

GOVERNMENT NOTICE No. 59

CIVIL AVIATION ACT

(No. 28 OF 2017)

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IN EXERCISE of the powers conferred by section 92 of the Civil Aviation Act, I, JACOB HARA, Minister of Transport and Public Works, on the recommendation of the Authority, make the following Regulations—

PART I—PRELIMINARY

1. These Regulations may be cited as the Civil Aviation (Security) Regulations, 2024.	Citation
2. In these Regulations, unless the context otherwise requires—	Interpretation
“airside” means the movement area of an aerodrome, adjacent terrain and buildings or portions thereof, access to which is controlled;	
“air traffic service provider” means the person responsible for the provision of air traffic services in Malawi airspace;	
“aviation security permit” means a security permit issued under regulation 21 (5);	
“aviation security officer” means a person employed or designated by an operator or other authorized entity or agency to carry out security controls at an aerodrome;	
“authorized person” means a person designated by the Authority to perform functions on behalf of the Authority, under these Regulations;	
“cargo” means any property carried on an aircraft other than mail, stores and accompanied or mishandled baggage;	
“catering operator” means a person who provides catering supplies for consumption on board an aircraft engaged in the carriage of passengers;	
“catering stores” means all items, other than catering supplies, associated with passenger in-flight services, including newspapers, magazines, headphones, audio and video tapes, pillows, blankets and amenity kits;	
“catering supplies” means food, beverages, dry stores and associated equipment used on board an aircraft;	
“civil aviation operations” means flights and aircrafts used for personal and business purposes, other than military purposes, including transportation of goods and passengers;	
“COMAIL” means commercial air transport operator company mail, shipped within its network of stations;	
“COMAT” means commercial air transport operator company materials, shipped within its network of stations;	
“known consignor” means a consignor who originates cargo or mail on its own account and whose internal procedures meet common security rules and standards to allow the carriage of the cargo or mail on an aircraft;	
“mail” means dispatches of correspondence and other items tendered by and intended for delivery to postal services in accordance with the rules of the Universal Postal Union;	

“operator” includes an aircraft operator, aerodrome operator, air traffic service provider, regulated agent, ground handler, catering operator, aviation security service provider, aviation fuel operator and known consignor;

“prohibited item” means an article, device or substance which may be used to commit an act of unlawful interference or which may endanger the safety of an aircraft, a person on board the aircraft, an air navigation installation, an installation on the aircraft or the public;

“screening” means the application of technical or other means to identify or detect a prohibited item intended to be brought into an aerodrome or on board an aircraft;

“security” means safeguarding civil aviation against acts of unlawful interference through a combination of measures, including human and material resources;

“security audit” means an in-depth compliance examination of all aspects of the implementation of the National Civil Aviation Security Programme;

“security control” means measures put in place to prevent the introduction of a prohibited item at an aerodrome or on board an aircraft;

“security inspection” means an examination of the implementation of the requirements of the National Civil Aviation Security Programme by an aircraft operator, aerodrome operator, or other entity involved in security;

“security restricted area” means airside area of an aerodrome which is identified as a priority risk area where, in addition to access control, other security controls are applied and includes passenger departure area between the screening checkpoint and the aircraft, the ramp, baggage make-up area, area where an aircraft is brought into service and screened baggage and cargo is present, cargo shed, mail centre, airside catering, aircraft cleaning premises and any designated off-aerodrome facility serving civil aviation operations; and

“weapon” includes a firearm, ammunition, explosive, explosive device and explosive substance.

Application

3.—(1) These Regulations shall apply to—

- (a) all aerodromes in Malawi;
- (b) a person performing civil aviation operations;
- (c) a person who occupies land or a building forming part of an aerodrome;
- (d) a person occupying land adjoining or adjacent to an aerodrome or air navigation installation which does not form part of an aerodrome; and
- (e) a person whose conduct amounts to an act of unlawful interference or endangers the safety of civil aviation operations.

- (2) These Regulations shall not apply to—
 - (a) a state aircraft; or
 - (b) a military or police aviation operation.

PART II—PROGRAMMES

4.—(1) The Authority shall develop and implement a National Civil Aviation Security Programme, to safeguard civil aviation against acts of unlawful interference. National Civil Aviation Security Programme

(2) Without prejudice to the generality of subregulation (1), the National Civil Aviation Security Programme shall provide for—

- (a) the functions and powers of the Authority in relation to civil aviation security;
- (b) the obligations of operators in the implementation of the Act, these Regulations and the Programme;
- (c) obligation of an operator to develop and implement a security programme for the operator, including the minimum content of the operator security programme;
- (d) co-ordination, facilitation and communication mechanisms for the implementation of the Programme;
- (e) the establishment of, composition, functions and powers of an aerodrome security committee in the implementation of the Programme at an aerodrome;
- (f) measures for the protection of aerodromes, aircraft and air navigation facilities;
- (g) measures to ensure operator compliance with the International Civil Aviation Organisation Technical Instructions for the Safe Transportation of Dangerous Goods by Air (Doc. 9284);
- (h) security control of persons to board an aircraft and cargo, catering supplies and stores to be placed on board an aircraft;
- (i) minimum specifications of security equipment to be used in screening persons to be boarded and items to be placed on board an aircraft;
- (j) the selection criteria and the minimum training requirements for personnel to conduct civil aviation operations;
- (k) the management of response to acts of unlawful interference;
- (l) financing of aviation security activities;
- (m) the process for reporting information concerning an incident of an act of unlawful interference;

(n) the establishment of a confidential reporting system for analysing security information provided by sources, including passengers, crew members and ground personnel;

(o) protection and handling procedure for security information shared by other States; and

(p) such other matters as the Authority may determine necessary.

(3) The Authority shall provide to each operator, the part of the National Civil Aviation Security Programme applicable to the operator.

(4) The Authority shall review the National Civil Aviation Security Programme at least once every two years.

(5) The Authority may incorporate into the National Civil Aviation Security Programme, any international standard and recommended practice contained in Annex 17 to the Chicago Convention or any other international aviation standard.

Aerodrome
operator
security
programme

5. An aerodrome operator shall not operate an aerodrome unless the operator—

(a) develops an aerodrome operator security programme that complies with the requirements prescribed under these Regulations and the National Civil Aviation Security Programme; and

(b) the aerodrome operator security programme is approved by the Authority in accordance with regulation 14.

Aircraft
operator
security
programme

6.—(1) An aircraft operator, whose principal place of business is located in Malawi, shall not operate an aircraft, for commercial purposes from or within Malawi, unless the aircraft operator—

(a) develops an aircraft operator security programme that complies with the requirements prescribed under these Regulations and the National Civil Aviation Security Programme; and

(b) the aircraft operator security programme is approved by the Authority in accordance with regulation 14.

(2) An aircraft operator, whose principal place of business is located in Malawi, who conducts general aviation operations or corporate aviation operations, using an aircraft with a maximum take-off mass greater than 5,700 kilogrammes, shall comply with subregulation (1).

(3) A person who conducts an aerial work operation shall comply with subregulation (1).

(4) An aircraft operator, whose principal place of business is located outside Malawi, who conducts civil aviation operations to and from Malawi shall—

(a) submit to the Authority an aircraft operator security programme approved by the State where the operator is domiciled;

(b) develop, implement and maintain supplementary station procedures that meet the requirements prescribed under the National Civil Aviation Programme; and

(c) submit a copy of the supplementary station procedures to the Authority, for approval.

(5) Where an aircraft operator submits supplementary station procedures for approval by the Authority in accordance with subregulation (4) (c), the Authority shall, within thirty days of receipt of a copy of the supplementary station procedures from an aircraft operator—

- (a) approve the supplementary station procedures; or
- (b) reject the supplementary station procedures and give reasons for the rejection, in writing.

(6) Where the Authority has rejected the supplementary station procedures in accordance with subregulation (5) (b), the applicant may, at any time, re-submit for approval of the supplementary station procedures, upon addressing the shortfalls contained in the communication from the Authority.

(7) For the purposes of this regulation—

- “corporate aviation operations” means non-commercial civil aviation operations or the use of an aircraft by a company for the carriage of passengers or goods as an aid to the conduct of its business; and
- “general aviation operations” means an aircraft operation other than a commercial air transport operation or an aerial work operation.

7. A regulated agent shall not operate as a regulated agent unless the agent—

Regulated agent security programme

- (a) develops a regulated agent security programme that complies with the requirements prescribed under these Regulations and the National Civil Aviation Security Programme; and
- (b) the regulated agent security programme is approved by the Authority in accordance with regulation 14.

8. A catering operator shall not operate as a catering operator unless the operator—

Catering operator security programme

- (a) develops a catering operator security programme that complies with the requirements prescribed under these Regulations and the National Civil Aviation Security Programme; and
- (b) the catering operator security programme is approved by the Authority in accordance with regulation 14.

9. An air traffic service provider shall not provide air traffic services unless the air traffic service provider—

Air traffic service provider security programme

- (a) develops an air traffic service provider security programme that complies with the requirements prescribed under these Regulations and the National Civil Aviation Security Programme; and
- (b) the air traffic service provider security programme is approved by the Authority in accordance with regulation 14.

10.—(1) The Authority shall develop a National Civil Aviation Security Training Programme for—

National Civil Aviation Security Training Programme

- (a) personnel of entities involved in, or responsible for, implementation of the National Civil Aviation Security Programme; and

(b) persons authorized to access a security restricted area without escort.

(2) The National Civil Aviation Security Training Programme shall contain a certification system for screeners, supervisors, instructors and inspectors.

(3) The Authority shall disseminate the National Civil Aviation Security Training Programme to operators whose personnel are subject to training under the Programme.

(4) The Authority shall coordinate the implementation of the National Civil Aviation Security Training Programme.

(5) The National Civil Aviation Security Training Programme shall be reviewed at least once each year.

Operation of
an aviation
security
training
centre

11.—(1) A person shall not operate an aviation security training centre or offer aviation security training unless the person is certified by the Authority as a provider of aviation security training.

(2) A person shall not teach an aviation security course at an aviation security training centre unless the person holds a valid aviation security trainer certificate issued by the Authority.

(3) A person who wishes to operate an aviation security training centre or offer an aviation security course shall submit to the Authority an application in Form AS1 set out in the *First Schedule* and the application shall be accompanied by—

- (a) the proposed curriculum of the aviation security training; and
- (b) the appropriate fee set out in the *Second Schedule*.

(4) An application for an aviation security trainer certificate shall be in Form AS2 set out in the *First Schedule* and the application shall be accompanied by—

- (a) certified copies of the qualifications of the applicant; and
- (b) the appropriate fee set out in the *Second Schedule*.

(5) The Authority shall, within thirty days of receipt of an application under subregulation (3) or (4), review the application and communicate its decision to the applicant.

(6) The Authority may, upon review of the application under subregulation (3) or (4)—

- (a) approve the application; or
- (b) reject the application and give reasons for the rejection, in writing.

(7) Where the Authority approves an application in accordance with subregulation (6) (a), the Authority shall—

- (a) in the case of an application under subregulation (3), issue a certificate in Form AS3 set out in the *First Schedule*; and

(b) in the case of an application under subregulation (4), issue a certificate in Form AS4 set out in the *First Schedule*,
to the applicant.

- (8) A certificate issued under subregulation (7) shall—
- (a) be valid for twelve months from the date of issuance; and
 - (b) not be transferable.

(9) Where the Authority has rejected an application in accordance with subregulation (6) (b), the applicant may, at any time, re-submit the application, upon addressing the shortfalls contained in the communication from the Authority.

12.—(1) The Authority shall develop and implement a National Civil Aviation Security Quality Control Programme, whose main objective shall be to determine and monitor compliance with and validate the effectiveness of the National Civil Aviation Security Programme.

National Civil
Aviation
Security
Quality
Control
Programme

(2) Without prejudice to the generality of subregulation (1), the National Civil Aviation Security Quality Control Programme shall provide for—

- (a) responsibilities, processes and procedures that promote and establish an environment and culture of continuous improvement and enhancement of aviation security;
- (b) measures for ensuring that persons tasked with carrying out security duties do so effectively;
- (c) measures for ensuring that an operator who performs aviation security measures develops, implements and maintains internal quality control measures that include quality control activities consistent with their operations; and
- (d) measures to ensure that an aerodrome operator establishes and maintains contingency plans.

(3) The Authority shall make available to each operator, the appropriate part of the National Civil Aviation Security Quality Control Programme.

(4) The Authority shall review the National Civil Aviation Security Quality Control Programme at least once every two years.

13.—(1) An operator shall, in addition to developing the applicable security programme under this Part—

Internal
quality
control
programme

- (a) develop and implement an internal quality control security programme that complies with the requirements prescribed under these Regulations and the National Civil Aviation Security Quality Control Programme; and
- (b) submit the programme specified under paragraph (a) for approval by the Authority in accordance with regulation 14.

(2) Where an operator subcontracts the provision of an aviation security service to another service provider, the operator shall, at least once every three months, verify that the implementation of the security service by the service provider complies with the approved security programme of the operator.

Approval of
security
programmes

- 14.—(1) An application for approval of a security programme under regulations 5, 6,7,8, 9, or 13 shall be in Form AS5 set out in the *First Schedule* and shall be accompanied by —
- (a) two copies of the proposed security programme; and
 - (b) the appropriate fee set out in the *Second Schedule*.

(2) The Authority shall, within thirty days of receipt of the application under subregulation (1), and upon being satisfied that the proposed security programme—

- (a) complies with the requirements prescribed under these Regulations and the National Civil Aviation Security Programme, approve the security programme and issue a certificate in Form AS6 set out in the *First Schedule*; or
- (b) does not comply with the requirements prescribed under these Regulations and the National Civil Aviation Security Programme, reject the security programme and give reasons for the decision, in writing.

(3) Where the Authority rejects an application in accordance with subregulation (2) (b), the applicant may, at any time, re-apply for approval of the security programme upon addressing the shortfalls contained in the communication from the Authority.

Review of a
security
programme
by the
operator

- 15.—(1) An operator whose security programme has been approved in accordance with regulation 14 (2) (a) shall review the security programme, at least once every year and, where necessary, update the security programme.
- (2) Where the operator updates the security programme in accordance with subregulation (1), the operator shall—
- (a) immediately notify the Authority of the changes made to the programme and provide details of the interim measures adopted to maintain the adequate level of security pending approval of the revised security programme; and
 - (b) within thirty days of notifying the Authority in accordance with paragraph (a), submit an application for approval of the revised security programme, in accordance with regulation 14.
- (3) Regulation 14 shall apply to an application submitted under subregulation (2) (b).

Review of
operator
security
programmes
by the
Authority

- 16.—(1) The Authority may, at any time, review a security programme of an operator to determine whether the security programme continues to comply with these Regulations and the National Civil Aviation Security Programme.
- (2) Where the Authority determines that the security programme of the operator does not comply with these Regulations or the National Civil Aviation Security Programme, the Authority shall direct the operator, in writing, to review the security programme, in such a manner as may be specified by the Authority.

(3) An operator directed by the Authority to review a security programme under subregulation (2) shall comply with the directive within thirty days from the date of receipt of the directive.

17.—(1) The Authority may, by notice in writing to an operator, suspend a security programme or impose conditions in respect of the security programme, if the Authority is satisfied that the operator has failed to comply with—

Suspension and cancellation of security programme

(a) the Act, these Regulations or the National Civil Aviation Security Programme; or

(b) any condition prescribed by the Authority in respect of the security programme.

(2) A notice under subregulation (1) shall specify the breach and the period within which the breach should be addressed.

(3) The Authority may lift the suspension of the security programme upon being satisfied that the operator has adequately addressed the breach.

(4) The Authority may cancel the approval of a security programme, where—

(a) the operator has failed to address the breach within the period specified in a notice issued under subregulation (1);

(b) the operator has failed to comply with a directive issued in accordance with regulation 16 (2); or

(c) the security programme of the operator has been suspended at least two times within a year.

18.—(1) A person who operates without a security or training programme he is required to develop in accordance with this Part, commits an offence and shall, upon conviction, be liable to a fine of K5,000,000 and imprisonment for five years.

Failure to develop a security or training programme

(2) Where the offence in subregulation (1) is committed by a legal person, every natural person who—

(a) is a director of, or is otherwise concerned with the management of, the legal person; and

(b) knowingly authorized or permitted the act or omission constituting the offence,

commits the same offence which the legal person is guilty of and shall be proceeded against and be sentenced in the same manner as any other natural person.

PART III—PREVENTIVE SECURITY MEASURES

19. For the purposes of this Part—

Definitions

“disruptive passenger” means a passenger who fails to respect the rules of conduct at an aerodrome or on board an aircraft or to follow the instructions of the aerodrome staff or crew members and thereby disturbs the good order and discipline at an aerodrome or on board the aircraft; and

“in-flight security officer” means a person who is authorized by the Government of the State of the operator and the Government of the State of registration to be deployed on the aircraft, with the purpose of protecting the aircraft and its occupants against acts of unlawful interference but does not include a person employed to provide exclusive personal protection to a specific person travelling on the aircraft.

Designation
of security
restricted
areas

20.—(1) An aerodrome operator shall, based on a security risk assessment carried out by the Authority, designate any area of the aerodrome or a designated off-aerodrome facility as a security restricted area.

(2) A security restricted area shall be—

(a) protected through physical or personnel protective measures or through a combination of physical and personnel protective measures to prevent unauthorized access to the area;

(b) separated from the public or non-security restricted area by an appropriate physical barrier; and

(c) inspected at regular intervals.

(3) An aerodrome operator shall keep at the aerodrome, a current scale map of the aerodrome identifying the security restricted area, the security physical barrier and access points to the security restricted area.

(4) An aerodrome operator shall grant access to a security restricted area only to a person authorized to access the area in accordance with regulation 21.

Access to
security
restricted
areas

21.—(1) A person shall not enter or remain in a security restricted area unless—

(a) the person is an employee of an operator who is authorized to enter and remain in the area;

(b) the person is an employee of the Authority who is authorized to enter and remain in the area;

(c) the person is otherwise permitted by the Authority to enter the area and is accompanied by a holder of a valid aviation security permit or a holder of a valid identification card issued by the Authority;

(d) the person is a *bona fide* passenger or crew member whose presence in the security restricted area is necessary; or

(e) in the case of a person driving a vehicle, the person is authorized to enter and remain in the area and is in possession of a valid aviation security permit in respect of the vehicle or, in the absence of an aviation security permit, access of the vehicle to the area is authorized by the aerodrome operator.

(2) A person who is authorized to enter and remain in a security restricted area under—

(a) subregulation (1) (a), shall conspicuously display a valid aviation security permit, during his stay inside the security restricted area; or

(b) subregulation (1) (b), shall conspicuously display a valid identification card issued by the Authority.

(3) An application for authorization under subregulation (1) shall be—

(a) in Form AS7 set out in the *First Schedule*; and

(b) accompanied by the appropriate fee set out in the *Second Schedule*.

(4) The Authority shall, within thirty days of receipt of an application under subregulation (3)—

(a) review the application;

(b) conduct a background security check on the applicant or the vehicle in respect of which the application is made; and

(c) communicate its decision to the applicant.

(5) The Authority may, upon review of the application—

(a) approve the application and issue an aviation security permit in Form AS8 set out in the *First Schedule*, to the applicant or motor vehicle; or

(b) reject the application and give reasons for the rejection, in writing.

(6) An aviation security permit issued under subregulation (5)(a), shall—

(a) be issued in the manner specified in the National Civil Aviation Security Programme;

(b) be valid for two years; and

(c) not be transferable.

(7) Where the Authority rejects an application in accordance with subregulation (5) (b), the applicant may, at any time, re-submit the application, upon addressing the shortfalls contained in the communication from the Authority.

(8) The Authority shall maintain a register of holders of aviation security permits in Form AS9 set out in the *First Schedule*.

(9) An application for renewal of an aviation security permit shall be submitted to the Authority, at least three months before the expiry of the permit.

(10) Subregulations (3), (4), (5), (6), and (7) shall apply to an application for renewal of an aviation security permit.

(11) An aviation security officer shall prevent an unauthorized person from entering or remaining in a security restricted area.

(12) A holder of an aviation security permit who—

(a) fails to comply with any conditions applying to an aviation security permit;

(b) fails to display an aviation security permit upon being required to do so by an aviation security officer or any other authorized person;

(c) transfers, lends, gives or sells his permit to another person with the intention of enabling that other person to gain access to a security restricted area;

(d) uses an expired aviation security permit; or

(e) uses a valid aviation security permit after he is no longer authorized to possess it,
commits an offence.

(13) An employee or agent of an operator, who—

(a) for the purpose of, or in connection with, an application for the issuance of an aviation security permit; or

(b) in connection with continuing to hold an existing aviation security permit, makes a statement that he knows to be false,
commits an offence.

(14) An employee or agent of an operator, who uses an aviation security permit to gain access to an aircraft, a security restricted area or an air navigation installation when he is not entitled to such access commits an offence.

(15) A person who uses a false or unauthorized aviation security permit for the purpose of gaining access to a security restricted area commits an offence.

(16) A person who, without lawful authority, enters a security restricted area commits an offence.

(17) A person who commits an offence under this regulation, shall upon conviction, be liable to a fine of K2,000,000 and to imprisonment for one year.

Control of
access by
tenants

22.—(1) An aerodrome operator shall implement measures to ensure that a tenant whose premises or facility form part of the landside or airside boundary through which access can be gained to the airside—

(a) complies with security measures specified in the aerodrome security programme of the operator; and

(b) is responsible for the control of access to the airside through the premises.

(2) In this regulation—

“tenant” means—

(a) a person granted a licence or other permit, by the aerodrome operator to conduct business at the aerodrome; and

(b) Government Ministries, Departments and Agencies offering services at the aerodrome; and

“landside” means an area of an aerodrome designated as landside, to which the public has access.

23. An aerodrome operator shall—

Aerodrome
boundary

(a) construct and maintain a perimeter fence or other conspicuous suitable physical barrier covering the boundary of the aerodrome to prevent incursion and trespass;

(b) post warning signs on the perimeter fence or physical barrier advising the public not to trespass on the enclosed land;

(c) provide continuous protection and monitoring of the integrity of the perimeter fence physical barrier; and

(d) implement the appropriate measures and operational procedures to mitigate possible attacks against aircraft at or near the aerodrome using a man-portable air defence system or other similar weapon.

24.—(1) An aerodrome operator who intends to renovate, remodel or construct a building within the aerodrome shall, at least sixty days before the intended commencement of the works, submit to the Authority a plan of the proposed works detailing the architectural and infrastructure-related requirements necessary for the implementation of the security measures contained in the National Civil Aviation Security Programme.

Submission
of plans
before
renovation or
expansion
works

(2) The Authority shall, by notice in writing, within thirty days of receipt of the application—

(a) approve the proposed works; or

(b) reject the proposed works and give reasons for the rejection.

(3) In considering whether to approve an application made under subregulation (1), the Authority shall assess the plans of the proposed works to ensure that security considerations are properly addressed.

(4) Where the Authority rejects an application in accordance with subregulation (2) (b), the applicant may, at any time, re-apply for approval of the works, upon addressing the shortfalls contained in the communication from the Authority.

(5) The Authority may order an operator to demolish any structure or remove any alteration constructed or implemented in contravention of subregulation (1).

25.—(1) An aerodrome operator shall screen—

Screening of
employees,
passengers,
baggage, etc.

(a) a person employed by an operator or contracted by an operator to provide civil aviation operations on behalf of the operator and any item carried by the person;

(b) an aircraft crew member and any item carried by the crew member;

(c) a vehicle and any item contained in the vehicle; and

(d) a passenger and his cabin baggage,

using the appropriate screening method, prior to entry into an aerodrome security restricted area.

- (2) An aerodrome operator shall screen—
 - (a) transfer and transit passengers and their cabin baggage;
 - (b) originating and transferred hold baggage;
 - (c) baggage identified as unaccompanied;
 - (d) catering stores and supplies intended for carriage on a passenger commercial flight; and
 - (e) cargo, mail, COMAT and COMAIL,using the appropriate screening method, prior to boarding or loading onto an aircraft engaged in commercial air transport operations.
- (3) An aerodrome operator shall re-screen a transit passenger who mixes with originating passengers.
- (4) An aerodrome operator shall record acceptance of duly screened hold baggage as authorized for carriage on an aircraft.

Exemption
from
screening

26. An aerodrome operator shall exempt the following persons from screening—
- (a) the President of the Republic of Malawi and his entourage;
 - (b) the Vice President of the Republic of Malawi and his entourage;
 - (c) a visiting Head of State and his entourage;
 - (d) a visiting Vice President and his entourage; and
 - (e) a former President of the Republic of Malawi; and
 - (f) a former Vice President of the Republic of Malawi; and
 - (g) any person exempt from screening under the Immunities and Privileges Act.

Cap.16: 01

Offences
committed at
airports
Rejection of
application

27. A person who, at an aerodrome or an off-aerodrome facility—
- (a) insults, assaults, intimidates, threatens or performs any act of violence against an aviation security officer or any person authorized to perform a duty under these Regulations, while the officer or person is on duty;
 - (b) refuses to comply with a lawful instruction given by an aerodrome operator, aviation security officer or any other authorized person; or
 - (c) causes damage to, or destruction of, property,
- commits an offence and shall, upon conviction, be liable to a fine of K3,000,000 and to imprisonment for one year.

Protection of
hold baggage

- 28.—(1) An aerodrome operator shall protect hold baggage from unauthorized interference, from the point the baggage is screened or accepted into the care of the operator until departure of the aircraft on which the baggage is carried.
- (2) An aerodrome operator shall re-screen hold baggage before placing the baggage on board an aircraft where the security of the baggage is jeopardized.

29.—(1) An aerodrome operator shall establish procedures to deal with unidentified baggage in accordance with a security risk assessment carried out by the aerodrome operator.

Unidentified, unaccompanied, mishandled, unattended baggage

(2) An aircraft operator shall not accept for carriage, baggage of a passenger who is not on board the aircraft unless the baggage is declared as unaccompanied and is screened.

(3) Where baggage is left unattended or abandoned at an aerodrome, an aviation security officer may, after subjecting the baggage to security controls, remove the baggage to a safe location or, if necessary, destroy the baggage.

(4) An aerodrome operator shall maintain a storage area where mishandled baggage shall be held until forwarded, claimed or disposed of.

(5) For the purposes of this regulation—

“unidentified baggage” means baggage with or without a baggage tag which is not picked by or identified with a passenger, and includes unattended baggage; and

“mishandled baggage” means baggage involuntarily or inadvertently separated from a passenger or crew member.

30.—(1) A regulated agent shall, before accepting cargo, mail, COMAT or COMAIL for transportation on an aircraft—

Conditions for acceptance of baggage, cargo, mail, COMAT, COMAIL catering stores and supplies, etc.

(a) establish and register the name and address of the consignor;

(b) confirm the credentials of the person delivering the cargo or mail as an agent of the consignor;

(c) designate a person to implement and supervise the screening of the cargo, mail, COMAT or COMAIL;

(d) safeguard the cargo, mail, COMAT or COMAIL from unauthorized interference, before loading onto the aircraft;

(e) return any cargo, mail, COMAT or COMAIL to the aerodrome operator for re-screening, if there is ground to suspect that the integrity of the cargo, mail, COMAT or COMAIL has been jeopardized;

(f) implement enhanced security measures for high-risk cargo or mail to mitigate the threat associated with the cargo or mail; and

(g) ensure that the cargo or mail is accompanied by documentation providing the statement of the security status of the cargo or mail.

(2) A regulated agent shall not accept—

(a) cargo or mail from an unknown consignor; or

(b) cargo or mail, where the content does not coincide with the description provided by the consignor.

(3) A regulated agent shall—

(a) on demand, produce and make available to the aircraft operator and the Authority, shipping documents, records of cargo or mail accepted and offered for air transport, employee training records and airway bills; and

(b) report to the Authority any incident where a shipping document did not provide an accurate record of the cargo or mail being offered for air transport.

(4) An aircraft operator shall—

(a) only accept catering stores and supplies from a catering operator for transportation on the aircraft;

(b) only accept catering stores and supplies, baggage, cargo, mail, COMAT or COMAIL that is screened;

(c) before loading catering stores and supplies, baggage, cargo, mail, COMAT or COMAIL, confirm that the catering stores and supplies, baggage, cargo, mail, COMAT or COMAIL have not been tampered with;

(d) confirm the accuracy of documentation relating to catering stores and supplies, baggage, cargo, mail, COMAT or COMAIL, before loading it onto the aircraft;

(e) confirm that cargo or mail intended to be loaded onto the aircraft is covered by a valid consignment security declaration;

(f) not accept the carriage onto the aircraft, catering stores and supplies, baggage, cargo, mail, COMAT or COMAIL, whose documentation is inaccurate or inconsistent;

(g) only accept catering stores and supplies, baggage, cargo, mail, COMAT or COMAIL from an authorized employee or agent of an operator;

(h) make available to the Authority, a report of any incident where any documentation relating to catering stores and supplies, baggage, cargo, mail, COMAT or COMAIL being offered for transportation on the aircraft is inaccurate; and

(i) keep a record of the acceptance checklist and inspection carried out by the aircraft operator.

(5) An aircraft operator may delegate any of the duties specified under subregulation (2) to a regulated agent.

(6) Notwithstanding the delegation of any duties to a regulated agent under subregulation (3), the aircraft operator shall remain responsible for ensuring that the appropriate security controls under its security programme are carried out.

(7) For the purposes of this regulation, “high-risk cargo or mail” means cargo or mail which is suspected to pose a threat to civil aviation as a result of specific intelligence, an anomaly, or a sign of tampering which gives rise to suspicion of threat to civil aviation.

31.—(1) An aircraft operator shall—

(a) conduct an aircraft security search or check and implement the appropriate measures to protect the aircraft from unauthorized interference, from the time the aircraft search or check commences to the time the aircraft departs the aerodrome;

(b) during flight, take appropriate measures to ensure that an unauthorized person does not enter the flight crew compartment;

(c) remove or otherwise deal with, any item left behind by a passenger disembarking from the aircraft, before the departure of the aircraft;

(d) take the necessary precautions at the point of embarkation to ensure that each boarding passenger has valid travel documents prescribed by the State of transit and destination and, where applicable, the visa, residence permit, or any other requirements imposed to enter the transit or receiving State; and

(e) ensure that the aircraft carries a security checklist of the procedures to be complied with for that type of aircraft.

(2) An aircraft operator may request special protection of an aircraft from an aerodrome operator.

(3) Where special protection is offered to an aircraft pursuant to subregulation (2), the protection shall be on terms and conditions determined by the aerodrome operator.

(4) For the purposes of this regulation, “travel document” means a passport or other official document of identity issued by a State or organization, which may be used by the rightful holder for international travel.

32.—(1) A pilot-in-command shall, while the aircraft is in flight—

(a) protect the safety of persons and property on board; and

(b) notify the Authority as soon as practicable and, before landing, in Malawi, of any threat to the safety of the aircraft.

(2) A pilot-in-command shall, while the aircraft is in flight, have the power to—

(a) restrain any passenger on board who is a threat to the safety of the aircraft, crew members and other passengers; and

(b) search any passenger and baggage on the aircraft and take possession of any item which may be used in the commission of an act of unlawful interference.

(3) The pilot-in-command may, in the case of a severe threat to the safety of the aircraft, crew members and passengers on board the aircraft by a disruptive passenger, land at the nearest suitable aerodrome and disembark the disruptive passenger, in consultation with the local authorities at the aerodrome.

(4) A pilot-in-command who disembarks a passenger in accordance with subregulation (3), shall hand over the passenger to the person in charge of the aerodrome, for appropriate action.

(5) Where a passenger is restrained or disembarked, the pilot-in-command shall provide the Authority with evidence and information regarding the threat that necessitated the restraint or disembarkation of the passenger.

Powers and duties of a pilot-in-command in relation to aircraft security

Special
category of
passengers

33.—(1) The Authority may issue guidelines for the carriage of potentially disruptive passengers who are subject to judicial or administrative proceedings.

(2) An aircraft operator shall—

(a) include in its security programme, measures and procedures to ensure safety on board an aircraft, when a potentially disruptive passenger is carried on the aircraft; and

(b) inform the pilot-in-command of an aircraft of any potentially disruptive passenger scheduled to board the aircraft.

(3) A pilot-in-command informed of the presence of a potentially disruptive passenger on an aircraft in accordance with subregulation (2) (b), shall apply the appropriate security controls to ensure the safety of the aircraft, crew members, passengers and property on board the aircraft.

Prohibition of
carriage of
weapons on
airport premises

34.—(1) A person shall not carry or possess a weapon on aerodrome premises unless the person—

(a) is a law enforcement officer; or

(b) is authorized, in writing, by the Authority to carry or possess the weapon.

(2) A person who contravenes subregulation (1) commits an offence and shall, upon conviction, be liable to a fine of K2,000,000 and to imprisonment for one year.

Carriage of
weapons on
board aircrafts

35.—(1) The Authority may—

(a) approve, in writing, the carriage of a weapon on board an aircraft by a law enforcement officer or any other authorized person acting in the course of the duty of the officer or the person;

(b) approve, in writing, the carriage of a weapon on board an aircraft by a passenger, under conditions specified in subregulation (3); and

(c) approve a request by a State to allow the travel of armed personnel on board an aircraft of the requesting State.

(2) A passenger who intends to carry a weapon on board an aircraft shall submit an application to the Authority in Form AS10 set out in the *First Schedule* and the application shall be accompanied by the appropriate fee set out in the *Second Schedule*.

(3) The Authority shall, within forty-eight hours of receipt of the application—

(a) approve, in writing, the carriage of the weapon on board the aircraft; or

(b) reject the application and give reasons for the rejection, in writing.

(4) Where the Authority grants approval to a person to carry a weapon on board an aircraft, the aircraft operator shall—

- (a) take possession of the weapon, before the person boards the aircraft;
- (b) in the case of a firearm, confirm that the firearm is not loaded; and
- (c) stow the weapon so that it is not accessible to any person during the flight.

(5) Where the Authority rejects an application in accordance with subregulation (3) (b), the applicant may, at any time, re-submit the application in accordance with subregulation (2) upon addressing the shortfalls contained in the communication from the Authority.

- (6) The Authority may consider and grant approval for—
- (a) a request made under subregulation (1) (c); or
 - (b) an application for carriage of a weapon by an in-flight security officer,
- if there is an agreement between Malawi and the requesting State concerning the arrangement.

(7) Where armed personnel are on board an aircraft the aircraft operator shall notify the pilot-in-command of the number of the armed personnel and their seat location.

36.—(1) Where Government decides to deploy an in-flight security officer, the Authority shall be notified of the deployment (shall be notified to the Authority).

Deployment of in-flight security officers

- (2) A deployment under subregulation (1) shall be—
- (a) strictly confidential; and
 - (b) coordinated by the Authority with concerned States.

37.—(1) A person shall not possess a prohibited item listed in the *Third Schedule* while—

Control of prohibited items

- (a) in a security restricted area;
- (b) on board an aircraft; or
- (c) in an air navigation installation.

(2) A person who contravenes subregulation (1) commits an offence and shall, upon conviction, be liable to a fine of K4,000,000 and to imprisonment for two years.

38. A person who, while on board an aircraft—
- (a) assaults, intimidates or threatens another person, whether physically or verbally;
 - (b) intentionally causes damage to property of another person; or
 - (c) for any reason, conducts himself in a manner likely to endanger the safety of the aircraft or of any person on board the aircraft or jeopardize good order and discipline on the aircraft,

Acts jeopardizing good order and discipline on board an aircraft

Other offences
committed on
board aircraft

commits an offence and shall, upon conviction, be liable to a fine of K2,000,000 and to imprisonment for one year.

39. A person who, while on board an aircraft—

(a) smokes tobacco or any other substance that can be smoked;

(b) uses an electronic cigarette or any other electronic nicotine delivery system;

(c) tampers with a smoke detector or any other safety-related device; or

(d) operates an electronic device at a time when operation of electronic devices is prohibited,

commits an offence and shall, upon conviction, be liable to a fine of K2,000,000 and to imprisonment for one year.

Security
measures for
critical
information
and
communication
systems

40.—(1) An operator shall—

(a) procure, run and manage an aviation information and communication technology system which is capable of securing critical information and communication systems;

(b) adopt measures which include security by design, supply chain security, network separation, and protection or limitation of any remote access capability, as appropriate and in accordance with the risk assessment carried out by the appropriate national authority; and

(c) ensure that the responsibility for securing critical information and communication systems is allocated to staff with adequate and relevant training.

(2) In this regulation—

“cyber security” means the protection of information systems, including hardware, software and associated infrastructure, data on the systems, and the services provided by the systems, from unauthorized access, harm or misuse; and

“critical information and communication systems” means software and hardware used in aviation operations, and includes—

(a) systems and data identified as critical from an aviation safety perspective, such as—

(i) air traffic management system;

(ii) departure control system;

(iii) communication, navigation and other safety-critical system of an aircraft; and

(iv) aircraft command, control and dispatch system;

(b) systems and data identified as critical from an aviation security perspective, such as—

(i) regulated agent and known consignor database;

(ii) access control and alarm monitoring system;

(iii) closed-circuit television surveillance system;

- (iv) passenger and baggage reconciliation system; and
- (v) screening system and explosive detection system, whether networked or operating in a stand-alone configuration; and
- (vi) aerodrome and regulatory database; and
- (c) systems and data identified as critical from an aviation facilitation perspective, such as—
 - (i) aircraft operator reservation and passenger check-in system;
 - (ii) flight information display system;
 - (iii) baggage handling and monitoring system; and
 - (iv) border crossing and customs system.

PART IV—DISCOVERY, MANAGEMENT AND RESPONSE TO ACTS OF
UNLAWFUL INTERFERENCE

- 41.—(1) A person authorized to conduct a screening activity at an aerodrome who discovers or is made aware of the discovery of—
- Discovery
and response
to security
threats at
airports
- (a) an unauthorized weapon;
 - (b) a prohibited item specified in the *Third schedule*; or
 - (c) any other threat likely to affect the security of the aerodrome,
- shall immediately notify the aerodrome operator of the threat and assist the aerodrome operator in determining whether the threat affects the security of the aerodrome.
- (2) An aerodrome operator who is made aware of a security threat under subregulation (1) shall immediately determine whether the threat affects the security of the aerodrome.
- (3) Where an aerodrome operator determines that the threat is likely to affect the security of the aerodrome, the aerodrome operator shall immediately—
- (a) take necessary measures to ensure the safety of the aerodrome and aircraft, property and persons at the aerodrome; and
 - (b) notify the Authority and other relevant entities about the threat and particulars of the threat.
- (4) The Authority may suspend or cancel the approval of a security programme of an aerodrome operator who fails to comply with subregulation (3).

- 42.—(1) An aircraft operator who determines that there is a specific threat which jeopardizes the security of an aircraft, shall immediately take necessary measures to ensure the safety of the aircraft, passengers and crew members on board the aircraft, including—
- Discovery
and response
to threat to
aircraft
- (a) notifying the threat and particulars of the threat to the pilot-in-command, crew members assigned to the aircraft, the aerodrome operator and the Authority;

(b) if the aircraft is on the ground, moving the aircraft to a place of safety at the aerodrome, in accordance with directions given by the aerodrome operator; and

(c) inspecting the aircraft and searching passengers and goods on board the aircraft, unless the inspection and search are likely to jeopardize the safety of the passengers and crew members.

(2) Where the aircraft is on the ground, the pilot-in-command shall comply with any direction given by the aerodrome operator, unless complying with the direction is likely to jeopardize the safety of passengers and crew members.

(3) An aircraft operator shall, upon receipt of information that an act or suspected act of unlawful interference has occurred, immediately notify the Authority of the occurrence or suspected occurrence of the act of unlawful interference.

(4) An aircraft operator who determines that there is a specific threat that jeopardizes the security of a facility at an aerodrome, or the aerodrome, shall, immediately—

(a) notify the threat and particulars of the threat to the aerodrome operator; and

(b) take necessary measures to ensure the safety of the facility, the aerodrome and persons and aircraft at the facility or aerodrome.

(5) Where an aircraft operator determines that there is a specific threat that jeopardizes the security of an aircraft while the aircraft is in the airspace under the jurisdiction of a State other than Malawi, the aircraft operator shall notify the threat and particulars of the threat to the Authority and the appropriate authority of the State in whose territory the aircraft is located and the appropriate authority of the State in whose territory the aircraft is to land.

(6) An aircraft operator who receives a bomb threat against a specific aircraft shall take the necessary steps to determine whether any explosive or incendiary device is on board the aircraft.

(7) An aircraft operator who receives a bomb threat against an aircraft while the aircraft is in flight shall ensure that the pilot-in-command of the aircraft notifies the appropriate air traffic control authority of the threat and particulars of the threat.

Power to stop
passengers
from
embarking
aircraft

43.—(1) An aviation security officer who has reasonable cause to suspect that a person who is about to board an aircraft or is on board the aircraft intends to commit an act of unlawful interference, may, with approval of the police officer-in-charge or the aviation security officer-in-charge at the aerodrome—

(a) prevent the person from boarding the aircraft;

(b) remove the person from the aircraft; or

(c) arrest the person without a warrant.

(2) The aviation security officer who arrests a person in accordance with subregulation (1) (c) shall immediately hand over the arrested person to a police officer.

44.—(1) An operator shall keep a record of security incidents that occur in the course of its operations. Record of security incidents

(2) A record kept under subregulation (1) shall be kept for a minimum of ninety days.

(3) The operator shall by the fifth day of each month submit a consolidated monthly report for the previous month which shall, where relevant, include—

(a) the number and type of weapons, discovered during passenger screening and the method used to detect the weapons;

(b) the number and nature of acts and attempted acts of unlawful interference;

(c) the number and nature of bomb threats received, real and simulated bombs found and actual bombings or explosions at the aerodrome; and

(d) the number of persons detained or arrested and the manner in which the operator disposed of the persons detained or arrested.

45.—(1) An operator shall, where an act of unlawful interference occurs, immediately notify the Authority. Reporting of acts of unlawful interference

(2) An operator shall, following a notification under subregulation (1)—

(a) within fifteen days of the occurrence of the act of unlawful interference, submit a preliminary report, in writing, to the Authority; and

(b) upon completion of investigations, but not more than thirty days of the occurrence of the act of unlawful interference, submit a final report, in writing, to the Authority.

46.—(1) The Authority shall, where occurrence of an act of unlawful interference is reported to the Authority— Response to acts of unlawful interference by the Authority

(a) provide air traffic services to an aircraft subject to the act of unlawful interference and collect pertinent information on the flight and transmit the information to air traffic services of States concerned, including aerodrome of known or presumed destination;

(b) provide assistance to the aircraft as may be necessary in the circumstances, including navigation aid, and permission to land;

(c) detain on the ground an aircraft subjected to unlawful seizure, unless its departure is necessitated by the overriding duty to protect human life;

(d) consult with the State of the aircraft operator and notify concerned States when the aircraft lands in Malawi;

(e) after landing of the aircraft in Malawi, notify by the most expeditious means, the State of Registry of the aircraft and the State of the aircraft operator;

(f) after landing of the aircraft in Malawi, transmit by the most expeditious means, relevant information to—

- (i) each State whose citizen has suffered a fatality or injury;
- (ii) each State whose citizen is detained as a hostage;
- (iii) each State whose citizen is known to be on board the aircraft;
- (iv) the International Civil Aviation Organization; and
- (v) any other State, as the Authority may consider relevant;

(g) after landing of the aircraft in Malawi, take measures to ensure the safety of passengers and crew members on board the aircraft, pending their departure from Malawi;

(h) distribute information received under paragraph (a) to the concerned aerodrome operator, aircraft operator and other concerned entities; and

(i) cooperate with other States in the implementation of a joint response to the incident.

(2) Where an act of unlawful interference occurs at an aerodrome, the Authority shall re-evaluate security controls and procedures at the aerodrome and order the concerned operator to promptly take appropriate action to remedy any weakness identified during the re-evaluation exercise.

Notification
to
International
Civil Aviation
Organization

47.—(1) The Authority shall, following a notification of the occurrence of an act of unlawful interference under regulation 46 (f) (iv), submit to the International Civil Aviation Organization—

(a) a preliminary report containing pertinent information concerning the security aspects of the occurrence, within thirty days of the occurrence of the act; and

(b) a final report of the incident, within sixty days of completion of investigations.

(2) The Authority shall provide copies of reports submitted to the International Civil Aviation Organization under subregulation (1) to—

- (a) concerned States, envisaged under regulation 46 (a); and
- (b) upon request, any other State with an interest in the matter.

Exchange of
information

48. The Authority shall exchange information with other States and the International Civil Aviation Organization, as considered appropriate, in the management of responses to acts of unlawful interference.

Offences
relating to
acts of
unlawful
interference

49.—(1) A person who commits an act of unlawful interference commits an offence and shall, upon conviction, be liable to a fine of K5,000,000 and to imprisonment for five years.

(2) A person who aids or abets the commission of an act of unlawful interference commits an offence and shall, upon conviction, be liable to a fine of K2,000,000 and to imprisonment for one year.

(3) A person who attempts to commit an act of unlawful interference commits an offence and shall, upon conviction, be liable to a fine of K2,000,000 and to imprisonment for one year.

PART V—QUALITY CONTROL AND COMPLIANCE MONITORING

50.—(1) The Authority shall conduct a security audit, security test or security inspection of the operations of an operator, at least once every year.

Security audits, tests and inspections

(2) The Authority shall, within twenty-one days of completion of the security audit, security test or security inspection, submit its quality control report containing findings of the audit, test or inspection and recommendations for remedial action to the operator.

(3) An operator shall, within fifteen days of the date of receipt of the quality control report, submit to the Authority a response containing an action plan for remedying deficiencies specified in the report.

(4) An operator shall not submit a response where the quality control report does not identify any deficiency.

(5) The Authority may, suspend or cancel the security programme of an operator who fails to—

(a) provide a response in accordance with subregulation (3); or

(b) comply with the deadline specified in the action plan provided under subregulation (3).

(6) For purposes of this regulation “security test” means a covert or overt trial of an aviation security measure which simulates an attempt to commit an unlawful act.

51.—(1) The Authority may investigate an operator, if the Authority has reasonable grounds to believe that—

Power of investigation

(a) the operator has not complied with any requirement in the National Civil Aviation Security Programme or the security programme of the operator; or

(b) the security programme of the operator is being implemented in a careless or incompetent manner.

(2) Where the Authority conducts an investigation under subregulation (1), the Authority shall—

(a) conclude the investigation as soon as practicable, but not later than thirty days from the date of commencement; and

(b) inform the operator, in writing, of the results of the investigation, including the findings and recommendations arising out of the investigation.

(3) Where findings of the investigation reveal that the operator has failed to—

(a) comply with any requirement in the National Civil Aviation Security Programme or the security programme of the operator; or

(b) effectively and efficiently implement the security programme of the operator,

the operator shall, within fifteen days of receipt of the report under subregulation (2) (b), submit to the Authority a response containing an action plan for remedying deficiencies specified in the report.

(4) The Authority may, suspend or cancel the security programme of an operator who fails to—

- (a) provide a response in accordance with subregulation (3); or
- (b) comply with the deadline specified in the action plan provided under subregulation (3).

General
power of
entry

52.—(1) A person duly authorized by the Authority as an aviation security inspector may, at any reasonable time, access an aircraft, aerodrome, premises of an operator, air navigation installation or any off-aerodrome facility for the purposes of monitoring compliance with the Act, these Regulations and the National Civil Aviation Security Programme.

(2) An aviation security inspector, exercising the power under subregulation (1) shall carry and conspicuously display an identity card issued by the Authority containing—

- (a) the name and office of the inspector;
- (b) photograph of the inspector;
- (c) the validity period of the identity card; and
- (d) power of the inspector under subregulation (1).

(3) An aviation security inspector who enters an aircraft, premises of an operator, aerodrome, air navigation installation or an off-aerodrome facility in accordance with subregulation (1) may—

- (a) require the operator to produce any certificate, book, manual, record, list, notice, or other document that is required to be kept by the operator under these Regulations, the National Civil Aviation Security Programme or the security programme of the operator;
- (b) inspect and test the effectiveness of security measures and procedures of the operator; and
- (c) inspect and test security equipment.

(4) A person who obstructs, insults, intimidates or performs any act of violence against an aviation security inspector, while the inspector is exercising power under subregulation (1), commits an offence and shall, upon conviction, be liable to a fine of K2,000,000 and imprisonment for one year.

PART VI—MISCELLANEOUS

Exemptions

53.—(1) The Authority may exempt any person from the application of a provision of these Regulations:

Provided that the exemption shall not violate the standards prescribed by the International Civil Aviation Organisation.

(2) An exemption granted under subregulation (1) shall be published in the *Gazette* and two newspapers of wide circulation in Malawi.

54.—(1) The Authority shall—

International
cooperation

(a) cooperate with other States in the development and exchange of information concerning national civil aviation security programmes, training programmes and quality control programmes;

(b) establish and implement procedures for sharing with other Contracting States security threat information;

(c) establish and implement suitable protection and handling procedures for security information shared by other Contracting States; and

(d) notify the International Civil Aviation Organization, where the Authority has shared information with a State under paragraph (a).

(2) The Authority may—

(a) share with another State, as appropriate and consistent with the principle of sovereignty, the results of an audit carried out by the International Civil Aviation Organization and the corrective actions taken, if requested by the State; and

(b) make available to other Contracting States, on request, the appropriate parts of the National Civil Aviation Security Programme.

(3) The Authority may request from another State additional security measures for a specific flight.

(4) Where the Authority requests additional security measures under subregulation (3), the Authority shall, undertake appropriate consultations with the other State and give consideration to measures or alternative measures proposed by the other State.

(5) Where another State requests the Authority to provide additional security measures in respect of a specific flight by an operator from that State, the Authority—

(a) shall, as far as may be practicable, meet the request;

(b) may provide alternative additional security measures that are equivalent to those requested.

(6) The Authority may enter into an arrangement for the collaborative implementation of an aviation security system to avoid unnecessary duplication of security controls.

(7) The arrangement under subregulation (6) shall be based on verification of equivalence of the security outcome attained by the application of the security system in Malawi and the other State.

55.—(1) The Authority shall—

Innovation,
research and
development

(a) promote research and development of new security equipment, processes and procedures to achieve civil aviation security objectives;

(b) develop new security equipment taking into consideration human factors principles; and

(c) implement innovative processes and procedures to allow operational differentiation of screening and security controls based on clearly defined criteria.

(2) For the purposes of this regulation, “human factors principles” means principles which apply to design, certification, training, operations and maintenance which seek a safe interface between the human and other system components by proper consideration of human performance.

Revocation
of Cap. 70:01
Sub.leg. p.56
and savings

56.—(1)The Aviation (Airport Security) Regulations are hereby revoked.

(2) A person who, immediately before the commencement of these Regulations, was an operator shall, on commencement of these Regulations, continue with their operations and shall, within six months after the commencement of these Regulations, submit to the Authority their programmes for approval.

(3) An aviation security permit in force at the commencement of these Regulations shall, continue to have effect as if it was issued under these Regulations until its expiry.

FIRST SCHEDULE (reg 11(3), 11(4), 11(7)(a),
11(7)(b) 14(1),14(2)(a),
21(3)(a), 21(5)(a), 21(8)
35(2))

FORMS

CIVIL AVIATION AUTHORITY

FORM AS1 (reg. 11(3))

APPLICATION FOR APPROVAL TO OFFER AVIATION SECURITY TRAINING COURSES

*Please tick the appropriate box

- ☐ New application for approval to offer aviation security training courses
- ☐ Application for amendment of aviation security training courses offered
- ☐ Application for renewal of approval to offer aviation security training courses

SECTION 1—AVIATION TRAINING INSTITUTION

- 1. Name of institution:
- 2. Postal address:
- 3. E-mail address.....
- 4. Telephone number.....

5. Address of the principal (main) base where operations will be conducted.....
:.....
6. Address of the location for the conduct of the training.....
:.....

SECTION 2—MANAGEMENT PERSONNEL

<i>First name</i>	<i>Surname</i>	<i>Proposed position in the aviation training institution</i>	<i>Telephone & address (if different from company include country code)</i>

SECTION 3—PROPOSED COURSES OF INSTRUCTION

**Applicant intends to conduct: (please tick the appropriate box)*

- ☐ Pilot training-PPL
- ☐ Ground
- ☐ Flight
- ☐ Pilot training CPL
- ☐ Ground
- ☐ Flight
- ☐ Pilot training ATPL
- ☐ Ground
- ☐ Flight
- ☐ Aircraft maintenance engineers training
- ☐ Aviation security training
- ☐ Air traffic controllers training

SECTION 4—AVIATION SECURITY COURSES

<i>ICAO Basic 123 course</i>	<i>Instructors Course</i>	<i>Inspectors course</i>	<i>Risk management course</i>	<i>Security culture course</i>	<i>Screeners course</i>

SECTION 5—SIMULATOR INFORMATION

1. Authority assigned identification number.....
2. Make, model and series of aircraft being simulated.....
3. Expiry of approval.....

SECTION 6—ADDITIONAL INFORMATION

1. Proposed AMO to be used (Provide copies of agreements, AMO certificates and AMO SOPs)
.....
.....
.....
2. For amendments to the aviation security courses offered and/or training specification, please provide additional information leading to the amendment request
.....
.....
.....
3. For renewal of the certificate to offer aviation security training courses and training specification attach the following—

☐ Proof of payment

☐ Current list of aviation security courses offered

☐ Current list of instructors (AVSEC)
4. The statement and information contained on this form denotes an intention to apply for the Authority Certificate for the operation of an Aviation Training Organization
.....

Full name and title (block letters)

Signature

Date (dd/mm/yy)

FOR OFFICIAL USE ONLY

SECTION 7—TO BE COMPLETED BY THE INSPECTOR

Received by:.....Date (dd/mm/yy).....

Remarks.....
.....

SECTION 8—TO BE COMPLETED BY AERODROME AND AVIATION SECURITY
MANAGER

Received by:.....Date (dd/mm/yy).....

Remarks.....
.....
.....

FORM AS2

(reg. 11(4))

APPLICATION FOR CERTIFICATION AS AN AVIATION SECURITY COURSES INSTRUCTOR

*Please tick the appropriate box

- ☐ New application
- ☐ Recertification

1. Surname :
2. First name :
3. Sex:..... Date and place of birth :
4. Physical address :
5. Date and place of birth: :
6. Telephone number :
7. E-mail address :
8. National identification number :
9. Details of employer—

(a) Name :

(b) Physical address :

(c) E-mail address :

(d) Telephone number :
10. Details of previous employment details—

(a) Name :

(b) Physical address :

(c) E-mail address :

(d) Telephone number :
11. Have you ever been convicted of a criminal offence (Yes / No*)
12. Previous working experience :
13. Referees :
14. Date of initial certification:..... Expiration date:
15. Training and education—

Date	Training attended	Institution	Courses undertaken	Certificate acquired	Duration

Note: Copies of certificates should be attached to the application.

16. Name of supervisor and signature:.....

Declaration by applicant—

- I declare that the information is complete and accurate;
- I declare that I have no criminal convictions which are not already disclosed on the form;
- I declare that all the information provided is accurate;
- I authorize that approaches may be made to former employers, educational establishments, government agencies and personal referees for verification of the information that I have provided.

.....

SignatureDate (dd/mm/yy)

FORM AS3(reg. 11(7)(a))

CIVIL AVIATION AUTHORITY

CERTIFICATE TO OFFER AVIATION SECURITY TRAINING

..... of
..... (Address) is hereby permitted to offer the following aviation security training courses subject to the conditions under the Civil Aviation Act, the Civil Aviation (Security) Regulations and the National Civil Aviation Training Programme—

- (a) :
- (b) :
- (c) :

Valid for the period to.....
Dated this day of 20....

.....

Director General

FORM AS4(reg. 11(7)(b))

CIVIL AVIATION AUTHORITY

AVIATION SECURITY TRAINING INSTRUCTOR CERTIFICATE

..... of
..... (Address) is hereby permitted to be an instructor for aviation security courses.

Valid for the period to.....
Dated this day of 20....

.....

Director General

APPLICATION FOR APPROVAL OF A SECURITY PROGRAMME

Note: Please fill the appropriate section

SECTION 1

1. Name of applicant:.....
2. Physical address:.....
:.....
3. E-mail address:.....
4. Telephone number:.....

FOR OFFICIAL USE ONLY

SECTION 2—AERODROME OPERATOR

- (a) Programme objective clearly stated Yes/No*
- (b) Security responsibilities clearly allocated Yes/No*
- (c) Information and communication Yes/No*
- (d) Aerodrome’s activities clearly defined Yes/No*
- (e) Security measures for response to acts of unlawful interference satisfactory Yes/No*
- (f) Internal quality control measures satisfactory Yes/No*
- (g) Relevant appendices attached Yes/No*
- (h) Are the following security measures in accordance with the National Civil Aviation Security
Programme and the Aviation (Aviation Security) Regulations—
(i) security control of general public, passengers and luggage . . . Yes/No*
(ii) security control of personnel in the and entering restricted area Yes/No*

SECTION 3—AIRCRAFT OPERATOR

- (a) Programme objective clearly stated Yes/No*
- (b) Security responsibilities clearly allocated. Yes/No*
- (c) Operator’s activities clearly defined Yes/No*
- (d) information and communication Yes/No*
- (e) Aerodrome’s activities clearly defined Yes/No*
- (f) Are the following security measures in accordance with the National
Civil Aviation Security Programme and the Civil Aviation (Security) Regulations—
(i) Travel document verification Yes/No*

(ii)	Security of Aircraft . . . . .	..	..	..	..	Yes/No*
(iii)	Passengers and cabin baggage screening . . . . .	..	..	..	..	Yes/No*
(iv)	Passengers and baggage reconcillation . . . . .	..	..	..	..	Yes/No*
(v)	Security control of hold baggage . . . . .	..	..	..	..	Yes/No*
(vi)	Security control of cargo and mail . . . . .	..	..	..	..	Yes/No*
(vii)	Special categories of passengers and carriage of firearms . . . . .	..	..	..	..	Yes/No*
(viii)	Unruly or disruptive passengers . . . . .	..	..	..	..	Yes/No*
(ix)	Aircraft catering stores and supplies . . . . .	..	..	..	..	Yes/No*
(x)	Aircraft cleaning operations . . . . .	..	..	..	..	Yes/No*
(xi)	Aircraft maintenance areas . . . . .	..	..	..	..	Yes/No*
(xii)	Security personnel training . . . . .	..	..	..	..	Yes/No*
(xiii)	Contingency plans . . . . .	..	..	..	..	Yes/No*
(xiv)	Security incident reporting . . . . .	..	..	..	..	Yes/No*
(xv)	Internal quality control measures satisfactory . . . . .	..	..	..	..	Yes/No*
(xvi)	Local aerodrome procedures . . . . .	..	..	..	..	Yes/No*
(xvii)	Protection of airline executives and other personnel . . . . .	..	..	..	..	Yes/No*
(xviii)	Physical protection of buildings . . . . .	..	..	..	..	Yes/No*

SECTION 4—CATERING OPERATOR

(a)	Programme objective clearly stated . . . . .	..	..	..	..	Yes/No*
(b)	Security responsibilities clearly allocated . . . . .	..	..	..	..	Yes/No*
(c)	Operator’s activities clearly defined . . . . .	..	..	..	..	Yes/No*
(d)	information and communication . . . . .	..	..	..	..	Yes/No*
(e)	Are the following security measures in accordance with the National Civil Aviation Security Programme and the Civil Aviation (Security) Regulations—					
(i)	catering stores and supplies security . . . . .	..	..	..	..	Yes/No*
(ii)	Security personnel training . . . . .	..	..	..	..	Yes/No*
(iii)	Contingency plans . . . . .	..	..	..	..	Yes/No*
(iv)	Security incident reporting . . . . .	..	..	..	..	Yes/No*
(v)	Internal quality control measures satisfactory . . . . .	..	..	..	..	Yes/No*
(vi)	Local aerodrome procedures . . . . .	..	..	..	..	Yes/No*
(vii)	Protection of airline executives and other personnel . . . . .	..	..	..	..	Yes/No*
(viii)	Physical protection of buildings . . . . .	..	..	..	..	Yes/No*

SECTION 5—REGULATED AGENT

(a)	Programme objective clearly stated . . . . .	..	..	..	..	Yes/No*
(b)	Security responsibilities clearly allocated . . . . .	..	..	..	..	Yes/No*

(c)	Operator’s activities clearly defined	Yes/No*
(d)	information and communication	Yes/No*
(e)	Are the following security measures in accordance with the National Civil Aviation Security Programme and the Civil Aviation (Security) Regulations—	
(i)	catering stores and supplies security	Yes/No*
(ii)	Security personnel training	Yes/No*
(iii)	Contingency plans	Yes/No*
(iv)	Security incident reporting	Yes/No*
(v)	Internal quality control measures satisfactory	Yes/No*
(vi)	Local aerodrome procedures	Yes/No*
(vii)	Physical protection of buildings	Yes/No*

SECTION 6—AIR TRAFFIC SERVICE PROVIDER

(a)	Programme objective clearly stated	Yes/No*
(b)	Security responsibilities clearly allocated	Yes/No*
(c)	Operator’s activities clearly defined	Yes/No*
(d)	information and communication	Yes/No*
(e)	Are the following security measures in accordance with the National Civil Aviation Security Programme and the Civil Aviation (Aviation Security) Regulations—	
(i)	Air traffic control building security	Yes/No*
(ii)	Security personnel training	Yes/No*
(iii)	Contingency plans	Yes/No*
(iv)	Security incident reporting	Yes/No*
(v)	Internal quality control measures satisfactory.	Yes/No*
(vi)	Local aerodrome procedures	Yes/No*

This Security Programme is recommended by:.....

..... <i>Full name, designation and signature</i> <i>Date (dd/mm/yy)</i>
--	---------------------------------

This security programme is approved/not approved*

..... <i>Director General</i> <i>(Full name and signature)</i> <i>Date (dd/mm/yy)</i>
---	---------------------------------

CIVIL AVIATION AUTHORITY

CERTIFICATE OF APPROVAL OF OPERATOR SECURITY PROGRAMME

1. Certificate Number :.....
2. Valid from to
3. Name of operator :.....
4. Physical address of operator :.....
5. Postal address: :.....
6. Conditions and restrictions :.....

I, hereby certify that the holder of this certificate has been duly approved in accordance with the Civil Aviation Act and the Civil Aviation (Security) Regulations.

Dated this day of 20.....

.....

Director General

APPLICATION FOR AN AVIATION SECURITY PERMIT

Note: Please fill in the appropriate section

SECTION 1—AVIATION SECURITY PERMIT (INDIVIDUAL)



1. Applicable aerodrome :.....
2. Full name :.....
3. Date of birth..... Sex:.....
4. Postal address :.....
5. Physical address :.....
6. Email address :.....
7. Mobile number :.....
8. National identification number :.....
9. Nationality :.....

- 10. Capacity in which the applicant is employed :.....
- 11. Details of employer—
 - (a) Name :.....
 - (b) Postal address :.....
 - (c) Physical address :.....
 - (d) Email address :.....
 - (e) Telephone number :.....

Note: Please attach the following documents to the application—

- (a) National Identity Card;
- (b) expired permit handover slip(if applicable);
- (c) One passport size photograph (taken within the last three months);
- (d) Police Report (for new applicants (Malawians only));
- (e) Job awarding letter (for new applicants);
- (f) Copy of Passport (Non-Malawians only);
- (g) Copy of Work Permit or Business Visa (Non- Malawians Only);
- (h) Copy of operating licence (Non-Malawians Only;
- (i) Copy of business registration certificate (for new applicants); and
- (j) Existing Permit (if any) for Cancellation (if organization changed).

GENERAL RULES FOR USING THE AVIATION SECURITY PERMIT

The holder of an aviation security permit must visibly display the card on the front upper area of the outer clothing at all times whenever he/she remains in an security restricted area. Upon request, the holder must produce the security pass for inspection by aerodrome security personnel or officials and staff of other control authorities or operating personnel responsible for various functions in controlled or security restricted areas of an aerodrome. The card does not mandate prior approval to enter controlled areas. Access will be approved at the control point, upon verification of the card and confirmation of the need for access.

The aviation security permit is a property of the AUTHORITY, which is kept in the personnel protection of the holder as a formal credential for the purpose of identification of the individual. The card will not be valid for use by any other person. The holder is entrusted with the safekeeping of the card until it is invalidated through expiry, termination of appointment, or until the card is annulled for other reasons. If the holder loses the security pass, the matter must be immediately reported to the AUTHORITY or the Pass Administration Office. The holder will be liable for appropriate legal proceedings following any contravention of aviation security rules by a potential offender who gains unauthorized access using a lost identity card, which has not been duly reported to the AUTHORITY. The holder of an aviation security permit has specific responsibilities in keeping the security of the aerodrome. Hence, each individual who receives an aviation security permit shall comply with the following rules—

1. The Aviation security permit must be returned to the AUTHORITY following the expiry of the card, termination of the holder’s appointment, or cancellation of the card for any other reason. (A letter must be produced for cancellation of terminated staff cards).
2. Recovery of the lost security permit must be reported and the card handed over to the AUTHORITY by the individual who recovers them.
3. A holder shall report to the AUTHORITY or the relevant authority, any person who violates the rules of the aviation security permit system.
4. A holder of an aviation security permit must be vigilant against possible contravention of the Civil Aviation (Aviation Security) Regulations by potential offenders. Such incidents and occurrences (actual or suspect) must be immediately reported to the AUTHORITY or the related department.
5. The loss or theft of an aviation security permit should be reported immediately in persons by telephone and in writing to the sponsor and the issuing authority.

The aviation security permit should be presented when asked by the issuing authority or Aerodrome Police Security Staff. The AUTHORITY has the right to confiscate the aviation security permit, if found acting against the general rules for using the aviation security permit.

I have read the Rules for using an aviation security permit and agree to abide by them as specified above.

.....

.....

.....

Full name

Signature

Date(dd/mm/yy)

SECTION 2—VEHICLE AVIATION SECURITY PERMIT

1. Applicable aerodrome :
2. Name of operator :
3. Postal address :
4. Physical address :
5. Particulars of the vehicle(s)—

Registration number	Make and model	Chassis number	Engine type	Body type	Colour

6. Purpose of visit into a security restricted area—

.....

.....

.....

.....

GENERAL RULES FOR USING THE VEHICLE AVIATION SECURITY PERMIT

The holder of an aviation security permit shall visibly display the permit on the front upper area of the vehicle at all times whenever the vehicle remains in the security restricted area. Upon request, the holder must produce the security permit for inspection by aerodrome security personnel or officials and staff of other control authorities or operating personnel responsible for various functions in controlled or security restricted areas of an aerodrome. The permit does not mandate prior approval to enter controlled areas. Access will be approved at the control point, upon verification of the permit and confirmation of the need for access.

The aviation security permit is a property of the AUTHORITY, which is kept in the vehicle owner’s protection of the holder as a formal credential for the purpose of identification of the vehicle. The permit will not be valid for use in respect of another vehicle. The holder is entrusted with the safekeeping of the permit until it is invalidated through expiry, vehicle withdrawal from aerodrome use, or until the permit is annulled for other reasons. If the holder loses the security permit, the matter must be immediately reported to the AUTHORITY or the Permit Administration Office. The holder will be liable for appropriate legal proceedings following any contravention of aviation security rules by a potential offender who gains unauthorized access using a lost identity permit, which has not been duly reported to the AUTHORITY. The holder of a vehicle aviation security permit has specific responsibilities in keeping the security of the aerodrome. Hence, each individual who receives a vehicle security permit shall comply with the following rules—

1. The Aviation security permit must be returned to the AUTHORITY following the expiry of the permit, removal from aerodrome use, or cancellation of the permit for any other reason.
2. Recovery of the lost security permit must be reported and the permit handed over to the AUTHORITY by the individual who recovers them.
3. A holder shall report to the AUTHORITY or the relevant authority, any person who violates the rules of the vehicle aviation security permit system.
4. A holder of a vehicle aviation security permit must be vigilant against possible contravention of Civil Aviation (Security) Regulations by potential offenders. Such incidents and occurrences (actual or suspect) must be immediately reported to The AUTHORITY or the related department.
5. The loss or theft of the vehicle aviation security permit should be reported immediately in persons by telephone and in writing to the sponsor and the issuing authority.

The vehicle aviation security permit should be presented when asked by the issuing authority or aerodrome police security staff. The AUTHORITY has the right to confiscate the vehicle’s aviation security permit if found acting against the general rules for using a vehicle aviation security permit.

I have read the rules for using the vehicle Aviation security permit and agree to abide by them as specified above.

.....

.....

.....

Full name

Signature

Date (dd/mm/yy)

FOR AVSEC USE ONLY

Form No :..... Permit No :.....

Date Received :..... Zone Allocated :.....

Date Issued :..... Area of Validity :.....

.....

.....

Name of Authorizing Officer

Signature

FORM AS8

(reg. 21(5)(a))

AVIATION SECURITY PERMIT

AUTHORITY
LOGO

PICTURE

FLAG OF
MALAWI

AVIATION SECURITY PERMIT

NAME OF HOLDER :.....

ORGANIZATION :.....

DESIGNATION :.....

SIGNATURE OF HOLDER :.....

SIGNATURE OF ISSUER :.....

ISSUE DATE :.....

EXPIRY DATE :.....

ID NO. :.....

FORM AS9

(reg. 21(8))

HOLDERS OF AVIATION SECURITY PERMITS REGISTER

Permit No.	Name of holder	Type of permit	Access areas	Date of issue	Expiry date

APPLICATION TO CARRY A WEAPON ON BOARD AN AIRCRAFT

Please note—

- (a) that all information provided in terms of the Civil Aviation (Aviation Security) Regulations, shall be confidential and will only be disclosed to security agencies or to those on a need to know basis;
- (b) that an applicant must familiarize himself or herself with the conditions governing the carriage of firearms on an aircraft outlined in these Civil Aviation (Security) Regulations, before completing this form;
- (c) that an application must be submitted at least seventy-two hours before the time at which the flight concerned is expected to depart from Malawi; and
- (d) that this application must be submitted in triplicate.

- 1. Surname :.....
- 2. First name :.....
- 3. Date and place of birth :.....
- 4. Nationality :.....
- 5. National identity number / Passport number :.....
- 6. Type of weapon intended to be carried on board the aircraft :.....
- 7. Make model and identity number of weapon intended to be carried on board the aircraft :.....
- 8. If the weapon is a firearm, name of issuing authority, date and place of issue of firearm licence* :.....
- 9. Flight name/number of aircraft on which the weapon is to be carried on board:
.....
- 10. Date and time of intended travel :.....
- 11. Reasons for carrying the weapon :.....
- 12. Declaration—

I hereby declare that the information given by me in this application form is to the best of my knowledge true and accurate.

I have read the regulations governing the carriage of firearms on board an aircraft and I undertake not to breach or cause a breach of the regulations.

.....

.....

Full name and signature of applicant

Date (dd/mm/yy)

13. Recommendation by an officer, not below the rank of an Assistant Commissioner of Police, authorized by the Commissioner General of Police

.....
(Signature, full names, rank and force number)
For: Inspector General of the Republic of Malawi

.....
Date (dd/mm/yy)

14. Approved by—

.....
For: Director General

.....
Date (dd/mm/yy)

*The firearm licence and an authenticated copy thereof must be produced before the application can be considered.

SECOND SCHEDULE

(reg. 11(3)(b), 11(4)(b),
14((1)(b), 21(3)(b), 35(2))

FEES

				USD (\$)
1.	Application to offer aviation training courses	..	..	500.00
2.	Application for renewal of a certificate to offer aviation training courses			250.00
3.	Application for certification as an instructor/trainer	..	..	200.00
4.	Approval of operator security programmes—			
	(a) aerodrome operator security programme	..	..	1,000.00
	(b) aircraft operator security programme	..	..	250.00
	(c) catering operator security programme	..	..	250.00
	(d) regulated agent security programme.	..	..	250.00
	(e) supplementary station procedures	..	..	250.00
	(f) air traffic service provider security programme	..	..	250.00
	(g) operator internal quality control programme	..	..	250.00
5.	Application for an aviation security permit	..	..	50.00
6.	Application for a vehicle security permit	..	..	50.00
7.	Application for renewal of an aviation security permit	..	..	25.00
8.	Application for renewal of a vehicle security permit	..	..	25.00
9.	Application to carry a weapon on board an aircraft	..	..	25.00

THIRD SCHEDULE

(reg. 37(1))

PROHIBITED ITEMS

(a) Guns, firearms and other devices that discharge projectiles designed to cause serious injury by discharging a projectile, or capable of being mistaken for such devices, including—

- (i) firearms of all types, including pistols, revolvers, rifles and shotguns;
 - (ii) toy guns, replicas and imitation firearms capable of being mistaken for real weapons;
 - (iii) component parts of firearms, excluding telescopic sights;
 - (iv) compressed air and carbon dioxide guns, including pistols, pellet guns, rifles and ball bearing guns;
 - (v) signal flare pistols and starter pistols;
 - (vi) bows, crossbows and arrows;
 - (vii) harpoon guns and spear guns; and
 - (viii) slingshots and catapults;
- (b) stunning devices designed specifically to stun or immobilize, including—
- (i) devices for shocking, such as stun guns and stun batons;
 - (ii) animal stunners and animal killers; and
 - (iii) disabling and incapacitating chemicals, gases and sprays, such as mace, pepper or capsaicin sprays, acid sprays, animal repellent sprays, and tear gas;
- (c) objects with sharp points or sharp edges capable of being used to cause serious injury, including—
- (i) items designed for chopping, such as axes, hatchets and cleavers;
 - (ii) ice axes and ice picks;
 - (iii) razor blades and box cutters;
 - (iv) knives with blades of more than six centimetres;
 - (v) scissors with blades of more than six cm as measured from the fulcrum;
 - (vi) martial arts equipment with sharp points or sharp edges; and
 - (vii) swords and sabres;
- (d) workers' tools capable of being used either to cause serious injury or to threaten the safety of aircraft, including—
- (i) crowbars;
 - (ii) drills and drill bits, including cordless portable power drills;
 - (iii) tools with blades or shafts more than 6 cm capable of use as weapons, such as screwdrivers and chisels;
 - (iv) saws, including cordless portable power saws;
 - (v) blowtorches; and
 - (vi) bolt guns and nail guns;
- (e) blunt instruments capable of being used to cause serious injury when used to hit, including—
- (i) baseball and softball bats;
 - (ii) clubs and batons, such as billy clubs, blackjacks and night sticks;
 - (iii) fighting sticks and whips; and
 - (iv) martial arts equipment;
- (f) explosives and incendiary substances and devices capable of being used to cause serious injury or threatening the safety of aircraft, including—
- (i) ammunition;
 - (ii) blasting caps;

- (iii) detonators and fuses;
- (iv) replica or imitation explosive devices;
- (v) mines, grenades and other explosive military stores;
- (vi) pyrotechnics, including fireworks;
- (vii) smoke-generating canisters or cartridges; and
- (viii) dynamite, gunpowder and plastic explosives;
- (g) liquid, aerosols and gels as specified in the guidance issued by the Authority for security controls of liquid, aerosols and gels;
- (h) explosive or incendiary substances or devices capable of being used to cause serious injury or threatening the safety of aircraft are prohibited in the hold of an aircraft for safety reasons, including the following—
 - (i) with the approval of the operator, certain cartridges may be permitted for transport in hold baggage under conditions specified in Part 8, Chapter 1, 1.1.2, of the Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284);
 - (ii) blasting caps;
 - (iii) detonators and fuses;
 - (iv) mines, grenades and other explosive military stores;
 - (v) pyrotechnics, including fireworks;
 - (vi) smoke-generating canisters or cartridges; and
 - (vii) dynamite, gunpowder and plastic explosives.

Made this 20th day of August, 2024.

(FILE REF. NO. DCA/5/20/6)

J. HARA
Minister of Transport and Public Works

GOVERNMENT NOTICE NO. 60

OLDER PERSONS ACT
(No. 21 OF 2024)

NOTICE OF COMMENCEMENT

IN EXERCISE of the powers conferred by section 1 of the Older Pesrons Act, 2024, I, JEAN MUONAOWUZA SENDEZA, Minister of Gender, Community Development and Social Welfare, hereby appoint the 16th day of September, 2024, as the date on which the Act shall come into operation.

Dated this 10th day of September, 2024.

(FILE NO: PW&E/EP/05)

J. M. SENDEZA
*Minister of Gender, Community
Development and Social Welfare*

GOVERNMENT NOTICE NO. 60

AUTOMOTIVE TRADES REGISTRATION AND FAIR TRADING PRACTICES
ACT
(CAP. 50:05)

AUTOMOTIVE TRADES REGISTRATION AND FAIR PRACTICES (FORMS
AND FEES) (AMENDMENT) REGULATIONS, 2024

IN EXERCISE of the powers conferred by section 35 of the Automotive Trades Registration and Fair Practices Act, I, SOSTEN ALFRED GWENGWE, Minister of Trade and Industry, make the following Regulations—

1. These Regulations may be cited as the Automotive Trades Registration and Fair Practices (Forms and Fees) (Amendment) Regulations, 2024.

Citation
2. The Automotive Trades Registration and Fair Practices (Forms and Fees) Regulations are amended by deleting the *Second Schedule* and replacing therefor the following new *Second Schedule*—

Replacement of *Second Schedule* to Cap. 50:05 sub. leg. p.41

“SECOND SCHEDULE (reg 3)

FEES

APPLICATION

	K	t
1. Application for Grade 1-Franchise and Dealership	50,000.00	
2. Application for Grade 2-Garages in Central Business Districts . .	30,000.00	
3. Application Fees for Garages in Business Districts	30,000.00	

LICENCE

1. Grade 1-Franchise and Dealership	300,000.00
2. Grade 2-Garages in Central Business Districts	180,000.00
3. Grade 3-Garages in Central Business Districts	75,000.00
4. Transfer of Registration	50,000.00
5. A certified copy of Registration from the Registrar	20,000.00.”.

Made this 3rd day of September, 2024

(FILE NO. AUT. 01)

S. A. GWENGWE
Minister of Trade and Industry