHAZIKITSIDWA ndi Nyumba ya Malamulo motere —

GAWO I—MAWU OYAMBA

Dzina La Lamulo

1. — (1) Dzina la lamuloli ndi Lamulo lothandiza kukhazikitsa ndondomeko za kapewedwe ndi ntchito zolimbana ndi HIV ndi Edzi la 2017.

(2) Lamuloli lidzayamba kugwira ntchito tsiku lomwe Nduna idzapereke chidziwitso posindikiza mu nyuzipepala ya boma yosindikizamo malamulo ndi ndondomeko za boma (*Gazeti)*.

Kutanthauzira

2. Uku ndi kumasulira kwa mawu monga mmene agwiritsidwira ntchito mu lamuloli—

"edzi" ndi matenda amene amabwera pamene chitetezo cha m'thupi la munthu chatsika kaamba ka HIV;

"wapampando" – ndi wapampando wa Bungwe la NAC kapena aliyense amene akugwirizira udindowu;

"mkulu wa NAC"- mkulu wa bungwe la NAC osankhidwa pogwiritsa ntchito ndime 52 ya lamuloli;

"mwana" - aliyense amene sanakwanitse zaka 18 zakubadwa;

"bungwe"- bungwe la NAC lomwe ndi lokhazikitsidwa pogwiritsa ntchito ndime 40 ya lamuloli;

"kuyeza HIV mokakamiza"– kumuyeza munthu HIV munthuyo asadapereke chilolezo mwa kufuna kwake ndi mozindikira chimene akuchita;

"kuyeza HIV potengera zizindikiro" - Kumuyeza munthu amene akuonetsa zizindikiro za HIV ndi cholinga choti achipatala atsimikizedi ngati ali ndi HIV ndi kumuthandiza moyenera;

"kusala" – mchitidwe wosawerengera, wosiyanitsa kapena kupatula ena pa zochitika, kuletsa ena kutenga nawo gawo pa chifukwa choti munthuyo ali ndi HIV kapena akuganiziridwa kuti ali ndi HIV zomwe zotsatira zake kapena

cholinga chake ndi kuphwanya ufulu wa munthuyo kapena aliyense amene akukhudzana ndi munthuyo wochita zinthu mofanana ndi wina aliyense m'dera lake, wokhala ndi ufulu wachibadwidwe ndi ufulu wina onse, otenga nawo mbali m'magawo osiyanasiyana monga ndale, zachuma, zachikhalidwe, ndi zina zotero;

"miyambo yoipa"- miyambo iliyonse yomwe imatsatidwa potengera zipembedzo kapenanso zikhalidwe za anthu yomwe —

(a) imayika munthu pachiopsezo chotenga HIV kapena kuonjezera HIV m'thupi mwake; kapena

(b) ikhoza kuchititsa kuti munthu amene ali ndi HIV ayambe kudwala mwachangu;

"wogwira ntchito zaumoyo" —

(c) dotolo wa matenda osiyanasiyana, dotolo wa mano, dotolo othandiza anthu pangozi ndi aliyense wogwira ntchito zina za umoyo amene adalembetsa m'kaundula pansi pa lamulo lotchedwa Medical Practitioners and Dentists Act; Cap. 36:01

(d) namwino kapena mzamba yemwe adalembetsa mu kaundula mu lamulo lotchedwa Nurses and Midwives Act; Cap. 36:02

(e) owoona za mankhwala, wopereka mankhwala kwa odwala yemwe adalembetsa mu kaundula pansi pa lamulo lotchedwa Pharmacy and Medicines Regulatory Authority Act (No. 9 la 2019); kapena Cap. 35:01

(f) akhozanso kukhala wogwira ntchito zaumoyo amene sanalembedwe mu kaundula wa ogwira ntchito zaumoyo mu malamulo atchulidwa pa kutanthauzira uku;

"HIV" - kachilombo kamene kamachepetsa chitetezo cha m'thupi la munthu kamene kamayambitsa matenda a Edzi;

"kukhala ndi HIV"- kupezeka kwa HIV m'thupi la munthu kopezeka poyeza magazi a munthu kapena chiwalo chilichonse cha munthu;

"kupereka uphungu kwa munthu amene akufuna kuyezetsa magazi asanayezedwe" –ndondomeko yomufotokozera munthu asanayezedwe zambiri zokhudza HIV ndi Edzi ndi kumupatsa uphungu woti umuthandize kumvetsetsa zokhudza kuyezetsa HIV ndi momwe azilandirire zotsatira;

"kupereka uphungu kwa munthu yemwe wayezetsa magazi" - ndondomeko yopereka uphungu kwa munthu amene wayezetsa magazi ndi cholinga chomuthandiza kuti moyo wake usakhale pa chiopsezo komanso kumukhazikitsa mtima pansi pa nthawi imene akulandira zotsatira kapena pamene walandira kale zotsatira zake;

"kuyeza HIV"- kugwiritsa ntchito njira iliyonse yotsimikizika ndi yovomerezeka ndi achipatala yoyezera kuti mudziwe ngati m'thupi kapena m'magazi kapena chiwalo china chilichonse cha munthu muli HIV;

"kuyezetsa polandira thandizo lina lachipatala" – kuyeza munthu HIV pa nthawi imene akulandira thandizo la chipatala pa zifukwa zina;

"VCT"- Kulandira uphungu komanso kuyezetsa HIV mwa kufuna kwako kapena mosachita kukakamizidwa;

"wachibale wapafupi" – amenewa ndi maubale monga, mwamuna kapena mkazi wamunthu, kholo, agogo, m'bale kapena mlongo, mwana, mdzukulu, azakhali, amalume, mphwake komanso mfumakazi ya munthu;

"zamthupi" – zinthu monga chiwalo kapena gawo lililonse la thupi la munthu, umuna, mkaka wa m'mawere ndi china chilichonse chotuluka m'thupi la munthu kupatulapo magazi chomwe chatengedwa pa thupi la munthu kapena gawo lililonse la thupi la munthu.

Gawo II – Za Udindo pa Kupewa HIV ndi Edzi

Udindo wa Nduna

3. Pankhani za HIV ndi Edzi, Nduna ili ndi udindo otere —

(a) kukhazikitsa ndi kuunika ndondomeko zadziko zokhudza HIV ndi Edzi;
(b) kutsogolera pantchito zonse zolimbana ndi HIV ndi Edzi;
(c) kukhazikitsa akafukufuku ndi njira zina zamakono pantchito zolimbana ndi HIV ndi Edzi;
(d) kuunika ndi kulondoloza ntchito zonse zolimbana ndi HIV ndi Edzi;
(e) kuyang'anira mmene ndondomeko zonse zokhudza HIV ndi Edzi zikuyendera m'magawo onse a dziko;
(f) kuyang'anira ntchito zonse komanso chuma cha NAC;
(g) kutsogolera ntchito zokhudza HIV ndi Edzi m'madera onse adziko; komanso
(h) kuonetsetsa kuti lamuloli likugwira ntchito moyenera.

Gawo III — Za Miyambo Yoipa

Kuletsa miyambo yoipa

4. — (1) Miyambo yonse yoipa imene yalembedwa mu kalozera woyamba ndi yoletsedwa.

(2) Munthu aliyense amene achita mwambo woipa akupalamula mlandu, ndipo akapezeka wolakwa ndi bwalo la milandu adzayenera kulipira chindapusa cha ndalama zokwana K5,000,000 komanso kukakhala kundende kwa zaka zisanu.

Kuchitira ena miyambo yoipa

5. Munthu aliyense amene achititsa ena, kapena kupereka chilolezo, kapenanso kulimbikitsa ena kuti achite miyambo yoipa akupalamula mlandu ndipo akapezeka wolakwa ndi bwalo la milandu adzayenera kulipira chindapusa cha ndalama zokwana K5,000,000 komanso kukakhala kundende kwa zaka zisanu.

GAWO IV — ZA KULETSA MCHITIDWE WA KUSALANA

Kuletsa kusalakaamba ka HIV ndi Edzi

6. — (1) Kusala munthu pa zifukwa zokhudzana ndi HIV kapena Edzi ndi koletsedwa.

(2) Aliyense opezeka akusala munthu motsutsana ndi ndime ino akupalamula mlandu ndipo akapezeka wolakwa ndi bwalo lamilandu adzayenera kulandira chilango chotere—

(a) ngati ndi munthu, kulipira chindapusa cha ndalama zokwana K5,000,000 komanso kukakhala kundende kwa zaka zisanu; kapena

(b) ngati ndi kampani, bungwe, kapena gulu loti likhoza kusumiridwa, kulipira chindapusa cha ndalama zokwana K10,000,000.

Ufulu ndi udindo wa anthu omwe ali ndi HIV kapena ali pa chiopsezo chotenga HIV

7. — (1) Mosatsutsana ndi ndime 26, komanso kuonjezera pa maufulu onse omwe alipo mwa lamulo lililonse lolembedwa, munthu yemwe ali ndi HIV kapena yemwe ali pa chiopsezo chotenga HIV ali ndi ufulu —

(a) wosungiridwa ulemu ngati munthu, wotetezedwa ndi kulemekezedwa ku thupi lake, wokhala ndi moyo komanso thanzi;

(b) wogwira ntchito yomwe akufuna kapena ya kumtima kwake;

(c) wolandira chipukuta misonzi pamene amuphwanyira ufulu wake; komanso

(d) wolandira mwaulere ku chipatala chaboma mankhwala othandiza kulimbana ndi HIV komanso matenda aliwonse obwera kamba kopezeka ndi HIV malingana ndi kalozera wachiwiri.

(2) Kuonjezera pa maudindo ena amene analembedwa m'malamulo osiyanasiyana, munthu amene ali ndi HIV ali ndi udindo womwa mankhwala amene akhoza kuwapeza monga mwa ndime (1) (d).

Ufulu wa anthu omwe akhudzidwa ndi HIV

8. — (1) Kuonjezera pa maufulu ena omwe analembedwa m'malamulo ena, wachibale kapena amene akukhudzidwa ndi munthu, kapena mnansi wa munthu yemwe ali ndi HIV kapena amene ali pa chiopsezo chotenga HIV ali ndi ufulu-

(a) wolemekezedwa ngati munthu, wotetezedwa ndi kulemekezedwa ku thupi lake, wokhala ndi moyo komanso thanzi;

(b) wolandira chipukuta misonzi pamene waphwanyiridwa ufulu wake;

(2) Aliyense amene aphwanya ufulu motsutsana ndi ndime iyi akupalamula mlandu, ndipo akapezeka wolakwa ndi bwalo la milandu, adzayenera-

(a) ngati ndi munthu, kulipira chindapusa cha ndalama zokwana K5,000,000 komanso kukakhala kundende kwa zaka zisanu; kapena

(b) ngati ndi kampani, bungwe, kapena gulu loti likhoza kusumiridwa, kulipira chindapusa cha ndalama zokwana K10,000,000.

Gawo V — Za Kubwera Poyera

Ufulu wosunga chinsinsi ndi kusungila wina chinsinsi

9. — (1) Munthu yemwe ali ndi HIV ali ndi ufulu wosunga chinsinsi cha momwe m'thupi mwake mulili.

(2) Ndi udindo wa wogwira ntchito za umoyo aliyense kusunga mosamalitsa chinsinsi cha munthu yemwe ali ndi HIV.

Ogwira ntchito zaumoyo kuulula chinsinsi cha ena chokhudza HIV

10. — (1) Wogwira ntchito zaumoyo asaulule za momwe m'thupi la munthu wina mulili zokhudza HIV, pokhapokha—

(a) ngati pali chilolezo cholembedwa ndi mwini wake kapena womuyang'anira, kapena mwamuna wake, kapena mkazi wake, kapena kholo lake;

(b) ngati uthengawo ukupita kwa wogwira ntchito zaumoyo wina amene akumuthandiza munthuyo pa nkhani za umoyo ndipo kuti akadziwa zoti munthuyo ali ndi HIV zithandizira kuti apereke thandizo loyenera kwa munthuyo;

(c) ngati uthengawo ukugwiritsidwa ntchito pa kafukufuku wokhudza za mliriwu, ndipo kuti uthengawu ukaperekedwa anthu sadziwa kuti ukukhudza munthuyo; kapena

(d) ngati bwalo la milandu lalamula kutero, pamene uthenga womwe uli mu buku lake lachipatala ukufunika ngati umboni pankhani yomwe ili ku bwalo la milandu.

(2) Wogwira ntchito za umoyo yemwe akupereka thandizo lachipatala, chisamaliro kapena thandizo lililonse la zaumoyo kwa munthu yemwe ali ndi HIV akhoza kumudziwitsa munthu yemwe ali pa ubwenzi wogonana ndi munthu yemwe ali ndi HIV —

(a) ngati pali zinthu izi—

(i) wogwira ntchito za umoyoyo akuona kuti pali chiopsezo choti munthu amene ali ndi HIV akhoza kumupatsira bwenzi lake HIV;

(ii) uphungu umene wakhala akupereka kwa munthu amene ali ndi HIV sunamuthandize kusintha khalidwe lake kuti achepetse chiopsezo chomupatsira bwenzi lake HIV;

(iii) munthu yemwe ali ndi HIV wakana kulidziwitsa yekha bwenzilo komanso wakana kupereka chilolezo choti bwenzi lo lidziwitsidwe za momwe iyeyu m'thupi mwake mulili;

(iv) wogwira ntchito zaumoyoyu wamudziwitsiratu munthu amene ali ndi HIV kuti akufuna kumudziwitsa bwenzi lake ndipo wamupatsa nthawi yokwanira asanabwere poyera;

(v) wogwira ntchito zaumoyoyu waona kuti palibe chiopsezo choti

uyu amene ali ndi HIV akhoza kugwa mu vuto loopsa bwenzi likadziwitsidwa;

(vi) munthu yemwe ali ndi HIV wamwalira, ali chikomokere, kapena pa zifukwa zina sangathe kupereka chilolezo choti bwenzi lake lidziwitsidwe; kapena

(vii) ndi zokayikitsa kuti munthu amene ali ndi HIV angathe kutsitsimuka, kapena kukwanitsa kupereka chilolezo; komanso

(b) ngati mukuona kwake kwa wogwira ntchito zaumoyoyu, pali kapena panali kuthekera kwakukulu kwa munthu amene ali ndi HIV kumupatsira bwenzi lake HIV.

Kuulula mmene munthu wina alili m'thupi mwake pa nkhani ya HIV mosatsata malamulo

11. Munthu aliyense yemwe aulula kwa anthu ena za mmene m'thupi mwa munthu wina mulili zokhudzana ndi HIV mosavomelezedwa ndi lamuloli, akupalamula mlandu, ndipo akapezeka wolakwa ndi bwalo la milandu, adzayenera—

(a) ngati ndi munthu, kulipira chindapusa cha ndalama zokwana K5,000,000 komanso

kukakhala kundende kwa zaka zisanu; kapena

(b) ngati ndi kampani, bungwe kapena gulu loti likhoza kusumiridwa, kulipira chindapusa

cha ndalama zokwana K10,000,000.

Gawo VI —— Za Zaumoyo Pakati Pa Anthu

Kufala kwa HIV ndi kuyeza HIV

12. — (1) Mulamuloli, njira zotsimikizika kuti ndi zomwe zimathandizira kufalitsa HIV ndi monga—

(a) kugonana;

(b) mayi kupatsira mwana pa nthawi imene mayiyo ali woyembekezera, pamene matenda ayamba, pamene akubereka kapena pamene akuyamwitsa;

(c) kulandira magazi amene ali ndi HIV;

(d) kulandira chiwalo cha munthu wina chomwe chili ndi HIV;

(e) pamene khungu loti lili ndi bala kapena khungu lofewa la m'kati mwathupi monga m'mphuno, m'kamwa, m'chikope, ndi zina lakhudzana ndi magazi, zinthu zopangidwa ndi magazi, kapena kagawo kathupi la munthu wina zomwe zili ndi HIV**;** komanso

(f) pamene khungu loti lili ndi bala kapena khungu lofewa la m'kati mwathupi monga m'mphuno, m'kamwa, m'chikope, ndi zina lakhudzana ndi zipangizo zonyowa zomwe zili ndi HIV.

(2) Njira zoyezera HIV ndi monga—

(a) kulandira uphungu ndi kuyezetsa mwa kufuna kwako kapena mosachita kukakamizidwa;
(b) kugwiritsa ntchito njira iliyonse yotsimikizika ndi yovomerezeka ndi achipatala yoyezera kuti mudziwe ngati m'thupi kapena m'magazi kapena chiwalo china chilichonse cha munthu muli HIV
(c) kuyeza munthu amene akuonetsa zizindikiro za HIV ndi cholinga choti achipatala atsimikize ngatidi ali ndi HIV;
(d) kuyeza munthu mokakamiza; komanso
(e) njira zina zomwe Nduna ingavomereze.

Msinkhu wovomerezeka kulandira uphungu wokhudza za HIV komanso kuyezetsa HIV popanda chilolezo kuchokera kwa makolo kapena alezi

13. (1) Munthu yemwe anakwanitsa zaka khumi ndi zitatu (13) zakubadwa akhoza payekha kupita kukalandira uphungu komanso kuyezetsa HIV popanda chilolezo kuchokera kwa makolo kapena omwe amamuyang'anira kapena amamulera;

(2) Pamene munthu amene sanakwanitse zaka khumi ndi zitatu (13) zakubadwa ndipo alibe kholo kapena munthu amene amamuyang'anira kapena amamulera, abwera kufuna kulandira uphungu ndi kuyezetsa HIV, wogwira ntchito zaumoyo amene wafikiridwayo adziwitse wogwira ntchito zosamalira anthu kuti akapemphe ku bwalo la milandu kuti limupezere munthu womuimirira ngati kholo.

Kuvomereza kuyezetsa HIV

14. Munthu asayeze munthu wina magazi kuti awone ngati ali ndi HIV pokhapokha atatsatira izi—
(a) woyezedwayo akhale kuti akuzindikira chimene chikuchitika ndipo wavomereza kuti ayezedwe;
(b) ngati munthu yemwe akufuna kuyezetsayo ndi wochepera zaka khumi ndi zitatu (13) zakubadwa, makolo ake kapena omwe amamumuyang'anira (amamulera) avomereze mwa kufuna kwawo; kapena
(c) ngati munthu yemwe akufuna kuyezetsayo ali ndi ulumali umene, mukuona kwake kwa

wogwira ntchito zaumoyo amene akumuthandiza munthuyu, ndi womuchititsa munthuyu kuti asathe kumvetsetsa kuti kuyezetsa kukutanthauza chiyani komanso kuti zotsatira za kuyezetsa zikhoza kukhala chiyani, achibale otsatirawa apereke chilolezo mwa kufuna kwawo kapena mosachita kukakamizidwa ndipo popempha chilolezopo atsatire mndandanda wotsatirawu-

(i) mwamuna kapena mkazi wake;
(ii) munthu amene amamulera;
(iii) wachibale chapafupi; kapena

(d) pamene munthu akuyenera kuyezetsa motsatira ndondomeko zomwe zalembedwa mu lamuloli kapena lamulo lina lililonse lolembedwa.

Kuyeza za m'thupi la munthu zomwe ziperekedwe kwa odwala

15. — (1) Munthu yemwe akufuna kupereka chiwalo chake kapena gawo lililonse la thupi lake ayenera kuyezetsa kaye pa nthawi imene akuperekayo asanapereke.

(2) Wogwira ntchito zaumoyo asalandire chiwalo chilichonse kapena gawo lililonse la thupi la munthu, pokhapokhapokha munthu woperekayo atayezetsa ndi kupezeka kuti alibe HIV.

(3) Posawerengera ndondomeko za mu (1) ndi (2) amene akulandira chiwalo choperekedwacho kapena wachibale wake wa munthuyu ali ndi ufulu kunena kuti chiwalocho chiyezedwenso.

Kuyeza magazi omwe ena apereka

16. — (1) Wogwira ntchito zaumoyo akuyenera kuyeza mwachangu pasanapite nthawi chiperekereni, magazi onse omwe aperekedwa kuti aone, mwa zina, ngati mulibe HIV.

(2) Magazi alionse omwe ayezedwa motsatira gawo (1) ndipo apezeka kuti ali ndi HIV atayidwe motsatira ndondomeko zovomerezeka zotayira zinthu za kuchipatala.

Umboni woti pali chilolezo chomuyeza munthu

17. Zidzatengedwa kuti chilolezo choti munthu ayezedwe HIV chaperekedwa ngati—

(a) munthu wadzipereka kupereka chiwalo chake kapena gawo lililonse la thupi lake;

(b) munthu wadzipereka kupereka magazi; kapena

(c) ndi koyenera kuti wachipatala amene akumuthandiza munthuyo amuyeze ngati ali ndi HIV kuti athe kumupatsa thandizo loyenera, ndipo kuti—

(i) munthuyo ali chikomokere ndipo sangathe kupereka chilolezo kapena kuvomereza; kapena

(ii) wachipatalayo akukhulupirira ndithu kuti kumuyeza munthuyo HIV ndi kofunikira kwa munthuyo kuti athandizidwe moyenera.

Kuletsa mchitidwe woyeza munthu mokakamiza

18. — (1) Kuyeza HIV mokakamiza ndi koletsedwa.

(2) Posawerengera (1), kuyeza munthu mokakamiza ndi kololedwa ngati bwalo la milandu lagamula kutero kwa munthu yemwe wapezeka wolakwa ndi bwalo la milandu pa mlandu okhudza kugonana.

(3) Munthu amene achita zotsutsana ndi zomwe zalembedwa mu gawo (1) akupalamula mlandu ndipo akapezeka wolakwa ndi bwalo la milandu, adzayenera—

(a) ngati ndi munthu, kulipira chindapusa cha ndalama zokwana K5,000,000 komanso kukakhala kundende kwa zaka zisanu; kapena

(*b*) ngati ndi bungwe kapena kampani kapena gulu loti likhoza kusumiridwa, kulipira chindapusa cha ndalama zokwana K10,000,000.

(4) Kuonjezera pa chindapusa chomwe chatchulidwa mu ndime (3), akapezeka wolakwa, bwalo la milandu likhozanso kulamula kuti —

(*a*) ngati ndi kampani, ilandidwe chilolezo kapena chiphaso chochitira malonda; kapena
(*b*) ngati ndi munthu, alandidwe chiphaso chogwirira ntchito yake.

woperekedwa kwa munthu amene akufuna kuyezetsa HIV asanayezedwe komanso pamene wayezedwa

19. — (1) Wogwira ntchito zaumoyo amene akuyeza munthu wina aliyense HIV akuyenera kupereka uphungu mwaulere kwa munthuyo asanamuyeze komanso atatha kumuyeza.

(2) Posawerengera (1), amene akuyeza HIV munthu amene akupereka magazi oti aperekedwe kwa odwala sakukakamizidwa kupereka uphungu kwa munthuyo.

Udindo wa ogwira ntchito zaumoyo kufotokoza za kagwilidwe ka ntchito yokhudza za HIV

20. Wogwira ntchito zaumoyo amene amayeza anthu HIV ali ndi udindo wopereka malipoti mwezi ndi mwezi kwa mkulu woona zaumoyo paboma za chiwerengero cha anthu amene ayezetsa komanso amene apezeka ndi HIV, kuti zikathandizile podziwa chiwerengero cha anthu okhudziwa komanso kudziwa zambiri za mliriwu.

Kuletsa kusalam'zipatala

21. — (1) Munthu aliyense asakanizidwe kulandira thandizo la chipatala komanso asalipitsidwe ndalama zochuluka kuposa mmene ena amalipirira pa thandizo lililonse limene iye akufuna pa chipatala pa chifukwa choti ali ndi HIV kapena akuganiziridwa kuti akhoza kukhala ndi HIV.

(2) Munthu aliyense yemwe achita motsustsana ndi (1) akupalamula mlandu ndipo atapezeka wolakwa ndi bwalo la milandu, adzayenera—

(*a*) ngati ndi munthu, kupereka chindapusa cha ndalama zokwana K5,000,000 komanso kukakhala kundende kwa zaka zisanu; kapena

(*b*) ngati ndi kampani, bungwe kapena gulu loti likhoza kusumiridwa, kulipira chindapusa cha ndalama zokwana K10,000,000.

(3) Kuonjezera pa chindapusa chomwe chatchulidwa mu (2), bwalo la milandu likhozanso kulamula kuti —

(a) ngati ndi munthu alandidwe chiphaso chogwirira ntchito yake; kapena

(b) ngati ndi kampani, ilandidwe chilolezo kapena chiphaso chochitira malonda.

Gawo VII — Za Uthenga

Kupeza uthenga wa HIV ndi Edzi

22. — (1) Munthu aliyense ali ndi ufulu wopeza uthenga uliwonse wokhudza HIV kapena omwe boma kapena nthambi iliyonse yaboma ili nawo, ngati uthengawu ukufunikira kuti akwaniritse ma ufulu omwe iye ali nawo.

(2) Munthu amene ali mdindo woyang'anira uthenga wokhudza HIV ndi Edzi ali ndi udindo woonetsetsa kuti uthenga ukupemphedwawo ndi woyenerana ndi ufulu umene wopempha uthengawo akufuna kukwaniritsa.

Amene ali ndi ulamuliro pa nkhani zofalitsa uthenga wa HIV ndi Edzi

23. Kuonjezera pa mphamvu zomwe NAC yapatsidwa ndi lamuloli, NAC ilinso ndi mphamvu zokonza, kutsogolera komanso kufalitsa uthenga wokhudzana ndi HIV ndi Edzi.

Amene ali ndi mphamvu zovomereza uthenga woti ufalitsidwe

24. — (1) NAC idzayenera kuvomereza kaye uthenga uliwonse wokhudza HIV ndi Edzi, usanafalitsidwe kwa anthu.

(2) Munthu aliyense yemwe walemba kapena wakonza uthenga uliwonse wokhudza HIV ndi Edzi, adzayenera kuupititsa kaye ku NAC kuti akawuunike ndi kutsimikizadi ngati ndi wolondola usanafalitsidwe kwa anthu.

(3) NAC ili ndi udindo woonetsetsa kuti uthenga uliwonse wokhudza HIV ndi Edzi ndi wolondola komanso kuti wavomerezedwa ndi bungweli.

Kufalitsa uthenga wosocheretsa anthu

25. Munthu aliyense amene alengeza, anena, asindikiza uthenga wosocheretsa, wabodza kapena wosalondola wokhudza HIV ndi Edzi kwa munthu kapena ku mtundu wa anthu akupalamula mlandu ndipo akapezeka wolakwa ndi bwalo la milandu, adzayenera—

(*a*) ngati ndi munthu, kulipira chindapusa cha ndalama zokwana K5,000,000 komanso kukakhala kundende kwa zaka zisanu; kapena

(*c*) ngati ndi bungwe kapena kampani kapena gulu loti likhoza kusumiridwa, kulipira chindapusa cha ndalama zokwana K10,000,000.

Mulandu wu udzakula ngati uthenga wosocheretsawo kapena wosalondolawo sunavomerezedwe ndi NAC.

Gawo VIII — Za Ntchito

Kuletsa mchitidwe woyeza munthu HIV asanalembedwe ntchito

26. Wolemba anthu ntchito asauze munthu aliyense kuti akayezetse kaye HIV ngati chomuyenereza kulembedwa ntchito.

Kuletsa mchitidwe wochotsa munthu ntchito pa zifukwa zokhudzana ndi HIV ndi Edzi

27. — (1) Wolemba anthu ntchito asachotse munthu aliyense ntchito pa chifukwa chokhacho choti wogwira ntchitoyo ali ndi HIV kapena akumuganizira kuti akhoza kukhala ndi HIV: Koma pamene wogwira ntchitoyo akulephera kugwira ntchito yake moyenera kaamba koti akudwala, malamulo okhudza kagwiridwe ka ntchito adzatsatidwa.

(2) Munthu aliyense yemwe achita motsutsana ndi ndimeyi akupalamula mlandu ndipo atapezeka wolakwa ndi bwalo la milandu, adzayenera—

(a) ngati ndi munthu, kulipira chindapusa cha ndalama zokwana K5,000,000 komanso kukakhala kundende kwa zaka zisanu; kapena

(b) ngati ndi kampani, bungwe kapena gulu loti likhoza kusumiridwa, kulipira chindapusa cha ndalama zokwana K10,000,000.

Kuletsa kusala

28. — (1) Wogwira ntchito sadzasalidwa kapena kuponderezedwa mwa njira ina iliyonse pa chifukwa chokhacho choti ali ndi HIV kapena akuoneka ngati ali ndi HIV.

(2) Olemba anthu ntchito mogwirizana ndi ogwira ntchito adzakhazikitsa njira zomwe zingamuthandize wogwira ntchito amene akudwala matenda obwera kaamba ka HIV kuti azigwirabe ntchito bola ngati kuteroko sikumuyika wolemba ntchitoyu pa chipsinjo.

(3) Munthu aliyense wochita motsutsana ndi ndimeyi akupalamula mlandu ndipo atapezeka wolakwa ndi bwalo la milandu adzayenera—

a) ngati ndi munthu, kulipira chindapusa cha ndalama zokwana K5,000,000 komanso kukakhala kundende kwa zaka zisanu; kapena

(*b*) ngati ndi kampani, bungwe kapena gulu loti likhoza kusumiridwa, kulipira chindapusa cha ndalama zokwana K10,000,000.

Kutuma ena kuti ayeze anthu ofuna kulembedwa ntchito ngati ali ndi HIV asanalembedwe ntchito

29. Munthu yemwe walemba ena ntchito yoti ayeze anthu HIV ngati chowayenereza oyezedwawo kulembedwa ntchito, kulandira maphunziro a ntchito, kukwezedwa pa udindo, kuchotsedwa ntchito kapena china chilichonse chokhudzana ndi kukhala pantchito akupalamula mlandu ndipo atapezeka wolakwa ndi bwalo la milandu, adzayenera—

(a) ngati ndi munthu, kupereka chindapusa cha ndalama zokwana K2, 500,000 komanso kukakhala kundende kwa zaka zitatu; kapena

(b) ngati ndi kampani, bungwe kapena gulu loti likhoza kusumiridwa, kupereka chindapusa cha ndalama zokwana K5,000,000.

Kuthandizira kapena kuvomeleza mchitidwe woyeza anthu HIV asanalembedwe ntchito

30. Munthu aliyense amene athandizira munthu wina pa mchitidwe woyeza anthu ku HIV ngati chowayenereza oyezedwawo kulembedwa ntchito, kulandira maphunziro a ntchito, kukwezedwa pa udindo, kuchotsedwa ntchito kapena china chilichonse chokhudzana ndi kukhala

pantchito akupalamula mlandu ndipo atapezeka wolakwa ndi bwalo la milandu, adzayenera—

(a) ngati ndi munthu kulipira chindapusa cha ndalama zokwana K5,000,000 komanso kukakhala kundende kwa zaka zisanu; kapena

(b) ngati ndi kampani, bungwe kapena gulu loti likhoza kusumiridwa, kupereka chindapusa cha ndalama zokwana K10,000,000.

Udindo wa olemba ntchito kuchepetsa chiopsyezo pa malo antchito

31. — (1) Pamene munthu walembedwa ntchito kapena akuyenera kutumikira pamalo pamene pali chiopsezo choti akhoza kufalitsa kapena kutenga HIV, womulemba ntchito akuyenera kupereka maphunziro oyenera, zipangizo zodzitetezera komanso ndondomeko zolondola ndi zomveka bwino za momwe angadzitetezere kuti achepetse chiopsezo chotenga HIV.

(2) Ngati wogwira ntchito akuoneka kuti akhoza kukhala kuti watenga HIV mwangozi panthawi yomwe amagwira ntchito, womulemba ntchito akuyenera kumuthandiza kuti apeze thandizo la mankhwala omuteteza pasanathe maola 72 kuti kachilomboka kasakhale m'thupi mwake, komanso kuti alandire uphungu mwaulere monga mwa lamulo.

Ndondomeko ya pa malo antchito

32. — (1) Boma lidzaonetsetsa kuti olemba anthu ntchito akhazikitsa ndipo akutsatira ndondomeko zokhudza HIV ndi Edzi pamalo a ntchito.

(2) Ndondomeko zokhudza HIV ndi Edzi pamalo antchito zidzakonzedwa mogwirizana ndi ndondomeko zomwe Nduna inakhazikitsa.

Chipukuta misonzi

33. — (1) Wogwira ntchito amene watenga HIV pogwira ntchito yake ali ndi ufulu wopempha chipukuta misonzi molingana ndi lamulo lopereka chipukuta misonzi kwa ogwira ntchito.

(2) Wogwira ntchito amene watenga HIV pogwira ntchito yake adzayenera kulandira chipukuta misonzi chochulukirapo ngati angathe kuonetsa kuti iye watenga HIV kaamba koti womulemba ntchito sanatsatire ndondomeko zomwe zalembedwa mu ndime 31 kapena kuti wolemba ntchitoyo amanyalanyaza.

Gawo IX — Za Maphunziro

Kuletsa kuyeza HIV kuti munthu apeze mwayi wamaphunziro

34. — (1) Munthu sakuyenera kukayezetsa kaye HIV ngati chinthu chomuyenereza kuti—

(a) apeze mwayi wa maphunziro;

(b) alandire thandizo la ndalama zolipirira maphunziro; kapena

(c) apitirizebe kukhala wophunzira pa sukulu kapena malo alionse a maphunziro.

(2) Aliyense wochita motsutsana ndi ndimeyi akupalamula mlandu ndipo atapezeka wolakwa ndi bwalo la milandu adzayenera—

(a) ngati ndi munthu, kulipira chindapusa cha ndalama zokwana K5,000,000 komanso kukakhala kundende kwa zaka zisanu; kapena
(b) ngati ndi kampani, bungwe kapena gulu loti likhoza kusumiridwa, kulipira chindapusa cha ndalama zokwana K10,000,000.

Kuletsa kusalapa malo a zamaphunziro

35. — (1) Sukulu kapena malo alionse osulira anthu pa luso losiyanasiyana sakuyenera kuchita zotsatirazi kwa munthu aliyense pa chifukwa chokhacho choti munthuyo ali ndi HIV kapena akumuganizira kuti ali ndi HIV, —
(a) kukana kumulemba munthuyo kuti ayambe maphunziro;
(b) kumuchotsa sukulu;
(c) kumusala;
(d) kumuletsa kutenga nawo gawo pa zochitika zosiyanasiyana; kapena
(e) kumumana mwayi wopindula nawo pazinthu zina komanso wolandira thandizo losiyanasiyana.

(2) Aliyense wochita motsutsana ndi (1) akupalamula mlandu ndipo atapezeka wolakwa ndi bwalo la milandu adzayenera—

(a) ngati ndi munthu, kulipira chindapusa cha ndalama zokwana K5,000,000 komanso kukakhala kundende kwa zaka zisanu; kapena
(b) ngati ndi kampani, bungwe kapena gulu loti likhoza kusumiridwa kulipira chindapusa cha ndalama zokwana K10,000,000.

(3) Posatengera chindapusa chomwe chatchulidwa mu ndimeyi, bwalo la milandu likhozanso kugamula kuti —

(a) ngati ndi munthu alandidwe chiphaso chogwirira ntchito; kapena
(b) ngati sukuluyo si yaboma, ilandidwe chiphaso

Maphunziro okhudza HIV ndi Edzi mu ndondomeko za maphunziro m'sukulu

36. — (1) Nduna mogwirizana ndi Nduna ya maphunziro, NAC, ndi akuluakulu ena okhudzidwa, adzaonetsetsa kuti maphunziro okhudzana ndi HIV aikidwa mu ndondomeko za maphunziro m'sukulu ndi malo ena onse a maphunziro pa mlingo uliwonse wa maphunziro.

(2) Molingana ndi (1), Nduna idzaonetsetsa kuti maphunziro onse okhudza HIV ndi Edzi amene akonzedwa ndi kuikidwa mu ndondomeko za maphunziro m'sukulu ali ndi zotsatirazi —

(a) ndi oyenerera ndi ogwirizana ndi mlingo wa maphunziro wa omwe akufuna aphunzitsidwewo potengera izi -
(i) zaka za ophunzira;
(ii) kukhwima m'maganizo kwa ophunzira;
(iii) cholinga chomwe maphunzirowo akuyenera kukwaniritsa;

(b) mulibe chilichonse cholimbikitsa kusala anthu omwe ali ndi HIV;

(c) zomwe zalembedwa ndi zolondola ndi zovomerezeka ndi asayansi komanso zoyenerera;

(d) zolembedwa zonse zalembedwa mu ziyankhulo zikuluzikulu zomwe zingathe kufikira anthu onse poganizira ulumali wa anthu komanso madera omwe anthu amakhala.

Kuphunzitsa aphunzitsi za HIVndi Edzi

37. Nduna idzaonetsetsa kuti aphunzitsi aphunzitsidwa zokhudza HIV ndi Edzi asanayambe kuphunzitsa phunziro lililonse lokhudzana ndi HIV ndi Edzi.

Kufalitsa uthenga okhudza HIVndi Edzi m'malo omwe si a zamaphunziro

38. Nduna idzaonetsetsa kuti uthenga wovomerezeka wokhudza kufala kwa HIV komanso njira zopewera HIV ukuwafikira anthu pogwiritsa ntchito njira zosiyanasiyana zimene anthu amagwiritsa ntchito pophunzitsana zinthu zosiyanasiyana m'madera awo.

Gawo X — Za Kuteteza Kufalitsa HIV

Munthu amene ali ndi HIV kapena Edzi alandire uphungu.

39. Munthu yemwe wapezeka ndi HIV adzayenera kuchita izi—

(a) kulandira uphungu kuchokera kwa wogwira ntchito zaumoyo; komanso

(b) kutsatira ndondomeko zonse zodzitetezera zomwe achipatala apereka.

Gawo XI — Za Bungwe la National AIDS Commission

Kukhazikitsa National AIDS Commission kapena kuti NAC

40. — (1) Pakhazikitsidwa bungwe lotchedwa National AIDS Commission (mu lamuloli likutchulidwa kuti "NAC").

(2) NAC izigwira ntchito zake molingana ndi mphamvu zomwe linapatsidwa, moima palokha opanda kulowerera kulikonse kuchokera kwa munthu kapena mdindo aliyense.

Ntchito za NAC

41. NAC idzachita izi, pogwira ntchito zolimbana ndi HIV ndi Edzi, —

(a) kukhazikitsa, kutsogolera komanso kuyendetsa ntchito zonse zolimbana ndi HIV ndi Edzi;

(b) kuyendetsa ndondomeko zonse zaboma zomwe zilipo zokhudza HIV ndi Edzi;

(c) kuthandiza boma ndi upangiri pamene likukhazikitsa komanso kuunika ndondomeko zoyendetsera ntchito zolimbana ndi HIV ndi Edzi;

(d) kukhazikitsa ndi kumaunikanso pafupipafupi ndondomeko zosungira uthenga komanso kukhazikitsa njira zabwino zofalitsira komanso kugwiritsa ntchito uthengawo;

(e) mogwirizana ndi Mlembi ku unduna woona za HIV ndi Edzi, NAC iziunika komanso kuchita kalondolondo pa za mmene ntchito zonse zokhudza HIV ndi Edzi zikuyendera;

(f) kusonkhanitsa komanso kugwiritsa ntchito moyenera chuma kuti chithe kufikira madera onse oyenera pa ntchito yolimbana ndi HIV ndi Edzi;

(g) kuonetsetsa kuti chuma ndi zipangizo zina zikugawidwa ndi kugwiritsidwa ntchito moyenera pa ntchito yolimbana ndi HIV ndi Edzi;

(h) kulimbikitsa ndi kuvomereza kafukufuku, kugawa mauthenga komanso kusunga mauthenga mwadongosolo;

(i) kugwira ntchito ndi maunduna komanso nthambi zonse zaboma pa ntchito yolimbana ndi HIV ndi Edzi ndi kuonetsetsa kuti mbali zonsezi zikutha kupeza uthenga mosavuta;

(j) kulimbikitsa atsogoleri monga andale, amabungwe ndi mafumu kuti atengepo gawo lalikulu pa ntchito yolimbana ndi HIV ndi Edzi;

(k) kuvomereza uthenga umene munthu aliyense wakonza kuti ndi wolondola usanafalitsidwe kwa anthu;

(l) kukhazikitsa ndondomeko zonse zofalitsira mauthenga onse omwe ndi okhudza ntchito za NAC;

(m) kupereka upangiri, kuthandiza kupititsa patsogolo komanso kulimbikitsa magulu onse amene akuthandiza pa ntchito yolimbana ndi HIV ndi Edzi;

(n) kupereka malipoti kwa Nduna pa momwe ntchito yolimbana ndi HIV ndi Edzi ikuyendera; komanso

(o) kukhazikitsa ndondomeko zotsatidwa pogwira ntchito za Mkulu wa NAC ndi onse ogwira ntchito ku NAC.

Mphamvu za NAC

42. NAC idzakhala ndi mphamvu izi—

(a) kuthandiza ndi chuma, kulimbikitsa kapenanso kukonza misonkhano, maphunziro ndi zokambirana zomwe zikukhudzana ndi ntchito ya NAC kapena zofuna kupititsa patsogolo ntchito ndi zolinga za NAC;

(b) kulandira thandizo la ndalama, zipangizo, upangiri ndi kuzigawa ku madera amene zikagwire ntchito ndi cholinga chopititsa patsogolo ntchito za NAC komanso kuonetsetsa kuti thandizoli lagwiritsidwa ntchito moyenera;

(c) kupeza anthu amene ali maphunziro oyenera komanso odziwa ntchito yawo kuti azipereka upangiri monga mwa ukadaulo wawo ku NAC;

(d) kukhazikitsa ndondomeko za momwe NAC izigwirira ntchito ndi akadaulo popereka upangiri pa machitidwe a ntchito zake;

(e) kukhazikitsa makomiti pamene NAC yaona kuti ndi kofunika kutero kuti lithe kukwaniritsa ntchito zake ndi kupatsa makomitiwo zina mwa ntchito zake koma mosasokoneza mphamvu zomwe NAC ili nazo;

(f) kusankha munthu aliyense kuti adzakhale nawo pa mkumano wa NAC malingana ndi ukadaulo kapena luso limene munthuyo ali nalo koma

munthuyo sadzavota nawo pamene NAC ikufuna kumanga mfundo;

(g) kupempha uthenga uliwonse wokhudzana ndi HIV ndi Edzi womwe si wachinsinsi kuchokera kwa munthu aliyense kapena kumalo ena alionse monga mwa ntchito ya NAC yoongolera ntchito zolimbana ndi HIV ndi Edzi; komanso

(h) kuchita zonse zoyenera ndi zothandiza pokwaniritsa lamuloli.

43. — (1) NAC idzakhala ndi makomishonala osaposera asanu ndi awiri (7) ndipo adzasankhidwa motere— Adindo a NAC

(a) makomishonala osankhidwa ndi Nduna, omwe mmodzi wa iwo adzakhala—

(i) amene adaphunzira bwino za udotolo kapena maphunziro a sayansi m'dera lililonse logwirizana ndi kusamalira anthu;

(ii) membala wa bungwe lomwe si laboma lomwe limaimira anthu amene ali ndi HIV;

(iii) amene adaphunzira bwino za kawerengetsedwe ka chuma ndipo kuti amagwira ntchito yowerengetsera chuma;

(iv) woimira makampani omwe si aboma;

(b) makomishonala osankhidwa potengera udindo umene ali nawo m'boma—

(i) mlembi ku unduna oona za HIV ndi Edzi;

(ii) mlembi ku unduna oona kuti pasamakhale kusiyana pakati pa akazi ndi amuna komanso chitukuko cha m'madera; ndi

(iii) mlembi ku unduna oona za maboma aang'ono.

(2) Nduna idzalengeza mu nyuzipepala zimene zimasindikizidwa tsiku ndi tsiku zosachepera ziwiri zomwe ndi zofala m'Malawi muno kuti ipeze mayina a anthu oti asankhidwe kukhala makomishonala a NAC.

(3) Komishonala osankhidwa chifukwa cha udindo umene ali nawo m'boma komanso aliyense wogwira ntchito m'boma asasankhidwe kukhala Wapampando wa NAC komabe ali ndi ufulu wovota nawo pa nkhani iliyonse imene akukambirana pa mkumano wa NAC.

(4) Makomishonala amene alibe udindo m'boma sadzatengedwa ngati ogwira ntchito m'boma pa chifukwa choti asankhidwa kukhala makomishonala.

(5) Mayina a makomishonala onse amene asankhidwa pachiyambi komanso onse osankhidwa pakakhala kusintha kulikonse azilembedwa mu nyuzipepala ya boma yosindikizamo malamulo ndi ndondomeko za boma (Gazeti).

Nthawi yokhalira paudindo mu NAC

44. — (1) Makomishonala, kupatulapo amene anasankhidwa kaamba ka udindo wawo m'boma, azikhala pa udindowu kwa zaka zitatu kuyambira tsiku lomwe anawasankha ndipo zikatha zaka zitatuzi akhoza kusankhidwanso kuti akhale pa udindowu kwa zaka zina zitatu.

(2) Posankhanso makomishonala pakutha pa zaka zitatu Nduna ionetsetse kuti asachotse makomishonala onse akale koma kuti ena mwa makomishonala akalewo osachepera theka asankhidwenso kukhala makomishonala kwa zaka zina zitatu kuti ntchito za NAC zipitirire popanda vuto lililonse.

(3) Padzakhala danga losankha komishonala wina kulowa m'malo mwa komishonala wina, amene—

(a) wamwalira;
(b) bwalo la milandu lamugamula kuti wasauka;
(c) bwalo la milandu lamugamula kukakhala kundende chifukwa chophwanya lamulo lililonse lolembedwa;
(d) sanapezeke nawo pa mkumano wa makomishonala kokwanira katatu popanda chilolezo kuchokera ku NAC ngakhale kuti anauzidwa za kukumanaku;
(e) sangathenso kugwira ntchito yake chifukwa cha ulumali wa kuthupi kapena ubongo; kapena
(f) watula pansi udindo wake molingana ndi gawo (4).

(4) Komishonala amene anasankhidwa akhoza kutula pansi udindo wake nthawi ina iliyonse koma alembere kalata Nduna kuidziwitsa mwezi umodzi asanatule pansi udindowu.

(5) Ngati komishonala wina wachoka, Nduna idzasankha munthu wina kukhala komishonala m'malo mwa wochokayo.

(6) Munthu amene wasankhidwa ngati komishonala kulowa m'malo mwa wina adzagwira ntchito yake kumalizitsa nthawi yomwe inatsalako, koma ngati nthawi yokhalira pa udindo makomishonala yatsala yochepera miyezi isanu ndi umodzi (6) sipadzasankhidwa komishonala kulowa m'malo mwa wina.

Wapampando

45. — (1) Padzakhala Wapampando wa NAC amene adzasankhidwa ndi NAC kuchokera pakati pa makomishonala pa mkumano woyamba wa NAC.

(2) Kupatulapo pa zifukwa zina monga mwa gawo (3), Wapampando adzakhala pa udindowu kufikira nthawi yake yokhala komishonala itatha.

(3) Wapampando akhoza kuchotsedwa pa udindo wa Wapampando ndi NAC makomishonala ena onse atakambirana ndi kugwirizana kutero ngati Wapampandoyo akuchita zosayenera, sakukwanitsa ntchito yake kapena pa chifukwa chilichonse chomveka bwino.

Makomiti

46. — (1) Pofuna kuti lamuloli ligwire ntchito yake moyenerera, NAC ikhoza kukhazikitsa makomiti amene ingaone kuti ndi oyenera kuti agwire ntchito zina zimene bungweli lingakhazikitse ndipo azigwira ntchitozo motsatira utsogoleri wa bungweli.

(2) NAC idzasankha mmodzi wa makomishonala kuti akhale wapampando wa komiti iliyonse imene yakhazikitsidwa.

(3) Pochita mikumano yawo, makomitiwa azidzatsatira ndondomeko zimene zaikidwa mu lamuloli zotsatidwa pochita mkumano wa makomishonala, komabe akhoza kusintha mwina ndi mwina ngati pali poyenera kutero.

Ena omwe NAC ingasankhe kugwira nawo ntchito

47. NAC pa nthawi ina iliyonse pamene yaona kuti ndi kofunika kutero, ikhoza kusankha munthu wina aliyense kuti akhale nawo pa zokambirana zawo, potengera nzeru zapadera komanso luso limene munthuyo ali nazo koma munthuyo sadzavota nawo pamene NAC ikufuna kumanga mfundo pa nkhani iliyonse imene bungweli likukambirana.

Mikumano

48. — (1) NAC ikuyenera kumakumana nthawi ina iliyonse pamene pali kufunikira kutero koma pasathe miyezi itatu asanakumane.

(2) Mikumano ya NAC izichitika pa nthawi ndi malo amene bungweli lingakonze.

(3) Wapampando adzaitanitsa mkumano wa NAC powadziwitsa makomishonala onse kudzera m'makalata patatsala masiku osachepera khumi ndi anayi (14) tsiku la mkumanowu lisanafike.

(4) Wapampando akhoza kuitanitsa mkumano wapadera, kapena, pamene makomishonala oposa anayi amulembera kumupempha kuti atero, adzayenera kuitanitsa mkumano wapadera wa makomishonala umene udzachitike pasanathe masiku asanu ndi awiri (7) kuchokera pamene walandira pempho lochokera kwa makomishonala ndipo mkumanowo udzachitika pa nthawi ndi malo amene Wapampandoyu adzasankhe.

(5) Mkumano uliwonse wa NAC ukhoza kutheka ngati akumana makomishonala kapena mamembala a komiti oposa theka la chiwerengero chawo.

(6) Ngati Wapampando wa NAC walephera kufika pa mkumano ndipo makomishonala akumana oposa theka, makomishonalawa asankhe mmodzi wa iwo kuti atsogolere zokambirana zonse ndipo panthawi imene akutsogolerayo, komishonala wosankhidwayo adzakhala ndi mphamvu zonse ndi kuyendetsa zonse ngati Wapampando wa NAC.

(7) NAC idzakhazikitsa ndi kutsatira ndondomeko zoyenera molingana ndi lamuloli.

(8) NAC komanso komiti iliyonse yokhazikitsidwa ndi bungweli idzalemba ndi kusunga bwino zonse zimene akambirana pa mkumano uliwonse.

Kubwera poyera ngati ukukhudzidwa ndi zimene zikukambidwa

49. Ngati komishonala kapena aliyense wogwira ntchito ku NAC ali ndi kontirakiti ndi bungweli kapena adalembera kupempha kontirakiti kapena ali ndi mgwirizano uliwonse wokhudza ndalama umene adalowamo kapena akufuna atalowamo ndi NAC ndipo alipo pa mkumano umene akukambirana za izi, akuyenera, mkumano ukangoyamba, kudziwitsa bungweli za izi, ndipo asatenge nawo gawo popanga chiganizo chokhudza nkhaniyi, pa zokambiranazo kapena kuvota nawo pa mfundo iliyonse yokhudza nkhaniyi.

Malipiro

50. Makomishonala azilipidwa malipiro a ukomishonala komanso ma alawansi pamene iwo akugwira ntchito yawo amene izikhazikitsa ndi Nduna ya zachuma.

Kupereka malipoti

51. NAC izipereka malipoti kwa Nduna okhudza zonse zomwe bungweli likuchita.

Mkulu wa NAC

52. — (1) Padzakhala ofesi ya Mkulu wa NAC yomwe idzakhala ofesi ya munthu wogwira ntchito m'boma.

(2) Mkulu wa NAC adzasankhidwa ndi bungweli, potsatira kuvomerezedwa ndi bungweli kuti ali ndi zomuyenereza, motsatira ndondomeko zogwirira ntchito yake zomwe NAC idzakhazikitsa.

(3) Wosankhidwa pa udindowu adzakhala munthu amene adagwirapo ntchito ndipo waonetsa kuthekera kapena ukadaulo pogwira ntchito yake kapena amachita zinthu zomwe ndi zokhudzana ndi kulimbana ndi HIV ndi Edzi.

(4) Mkulu wa NAC adzakhala pampandowu kwa zaka zitatu, ndipo zikatha zaka zitatuzi akhoza kuonjezera zaka zina ngati atagwira bwino ntchito yake.

Ndondomeko yosankhira mkulu wa NAC

Udindo wa Mkulu wa NAC

Kuchotsa paudindo mkulu wa NAC

Ogwira ntchito ku NAC

53. — (1) Wapampando adzasainira ndi kulengeza uthenga womema anthu kuti afunsire ntchito ya Mkulu wa NAC polemba kalata pasanathe masiku makumi atatu (30).

(2) Bungweli lidzaunika kalata zonse zimene lalandira zofunsira ntchitoyi molingana ndi (1), ndipo—

(a) likhoza kufufuza zinthu zina zoonjezera zokhudza munthu amene walembera ntchitoyo kuchokera kwa iye mwini kapena kwa munthu

wina aliyense kapena kuupeza uthengawo kudzera mu njira zina;

(b) lidzachititsa mayeso a ntchito kwa munthu aliyense amene ali ndi zomuyenereza amene wasankhidwa kuchokera pa mndandanda wa amene anafunsira ntchitoyo; komanso

(c) lidzapereka kwa Nduna dzina la munthu amene lakhutitsidwa naye kuti ali ndi zomuyenereza kuposa onse kusankhidwa kukhala Mkulu wa bungweli.

Kupezeka kwa ogwira ntchito ku Bungwe pa mikumano ya NAC

54. Motsatira kuunikiridwa ndi Bungweli, Mkulu wa NAC adzakhala ndi udindo woyang'anira ntchito zonse za bungweli komanso ogwira ntchito ena onse a bungweli, ndipo mwa ichi, iyeyu adzakhala pansi pa bungweli.

Kapezedwe ka ndalama zoyendetsera NAC

55. Mkulu wa NAC akhoza kuchotsedwa pa udindo wake ndi bungweli Nduna itavomereza kutero pa zifukwa zotsatirazi—

(a) kuchita zosayenera;

(b) kusadziwa ntchito yake;

(c) kukhala osakwanitsa kugwira ntchito; kapena

(d) kulephera kugwira ntchito kaamba ka matenda kapena vuto lamubongo;

(e) bwalo la milandu lamugamula kukakhala kundende chifukwa chophwanya lamulo lililonse lolembedwa; kapena

Cap. 37:01
Cap. 37:02
Cap. 37:03

(f) bwalo la milandu lamugamula kuti wasauka.

Kuwerengera ndi kulondoloza ndalama

56. — (1) Padzalembedwa anthu ena ogwira ntchito ku NAC pansi pa mkulu wa bungwe yu pa maudindo osiyanasiyana amene bungweli lidzaone kuti ndi ofunika kuti lithe kukwaniritsa mphamvu, udindo ndi ntchito zake ndipo anthuwa adzatengedwa kuti ndi ogwira ntchito m'boma.

(2) Ogwira ntchito ku NAC amene atchulidwa mu ndime (1) adzalembedwa ntchito ndi bungweli potengera ndondomeko zogwirira ntchito yawo zimene bungweli lidzakhazikitsa.

NAC ikhonzanso kupereka mphamvu kwa Mkulu wa bungwe yu pomulembera kuti alembe ntchito anthu ena ogwira ntchito ku bungweli a maudindo ang'onoang'ono amene lidzatchule ndipo Mkulu wa bungwe yu adzayenera kudziwitsa bungwe li munthu aliyense amene wamulemba ntchito potengera ndime ino.

Mphamvu za Nduna

57. — (1) Mkulu wa bungweyu kapena aliyense amene mkulu wa bungweyu angamutume movomerezedwa ndi bungweli, azidzakhala nawo pa mikumano ya bungweli kapena ya makomiti a bungweli kuti azilemba zokambirana zonse ndi kutenga nawo mbali pa zokambiranazo koma sakuyenera kuvota nawo.

(2) Ngati pa mkumano wa Bungweli kapena komiti iliyonse ya Bungweli akukambirana zokhudza Mkulu wa Bungweyo kapena wogwira ntchito amene anatumidwa kudzakhala nawo pa mkumanowo, Bungweli kapena komitiyo ikhoza kumuuza Mkulu wa Bungweyo kapena wotumidwayo kuti asakhalepo pa zokambiranazo.

Gawo XII — Za Nkhani Yachuma

Kapezedwe ka ndalama zoyendetsera NAC

58. — (1) Ndalama zoyendetsera NAC zidzakhala izi—

(a) zomwe Nyumba ya Malamulo yavomereza kuti zigwire ntchito ku bungweli;

(b) thandizo la ndalama, zipangizo kapena zinthu zina zililonse zomwe ena apereka kuti zigwiritsidwe ntchito ndi bungweli;

(c) ndalama zimene zapezeka patagulitsidwa katundu ndi bungweli kapena m'malo mwa bungweli; komanso

(d) ndalama zimene zapezeka kudzera mu njira iliyonse yovomerezeka.

(2) Bungweli lidzayenera, nthawi zonse, kutsatira ndondomeko zaboma monga zokhudza kuunika ndi kulondoloza mmene chuma chikuyendera, *Public Audit Act* m'chingerezi, zokhudza kayendetsedwe ka zachuma chaboma *Public Finance Management Act* m'chingerezi komanso ndondomeko zokhudza kagulidwe ka katundu waboma *Public Procurement Act* m'chingerezi.

Kuwerengera ndi kulondoloza ndalama

59. — (1) NAC idzaonetsetsa kuti mabuku oonetsa mmene bungweli lagwiritsira ntchito ndalama komanso malisiti zikusungidwa bwino motsatira ndondomeko zoyenera zowerengetsera chuma.

(2) Mabuku oonetsa kagwiritsidwe ntchito ka chuma cha NAC azidzaunikidwa chaka ndi chaka ndi mkulu wolondoloza mmene chuma chagwirira ntchito kapena ena ogwira ntchito yomweyi amene bungweli lidzawalembe ntchito atakambirana ndi mkulu wolondoloza mmene chuma chagwirira ntchito, ndipo bungweli ndi limene lidzawalipire pa ntchito imene agwirayo.

(3) NAC izidzatumiza ku Nyumba ya Malamulo malipoti okhudza mmene agwiritsira ntchito chuma cha bungweli, zonse zimene achita komanso momwe agwirira ntchito yawo mu chakacho pa mapeto a chaka chaboma ndipo pasanathe miyezi isanu ndi umodzi (6) chithereni chakacho.

(4) Lipoti lomwe latchulidwa mu ndime (3) lizidzaonetsa ndalama zonse zomwe NAC inapeza kapena kuti zolowa ndi momwe zagwiritsidwira ntchito kapena kuti zotuluka, ndipo lizidzaperekedwa ku Nyumba ya Malamulo motsatira ndondomeko zomwe zili mu ndondomeko zaboma monga zokhudza kuunika ndi kulondoloza mmene chuma chikuyendera, *Public Audit Act* m'chingerezi.

Gawo XIII —— Zina Zapadera

60. Nduna ikhoza kuchita izi posindikiza mu nyuzipepala yaboma yosindikizamo malamulo ndi ndondomeko za boma (Gazeti)— Mphamvu za Nduna

(a) kukhazikitsa ndondomeko zothandizira kuti lamuloli ligwire bwino ntchito;

(b) kusintha zina ndi zina zimene zili mu kalozera wopezeka mu lamuloli.

61. — (1) Mgwirizano uliwonse, zikalata kapena chilolezo chililonse zimene Oyang'anira Bungwe la NAC adalowamo, adalemba, adapereka kapena adavomereza, ngati zikugwirizana ndi zomwe zili mu lamuloli, ndipo kupatula pokhapo pamene lamuloli kapena lamulo lina lililonse lolembedwa lafotokozera poyera, zidzatengedwa kuti Bungweli kapena Nduna ndiwo adalowamo kapena kupereka kapena kuvomereza potengera ndi ndondomeko za mu lamuloli. Migwirizano, ziphaso zogwirira ntchito, zilolezo, ndi zina zotero

(2) Katundu aliyense amene Oyang'anira Bungwe la NAC anali naye ndipo amagwiritsa ntchito lamuloli lisanayambe kugwira ntchito adzatengedwa kuti tsopano ndi wa Bungweli kuyambira patsiku limene lamuloli layamba kugwira ntchito ndipo adzagwiritsa ntchito dzina lomwelo lomwe adazilembetsera.

(3) Ngati panali milandu iliyonse imene imakhudza Oyang'anira Bungwe la NAC lamuloli lisanayambe kugwira ntchito, pamene lamuloli layamba kugwira ntchito, Bungweli ndi limene lidzapitiriza kuyankhapo pa milanduyo ndipo milanduyo siidzaima kaamba ka kusinthaku.

Gawo XIV——Kusintha Umwini

62. — (1) Chuma, katundu, ndalama, ngongole kapena zikonzero zilizonse zimene zinalipo kale pamene lamuloli limayamba kugwira ntchito zimene Oyang'anira Bungweli kapena ena m'malo mwa Oyang'anira Bungweli adapeza, adagula, adatenga, kapena adalowamo, kuyambira panthawiyi zidzatengedwa kuti yemwe adazipeza, adagula, adatenga, adalowamo ndi Bungweli kapena ena m'malo mwa Bungweli ndipo Bungweli lidzagwiritsa ntchito kapena lidzabweza monga momwe akanachitira Oyang'anira Bungweli. Kusamutsa umwini wa chuma, katundu, ndalama, ngongole ndi zina zotero

(2) Ngati kuli koyenera mwa lamulo kuti akalembetse pamene pali kusintha umwini wa katundu yemwe adali pansi pa Oyang'anira Bungwe la NAC, Bungweli lidzalembera nthambi yoona zolembetsa m'kaundula za kusinthaku pasanathe chaka chiyambireni lamuloli kugwira ntchito kapena isanathe nthawi imene idalembedwa mu malamulo, ndipo wolemberayo, adzachita izi mwaulere—

(a) kulemba mu kaundula woyenera kutsimikiza za kusinthaku;

(b) pamene pali poyenera kutero, kupereka chiphaso cha umwini ndi umboni uliwonse wosonyeza umwini ku Bungweli, kapena kusintha

zina ndi zina pa chiphaso kapena mu kaundula ngati kuli koyenera kutero; komanso

(c) kusainira zikalata zonse zosonyeza umwini zimene zabweretsedwa kwa amene akulemberayo.

Kusamutsa ogwira ntchito

63. — (1) Ogwira ntchito onse amene adalembedwa ndi Oyang'anira Bungwe la National Edzi Commission lamuloli lisanayambe kugwira ntchito ndipo kuti anali akugwirabe ntchito pa nthawi imene lamuloli limayamba kugwira ntchito adzatengedwa kuti adalembedwa ntchito motsatira lamuloli.

(2) Munthu aliyense amene adalembedwa ntchito ndi Oyang'anira Bungwe la NAC lamuloli lisanayambe kugwira ntchito adzatengedwa kukhala wogwira ntchito ku Bungweli ndipo azigwiritsa ntchito ndondomeko zake zogwirira ntchito zimene amatsatira kale, ndipo adzapitiriza kuwerengera zaka zake zomwe wakhala akugwira ntchito.

KALOZERA WOYAMBA (Ndime 4)

Miyambo Yoipa

1. *Chimwanamaye*
2. *Fisi*
3. *Hlazi*
4. *Chijura mphinga*
5. *Kuchotsa fumbi*
6. *Chiharo*
7. *Kuika mwana kumalo*
8. *Kujura nthowa*
9. *Kulowa kufa kapena kupita kufa*
10. *Kulowa ngozi kapena kupita ngozi*
11. *Kupimbira*
12. *Kupondera guwa*
13. *Kusamala mlendo*
14. *Kutsuka mwana*
15. *Mbirigha*
16. *Gwamula*
17. *Mwana akule*
18. *Bulangete la mfumu*

KALOZERA WACHIWIRI (Ndime 7)

MATENDA AMENE AMAKHUDZANA NDI (AMADZA KAAMBA KA) HIV

1. Khansa ya pakhungu
2. Kutsekula m'mimba kwamgonamgona ndi pafupipafupi
3. Zilonda za m'kamwa ndi pakhosi
4. Mashingozi
5. Khansa ya mwanabere
6. Matenda akuubongo ndi ena oumitsa khosi
7. Chibayo chobwera chifukwa cha HIV
8. Chifuwa chachikulu cham'mapapo ndi ziwalo zina zam'thupi

Passed in Parliament this twenty eigth day of November, two thousand and seventeen.

FIONA KALEMBA
Clerk of Parliament