

## GOVERNMENT NOTICE No. 31

## CIVIL AVIATION ACT

(No. 28 OF 2017)

CIVIL AVIATION (AERONAUTICAL SEARCH AND RESCUE) REGULATIONS,  
2026

## ARRANGEMENT OF REGULATIONS

## REGULATION

1. Citation
2. Interpretation
3. Application
4. Designation of Aeronautical Search and Rescue Agency
5. Mandate of the Agency
6. Establishment of the Centre and sub-Centres
7. Search and rescue units and alerting posts
8. Establishment of Joint Search and Rescue Coordination Centre
9. Search and rescue communication
10. Search and rescue equipment
11. Registration of emergency locator transmitters and personal locator beacons
12. Publication of search and rescue units
13. Cooperation in provision of search and rescue services
14. Establishment of Aeronautical Search and Rescue Coordination Committee
15. Search and rescue letters of agreement
16. Entry into Malawi by other State parties
17. Cooperation with other entities not forming part of formal search and rescue structure
18. Dissemination of information
19. Preparatory information
20. Aeronautical search and rescue plan of operation
21. Preparedness of search and rescue units
22. Training and exercise
23. Information concerning emergencies
24. Procedure for the Centre during emergency phase
25. Procedure for authorities in a search and rescue area

REGULATIONS

- 26. Procedure for termination and suspension of a search and rescue operation
- 27. Procedure at the scene of an accident
- 28. Procedure for a pilot-in-command interception a distress transmission
- 29. Search and rescue signals
- 30. Maintenance of records appraisals and information sharing
- 31. Disposal of wreckage
- 32. Payment to persons who suffer loss
- 33. Offence and penalty
- 34. Appeal against decision of the Authority or Centre

*Schedule*

IN EXERCISE of the powers conferred by section 92 of the Civil Aviation Act, 2017, I, JAPPIE MHANGO, Minister of Transport and Public Works, on the recommendation of the Authority, make the following Regulations—

- 1. These Regulations may be cited as the Civil Aviation (Aeronautical Search and Rescue) Regulations, 2026. Citation
- 2. In these Regulations, unless the context otherwise requires— Interpretation
  - “Aeronautical Information Publication” means a publication issued by the Authority containing aeronautical information of a lasting character essential to air navigation;
  - “Agency” means the Aeronautical Search and Rescue Agency designated under regulation 4;
  - “alert phase” means a situation wherein apprehension exists as to the safety of an aircraft and a person on board the aircraft;
  - “alerting post” means a facility intended to serve as an intermediary between a person reporting an emergency and the Centre or a sub-centre;
  - “Centre” means the Lilongwe Aeronautical Search and Rescue Coordination Centre established under regulation 6;
  - “COSPAS-SARSAT” means the Space System for the Search of Vessels in Distress-Aeronautical Search and Rescue Satellite Aided Tracking;
  - “COSPAS-SARSAT Mission Control Centre” means the COSPAS-SARSAT situated in the Republic of South Africa;
  - “distress phase” means a situation wherein there is a reasonable certainty that an aircraft and a person on board the aircraft are threatened by imminent danger and require immediate assistance;
  - “ditching” means the forced landing of an aircraft on water;
  - “emergency phase” means a situation wherein uncertainty phase, alert phase or distress phase exist;

“Joint Rescue Coordination Centre” means a rescue coordination Centre responsible for both aeronautical and maritime search and rescue operations;

“Lilongwe Search and Rescue Region” means the aeronautical search and rescue region defined as such in the Aeronautical Information Publication;

“notice to airmen” means a notice used to alert a pilot of a potential hazard along a flight route, or at a specified location, that could affect the safety of the flight;

“pilot-in-command” means the pilot in charge for the safe conduct of a flight;

“rescue” means an operation to retrieve a person in distress, provide the initial medical or other need, and deliver the person to a place of safety;

“search” means an aeronautical operation coordinated by the Centre or a sub-Centre to locate a person in distress;

“search and rescue aircraft” means an aircraft equipped with specialized equipment suitable for the conduct of an aeronautical search and rescue operation;

“search and rescue facility” means a mobile resource used to conduct an aeronautical search and rescue operation, and includes a search and rescue unit;

“search and rescue service” means the performance of aeronautical distress monitoring, communication, coordination, initial medical assistance or evacuation and search and rescue, and includes operation of a cooperating vessel, aircraft and other craft and installation;

“search and rescue unit” means a mobile resource comprising trained personnel and equipment suitable for the conduct of an aeronautical search and rescue operation;

“sub-Centre” means a search and rescue unit established under regulation 6, which is subordinate to the Centre;

“uncertainty phase” means a situation wherein uncertainty exists as to the safety of an aircraft and the person on board the aircraft; and

“vessel” means a water-navigable craft of any type, whether self-propelled or not.

Application

3. These Regulations shall apply to an aircraft requiring a search and rescue service and a person and organization involved in or responsible for the maintenance and operation of an aeronautical search and rescue service within the Lilongwe Search and Rescue Region.

Designation of  
Aeronautical  
Search and  
Rescue  
Agency

4.—(1) Airports Development Limited is hereby designated as the Aeronautical Search and Rescue Agency (hereinafter referred to as the “Agency”) for the Lilongwe Search and Rescue Region.

(2) The Agency shall be responsible to the Director General for the performance of its mandate under these Regulations.

5.—(1) The Agency shall coordinate and direct the prompt provision of search and rescue services within the Lilongwe Search and Rescue Region. Mandate of the Agency

(2) The Agency shall, without derogating from the generality of subregulation (1)—

(a) develop a search and rescue plan of operation for the Lilongwe Search and Rescue Region;

(b) determine the type and degree of search and rescue services to be provided within the Lilongwe Search and Rescue Region;

(c) coordinate the provision of search and rescue services within the Lilongwe Search and Rescue Region;

(d) establish a system for reporting occurrences, and the conduct of search and rescue operations to the Authority;

(e) ensure availability of sufficient resources and facilities, including communication facilities and skilled manpower, for the provision of search and rescue operations within the Lilongwe Search and Rescue Region;

(f) establish processes to ensure timely and effective provision of search and rescue operations within the Lilongwe Search and Rescue Region; and

(g) enter into cooperative arrangements with domestic and international institutions for the effective provision of search and rescue operations and training of personnel involved in search and rescue operations.

(3) The Agency shall provide assistance to an aircraft in distress and to a survivor of an aircraft accident regardless of the nationality or status of the person or the circumstances in which the person is found.

(4) The Agency shall ensure that aeronautical search and rescue units and all other available facilities are utilized promptly to assist any aircraft or its occupants that are, or are reasonably believed to be, in a state of emergency.

6.—(1) There is hereby established the Lilongwe Search and Rescue Coordination Centre (hereinafter referred to as the “Centre”). Establishment of the Centre and sub-Centres

(2) The Centre shall—

(a) be equipped with appropriate facilities and personnel for the provision of search and rescue services;

(b) facilitate efficient organization and provision of search and rescue services within the Lilongwe Search and Rescue Region; and

(c) coordinate the conduct of search and rescue operations within the Lilongwe Search and Rescue Region.

(3) The Agency may establish such number of search and rescue sub-Centres (hereinafter referred to as “sub-Centres”) as it may determine appropriate.

(4) The Centre and sub-Centres shall be staffed 24 hours a day by trained personnel proficient in the use of the English language.

(5) The Agency shall publish in the Aeronautical Information Publication particulars of the Centre and sub-Centres.

Search and  
rescue units  
and alerting  
posts

7.—(1) The Agency shall make formal arrangements for cooperative and appropriate use of public and private search and rescue units that are suitably located, equipped and crewed.

(2) The Agency shall maintain an accurate and complete database of search and rescue units and other search and rescue facilities and resources within the Lilongwe Search and Rescue Region.

(3) Where there is a change in the readiness or capability of a search and rescue unit, the unit shall notify the change to the Centre.

(4) Where, in any particular area, telecommunication facilities would not permit a person observing an aircraft in emergency to directly and promptly notify the occurrence to the Centre, the Agency shall designate a suitable unit of public or private service as an alerting post for the area.

(5) The Agency shall publish in the Aeronautical Information Publication particulars of alerting posts designated under subregulation (4).

Establishment  
of Joint Search  
and Rescue  
Coordination  
Centre

8.—(1) The Agency may establish a Joint Search and Rescue Coordination Centre in collaboration with the Government entity responsible for maritime search and rescue services.

(2) Where a Joint Search and Rescue Coordination Centre is established, the Agency shall facilitate consistent and cooperative engagement between the aeronautical and maritime search and rescue services.

(3) Where separate aeronautical and maritime rescue coordination Centres serve the same area, the Agency shall ensure the closest possible cooperation and coordination between the aeronautical, maritime and Government emergency response services.

Search and  
rescue  
communication

9.—(1) The Agency shall have equipment capable of communicating distress information with the COSPAS-SARSAT Mission Control Centre.

(2) The Agency shall ensure that the Centre has means of rapid and reliable two-way communication with—

(a) associated air traffic services units;

(b) sub-Centres;

(c) appropriate direction-finding and position-fixing stations;

(d) where appropriate, coastal radio stations capable of alerting and communicating in the Lilongwe Search and Rescue Region;

(e) maritime search and rescue coordination Centres within the Lilongwe Search and Rescue Region and aeronautical, maritime and joint rescue coordination Centres in adjacent search and rescue regions;

(f) a designated meteorological office or meteorological watch office;

- (g) search and rescue units;
- (h) alerting posts; and
- (i) the COSPAS-SARSAT Mission Control Centre.

(3) The Agency shall ensure that each sub-Centre has means of rapid and reliable two-way communication with—

- (a) adjacent sub-Centres;
- (b) a designated meteorological office or meteorological watch office; and
- (c) search and rescue units and alerting posts located within the area covered by the sub-Centre.

(4) The Authority shall designate a search and rescue point of contact for the receipt of COSPAS-SARSAT distress data.

10.—(1) The Agency shall ensure that a search and rescue unit is provided with equipment for—

Search and  
rescue  
equipment

- (a) locating an aircraft in distress and a survivor of an aircraft accident;
- (b) providing adequate assistance to the survivor of the aircraft accident at the scene of the accident; and
- (c) rapid and reliable two-way communication with other search and rescue facilities engaged in the search and rescue operation.

(2) The Agency shall ensure that each search and rescue aircraft—

- (a) is equipped to communicate on the aeronautical distress and on-scene frequencies and on such other frequencies as may be determined by the Authority;
- (b) is equipped with a device for homing on distress frequencies; and
- (c) when used for search and rescue over a maritime area—
  - (i) is equipped to communicate with vessels; and
  - (ii) carries a copy of the International Code of Signals to enable its operator to overcome language difficulties that may be experienced in communicating with vessels.

(3) The Agency shall ensure that—

- (a) at least one of the aircraft participating in a search and rescue operation carries droppable survival equipment; and
- (b) appropriate survival equipment, suitably packed for dropping by aircraft, is located at an aerodrome.

11.—(1) An operator shall register with the Authority an emergency locator transmitter on board its aircraft.

Registration  
of emergency  
locator  
transmitters  
and personal  
locator  
beacons

(2) A person who owns a personal locator beacon shall register the beacon with the Authority.

(3) The Director General shall maintain an International Beacon Registration Database for the Lilongwe Search and Rescue Region.

Publication of  
search and  
rescue units

12. The Agency shall publish in the Aeronautical Information Publication—

(a) as search and rescue units, elements of public and private services suitably located and equipped for search and rescue operations; and

(b) as part of the search and rescue plan of operation, elements of public and private services that do not qualify as search and rescue units but are able to participate in a search and rescue operation.

Cooperation  
and  
coordination in  
provision of  
search and  
rescue services

13.—(1) The Agency shall—

(a) develop common search and rescue plans and procedures to facilitate coordination of search and rescue operations with search and rescue operations of neighboring search and rescue regions; and

(b) ensure that each search and rescue operation is coordinated with the search and rescue operation related to the same incident conducted in a neighbouring search and rescue region.

(2) The Agency may, during an emergency phase and with the approval of the Authority—

(a) request for such assistance as may be required, including aircraft, vessel, personnel and equipment, from a search and rescue agency of another State;

(b) grant permission to a search and rescue agency of another State to participate in a search and rescue operation within the Lilongwe Search and Rescue Region; and

(c) make the necessary arrangements with the appropriate customs, immigration and other authorities in Malawi for the expeditious entry into Malawi of personnel, aircraft, vessels, and other equipment required for the conduct of a search and rescue operation within the Lilongwe Search and Rescue Region; and

(d) on request by a search and rescue agency of another State, provide assistance to the search and rescue agency of the other State, including personnel, aircraft, vessel, and other equipment required for the conduct of a search and rescue operation in the geographical area of the other State, and coordinate the provision of the assistance.

(3) The Agency shall organize joint training exercises involving its search and rescue units and search and rescue units of other States and operators.

Establishment  
of  
Aeronautical  
Search and  
Rescue  
Coordination  
Committee

14.—(1) There is hereby established the Aeronautical Search and Rescue Coordination Committee (hereinafter referred to as the “Committee”).

(2) The Committee shall comprise—

(a) the Principal Secretary responsible for civil aviation, or his designated representative, who shall be the Chairperson of the Committee;

(b) the Principal Secretary responsible for health, or his designated representative;

(c) the Principal Secretary responsible for foreign affairs, or his designated representative;

(d) the Secretary to the Treasury, or his designated representative;

(e) The Director General of the Authority, or his designated representative, who shall be secretary of the Committee;

(f) the Commander of the Malawi Defence Force, or his designated representative;

(g) the Inspector General of the Malawi Police Service, or his designated representative;

(h) the Chief Immigration Officer, or his designated representative;

(i) The Commissioner General of the Malawi Revenue Authority, or his designated representative;

(j) The Director responsible for National Parks, or his designated representative;

(k) The Director responsible for marine services, or his designated representative;

(l) The Director responsible for meteorological services, or his designated representative;

(m) The Chief Executive Officer for Airports Development Limited, or his designated representative;

(n) Commissioner for Disaster Risk Management, or his designated representative; and

(o) The Chief Executive Officer for Malawi Airlines, or his designated representative.

(3) The Committee may co-opt such number of members, based on expertise, and for such period as the Committee may determine.

(4) The Committee shall act as a coordination, information sharing and resource mobilization forum for search and rescue operations in Malawi.

(5) Without limiting the generality of subregulation (4), the Committee shall be responsible for—

(a) promoting co-operation and coordination in the development and implementation of a search and rescue plan for the Lilongwe Search and Rescue Region;

(b) promoting effective use of available search and rescue facilities;

(c) coordinating administrative and operational matters regarding search and rescue services;

(d) overseeing the implementation of the search and rescue plan for the Lilongwe Search and Rescue Region and procedures contained in the Aeronautical Search and Rescue Manual;

(e) coordinating implementation of search and rescue training and exercises, including implementation of follow-up actions recommended after search and rescue exercises;

- (f) serving as a co-operative forum for exchange of information and consensus building on matters of interest to entities involved in the provision of search and rescue services;
- (g) ensuring the availability of appropriately packed, droppable life support equipment and supplies that are securely positioned and maintained at strategic locations within the Lilongwe Search and Rescue Region;
- (h) standardize search and rescue procedures and equipment where practicable; and
- (i) develop strategies for addressing common challenges.

(6) The Committee shall—

- (a) meet at least twice a year; and
- (b) regulate its own procedure.

Search and  
rescue letters  
of agreement

15.—(1) The Agency shall, with the approval of the Authority, establish letters of agreement with—

- (a) search and rescue service providers within Malawi; and
- (b) search and rescue agencies of contiguous States.

(2) A letter of agreement established under subregulation (1)(b) shall, among other things—

- (a) set forth the conditions for entry of search and rescue units of one party into the search and rescue region of the other party; and
- (b) provide for procedure for expeditious entry of search and rescue units of one party into the search and rescue region of the other party, with the least possible formalities.

Entry into  
Malawi by  
other State  
parties

16.—(1) Where a search and rescue agency of a State Party that has not established a letter of agreement with Malawi under regulation 15 wishes to conduct a search and rescue operation in Malawi, the agency shall submit a request, in writing, to the Director General.

(2) A request submitted under subregulation (1) shall contain full particulars of the intended search and rescue operation and the need for the operation.

(3) The Director General shall, upon receipt of a request under subregulation (1)—

- (a) promptly acknowledge receipt of the request; and
- (b) as soon as possible, after consulting relevant Government agencies, transmit approval of the request, indicating conditions, if any, under which the intended operation may be undertaken.

Cooperation  
with other  
entities not  
forming part  
of formal  
search and  
rescue  
structure

17.—(1) A person or entity that is not part of the search and rescue structure provided for under these Regulations shall cooperate fully with the structure in the conduct of a search and rescue operation.

(2) The person or entity specified in subregulation (1) shall extend any possible assistance to a survivor of an aircraft accident.

(3) The Agency shall ensure that each provider of a search and rescue service under these Regulations cooperates with entities responsible for accident investigation and care of survivors of aircraft accidents.

(4) Where practicable, a search and rescue unit shall, in the conduct of a search and rescue operation, be accompanied by a person qualified in the conduct of aircraft accident and incident investigations.

18.—(1) The Agency shall—

Dissemination of information

(a) publish, in the Aeronautical Information Publication, point of contact for the receipt of COSPAS-SARSAT distress data;

(b) publish, in the Aeronautical Information Publication, the arrangements and information necessary for entry into Malawi of a search and rescue unit of another State Party for the purpose of conducting a search and rescue operation;

(c) make available, through the Centre or any other entity, information regarding the plan of operation for the Lilongwe Search and Rescue Region.

(2) The Authority shall disseminate to the general public and emergency response authorities information regarding actions to be taken when there is reason to believe that an emergency situation of an aircraft may become cause for public concern or require a general emergency response.

19.—(1) The Centre shall publish, in the Aeronautical Information Publication, the following information for use during a search and rescue operation—

Preparatory information

(a) means of communication for the Centre, sub-Centres, search and rescue units, alerting posts, and air traffic service units;

(b) contact details of all operators, including designated representatives of the operators, and contact details of the representatives; and

(c) public and private resources, including medical and transportation facilities, that are likely to be useful in the search and rescue operation.

(2) The Centre shall provide search and rescue service providers with the following information—

(a) locations, call signs, hours of watch, and frequencies of radio stations likely to be employed in support of a search and rescue operation;

(b) the locations and hours of watch of services keeping radio watch, and the frequencies guarded;

(c) locations where supplies of droppable emergency and survival equipment are stored; and

(d) objects which may be mistaken for unallocated or unreported wreckage, particularly if viewed from the air.

(3) The Centre shall coordinate with marine search and rescue units and have ready access to—

(a) information regarding the positions, course and speed of ships that may provide assistance to aircraft in distress; and

(b) information on how to contact the ships.

(4) The Agency shall, in cooperation with other States, arrange communication links with Automated Mutual-Assistance Vessel Rescue System or regional ship reporting systems to facilitate aeronautical search and rescue operations at sea.

Aeronautical  
search and  
rescue plan of  
operation

20.—(1) The Agency shall develop a detailed plan of operation for the conduct of a search and rescue operation within the Lilongwe Search and Rescue Region.

(2) The plan of operation shall be developed jointly with operators and providers of public and private services who may assist in the provision of, or benefit from, the search and rescue service.

(3) The plan of operation shall—

(a) specify arrangements for the servicing and refueling of aircraft, vessels and vehicles employed in a search and rescue operation;

(b) contain details regarding actions to be taken by a person engaged in a search and rescue operation, including—

(i) the manner in which the search and rescue operation is to be conducted;

(ii) use of available communication systems and facilities;

(iii) actions to be taken jointly with other search and rescue coordination Centres;

(iv) methods of alerting en-route aircraft and ships at sea;

(v) duties and prerogatives of persons assigned roles, and responsibilities in the search and rescue operation;

(vi) possible redeployment of equipment that may be necessitated by meteorological or other conditions;

(vii) procedure for obtaining essential information relevant to the search and rescue operation, such as weather reports, forecasts and appropriate notice to airmen;

(viii) procedure for obtaining, from another rescue coordination Centre, such assistance, including aircraft, vessel, personnel and equipment, as may be needed;

(ix) procedure for assisting distressed aircraft being compelled to ditch to rendezvous with surface craft;

(x) procedure for assisting a search and rescue aircraft or other aircraft to proceed to an aircraft in distress; and

(xi) cooperative action to be taken in conjunction with an air traffic service unit and any other authority to assist aircraft known or believed to be subject to unlawful interference.

(4) The Agency shall integrate the plan of operation with the—

(a) airport emergency plan to provide for rescue services in the vicinity of an aerodrome; and

(b) emergency response plan developed by an operator.

(5) The Agency shall prepare and keep updated an aeronautical search and rescue manual containing the necessary procedures for search and rescue operations and matters incidental thereto.

21.—(1) The Agency shall ensure that each search and rescue unit—

Preparedness  
of search and  
rescue units

(a) is familiar with all parts necessary for the effective conduct of its duties contained in the plan of operation prescribed under regulation 20;

(b) maintains readiness and the required search and rescue facilities;  
and

(c) maintains adequate supplies of rations, medical stores, signaling devices and other survival and rescue equipment.

(2) A search and rescue unit shall keep the Centre informed of the state of preparedness of the unit.

22. The Agency shall—

Training and  
exercises

(a) conduct regular training of search and rescue personnel; and

(b) arrange search and rescue exercises at such intervals as it shall determine appropriate.

23.—(1) A person who believes that an aircraft is in an emergency phase shall immediately transmit all available information concerning the aircraft to an air traffic control unit, the Centre, a sub-Centre or any other entity established or designated under these Regulations.

Information  
concerning  
emergencies

(2) Where information transmitted under subregulation (1) is received by an entity other than the Centre, the receiving entity shall immediately transmit the information to the Centre.

(3) The Centre shall, immediately upon receipt of information under subregulation (1) or (2), evaluate the information and assess the extent of the operation required.

(4) Where information is received by the Centre under subregulation (1) from a source other than an air traffic service unit, the Centre shall determine to which emergency phase the situation corresponds and apply the procedure applicable to that phase.

24.—(1) The Centre shall, upon the occurrence of an uncertainty phase, cooperate to the utmost with air traffic service units and other appropriate entities in order to ensure that incoming reports are speedily evaluated.

Procedure for  
the Centre  
during  
emergency  
phase

(2) The Centre shall, upon the occurrence of an alert phase, immediately alert search and rescue units and initiate the necessary action.

(3) The Centre shall, upon the occurrence of a distress phase—

(a) immediately initiate action by search and rescue units in accordance with the plan of operation maintained under regulation 20;

(b) ascertain the position of the aircraft, estimate the degree of uncertainty of the position, and, on the basis of this information and the prevailing circumstances, determine the extent of the area to be searched;

(c) notify the operator of the aircraft, where possible, and keep the operator informed of developments;

(d) notify any other search and rescue coordination Centre whose support seems likely to be required, or which may have an interest in the operation;

(e) where information on the emergency is received from a source other than an air traffic service unit, notify the associated air traffic service unit;

(f) request, at an early stage, such aircraft, vessel, coastal station and other entity not specifically included in the plan of operation to—

(i) maintain a listening watch for transmissions from the aircraft in distress, survival radio equipment or ELT 406Mhz; and

(ii) assist the aircraft in distress as far as practicable;

(g) from the available information, develop a detailed plan of action for the conduct of the search or rescue operation required and communicate the plan to authorities directing the conduct of the operation;

(h) amend the detailed plan of action, as necessary, in the light of evolving circumstances of the operation;

(i) notify the appropriate accident investigation authority; and

(j) notify the State of Registry of the aircraft in distress.

(4) The actions prescribed under subregulation (3) shall be implemented in the order they are listed unless circumstances dictate otherwise.

(5) Where an emergency phase is declared in respect of an aircraft whose position is unknown and the aircraft may be in one of two or more search and rescue regions, the following procedure shall apply—

(a) where the Centre is notified of the existence of an emergency phase and is not aware of another search and rescue Centre taking appropriate action, the Centre shall—

(i) assume responsibility for initiating appropriate action in accordance with these Regulations; and

(ii) confer with neighboring search and rescue coordination Centres with the objective of designating one search and rescue coordination Centre to assume responsibility;

(b) unless otherwise decided by agreement under paragraph (a)(ii), the Centre to coordinate the search and rescue operation shall be the Centre responsible for the region—

(i) in which the aircraft last reported its position;

(ii) to which the aircraft was proceeding, if its last reported position was on the line separating two search and rescue regions;

(iii) to which the aircraft was destined, if it was not equipped with suitable two-way radio communication or not under obligation to maintain radio communication; or

(iv) in which the distress site is located, as identified by the COSPAS-SARSAT system;

(c) after declaration of the distress phase, if the Centre has overall coordination responsibility, the Centre shall inform all rescue coordination Centres that may be involved in the search and rescue operation of the circumstances of the emergency and subsequent developments;

(d) where the Centre does not have overall coordination responsibility, the Centre shall transmit any information it acquires pertaining to the emergency to the rescue coordination Centre that has overall coordination responsibility.

(6) Where the Centre is responsible for a search and rescue action and it transmits information to an aircraft in respect of which an emergency phase has been declared, the Centre shall, in addition, transmit the information to the air traffic service unit serving the search and rescue region in which the aircraft is operating.

(7) For the purposes of this Regulation, “State of Registry” means the state on whose register the aircraft is entered.

25. The entity directing the conduct of a search and rescue operation in a search and rescue area or any part thereof shall—

Procedure for authorities in a search and rescue area

(a) give instructions to the search and rescue units under its direction and inform the Centre of such instructions; and

(b) keep the Centre informed of any developments.

26.—(1) A search and rescue operation shall continue, when practicable, until the survivor of the emergency is delivered to a place of safety or until there is no reasonable hope of rescuing the survivor.

Procedure for termination and suspension of a search and rescue operation

(2) The Centre shall determine when to discontinue a search and rescue operation.

(3) Where a search and rescue operation is successful, or the Centre considers, or is informed, that the emergency no longer exists, the Centre shall—

(a) cancel the emergency phase and terminate the search and rescue operation; and

(b) promptly notify the cancellation and termination to all search and rescue units and other entities and facilities that were activated or notified of the emergency.

(4) Where the Centre determines that a search and rescue operation is impracticable and that there is reasonable chance of finding a survivor, the Centre shall—

(a) suspend on-scene activities pending further developments; and

(b) promptly notify the suspension to all search and rescue units and other entities and facilities that were activated or notified of the emergency.

(5) The Centre shall evaluate any information received subsequently, and where the Centre determines that the search and rescue operation is justifiable and practicable, the Centre shall resume the operation and notify the resumption to all search and rescue units and other entities and facilities specified under subregulation (4)(1)(b).

Procedure at  
the scene of  
an accident

27.—(1) Where several search and rescue facilities are engaged in an on-scene search and rescue operation, the Centre or sub-Centre in charge of the operation shall, taking into account capabilities of the units and the operational requirements, designate one or more units on the scene to coordinate actions to help ensure the safety and effectiveness of air and surface operations.

(2) A pilot-in-command who observes that another aircraft or a surface craft is in distress, shall, if possible and unless considered unreasonable or unnecessary—

(a) keep the aircraft or surface craft in distress in sight until compelled to leave the scene or advised by the Centre that it is no longer necessary to do so;

(b) determine the position of the aircraft or surface craft in distress; and

(c) as appropriate, report to the Centre or an air traffic service unit as much of the following information as possible—

(i) type of aircraft or surface craft in distress, its identification and condition;

(ii) its position, expressed in geographical or grid coordinates or in distance and true bearing from a distinctive landmark or from a radio navigation aid;

(iii) time of observation expressed in hours and minutes Coordinated Universal Time (UTC);

(iv) number of persons observed;

(v) whether a person has been seen to abandon the craft in distress;

(vi) on-scene weather conditions;

(vii) apparent physical condition of the survivor;

(viii) apparent best ground access route to the distress site; and

(ix) act as instructed by the Centre or the air traffic service unit.

(3) Where the first aircraft to reach the scene of an accident is not an aeronautical search and rescue aircraft, the pilot-in-command of the aircraft shall take charge of on-scene activities of such other aircrafts subsequently reaching the scene until the first aeronautical search and rescue aircraft reaches the scene.

(4) Where the first aircraft to reach the scene of an accident specified under subregulation (3), is unable to establish communication with the Centre or an air traffic service unit, the pilot-in-command of the aircraft shall, by mutual agreement, hand over charge of the on-scene activities to the pilot-in-command of the first aircraft that reaches the scene subsequently that is capable of establishing and maintaining such communication until an aeronautical search and rescue aircraft reaches the scene.

(5) Where it is necessary for an aircraft to convey information to a survivor or a surface rescue unit, and two-way communication is not available, the pilot-in-command of the aircraft shall, if practicable, drop communication equipment that would enable direct contact to be established,

or convey the information by dropping a hard copy message.

(6) Where a ground signal is displayed, the pilot-in-command of the aircraft shall indicate whether the signal has been understood or not by the means described in subregulation (5) or, if this is not practicable, by making the appropriate visual signal.

(7) Where it is necessary for an aircraft to direct a surface craft to the place where the aircraft or surface craft in distress is located, the pilot-in-command of the aircraft shall do so by transmitting precise instructions by any means at his disposal and if no radio communication can be established, the pilot-in-command shall make the appropriate visual signal.

28. A pilot-in-command of an aircraft who intercepts a distress transmission shall, if practicable—

Procedure for a pilot-in-command intercepting a distress transmission

- (a) acknowledge the distress transmission;
- (b) record the position of the aircraft in distress, if given;
- (c) take a bearing on the transmission;
- (d) inform the Centre or an air traffic service unit about the distress transmission, giving all the available information; and
- (e) at the pilot’s discretion, while awaiting instructions, proceed to the position given in the transmission.

29.—(1) The air-to-surface and surface-to-air visual signals prescribed in the *Schedule* shall, when used, have the meaning indicated therein and shall be used only for the purpose indicated, and no other signal likely to be confused with a prescribed signal shall be used.

Search and rescue signals.

(2) A pilot-in-command of an aircraft shall, upon observing any signal prescribed under subregulation (1), take such action as may be required by the interpretation of the signal.

30.—(1)The Centre shall keep in an orderly and easily accessible format data relating to each search and rescue operation conducted within the Lilongwe Search and Rescue Region.

Maintenance of records, appraisals and information sharing

(2) The Centre shall retain data kept under subregulation (1) for a period of twelve months from the date of completion of the aircraft accident investigation.

(3) The Centre shall conduct an appraisal and prepare a report of each search and rescue operation conducted within the Lilongwe Search and Rescue Region.

(4) Where findings of the appraisal conducted under subregulation (3) are likely to be of interest to another Contracting State, the Authority shall submit the report to ICAO.

31. Where wreckage of an aircraft involved in an accident within Malawi may constitute a hazard or confuse a subsequent search and rescue operation, the Authority shall ensure that the wreckage is removed, obliterated or charted after completion of the accident investigation.

Disposal of wreckage

Payment to persons who suffer loss                    32. Where the Authority recovers search and rescue expenses from a person under section 86(2) of the Act, the Authority may pay any portion of the amount recovered, as it may determine appropriate, to any other person who incurred any loss or damage as a result of the operation.

Offence and penalty                    33. A person who—  
                                                  (a) fails to comply with any direction or instruction given to him under these Regulations; or  
                                                  (b) contravenes a provision of these Regulations,  
                                                  commits an offence and shall, upon conviction, be liable to a fine of K5,000,000 and to imprisonment for five years.

Appeal against decision of the Authority or Centre                    34. A person aggrieved by a decision of the Authority or the Centre under these Regulations may appeal to the Tribunal in accordance with Part VIII of the Act.

SCHEDULE

(reg. 29)

AERONAUTICAL SEARCH AND RESCUE SIGNALS

1. Signals with surface craft—

1.1 The following manoeuvres performed in sequence by an aircraft mean that the aircraft wishes to direct a surface craft towards an aircraft or a surface craft in distress—

- (a) circling the surface craft at least once;
- (b) crossing the projected course of the surface craft close ahead at low altitude and;
  - (1) rocking the wings;
  - (2) opening and closing the throttle; or
  - (3) Changing the propeller pitch.

Note: *Due to high noise level on board surface craft, the sound signals in (2) and (3) may be less effective than the visual signal in (1) and are regarded as alternative means of attracting attention.*

- (c) heading in the direction in which the surface craft is to be directed.

Repetition of such manoeuvres has the same meaning.

1.2 The following manoeuvres by an aircraft mean that the assistance of the surface craft to which the signal is directed is no longer required:

- crossing the wake of the surface craft close astern at a low altitude and—
  - (1) rocking the wings; or
  - (2) opening and closing the throttle; or
  - (3) changing the propeller pitch.

Note: *The following replies may be made by surface craft to the signal in 1.1:*

—for acknowledging receipt of signals:

- (1) the hoisting of the “code pennant” (vertical red and white stripes) close up (meaning understood);
- (2) the flashing of a succession of “T’s” by signal lamp in the Morse code;
- (3) the changing of heading to follow the aircraft.

—for indicating inability to comply:

- (1) the hoisting of the international flag “N” (a blue and white checkered square);
- (2) the flashing of a succession of “N’s” in the Morse code.

Note. — See Note following 1.1 b), 3).

2. Ground-air visual signal code

2.1 Ground-air visual signal code for use by survivors

| No. | Message                      | Code symbol |
|-----|------------------------------|-------------|
| 1   | Require assistance           | V           |
| 2   | Require medical assistance   | X           |
| 3   | No or Negative               | N           |
| 4   | Yes or Affirmative           | Y           |
| 5   | Proceeding in this direction | ↑           |

2.2 Ground-air visual signal code for use by rescue units.

| No. | Message                                                              | Code symbol                                                                       |
|-----|----------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| 1   | Operation completed                                                  | LLL                                                                               |
| 2   | We have found all personnel                                          | <u>LL</u>                                                                         |
| 3   | We have found only some personnel                                    | ++                                                                                |
| 4   | We are not able to continue. Returning to base                       | XX                                                                                |
| 5   | Have divided into two groups. Each proceeding in direction indicated |  |
| 6   | Information received that aircraft is in this direction              |  |
| 7   | Nothing found. Will continue to search                               | NN                                                                                |

2.3 Symbols shall be at least 2.5 metres (8 feet) long and shall be made as conspicuous as possible.

Note 1.—*Symbols may be formed by any means, such as: strips of fabric, parachute material, pieces of wood, stones or such like material; marking the surface by tramping, or staining with oil.*

Note 2.— *Attention to the above signals may be attracted by other means such as radio, flares, smoke and reflected light.*

3. Air-to-ground signals

3.1 The following signals by aircraft mean that the ground signals have been understood—

- (a) during the hours of daylight by rocking the aircraft’s wings;
- (b) during the hours of darkness—
  - (1) flashing on and off twice the aircraft’s landing lights; or
  - (2) if not so equipped, by switching on and off twice its navigation lights.

3.2 Lack of the above signal indicates that the ground signal is not understood.

Made this 16th day of March, 2026.