



COMPETITION AND FAIR TRADING COMMISSION
INVITATION TO EXPRESS INTEREST FOR LEGAL RETAINERSHIP

DATE OF ISSUE: 2ND SEPTEMBER 2026

Procurement Reference number: CFTC/CS/26/09/01

1.0. Introduction

The Competition and Fair Trading Commission (hereinafter referred as “the Commission”) is established under section 4 of the Competition and Fair Trading Act, 2024 (hereinafter referred as “the Act”). The Commission is mandated to regulate, monitor, control and prevent acts or conducts which are likely to adversely affect competition and fair trading in Malawi. The Commission is established as a body corporate with perpetual succession, capable of suing and being sued in its corporate name, and possessing the capacity to do or perform all such acts and things as bodies corporate may lawfully do for the proper administration and implementation of this Act. In line with its establishment under Section 4 of the Act, and indeed considering the fact that it has the capability to sue and be sued, the Commission would like to seek assistance of a law firm to assist in a number of areas including litigation, legal research, debt collection, just to mention but a few.

2.0. Objective of Retainership

The Commission is therefore inviting law firms to submit written proposals to provide legal retainer services to the Commission. The prospective law firm shall be expected to provide a wide range of legal services including representing the Commission in Litigation in liaison with the internal lawyers of the Commission.

3.0. Scope of Work and Tasks of the Law Firm

The law firm will be available to provide legal representation in this matter to the Commission. The Commission will thus specify in each case work to be undertaken through issuance of an approved Task Order. The following work is anticipated:

1. Litigation
2. Reporting on progress of court matters from time to time
3. Legal Research
4. Legal Opinions
5. Negotiations (if a need be)
6. Advising on how to proceed with court matters
7. General legal advice in regards to court matters
8. All other tasks to be assigned by the client from time to time for the carrying out of the Commission's responsibilities.

4.0. Reservation of Rights

- i. The Commission reserves the right to reject any applications received or exclude the name of any Law Firm without assigning any reason.
- ii. Appointment of Law Firm on retainer-ship basis neither guarantees assignment of cases, nor in any manner obliges the Commission to hire the services of the respective Law Firm. The Commission reserves its right to assign any case/matter to any Law Firm.
- iii. The Commission reserves the right to hire an appropriate Law Firm in any case from outside the approved panel of Law Firms and Retainer Law Firm on such term and conditions as deemed proper.
- iv. The Commission reserves the right to terminate the services of the appointed Law Firm on Retainer-ship basis upon non-satisfactory performance and without assigning any reason.
- v. The Commission reserves the right to verify information provided by the interested 'Law Firm' and may reject the proposal without assigning any reason in case of misrepresentation.

5.0. Time Frame

The duration of retainer-ship shall be for a performance based renewable period of twelve (12) months of the effective date.

6.0. Profile of the Law Firm

The lawyers in the legal firm are expected to have in-depth and specialist understanding of laws relating to competition and fair trading law, contractual issues and the operation of the public service in general.

7.0. Obligations of the Law Firm

The law firm is expected to be fully self-sufficient in terms of office space, supplies, communications and transport during any assignment and to discharge its responsibilities to the expected professional standards and integrity.

8.0. Obligations of the Commission

The Commission will provide access to reference material and any relevant existing reports, data and information that may be required by the successful law firm. **The Chief Executive Officer** is the client's official to whom the successful law firm will be responsible.

9.0 Qualifications

- i. Legal Practitioner with at least 10 years' experience at the Bar.
- ii. Must have at least a postgraduate degree in Legal education background.
- iii. Proven track record of capacity to successfully and ably handle complex civil or commercial cases with little or no supervision
- iv. Adequate knowledge of operations and status of the Commission *viz-a-viz* the Public Service and Statutory Corporation.
- v. Proven capacity to work with ease under immense pressure.
- vi. Proven record and experience in Consultancy work.
- vii. Those with proven knowledge in competition and fair trading law will have an added advantage.

10.0 Compensation

The Commission will pay the law firm a fee to be agreed upon between the two parties.

11.0 Application Procedure

Interested law firms should send their complete profiles including copies of their credentials for providing legal services as mentioned above on retainer-ship basis to the following address:

The Chairperson

Internal Procurement and Disposal Committee

Competition and Fair Trading Commission

MERA Complex, 1st Floor, City Centre

Private Bag 332

Lilongwe

Email: procurement@cftc.mw

Expressions of interest must be delivered before 14:00 Hours on 25th September 2026. Late submissions shall be rejected.