

GOVERNMENT NOTICE No. 30

CIVIL AVIATION ACT

(No. 28 OF 2017)

CIVIL AVIATION (CERTIFICATION OF AIR NAVIGATION SERVICE PROVIDERS) REGULATIONS, 2026

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—

PART I—PRELIMINARY

1. These Regulations may be cited as the Civil Aviation (Certification of Air Navigation Service Providers) Regulations, 2026. Citation
2. In these Regulations, unless the context otherwise requires— Interpretation

“air navigation service” means any one of the following services—

 - (a) air traffic service;
 - (b) aeronautical telecommunication service;
 - (c) aeronautical search and rescue service;
 - (d) aeronautical information service;
 - (e) aeronautical cartographic service; and
 - (f) instrument flight procedures design; and

“air navigation service provider” means an entity certified to provide an air navigation service under regulation 9.
- 3.—(1) These Regulations shall apply to a person who intends to, or provides, an air navigation service— Application
 - (a) within the Malawi airspace; and
 - (b) under an agreement between Malawi and another State in airspace that is not within the Malawi airspace.

(2) These Regulations shall not apply to a person who intends to, or provides, a meteorological service.
- 4.—(1) A person who intends to provide an air navigation service shall, before making an application to operate as an air navigation service provider— Manual of air navigation service operations
 - (a) develop a manual of air navigation services operations; and
 - (b) submit the manual to the Authority for approval.

(2) A manual of air navigation service operations shall contain—

 - (a) the service intended to be provided by the applicant;
 - (b) a description of the organizational structure of the applicant, including—

- (i) names, qualifications, and experience of key personnel;
 - (ii) duties and responsibilities of the personnel; and
 - (iii) an organizational chart showing lines of responsibility;
 - (c) a training and competency programme;
 - (d) a description of operational procedures, including—
 - (i) hours of operation;
 - (ii) service delivery procedure;
 - (iii) coordination procedure; and
 - (iv) contingency procedure;
 - (e) a safety management system;
 - (f) a quality management system;
 - (g) a contingency plan;
 - (h) a description of how the applicant will comply with the Civil Aviation (Security) Regulations, 2024;
- G.N. 59/2024
- (i) a security procedures manual;
 - (j) specifications of the facilities and equipment to be used, including the installation and maintenance procedures;
 - (k) procedure for fault and defect reporting;
 - (l) procedure for maintenance of documents and records;
 - (m) a search and rescue plan of operation that complies with the Civil Aviation (Aeronautical Search and Rescue) Regulations, 2026; and
 - (n) any other information as the Authority may advise.
- G.N. 31/2026
- Application for approval of manual of air navigation services operations
- 5.—(1) An application for approval of a manual of air navigation service operations shall be in Form A1 set out in the *First Schedule* and shall be accompanied by—
- (a) two copies of the proposed manual; 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 manual—
- (a) complies with the requirements prescribed under these Regulations, approve the manual and issue a certificate of approval in Form A2, set out in the *First Schedule*; or
 - (b) does not comply with the requirements prescribed under these Regulations, reject the manual and give reasons, in writing, for the decision.
- (3) Where the Authority rejects an application in accordance with subregulation (2)(b), the applicant may, at any time, re-submit the application upon addressing the shortfalls specified in the communication from the Authority.
- (4) An application submitted under subregulation (3) shall be processed in accordance with subregulation (2).

(5) Where the Authority approves a manual under subregulation (2)(a), the applicant provider shall keep at least one complete and current copy of the manual of air navigation services operations at each office listed on the certificate issued under subregulation 2(a).

6.—(1) Where a holder of a certificate of approval issued under regulation 5(2)(a) is certified as an air navigation service provider, he shall, once every year, review the approved manual of air navigation service operations and, where necessary, update the manual.

Review of
manual of air
navigation
service
operations

(2) Where the manual is reviewed, the holder of the approval certificate shall—

(a) immediately notify the Authority of the changes made to the manual and provide details of the interim measures adopted to maintain an adequate level of service provision, pending the approval of the revised manual; and

(b) within thirty days of notifying the Authority in accordance with paragraph (a), submit an application for approval of the revised manual, in accordance with regulation 5.

(3) The Authority may, at any time, review a manual of air navigation service operations to determine whether the manual continues to comply with these Regulations.

(4) Where the Authority determines that the manual does not comply with these Regulations, the Authority shall direct, in writing, the holder of the certificate of approval to review the manual, in the manner specified by the Authority.

(5) The holder of the certificate of approval shall comply with the directive issued under subregulation (4) within thirty days from the date of receipt of the directive.

7.—(1) A person shall not provide an air navigation service unless the person holds an air navigation service certificate issued by the Authority.

Certification
of air
navigation
service
providers

(2) An application for an air navigation service certificate shall be in Form A3 set out in the *First Schedule* and shall be accompanied by—

(a) the applicant’s manual of air navigation service operations approved by the Authority under regulation 5;

(b) audited financial statements for the preceding three years;

(c) an insurance policy in relation to the service to be provided; and

(d) the appropriate fee set out in the *Second Schedule*.

(3) The Authority shall, within ninety days of receipt of an application under subregulation (1), review the application and upon being satisfied that the applicant—

(a) complies with the requirements prescribed under these Regulations, approve the application and issue a certificate of approval in Form A4, set out in the *First Schedule*; or

(b) does not comply with the requirements prescribed under these Regulations, reject the application and give reasons, in writing, for the decision.

- (4) A certificate issued under subregulation (3)(a) shall—
- (a) be valid for two years from the date of issuance; and
 - (b) not be transferable.

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

(6) The Authority shall maintain a register of air navigation service certificate holders in Form A5 set out in the *First Schedule*.

Display of
certificate

8.—(1) The holder of a certificate issued under regulation 7(3)(a) shall display the certificate, or a copy of the certificate, in a conspicuous place, at his principal place of business.

(2) Where a copy of the certificate is displayed under sub-regulation (1), the holder of the certificate shall produce for inspection the original copy of the certificate upon request by the Authority.

Renewal of
certificate

9.—(1) An application for renewal of an air navigation services certificate shall be—

- (a) in Form A3, set out in the *First Schedule*;
- (b) made at least sixty days before the expiry of the certificate; and
- (c) accompanied by—
 - (i) a manual of air navigation service operations, if the manual was revised during the validity period of the previous certificate; and
 - (ii) the appropriate fee set out in the *Second Schedule*.

(2) The Authority shall, in determining an application for renewal of an air navigation service certificate, take into account the compliance record of the applicant during the validity period of the preceding certificate.

(3) Where, during the validity period of the certificate, the holder of the certificate contravened the Act or a condition of the certificate, the Authority may—

- (a) reject the application; or
- (b) renew the certificate subject to such conditions as the Authority may determine appropriate.

Suspension,
variation and
cancellation of
certificate

10. The Authority may suspend, vary or cancel an air navigation service certificate if the Authority determines that the holder of the certificate—

- (a) has failed to comply with the Act;
- (b) has failed to comply with a term or condition of the certificate;

or

(c) provided false or misleading information to the Authority at the time of making the application for the certificate.

11.—(1) An air navigation service provider shall provide the service— Scope of services

(a) in accordance with the Act and its approved manual of air navigation service operations;

(b) within the designated airspace, aerodrome or facility; and

(c) as specified in its certificate.

(2) The air navigation service provider shall—

(a) adopt and put into operation the appropriate standard systems, operational practices and rules as prescribed by the Authority; and

(b) establish procedures for the service listed in the certificate issued under regulation 7(3)(a).

(3) A person shall not install, maintain and operate an air navigation service facility within Malawi, without approval of the Authority.

12. An air navigation service provider shall comply with— Standard of service

(a) the Act;

(b) the ICAO standards and recommended practices; and

(c) directives issued by the Authority.

13.—(1) An air navigation service provider shall— Notifications to the Authority

(a) notify the Authority immediately of any—

(i) service interruption;

(ii) degradation of service; or

(iii) facility failure;

(b) issue appropriate notices to airmen; and

(c) implement contingency procedures.

(2) For the purposes of this regulation, “notice to airmen” means a notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations.

14.—(1) An air navigation service provider shall develop and maintain a contingency plan for use in the event of a disruption or potential disruption of the air navigation service provided by it. Air navigation services contingency plan

(2) The air navigation service provider shall, while developing the contingency plan, liaise with other air navigation service providers in adjacent or contiguous airspaces.

(3) The contingency plan shall—

(a) comply with the Civil Aviation (Air Traffic Services) Regulations, 2026; and G.N. 32/2026

	(b) include— (i) the actions to be taken by the personnel of the air navigation service provider; (ii) alternative arrangements for providing the service; (iii) arrangements for resuming normal operation of the service; and (iv) any other matter specified by the Authority.
Designated alternative air navigation service provider	15. The Authority may, where it is necessary and in the public interest, designate an alternative air navigation service provider for a specified period, where the air navigation service certificate issued to an air navigation service provider is— (a) suspended or cancelled by the Authority; or (b) surrendered by the certificate holder.
Record keeping	16.—(1) An air navigation service provider shall maintain records of— (a) operational activities; (b) facility performance; (c) personnel training and competency; (d) safety occurrences; (e) quality audits; (f) equipment maintenance; and (g) any matter as the Authority may specify. (2) The records maintained under subregulation (1) shall be kept for at least two years.
Reporting requirements	17.—(1) An air navigation service provider shall submit monthly statistical returns to the Authority by the 15th day of each following month. (2) An air navigation service provider shall submit an annual report to the Authority by the 30th day of April of each following year. (3) An air navigation service provider shall submit to the Authority— (a) safety occurrence report, within twenty-four hours of the occurrence of an incident that endangers or could endanger the safe operation of an aircraft; (b) a facility status report within twenty-four hours of any change in facility status; and (c) any other report as the Authority may require, within the timeframe specified by the Authority. (4) All reports under this regulation shall be submitted in the form and manner specified by the Authority.
Safety inspections and audit of air navigation services	18.—(1) The Authority shall carry out a safety audit or inspection of air navigation facilities, services, documents and records maintained under these Regulations, at least once every year.

(2) The Authority shall, within twenty-one days of completion of the safety audit or inspection, submit its report containing findings and recommendations for remedial action to the air navigation service provider.

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

(4) An air navigation service provider shall not submit a response where the report does not identify any deficiency.

(5) The Authority may, suspend or cancel the certificate of the air navigation service provider 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).

19.—(1) The Authority may investigate an air navigation service provider if the Authority has reasonable grounds to believe that the provider— Power of investigation

- (a) has not complied with any requirement of the approved manual of air navigation service operations or the Act; or
- (b) is implementing the approved manual of air navigation service operations 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 air navigation service provider, in writing, of the results of the investigation, including the findings and recommendations arising out of the investigation.

(3) Where the investigation reveals that the air navigation service provider has failed to—

- (a) comply with any requirement in the approved manual of air navigation services operations or the Act; or
- (b) effectively and efficiently implement the approved manual of air navigation service operations, the provider 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 certificate of the air navigation service provider 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).

20.—(1) A person duly authorized by the Authority as an air navigation service inspector may, at any reasonable time, access an aerodrome, premises General power of entry

of and air navigation installation or any off-aerodrome facility for the purposes of monitoring compliance with the Act, and the approved manual of air navigation service operations.

(2) The air navigation service 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 air navigation inspector who enters the 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 or the manual of air navigation service operations of the air navigation service provider;
- (b) inspect and test the effectiveness of measures and procedures of the air navigation service provider; and
- (c) inspect and test the air navigation service equipment.

Offences and penalties

21. A person who—

- (a) obstructs, insults, intimidates or performs any act of violence against an air navigation service inspector, while the inspector is exercising power under regulation 20; or
 - (b) contravenes any provision under these Regulations,
- commits an offence and shall, upon conviction, be liable to a fine of K4,000,000.00 and to imprisonment for two years.

FIRST SCHEDULE

(reg. 5(1), 5(2)(a),
7(2), 7(3)(a), 7(6),
9(1)(a))

FORMS

CIVIL AVIATION AUTHORITY

FORM A1

APPLICATION FOR APPROVAL OF MANUAL OF AIR NAVIGATION SERVICES OPERATIONS

Note: Please fill the appropriate section

SECTION I—DETAILS OF APPLICANT

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

FOR OFFICIAL USE ONLY

SECTION 2—MANUAL OF AIR NAVIGATION SERVICES OPERATIONS

- (a) Services to be provided clearly stated.....Yes/No*
- (b) Description of the organizational structure including the names, qualifications, and experience of key personnel has been provided..... Yes/No*
- (c) Description of the organizational structure, including the duties and responsibilities of key positions, provided Yes/No*
- (d) Description of the organizational structure, including an organizational chart showing lines of responsibility, provided..... Yes/No*
- (e) A training and competency programme provided Yes/No*
- (f) A description of operational procedures including hours of operation provided.....
..... Yes/No*
- (g) Description of operational procedures including service delivery procedures provided..... Yes/No*
- (h) Description of operational procedures including coordination procedures provided Yes/No*
- (i) Description of operational procedures including contingency procedures provided Yes/No*
- (j) Contingency plan provided..... Yes/No*
- (k) Description of how the applicant will comply with the Civil Aviation (Security) Regulations provided..... Yes/No*
- (l) Security procedures manual provided Yes/No*
- (m) Specifications of the facilities and equipment to be used, including the installation and maintenance procedures provided..... Yes/No*
- (n) Procedures for fault and defect reporting provided Yes/No*
- (o) Procedures for the maintenance of documents and records provided Yes/No*
- (p) Search and rescue responsibilities and coordination, operations plan and procedures provided..... Yes/No*

This manual of air navigation service operations is recommended for approval by:

.....

.....

Full name, designation and signature

Date (dd/mm/yy)

This manual of air navigation service operations is approved/not approved*

.....

.....

Director General

Date (dd/mm/yy)

(Full name and signature)

FORM A2

CERTIFICATE OF APPROVAL OF THE MANUAL OF AIR NAVIGATION
SERVICE OPERATIONS

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 (Certification of Air Navigation Service Providers) Regulations.

Dated this day of 20

.....

Director General

FORM A3

APPLICATION FOR AIR NAVIGATION SERVICES CERTIFICATE

SECTION 1–APPLICATION TYPE (SELECT AS APPLICABLE)

New ☐

Renewal ☐

Amendment ☐

Surrender ☐

SECTION 2 – PARTICULARS OF THE APPLICANT

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

SECTION 3 – OPERATIONAL DETAILS

Type of service to be provided at the designated location (*Tick as appropriate*)

(a) Air Traffic Services (ATS)	☐
(b) Aeronautical Telecommunications Service	☐
(c) Aeronautical Search and Rescue Service (SAR)	☐
(d) Aeronautical Information Service (AIS)	☐
(e) Aeronautical Cartographic Service	☐
(f) Instrument Flight Procedures Design	☐

Location of proposed operation:

Service(s) to be provided	Location and coverage of each service

Proposed Commencement Date:

Daily Hours of Service:

Manual of Air Navigation Services Operations provided? ☐ Yes ☐ No

SECTION 4 – PROPOSED CHANGES / AMENDMENTS

SECTION E 5– DECLARATION

I hereby certify that to the best of my knowledge the information supplied in support of this application for certification as an Air Navigation Service Provider and supporting documentation, is correct and that no relevant information has been withheld.

Name of the person making the declaration:

Contact address:

Telephone number:

E-mail:

Signature:

Date: /..... /.....

My Authority to act on behalf of the applicant is:

.....
.....

Note:

- 1. *The application should be submitted to the Civil Aviation Authority office in Lilongwe or through the postal address: Private Bag, B311, Lilongwe.*
- 2. *On submission of this application, the applicable fee shall be paid to the Authority.*
- 3. *The Authority may Documentary evidence in support of all matters in this application may be requested.*

FORM A4

AIR NAVIGATION SERVICES CERTIFICATE

FOR

[APPLICANT ORGANIZATION NAME AND ADDRESS]

The Civil Aviation Authority hereby certifies that the above organization has been compliant with the existing requirements and is capable of providing the bundle of services listed in the attached *schedule*.

This certificate, unless surrendered, suspended or cancelled by the Civil Aviation Authority, shall continue in effect from [date] to [date]

Signature:

Date of Issue:

Director General

FORM A5

HOLDERS OF AIR NAVIGATION SERVICES CERTIFICATE REGISTER

<i>Certificate No.</i>	<i>Name of holder</i>	<i>Areas certified for</i>	<i>Date of issue</i>	<i>Expiry date</i>

SECOND SCHEDULE

(reg. 5(1), 7(2)(d),
9(1)(c)(ii))

FEES

			USD
Application for approval of Manual of Air Navigation Services Operations	..	500.00	
Application for amendment of Manual of Air Navigation Services Operations	..	250.00	
Application for Certificate of Air Navigation Service Provider		1000.00	
Renewal of Certificate of Air Navigation Service Provider		1000.00	

Made this 16th day of March, 2026.

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

J. MHANGO
Minister of Transport and Public Works