



## Back on the road again...

Final Report on the Mobile Operating Theatre tyres  
for Fondation Eagle November 2017

world medical fund *for* children



**We are deeply grateful to Fondation Eagle for the donation of £5,000 on the 16<sup>th</sup> November 2016 that made it possible to purchase 5 new tyres for this remarkable vehicle.**

The Mobile Operating Theatre performs a vital role in our programme delivering health care to children in one of the poorest regions of Malawi.

There were challenges that had to be overcome including the Malawi Revenue Authority demanding import duty, despite the fact we had duty free status with our Memorandum of Understanding with the Ministry for Gender and Youth.

**We overcame that obstacle; the next challenge was one of the new tyres burst after just 150 miles.**

The U.K. based suppliers initially refused to replace the tyres but with the help of the London-based office of an international law firm that offers its services to us on a pro bono basis, they relented and supplied and shipped five new tyres.

The new tyres were fitted for us, free of charge at the large, well-equipped workshops of the Illovo Sugar Corporation at Dwangwa.

It has been a challenge but this wonderful vehicle is back on the road again:-

**All's well that ends well...**

***The following pages are from our August 2017 report.***

# Report for Fondation Eagle

**August 2017**

The Purchase of 5 tyres for our Mobile Operating Theatre.

Pages 3 to 6 are from our 2017 interim report and this is a follow up to that as the project is still on going.

The tyres purchased were of the highest quality made by Michelin however after 3 days use one exploded.



This tyre had covered just 150 miles; we ordered the vehicle be taken off the road as it presented a potentially dangerous health risk to our team and the junior doctors who travel in it.



We had to find a solution and fortunately there was a friend in time of need.

The Thompson Reuters Foundation established Trust Law – see the quote from their website <http://www.trust.org/trustlaw/>

**“TrustLaw is the Thomson Reuters Foundation’s global pro bono legal programme. We connect high-impact NGOs and social enterprises working to create social and environmental change with the best law firms and corporate legal teams to provide them with free legal assistance”.**

We posted a request for help in mid 2016 for the drafting of an agreement to act between us and the junior doctors and medical students, limiting our risks and legally clarifying the arrangement of Medical Elective Placements.

The London based office of an international law firm agreed to do this for us on a pro bono basis and we were delighted with the results and struck up a good relationship with the team there.

In 2017 we asked if they could assist us in the situation we faced with the tyres and they were delighted to help and set up a team, headed by one of their senior Barristers, all on a pro bono basis and were willing to take the matter to court.

**The results were immediate; the supplier of the tyres responded by immediately ordering a complete set of new tyres (by Pirelli this time) and shipped them, all completely free of charge.**

The image below shows the tyres (with Michael’s hand!) at Lilongwe airport in July. Now, despite the setbacks we can move on.



We have a really interesting new dual role for the Mobile Operating Theatre that will form a key part of an exciting new project we are planning.

*The following is from our 2017 Interim report, published before we knew there would be a problem with the tyres.*

MB

### The Tyres for the Mobile Operating Theatre:

What a battle! The tyres were ordered from Conrico Ltd at a total cost, including shipping and insurance of £4,919.10 (Made up of £4,802.75 for the tyres and £116.35 for inner tubes and valves).

The shipment arrived in Lilongwe on the 1<sup>st</sup> December; two days later our team went to collect them only to be advised that duty of 2,900,000Mk had to be paid. At the exchange rate on that day of £1 = 892Mk that equated to £3,251 plus a further £2,500 for storage.

In our MOU (Memorandum of Understanding) we signed with the Ministry of Gender in 2001 it clearly stated that we had duty free status and had never before faced demands on previous imports including vehicles.

The Malawi Revenue Authority advised us that they would not honour that agreement.



**Malawi Revenue Authority**

Head Office  
Msonkho House  
Independence Drive  
Blantyre, Malawi

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MRA/DF/LIL/CPC 431 05<sup>th</sup> December, 2016

World Medical Fund (WMF)  
Box 1  
Nkhosakota

Dear Sir,

**RE: APPLICATION FOR DUTY WAIVER FOR CERTIFICATE FOR AMBULANCE TYRES**

I acknowledge receipt of your letter dated 05<sup>th</sup> December, 2016 regarding the above subject.

I write to inform you that your application has not been successful because there is no legal provision for exemption of under on above items in the Customs Procedure Code 431.

Yours faithfully,

A. M. M. M. M.  
Station Manager - Lilongwe Port.  
For: COMMISSIONER GENERAL

CC: Deputy Commissioner - Enforcement  
Deputy Commissioner - Technical

ALL CORRESPONDENCE SHOULD BE ADDRESSED TO THE COMMISSIONER GENERAL



# Malawi Revenue Authority

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Msonkho House  
Independence Drive  
Blantyre, Malawi

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MRA/DF/LIL/CPC 431

08<sup>th</sup> February, 2017

World Medical Fund (WMF)  
Box 1  
Nkhotakota.

Dear Sir,

**RE:APPLICATION FOR DUTY WAIVER ON AMBULANCE TYRES.**

I acknowledge receipt of your letter dated 05<sup>th</sup> December 2016, regarding the above subject.

I regret to inform you that your application has not been successful because there is no legal provision for exemption of duty on tyres under the above stated Customs Procedure Code.

Please note that you may appeal at Head Office if you are not satisfied with the above decision.

Yours faithfully,

A.Mtukuleni.

Station Manager- Lilongwe Port.

For: **COMMISSIONER GENERAL**

CC : Deputy Commissioner – Enforcement.  
: Deputy Commissioner – Technical

ALL CORRESPONDENCE SHOULD BE ADDRESSED TO THE COMMISSIONER GENERAL







## CONFIRMATION

**Invoice Name & Address:**  
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World Medical Fund Malawi  
P.O. Box 1, Nkhosakota  
Kamuzu International Lilongwe  
Exec Director Matson Dezi

**Customer Name & Address:**  
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World Medical Fund Malawi  
P.O. Box 1, Nkhosakota  
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