

GOVERNMENT NOTICE NO. 40

AVIATION ACT

(CAP. 70:01)

AVIATION (AERODROMES) REGULATIONS, 2013

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IN EXERCISE of the powers conferred by section 19 of the Aviation Act, I, MOHAMMED SIDIK MIA, Minister of Transport and Public Works, make the following Regulations—

PART I—GENERAL

Citation and Application 1.—(1) These Regulations may be cited as Aviation (Aerodromes) Regulations, 2013.

(2) These Regulations prescribe the requirements in relation to the design, establishment, certification and operation of aerodromes in accordance with Act.

Interpretation 2. For the purposes of these Regulations, unless the context otherwise requires—

“aerodrome” means a defined area on land or water (including any buildings, installations, and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft;

“aerodrome certificate” means the certificate to operate an aerodrome issued by the Authority under these regulations subsequent to the acceptance/approval of the aerodrome manual;

“aerodrome facilities and equipment” means facilities and equipment, inside or outside the boundaries of an aerodrome, that are constructed or installed and maintained for the arrival, departure and surface movement of aircraft;

“aerodrome manual” means the manual that forms part of the application of an aerodrome certificate pursuant to these regulations, including any amendments thereto accepted/approved by the Authority;

“aerodrome operator” means in relation to a certificated aerodrome, means the aerodrome certificate holder;

“airport commandant” means the person appointed by the Director to be or to act as Commandant;

“apron” means a defined area, on a land aerodrome, intended to accommodate aircraft for purposes of loading or unloading of passengers, mail or cargo, fuelling, parking or maintenance;

“authorized person” in relation to an aerodrome, means a person duly authorized for the matter in question by the Minister, the Director, the Airport Commandant or the Officer-in-Charge, as the case shall be;

“certified aerodrome” means an aerodrome whose operator has been granted an aerodrome certificate;

“livestock” includes horses, cattle, mules, donkeys, sheep, goats, pigs, dogs and cats;

“manoeuvring area” means that part of an aerodrome to be used for the take-off, landing and taxiing of aircraft, excluding aprons;

“marker” means an object displayed above ground level in order to indicate an obstacle or delineate a boundary;

“marking” means a symbol or group of symbols displayed on the surface of the movement area in order to convey aeronautical information;

“maximum carrying capacity” means in relation to an aircraft, means the maximum passenger-seating, or the maximum payload, permitted under the aircraft’s certificate of type approval;

“maximum passenger-seating capacity” means in relation to an aircraft, means the maximum number of seats for passengers permitted under the aircraft’s certificate of type approval;

“movement area” means that part of the aerodrome to be used for take-off, landing and taxiing of aircraft, consisting of the manoeuvring area and the apron(s);

“obstacle” means all fixed (whether temporary or permanent) and mobile objects, or parts thereof, that are located on an intended for the surface movement of an aircraft or that extend above a defined surface intended to protect aircraft in flight;

“Obstacle Free Zone (OFZ)” means the airspace above the inner approach surface, inner transitional surfaces, and balked landing surface and that portion of the strip bounded by these surfaces, which is not penetrated by any fixed obstacle other than a low-mass and frangibly mounted one required for air navigation purposes;

“obstacle limitation surfaces” means a series of surfaces that define the volume of airspace at and around an aerodrome to be kept free of obstacles in order to permit the intended aeroplane operations to be conducted safely and to prevent the aerodrome from becoming unusable by the growth of obstacles around the aerodrome;

“officer-in-charge” means a person approved by the Director to be in charge of a Government aerodrome in respect of which an Airport Commandant has not been appointed, or in the case of a private aerodrome licensed for public use, the person appointed by the licensee to be in charge of the aerodrome;

“runway” means an area within a landing strip prepared for the take-off and landing of aircraft along its length;

“runwaystrip” means a defined area including the runway and stopway, if provided, intended—

(a) to reduce the risk of damage to aircraft running off a runway; and

(b) to protect aircraft flyover it during take-off or landing operations.

“safety management system” means a system for the management of safety at aerodromes including the organizational structure, responsibilities, procedures, processes and provisions for the implementation of aerodrome safety policies by an aerodrome operator, which provides for the control of safety at, and the safe use of, the aerodrome;

“strip” means a rectangular portion of the landing area, specially prepared for the take-off and landing of aircraft in a particular direction, in some cases including a runway;

“take-off or climb area” means a specified portion of the surface of the ground or water beyond the end of a strip in the direction of take-off. It is an area within which it may be necessary to remove or mark objects constituting obstructions and to restrict the creation of new obstacles;

“taxiway strip” means an area including a taxiway intended to protect an aircraft operating on a taxiway and to reduce the risk of damage to an aircraft accidentally running off the taxiway;

“traffic sign” includes any speed limit sign, any mark on the surface of a roadway, any signal whether an automatic electric signal or otherwise, warning sign post, direction post or sign or any other device for the guidance and direction of persons using the roadways in an aerodrome which the Minister causes or permit to be placed or near any such roadway;

“unserviceable area” means a part of the movement area that is unfit and unavailable for use by aircraft;

“vehicle” does not include an aircraft;

“work area” means a part of an aerodrome in which maintenance or construction works are in progress.

PART II—CERTIFICATION OF AERODROMES

Application

3. A certificate shall only be issued to aerodrome serving international scheduled public transport operations.

4. For the purpose of this Part, unless the context otherwise requires— Interpretation

“aerodrome” means any aerodrome licensed or certificated for public use or any Government aerodrome;

“certificate” means statement of the Authority that the operator of an aerodrome has taken all the necessary safety and security measures at an aerodrome with use of the safety management system and strives for a continuous improvement of safety and security;

“safety management system” means a system for the management of safety at aerodromes by the operator, which shall provide for the control of safety, and the safe use, of the aerodrome.

5.—(1) The operator shall submit an application for the certificate aerodrome to the Director. Application for an aerodrome certificate

(2) The application shall include the aerodrome manual which shall include information on—

- (a) particulars of the aerodrome site;
- (b) operating procedures;
- (c) the organization’s equipment;
- (d) safety measures; and
- (e) a description of the safety management system of the aerodrome.

(3) See IS 14:5 (3) contained in the Schedule hereto for information to be included in an application for an aerodrome certificate.

6.—(1) The Authority may certify any aerodrome in Malawi serving international scheduled flights subject to the operator of the aerodrome taking the necessary safety and security measures at the aerodrome. Conditions on application for a certificate

(2) To be considered for a certificate, the operator shall have an active safety management system.

(3) The safety management system shall contain at least—

- (a) safety policy;
- (b) organizational structure or organogram;
- (c) tasks, competencies and responsibilities of key-officials;
- (d) relevant operations;
- (e) risk inventory and the resulting improvement;
- (f) capital equipment;
- (g) education and training;
- (h) reports of accidents and severe incidents;
- (i) registration, analysis and settlement of accidents and incidents, defects and shortcomings, deviation and internal and external complaints with regard to safety and security;

(j) agreements with contracting partners upon the safety and security at, and in the vicinity of the aerodrome;

(k) the aerodrome operating procedures;

(l) the inspection procedures for ensuring user compliance with subparagraph; especially with regard to order, safety and security of operations.

(2) The safety management system shall contain the relevant components and elements listed in IS 1:34 in the Schedule hereto.

Investigation
prior to grant
of a certificate

7.—(1) The Authority shall investigate whether the particulars of the prior to grant aerodrome site, operating procedure, the organization equipment, safety measures of the aerodromes are in agreement with the applicable rules for that purpose and whether this shall be guaranteed by the safety management system of the operator as well as whether the implementation and observance of the safety management system shall be guaranteed.

(2) In addition the Authority shall carry an investigation for the purpose of—

(a) extending the period of validity of the certificate;

(b) changing the operational use of the aerodrome;

(c) affecting a change in the safety management system.

(3) The Director shall draw up a report of each investigation.

Grant of a
certificate

8.—(1) In case it appears from the investigation mentioned in certificate procedures, the organization equipment, safety measures of the aerodrome are in accordance with the applicable rules and this shall be guaranteed by the safety management system of the operator and that its implementation and observance are also assured, the Authority shall approve the application and grant a certificate.

(2) Before granting an aerodrome certificate the Authority must be satisfied that—

(a) the applicant and his/her staff have the necessary competence and experience to operate and maintain the aerodrome properly;

(b) the aerodrome manual prepared for the applicant's aerodrome and submitted with the application contains all the relevant information;

(c) the aerodrome facilities, services and equipment are in accordance with the standards and practices specified by the State;

(d) the aerodrome operating procedures make satisfactory provision for the safety of aircraft; and

(e) an acceptable safety management system is in place at the aerodrome.

(3) The Authority may refuse to grant an aerodrome certificate to an applicant in such cases the Authority must notify the applicant, in writing, of its reasons no later than 14 days after making that decision.

(4) After successful completion of the processing of the application and inspection of the aerodrome, the Authority, when granting the aerodrome certificate, shall endorse the conditions for the type of use of the aerodrome and other details see in IS 14:8 (4) contained in the Schedule hereto for a format of an aerodrome certificate.

9.—(1) The Authority may issue an interim aerodrome certificate to the applicant of aerodrome certificate or the proposed transferee of an aerodrome certificate authorizing to the applicant or transferee to operate an aerodrome if the Authority is satisfied that—

Interim aerodrome certificate

(a) an aerodrome certificate in respect of the aerodrome will be issued to the applicant or transferred to the transferee as soon as the application procedure for the grant or transfer of an aerodrome certificate has been completed;

(b) the grant of the interim certificate is in the public interest and is not detrimental to aviation safety.

(2) An interim aerodrome certificate issued pursuant to this regulation shall expire on—

(a) the date on which the aerodrome certificate is issued or transferred; or

(b) the expiry date specified in the interim aerodrome certificate; whichever is earlier.

(3) These Regulations apply to an interim aerodrome certificate in the same manner as they apply to an aerodrome certificate.

10.—(1) An aerodrome certificate holder shall give the Authority not less than 60 days written notice of the date on which the certificate is to be surrendered in order that suitable promulgation action can be taken.

Surrender of an aerodrome certificate

(2) The Authority shall cancel the certificate on date specified in the notice.

11.—(1) The Authority may give its consent to and issue an instrument of transfer of an aerodrome certificate to a transferee when—

Transfer of an aerodrome certificate

(a) the current holder of the aerodrome certificate notifies the Authority, in writing, at least 60 days before ceasing to operate the aerodrome, that the current holder will cease to operate the aerodrome as of the date specified in the notice;

(b) the current holder of the aerodrome certificate notifies the Authority, in writing, of the name of the transferee;

(c) the transferee applies to the Authority, in writing, within 30 days before the current holder of the aerodrome certificate ceases to operate the aerodrome for the aerodrome certificate to be transferred to the transferee; and

(d) the requirements set out in subregulation 8 (2) are met in respect of the transferee.

(2) if the Authority does not consent to the transfer of an aerodrome certificate, it shall notify the transferee, in writing, of its reasons no later than 14 days after making that decision.

Amendment of an aerodrome certificate

12.—(1) The Authority may, provided that the requirements of regulations 8 (2), 17 (4) and 17 (5) have been met, amend an aerodrome certificate when—

- (a) there is change in the ownership or management of the aerodrome;
- (b) there is a change in the use of the aerodrome;
- (c) there is change in boundaries of the aerodrome; or
- (d) the holder of the aerodrome certificate requests an amendment.

Cancellation of a certificate

13.—(1) The Director shall revoke or cancel the certificate if—

- (a) the safety management system does not function properly;
- (b) the safety and security at the aerodrome can no longer be assured.

Obligations of the operator after issuance of the certificate

14.—(1) Monitoring of the safety management system:

- (a) the operator shall inspect at least once a year whether the operation of the safety management system is still effective and efficient;
- (b) at aerodromes which have provision for landings with assistance of navigation instruments, the operator shall have an internal auditing programme which will be the basis for the yearly inspections of the safety management systems;
- (c) if the results of the inspections referred to in subregulation (a) indicate shortfalls, the operator shall make the necessary changes in the safety management system;
- (d) the operator shall have a monitoring system to check the safety management system.

(2) The grant of an aerodrome certificate obliges the aerodrome operators to ensure the safety, regularity and efficiency of operations at the aerodrome, to allow Authority authorized personnel access to the aerodrome to carry out safety audits, inspections and testing and to be responsible for notifying and reporting as prescribed.

(3) See IS 14:14 (3) for full details of obligations of the aerodrome operator.

Observance of the regulations

15. The operator shall ascertain the observation of the regulation or rules set by him or her in order to manage safety and security at the aerodrome.

Management of the safety management system

16. The operator shall—

- (a) undertake the recording of the data which is necessary for the operation of the safety management system;
- (b) determine the procedures for the management of documents and registration of these data;

(c) have the latest publications of these documents on hand/available at those places/spots intended for that purpose;

(d) register the publication of the documents as well as the amendments of documents;

(e) ensure that the data referred to in subregulation (a) will be maintained for 5 years in such a manner that there will be no decline in quality;

(f) ensure that data and documents are accessible, for the benefit of the investigation by the Authority as mentioned in subregulation (e).

17.—(1) The operator shall ensure that the aerodrome manual contains an up to date description of the safety management system as well as construction and layout, the organization equipment and the safe employment use of the aerodrome.

Management of the aerodromes manual

(2) The operator shall ensure that the Authority, businesses and organizations established at the aerodrome, which practice their activities at the airside section, have at their disposal an up to date version of the aerodrome manual and the operator shall give immediate notice of amendments of the aerodrome manual.

(3) See IS 14:17 (3) for particulars to be included in an aerodrome manual.

(4) The operator must notify the Authority as soon as practicable of any changes that the operator wishes to make to the aerodrome manual.

(5) The Authority shall approve the aerodrome manual and any amendments thereto, in these regulations.

PART III—AERODROME DESIGN AND OPERATIONS

Division I—Licensing of Aerodromes

18. This Division shall apply to all licensed aerodromes in Malawi.

Application

19.—(1) The Authority shall license any aerodrome in Malawi, subject to such conditions as it thinks fit, for the take-off and landing of aircraft engaged in flights for the public transport of passengers, or for the purpose of instruction in flying, or of any classes of such aircraft.

Aerodrome licensing

(2) The licensee of an aerodrome licensed under this regulation shall not cause or permit any condition or restriction of the licence to be contravened, but the licence shall not cease to be valid by reason only of such a contravention.

(3) The licensee of an aerodrome licensed under this regulation shall not cause or permit the landing or manoeuvring area of the aerodrome to be reduced or in any manner altered without written permission of the Authority:

Provided the Authority shall waive the foregoing requirements in the case of an aerodrome licensed for private use only.

(4) The Authority shall give written notice to the licensee of an aerodrome licensed under this regulation specifying the charges, or maximum charges,

which shall be made for use of the aerodrome (including the making of landings thereat) and for any services or facilities performed and provided to or for or in connection with aircraft and such notice shall also specify the conditions to be observed in relation to this charges and the performance or provision of these services or facilities; and the licensee shall not cause or permit any charges to be made in contravention of any notice so given to him and shall cause any notice so given to him to be kept exhibited at the aerodrome in such a place and manner as to be readily available for the information of any person affected thereby.

Places
authorized as
aerodromes

20. Subject to the provisions of these Regulations, the Director may by a specific or general description, authorize the use of any place as an aerodrome for the purpose of the landing and taking off of such classes or types of aircraft engaged in such classes of operations and subject to such conditions as the Director specifies in the instrument of authorization.

Use of
aerodromes

21.—(1) Subject to the provisions of these Regulations, an aircraft shall not land at or take-off from any place in Malawi other than—

- (a) a Government aerodrome notified as available for public use;
- (b) a licensed aerodrome;
- (c) a place authorized by the Director for use as an aerodrome.

(2) Subject to the provisions of these Regulations, an aircraft shall not land at or take-off from any such aerodrome or place as is referred to in sub regulation (1) except in accordance with the conditions and restrictions, if any which have been notified with respect to the use of that aerodrome or place.

(3) The prohibitions contained in subregulations (1) and (2) shall not apply in relation to a landing due to accident, stress of weather or other unavoidable cause, but the next subsequent departure from that place at which the landing due to any such cause has been made shall not be made without the consent of the Director.

Director's
power to give
directions

22. The Director shall, in relation to any aerodrome or air route or air way or facility issue such directions as he considers necessary to ensure the safety of an aircraft or compliance with any standards or recommended practices or procedures adopted from time to time in pursuance of the Chicago Convention.

Rights of
Government
aircraft

23. All aircraft belonging to or employed in the service of the Government. Government shall have access, at all times to any Government or licensed aerodrome.

Aerodromes of
arrival in, or
departure from,
Malawi

24. The aerodromes at the places named in IS 14:24 are designated arrival as aerodromes for the arrival or departure of aircraft directly from or to places outside Malawi, and no aircraft shall, except in an emergency, or with the express authority of the Director, land at any other aerodrome after a flight directly from a place outside Malawi, or take off from any other aerodrome on a flight which takes the aircraft directly across the Malawi border.

25. The person in charge of any aerodrome in Malawi which is open to public use by Malawi aircraft (whether or not the aerodrome is a licensed aerodrome) shall cause the aerodrome, and all air navigation facilities provided thereat or in connection therewith, to be available for use by aircraft registered in other contracting states on the same terms and conditions for use by Malawi aircraft.

Use of aerodromes by aircraft of Contracting States

26.—(1) Subject to the provisions of this regulation a person shall not, within a Government aerodrome, either personally or by his servant or agent, or as the servant or agent of another person, and except under and in accordance with the terms of a lease of licence granted in respect thereof—

Restriction of trading within Government aerodromes

(a) sell for delivery within the aerodrome, or supply any goods or services; or

(b) carry on, or solicit for, any business; or

(c) erect, display or distribute, or communicate by sound, any advertisement or public notice.

(2) Subregulation (1) shall not apply to or in relation to—

(a) the making or performance, by an air transport operator, of contracts for the carriage of passengers or goods by air, or for the carriage by that operator between the aerodrome and any premises of that operator, of passengers or goods that have been, or are to be carried by that operator by air;

(b) the advertising, by an air transport operator, of the aforesaid services or other transport services or of tourist facilities at or on any premises of that operator;

(c) the sale or supply to an operator of aircraft of goods or services required for the maintenance or operation of such aircraft or use or consumption aboard such aircraft;

(d) the doing of any act or thing in such parts of any Government aerodrome (not being an aerodrome which is under the control of the Director) as are not made available for aviation purposes.

27.—(1) A person shall not establish or maintain within Malawi any aeronautical light or air route or airway facility except with the permission of the Director and in accordance with any conditions subject to which the permission shall be granted.

Aeronautical lights and air route and airway facilities

(2) A person shall not alter the character of any aeronautical light or air route or airway facility within Malawi except with the permission of the Director and in accordance with any conditions subject to which the permission shall be granted.

(3) In the case of an aeronautical light, being a beacon, which is or shall be visible from any waters within an area of a lighthouse authority, the Director shall not give his permission for the purpose of this regulation except with the consent of the authority.

(4) A person shall not willfully or negligently injure or interfere with any aeronautical light or air route or airway facility established and maintained by or with permission of the Director.

Dangerous
lights

28.—(1) A person shall not in Malawi exhibit at or in the neighbourhood of an aerodrome or in the neighborhood of an air route or airway facility any light which is liable to endanger the safety of aircraft whether by reason of glare or by causing confusion with or preventing clear reception of any aeronautical light or air route or airway facility established and maintained by or with the permission of the Director.

(2) If any light which appears to the Director to be such a light as aforesaid is exhibited the Director shall cause a notice to be served upon the owner or occupier of the place where the light is exhibited or upon the person having charge of the light directing such owner, occupier or person, within a reasonable time to be specified in the notice, to extinguish or to screen effectually the light and to refrain from exhibiting any similar light in the future.

(3) A notice under this regulation shall be served personally or shall be served by post.

(4) If any owner, occupier or person on whom a notice is serviced under this regulation fails, within the time specified in the notice, to extinguish or screen effectually the light mentioned in the notice, the Director may, without prejudice to the provisions of regulation 41, authorize an officer, with such assistance as he requires, to enter the place where the light is, and extinguish or screen the light, and shall recover the expenses incurred in doing so from the owner, occupier of the person on whom the notice has been served.

(5) In the case of a light which is or shall be visible from any waters within the area of a lighthouse authority, the powers of the Director under this regulation shall not be exercised except with the consent of that authority.

Right of access
to aerodromes
and other places

29.—(1) The Director and any authorized person shall have the right of access at all reasonable times—

(a) to any aerodrome, for the purpose of inspecting the aerodrome;

(b) to any aerodrome for the purpose of inspecting any aircraft on the aerodrome or any document which he has power to demand under these Regulations, or for the purpose of detaining any aircraft under the provisions of these Regulations; or

(c) to any place where an aircraft has landed, for the purpose of inspecting the aircraft or any document which he has power to demand under these Regulations and for the purpose of detaining the aircraft under the provisions of these Regulations.

(2) Without prejudice to subregulation (1) the Director shall issue aerodrome permits, to such person or persons as he thinks fit; and the holder of such a permit shall at all times have free and unrestricted access to such part of any Government or licensed aerodrome or of any building erected thereof as is endorsed on the permit:

Provided that an aerodrome permit issued under this subregulation shall not entitle the holder thereof to enter any customs bonded warehouse.

30.—(1) The Minister may, by notice published in the *Gazette*, exempt from the application of any of these Regulations, any aircraft or person or classes of aircraft or persons, either absolutely or subject to such conditions as he deems fit.

Exemption
from
regulations

(2) The Director shall, under his hand, exempt from the application of any of these Regulations, any aircraft or person or classes of aircraft or persons, either absolutely or subject to such conditions as he deems fit.

(3) Before the Authority decides to exempt the aerodrome operator from complying with regulations under Part II of these Regulations, it must take into account all safety related aspects.

(4) An exemption from regulations in Part II of these Regulations—

(a) is subject to the aerodrome operator complying with conditions and procedures specified by the Authority in the aerodrome certificate as being necessary in the interest of safety;

(b) when an aerodrome does not meet the requirement of a standard or practice specified in in Annex 14 and these regulations, the Authority may determine, after carrying out aeronautical studies, only if and where permitted by the standards and practices, the conditions and procedures that are necessary to ensure a level of safety equivalent to that established by the relevant standard or practice;

(c) deviation from a standard or practice and the conditions and procedures referred to in regulation 8 (4) shall be set out in an endorsement on the aerodrome certificate.

Division II—Registration of Aerodromes

31.—(1) All aerodromes in Malawi shall be registered by the Authority and shall be open to inspection.

Registration of
aerodromes

(2) An aerodrome which has either a licence or a certificate shall be registered automatically on issue of the licence in the certificate.

(3) The aerodrome shall have at least the following—

(a) a strip on each side of runways;

(b) clear approaches;

(c) both longitudinal and cross gradients shall not exceed 1:50;

(d) the minimum angle of a clear approach shall never be less than 1:40 for a distance of not less than 1600 meters from the end of the strip;

(e) a clearly defined landing area;

(f) windsock fixed at the tip of a pole which is at least 6 meters high.

PART IV—AERODROME PROCEDURES

Acts prohibited
on aerodromes

32. Within an aerodrome the following acts are prohibited—
- (a) obstructing or interfering with the proper use of the aerodrome;
 - (b) obstructing any person acting in the execution of his duty in relation to the aerodrome;
 - (c) remaining on the aerodrome after having been required by a police officer or an authorized person to leave it;
 - (d) allowing any vehicle or animal to be on the aerodrome after being required by a police officer or an authorized person to remove it or after its presence on the aerodrome has been forbidden by an authorized person;
 - (e) boarding or attempting to board any aircraft without the authority of the person in charge of it;
 - (f) tampering or interfering with any aircraft or anything used in connection with an aircraft;
 - (g) smoking in or otherwise bringing or lighting any naked light into or in—
 - (i) any place where any such act is prohibited by notice; or
 - (ii) any place within 50 feet of any aircraft or a store of inflammable liquid or explosives;
 - (h) any act causing or tending to cause an outbreak of fire;
 - (i) throwing, leaving or dropping any thing capable of causing injury to any person or property;
 - (j) climbing any wall, fence, barrier, railing or post;
 - (k) willfully giving a false fire or ambulance alarm;
 - (l) failing to place an aircraft in the place and position;
 - (m) failing properly to moor or otherwise secure any stationary aircraft which is not in a hangar;
 - (n) driving or placing a vehicle carelessly or dangerously or without due consideration for persons using the aerodrome;
 - (o) failure by the driver of a vehicle to stop when required by a police officer to do so;
 - (p) failure by the driver of a vehicle which is involved in an accident to give his name and address and the name and address of the owner of the vehicle to any person having reasonable grounds for requiring them;
 - (q) failure by the driver of a vehicle forthwith to report to a police officer or to the person in charge of the aerodrome any accident in which the vehicle is involved;
 - (r) failure by the driver of a vehicle to obey a traffic sign or to comply with any direction;

(s) parking a vehicle elsewhere than in a place provided for that purpose or otherwise than in the manner required by a police officer or an authorized person;

(t) failure by the person in charge of a vehicle to remove it from any place provided for the purpose of parking when required by a police officer or an authorized person to do so;

(u) loading a vehicle with passengers or goods, or unloading passengers or goods from a vehicle elsewhere than in a place provided for that purpose;

(v) driving a motor vehicle on any roadway in an aerodrome at a speed greater than 30 miles per hour or such other speed as shall be prescribed by a traffic sign;

(w) removing, picking or otherwise damaging any tree, shrub or plant or walking on any flower bed;

(x) failing to keep any animal under control;

(y) using obscene or indecent language;

(z) behaving in an indecent or disorderly manner;

(aa) dropping or leaving litter elsewhere than in a receptacle provided for the purpose;

(bb) failing to comply with directions given by the Director in relation to refueling aircraft;

(cc) disposing of garbage, sewage, waste oil, refuse or other material from aircraft or other sources except in the place and the receptacles provided for that purpose.

33. Within an aerodrome the following acts are prohibited unless the permission of the Airport Commandant or Officer-In-Charge or an authorized person has first been obtained—

Acts prohibited on aerodromes without permission

(a) entering or leaving the aerodrome otherwise than through a gate or entrance for the time being provided for that purpose;

(b) entering any part of the aerodrome to which members of the public are not for the time being admitted;

(c) damaging, defacing, removing, displacing or altering any building, structure, traffic sign, notice other thing, whether movable or immovable, forming part of, or provided for or in connection with, the aerodrome;

(d) digging soil or cutting or removing turf;

(e) grazing animals;

(f) selling or distributing anything, offering anything for sale or hire, or making any offer of services including specifically the offering of taxicab service or operating any hackney carriage or other vehicle carrying passengers for hire or reward;

(g) exhibiting any notice or advertisement except on premises which the person exhibiting it is authorized to occupy and in accordance with the terms of his occupation;

(h) leaving a vehicle on the aerodrome longer than twenty-four hours or such shorter time as it reasonably necessary for the transaction of the business for the purpose of which it was brought there;

(i) a vehicle elsewhere than in a place provided for the passage or accommodation of such a vehicle;

(j) taking a motor vehicle into a hangar used for the maintenance or storage of aircraft;

(k) running an aircraft engine in a hangar;

(l) filling with liquid fuel or discharging liquid fuel from any container (including any part of a vehicle) elsewhere than in a place approved for that purpose by the person in charge of the aerodrome;

(m) lighting a fire elsewhere than in a place constructed for that purpose and approved by an authorized person;

(n) conducting flight or ground demonstrations;

(o) taking still, motion or sound pictures for commercial purposes;

(p) entering the following restricted areas—

(i) air traffic services rooms;

(ii) aeronautical radio stations;

(iii) radio transmitter and receiver rooms;

(iv) fuel company installations;

(v) storage buildings;

(vi) landing and manoeuvring areas;

(vii) aircraft hangars;

(viii) fire stations;

(ix) customs areas;

(q) repairing aircraft, engines or accessories and running engines for test purposes in any area of an aerodrome other than that designated by the Airport Commandant or Officer-In-Charge for the purpose.

Running
engines on
aerodromes

34.—(1) No person shall start or run any engine in any aircraft on an aerodrome on aerodromes controls. Blocks equipped with ropes or other suitable means of pulling them shall always be placed in front of the wheels of the aircraft before starting the engine or engines unless the aircraft is provided with adequate parking brakes and use is made of such brakes.

(2) For the purpose of this regulation a competent person means a person holding a pilot's or aircraft maintenance engineer's licence.

- 35.—(1) No person shall operate any radio equipment when such aircraft is in a hangar on an aerodrome. Operation of radio equipment on aerodromes
- (2) No person shall operate on an aerodrome any device that shall cause interference to aircraft communications or ground communications services.
36. No person shall enter upon or remain in an aerodrome in circumstances in which the safety of any aircraft or its passengers or crew is likely to be imperiled or the proper functioning of the aerodrome impeded. Safety of aircraft
- 37.—(1) The Airport Commandant or Officer-In-Charge or a police officer shall, where in the opinion of the Airport Commandant or Officer-In-Charge or the police officer take such action as is necessary to ensure the safety of aircraft, to shoot or destroy any livestock found trespassing on an aerodrome. Destruction of livestock
- (2) This regulation shall not apply in respect of any animal which has arrived by air or is intended for dispatch by air at an aerodrome and which is restrained by leash or confined in such other manner as to be under control or in respect of any animal which is on an aerodrome in accordance with permission granted by the Airport Commandant or Officer-In-Charge.
38. Any person suspected of having contravened or of being about to contravene any of the provisions of these Regulations shall, upon being requested so to do by the Airport Commandant or Officer-In-Charge or a Police officer or an authorized person, correctly state his name and address and purpose of his being at the aerodrome and upon his failure so to do and without prejudice to the provisions of regulation 39 shall be removed from the aerodrome or any part thereof by the Airport Commandant or Officer-In-Charge or a Police officer or authorized person, as the case may be. Removal of persons from aerodromes
39. Any person found contravening any of the provisions of these Regulations shall be removed from the area to which these Regulations apply by the Airport Commandant or Officer In-Charge or Police officer or an authorized person, and any vehicle, animal or thing found in the area in contravention of any provision of these Regulations shall be removed by the Airport Commandant or Officer-In-Charge or a police officer or an authorized person and upon conviction for such contravention the owner or person in charge of such vehicle, animal or thing shall in addition to any other penalty be ordered by the court to pay the cost of such removal. Cost of removal
40. All occupiers of premises in an aerodrome shall provide on the premises readily accessible first aid and fire fighting equipment of a type and in such quantity as the Authority shall require. Duties of occupiers
41. Any person who fails to comply with direction given either generally or specifically by the Director or by any authorized person under any provision of these Regulations shall be deemed for the purposes of these Regulations to have contravened that provision. Failure to comply

SCHEDULE
IMPLEMENTING STANDARDS FOR AERODROMES

IS 14: 17(3) PARTICULARS TO BE INCLUDED IN AN AERODROME MANUAL

PART I—GENERAL

1. General information, including the following—
 - (a) purpose and scope of the aerodrome manual;
 - (b) the legal requirement for an aerodrome certificate and an aerodrome manual as prescribed in the national regulations;
 - (c) conditions for use of the aerodrome — a statement to indicate that the aerodrome shall at all times, when it is available for the take-off and landing of aircraft, be so available to all persons on equal terms and conditions;
 - (d) the available aeronautical information system and procedures for its promulgation;
 - (e) the system for recording aircraft movements; and
 - (f) obligations of the aerodrome operator.

PART II —PARTICULARS OF THE AERODROME SITE

2. General information, including the following—
 - (a) a plan of the aerodrome showing the main aerodrome facilities for the operation of the aerodrome including, particularly, the location of each wind direction indicator;
 - (b) a plan of the aerodrome showing the aerodrome boundaries;
 - (c) a plan showing the distance of the aerodrome from the nearest city, town or other populous area, and the location of any aerodrome facilities and equipment outside the boundaries of the aerodrome; and
 - (d) particulars of the title of the aerodrome site. If the boundaries of the aerodrome are not defined in the title documents particulars of the title to, or interesting, the property on which the aerodrome is located and a plan showing the boundaries and position of the aerodrome.

PART III—PARTICULARS OF THE AERODROME REQUIRED TO BE REPORTED TO THE
AERONAUTICAL INFORMATION SERVICE (AIS)

- 3.1 General Information—
 - (a) the name of the aerodrome;
 - (b) the location of the aerodrome;
 - (c) the geographical coordinates of the aerodrome reference point determined in terms of the World Geodetic System — 1984 (WGS-84) reference datum;
 - (d) the aerodrome elevation and geoid undulation;

- (e) the elevation of each threshold and geoid undulation, the elevation of the runway end and any significant high and low points along the runway, and the highest elevation of the touchdown zone of a precision approach runway; Manual on Certification of Aerodromes;
- (f) the aerodrome reference temperature;
- (g) details of the aerodrome beacon; and
- (h) the name of the aerodrome operator and the address and telephone numbers at which the aerodrome operator may be contacted at all times.

3.2 AERODROME DIMENSIONS AND RELATED INFORMATION

General information, including the following:

- (a) runway — true bearing, designation number, length, width, displaced threshold location, slope, surface type, type of runway and, for a precision approach runway, the existence of an obstacle free zone;
- (b) length, width and surface type of strip, runway end safety areas, stop ways;
- (c) length, width and surface type of taxiways;
- (d) apron surface type and aircraft stands;
- (e) clearway length and ground profile;
- (f) visual aids for approach procedures, viz. approach lighting type and visual approach slope indicator system (PAPI/APAPI and T-VASIS/AT-VASIS); marking and lighting of runways, taxiways, and aprons; other visual guidance and control aids on taxiways (including runway holding positions, intermediate holding positions and stop bars) and aprons, location and type of visual docking guidance system; availability of standby power for lighting;
- (g) the location and radio frequency of VOR aerodrome checkpoints;
- (h) the location and designation of standard taxi routes;
- (i) the geographical coordinates of each threshold;
- (j) the geographical coordinates of appropriate taxiway centre line points;
- (k) the geographical coordinates of each aircraft stand;
- (l) the geographical coordinates and the top elevation of significant obstacles in the approach and take-off areas, in the circling area and in the vicinity of the aerodrome. (This information may best be shown in the form of charts such as those required for the preparation of aeronautical information publications, as specified in Annexes 4 and 15 to the Convention);
- (m) pavement surface type and bearing strength using the Aircraft Classification Number — Pavement Classification Number (ACN-PCN) method;
- (n) one or more pre-flight altimeter check locations established on an apron and their elevation;
- (o) declared distances: take-off run available (TORA), take-off distance available (TODA), accelerate-stop distance available (ASDA), landing distance available (LDA);

- (p) disabled aircraft removal plan: the telephone/telex/ facsimile numbers and e-mail address of the aerodrome coordinator for the removal of a disabled aircraft on or adjacent to the movement area, information on the capability to remove a disabled aircraft, expressed in terms of the largest type of aircraft which the aerodrome is equipped to remove; and
- (q) rescue and fire-fighting: the level of protection provided, expressed in terms of the category of the rescue and fire-fighting services, which should be in accordance with the longest aeroplane normally using the aerodrome and the type and amounts of extinguishing agents normally available at the aerodrome.

NOTE.—The accuracy of the information in Part III is critical to aircraft safety. Information requiring engineering survey and assessment should be gathered or verified by qualified technical persons.

PART IV—PARTICULARS OF THE AERODROME OPERATING PROCEDURES AND SAFETY MEASURES

4.1 Aerodrome Reporting—

Particulars of the procedures for reporting any changes to the aerodrome information set out in the AIP and procedures for requesting the issue of NOTAMs, including the following: Appendix 1. Schedule of the aerodrome certifications regulations—

- (a) arrangements for reporting any changes to the Authority and recording the reporting of changes during and outside the normal hours of aerodrome operations;
- (b) the names and roles of persons responsible for notifying the changes, and their telephone numbers during and outside the normal hours of aerodrome operations; and
- (c) the address and telephone numbers, as provided by the Authority, of the place where changes are to be reported to the Authority.

4.2 Access to the Aerodrome Movement Area.

Particulars of the procedures that have been developed and are to be followed in coordination with the agency responsible for preventing unlawful interference in civil aviation at the aerodrome and for preventing unauthorized entry of persons, vehicles, equipment, animals or other things into the movement area, including the following—

- (a) the role of the aerodrome operator, the aircraft operator, aerodrome fixed-base operators, the aerodrome security entity, the Authority and other government departments, as applicable; and
- (b) the names and roles of the personnel responsible for controlling access to the aerodrome, and the telephone numbers for contacting them during and after working hours.

4.3 Aerodrome Emergency Plan.

Particulars of the aerodrome emergency plan, including the following—

- (a) plans for dealing with emergencies occurring at the aerodrome or in its vicinity, including the malfunction of aircraft in flight; structural fires; sabotage, including bomb threats (aircraft or structure); unlawful seizure of aircraft; and incidents on the airport covering “during the emergency” and “after the emergency” considerations;
- (b) details of tests for aerodrome facilities and equipment to be used in emergencies, including the frequency of those tests;
- (c) details of exercises to test emergency plans, including the frequency of those exercises;
- (d) a list of organizations, agencies and persons of authority, both on- and off-airport, for site roles; their telephone and facsimile numbers, e-mail and SITA addresses and the radio frequencies of their offices;
- (e) the establishment of an aerodrome emergency committee to organize training and other preparations for dealing with emergencies; and
- (f) the appointment of an on-scene commander for the overall emergency operation.

4.4 Rescue and Fire-fighting.

Particulars of the facilities, equipment, personnel and procedures for meeting the rescue and fire-fighting requirements, including the names and roles of the persons responsible for dealing with the rescue and fire-fighting services at the aerodrome.

NOTE.—This subject should also be covered in appropriate detail in the aerodrome emergency plan.

4.5 Inspection of the Aerodrome Movement Area and Obstacle Limitation Surface by the Aerodrome Operator.

Particulars of the procedures for the inspection of the aerodrome movement area and obstacle limitation surfaces, including the following—

- (a) arrangements for carrying out inspections, including runway friction and water-depth measurements on runways and taxiways, during and outside the normal hours of aerodrome operations;
- (b) arrangements and means of communicating with air traffic control during an inspection;
- (c) arrangements for keeping an inspection logbook, and the location of the logbook;
- (d) details of inspection intervals and times;
- (e) inspection checklist;
- (f) arrangements for reporting the results of inspections and for taking prompt follow-up actions to ensure correction of unsafe conditions; and A1-4 Manual on Certification of Aerodromes;
- (g) the names and roles of persons responsible for carrying out inspections, and

their telephone numbers during and after working hours.

4.6 Visual Aids and Aerodrome Electrical Systems.

Particulars of the procedures for the inspection and maintenance of aeronautical lights (including obstacle lighting), signs, markers and aerodrome electrical systems, including the following—

- (a) arrangements for carrying out inspections during and outside the normal hours of aerodrome operation, and the checklist for such inspections;
- (b) arrangements for recording the result of inspections and for taking follow-up action to correct deficiencies;
- (c) arrangements for carrying out routine maintenance and emergency maintenance;
- (d) arrangements for secondary power supplies, if any, and, if applicable, the particulars of any other method of dealing with partial or total system failure; and
- (e) the names and roles of the persons responsible for the inspection and maintenance of the lighting, and the telephone numbers for contacting those persons during and after working hours.

4.7 Maintenance of the Movement Area.

Particulars of the facilities and procedures for the maintenance of the movement area, including—

- (a) arrangements for maintaining the paved areas;
- (b) arrangements for maintaining the unpaved runways and taxiways;
- (c) arrangements for maintaining the runway and taxiway strips; and
- (d) arrangements for the maintenance of aerodrome drainage.

4.8 Aerodrome Works — Safety.

Particulars of the procedures for planning and carrying out construction and maintenance work safely (including work that may have to be carried out at short notice) on or in the vicinity of the movement area which may extend above an obstacle limitation surface, including the following—

- (a) arrangements for communicating with air traffic control during the progress of such work;
- (b) the names, telephone numbers and roles of the persons and organizations responsible for planning and carrying out the work, and arrangements for contacting those persons and organizations at all times;
- (c) the names and telephone numbers, during and after working hours, of the aerodrome fixed-base operators, ground handling agents and aircraft operators who are to be notified of the work;
- (d) a distribution list for work plans, if required.

4.9 Apron Management.

Particulars of the apron management procedures, including the following—

- (a) arrangements between air traffic control and the apron management unit;
- (b) arrangements for allocating aircraft parking positions;
- (c) arrangements for initiating engine start and ensuring clearance of aircraft push-back;
- (d) marshaling service; and
- (e) leader (van) service.

4.10 Apron Safety Management.

Procedures to ensure apron safety, including—

- (a) protection from jet blasts;
- (b) Enforcement of safety precautions during aircraft refueling operations; Appendix 1. Schedule of the aerodrome certifications regulations
- (c) apron sweeping;
- (d) apron cleaning;
- (e) arrangements for reporting incidents and accidents on an apron; and
- (f) arrangements for auditing the safety compliance of all personnel working on the apron.

4.11 Airside Vehicle Control.

Particulars of the procedure for the control of surface vehicles operating on or in the vicinity of the movement area, including the following—

- (a) details of the applicable traffic rules (including speed limits and the means of enforcing the rules); and
- (b) The method of issuing driving permits for operating vehicles in the movement area.

4.12 Wildlife Hazard Management.

Particulars of the procedures to deal with the danger posed to aircraft operations by the presence of birds or mammals in the aerodrome flight pattern or movement area, including the following—

- (a) arrangements for assessing wildlife hazards;
- (b) arrangements for implementing wildlife control programmes; and
- (c) the names and roles of the persons responsible for dealing with wildlife hazards, and their telephone numbers during and after working hours.

4.13 Obstacle Control.

Particulars setting out the procedures for—

- (a) monitoring the obstacle limitation surfaces and Type A Chart for obstacles in the take-off surface;
- (b) controlling obstacles within the authority of the operator;
- (c) monitoring the height of buildings or structures within the boundaries of the obstacle limitation surfaces;

- (d) controlling new developments in the vicinity of aerodromes; and
- (e) notifying the CAA of the nature and location of obstacles and any subsequent addition or removal of obstacles for action as necessary, including amendment of the AIS publications.

4.14 Removal of Disabled Aircraft.

Particulars of the procedures for removing a disabled aircraft on or adjacent to the movement area, including the following—

- (a) the roles of the aerodrome operator and the holder of the aircraft certificate of registration;
- (b) arrangements for notifying the holder of the certificate of registration;
- (c) arrangements for liaising with the air traffic control unit;
- (d) arrangements for obtaining equipment and personnel to remove the disabled aircraft; and
- (e) the names, role and telephone numbers of persons responsible for arranging for the removal of disabled aircraft.

4.15 Handing of Hazardous Materials.

Particulars of the procedures for the safe handling and storage of hazardous materials on the aerodrome, including the following—

- (a) Arrangements for special areas on the aerodrome to be set up for the storage of inflammable liquids (including aviation fuels) and any other hazardous materials; and
- (b) The method to be followed for the delivery, storage, dispensing and handling of hazardous materials. A1-6 Manual on Certification of Aerodromes

NOTE.— Hazardous materials include inflammable liquids and solids, corrosive liquids, compressed gases and magnetized or radioactive materials. Arrangements for dealing with the accidental spillage of hazardous materials should be included in the aerodrome emergency plan.

4.16 Low-Visibility Operations.

Particulars of procedures to be introduced for low-visibility operations, including the measurement and reporting of runway visual range as and when required, and the names and telephone numbers, during and after working hours, of the persons responsible for measuring the runway visual range.

4.17 Protection of Sites for Radar and Navigation Aids.

Particulars of the procedures for the protection of sites for radar and radio navigational aids located on the aerodrome to ensure that their performance will not be degraded, including the following—

- (a) arrangements for the control of activities in the vicinity of radar and navaid installations;
- (b) arrangements for ground maintenance in the vicinity of these installations; and
- (c) arrangements for the supply and installation of signs warning of hazardous microwave radiation.

NOTE 1.— In writing the procedures for each category, clear and precise information should be included on—

- (i) when, or in what circumstances, an operating procedure is to be activated;
- (ii) how an operating procedure is to be activated;
- (iii) actions to be taken;
- (iv) the persons who are to carry out the actions; and
- (v) the equipment necessary for carrying out the actions, and access to such equipment.

NOTE 2.— If any of the procedures specified above are not relevant or applicable, the reason should be given.

PART V AERODROME ADMINISTRATION AND SAFETY MANAGEMENT SYSTEM

Aerodrome administration Particulars of the aerodrome administration, including the following—

- (a) an aerodrome organizational chart showing the names and positions of key personnel, including their responsibilities;
- (b) the name, position and telephone number of the person who has overall responsibility for aerodrome safety; and
- (c) airport committees. Safety management system (SMS).

Particulars of the safety management system established for ensuring compliance with all safety requirements and achieving continuous improvement in safety performance, the essential features being—

- (a) the safety policy, insofar as applicable, on the safety management process and its relation to the operational and maintenance process;
- (b) the structure or organization of the SMS, including staffing and the assignment of individual and group responsibilities for safety issues;
- (c) SMS strategy and planning, such as setting safety performance targets, allocating priorities for implementing safety initiatives and providing a framework for controlling the risks to as low a level as is reasonably practicable keeping always in view the requirements of the Standards and Recommended Practices in Volume I of Annex 14 to the Convention on International Civil Aviation, and the national regulations, standards, rules or orders;
- (d) SMS implementation, including facilities, methods and procedures for the effective communication of Safety messages and the enforcement of safety requirements;
- (e) a system for the implementation of, and action on, critical safety areas which require a higher level of Safety management integrity (safety measures programme); Appendix 1. Schedule of the aerodrome certifications regulations A1-7

- (f) measures for safety promotion and accident prevention and a system for risk control involving analysis and handling of accidents, incidents, complaints, defects, faults, discrepancies and failures, and continuing safety monitoring;
- (g) the internal safety audit and review system detailing the systems and programmes for quality control of safety;
- (h) the system for documenting all safety-related airport facilities as well as airport operational and maintenance records, including information on the design and construction of aircraft pavements and aerodrome lighting. The system should enable easy retrieval of records including charts;
- (i) staff training and competency, including the review and evaluation of the adequacy of training provided to staff on safety-related duties and of the certification system for testing their competency; and
- (j) the incorporation and enforcement of safety-related clauses in the contracts for construction work at the aerodrome.

IS 14:24 AERODROMES OF ARRIVAL OR DEPARTURE FROM MALAWI

The following aerodromes have been designated as aerodromes of arrival in or departure from Malawi—

1. Lilongwe International Airport
2. Chileka International Airport
3. Mzuzu Airport
4. Karonga Airport
5. Club Makokola

IS 14: 5(3) APPLICATION FORM FOR AN AERODROME CERTIFICATE

Appendix 2

1. Particulars of the Applicant

Full Name:

Address:

..... Postal Code:

Position:

Phone: Facsimile:

2. Particulars of the Aerodrome Site

Aerodrome Name:

Real Property Description:

or

Geographical Coordinates of the ARP:

or

Bearing and Distance from Nearest Town or Populous Area:

3. Is the applicant the Owner of the Aerodrome Site?

Yes ... No ...

If No, provide:

- (a) Details of Rights Held in Relation to the Site; and
- (b) Name and address of the owner of the site and written evidence to show that permission has been obtained for the site to be used by the applicant as an aerodrome.

4. Indicate the Largest Type of Aircraft Expected to Use the Aerodrome

.....
.....
.....

6. Is the Aerodrome to be used for Regular Public Transport Operations?

Yes No

7. Details to be shown on the Aerodrome Licence

Aerodrome Name:

Aerodrome Operator:

[On behalf of the aerodrome operator shown above*], I hereby apply for a licence to operate the aerodrome.

**Delete if not applicable.*

Signed:

My authority to act on behalf of the applicant is—

.....
.....
.....

Name of person making the declaration:

Date:/...../.....A3-1

Information—

- 1. Two copies of the aerodrome manual, prepared in accordance with the regulations and commensurate with the aircraft activities expected at the aerodrome, are required as part of the application.

2. The application should be submitted to the Authority.
3. A quote will be provided for the cost of processing this application. The Authority will take no action to assess this application until payment is received.
4. Documentary evidence in support of all matters in this application may be requested.

S 14:8(4) SAMPLE AERODROME CERTIFICATE

CIVIL AVIATION AIRPORT CERTIFICATE

Certificate No.

Name of Airport

Latitude/Longitude

This airport certificate is issued by the Director pursuant to the Malawi Aviation Regulations under authority of the Act and authorizes the operator named in the approved Airport Operations Manual to operate this airport.

The Director may suspend or cancel this airport certificate at any time where the airport operator fails to comply with the provisions set forth in the Act, the Regulations or for other grounds as set out in the Act.

This certificate is subject to any conditions established by the Director pursuant to these Regulations and set out in the approved Airport Operations Manual.

This airport certificate is not transferable and shall remain in effect until transferred, suspended or cancelled.

Director of Civil Aviation

Certificate Date of Issue

IS 14: 14(3) OBLIGATIONS OF THE AERODROME OPERATOR INTRODUCTORY NOTE

The grant of an aerodrome certificate obliges the aerodrome operator to ensure the safety, regularity and efficiency of operations at the aerodrome, to allow Authority - authorized personnel access to the aerodrome to carry out safety audits, inspections and testing and to be responsible for notifying and reporting as prescribed.

1. Compliance with standards and practices

1.1 The aerodrome operator shall comply with the standards and practices specified in these regulations and ICAO Annex 14 and with any conditions endorsed in the certificate pursuant to regulations 8(4) and 30(4).

2. Competence of operational and maintenance personnel

2.1 The aerodrome operator shall employ an adequate number of qualified and skilled personnel to perform all critical activities for aerodrome operation and maintenance.

2.2. If the Authority or any other competent authority of the government requires competency certification for the personnel referred to in 2.1, the aerodrome operator shall employ only those persons possessing such certificates.

2.3 The aerodrome operator shall implement a programme to upgrade the competency of the personnel referred to in 2.1 above.

3. Aerodrome operation and maintenance

3.1 Subject to any directives that the Authority may issue, the aerodrome operator shall operate and maintain the aerodrome in accordance with the procedures set out in the aerodrome manual.

3.2 To ensure the safety of aircraft, the Authority may give written directives to an aerodrome operator to alter the procedures set out in the aerodrome manual.

3.3 The aerodrome operator should ensure proper and efficient maintenance of the aerodrome facilities.

3.4 The aerodrome certificate holder shall coordinate with the ATS provider in order to be satisfied that appropriate air traffic services are available to ensure the safety of aircraft in the airspace associated with the aerodrome. The coordination shall cover other areas related to safety such as aeronautical information service, air traffic services, designated meteorological authorities, and security.

4. Aerodrome operator's safety management system

4.1 The aerodrome operator shall establish a safety management system for the aerodrome describing the structure of the organization and the duties, powers and responsibilities of the officials in the organizational structure, with a view to ensuring that operations are carried out in a demonstrably controlled way and are improved where necessary.

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- 4.2 The aerodrome operator shall oblige all users of the aerodrome, including fixed-base operators, ground handling agencies and other organizations that perform activities independently at the aerodrome in relation to flight or aircraft handling, to comply with the requirements laid down by the aerodrome operator with regard to safety at the aerodrome. The aerodrome operator shall monitor such compliance.
 - 4.3 The aerodrome operator shall require all users of the aerodrome, including fixed-base operators, ground handling agencies and other organizations referred to in 4.2, to cooperate in the programme to promote safety at, and the safe use of, the aerodrome by immediately informing it of any accidents, incidents, defects and faults which have a bearing on safety.
 5. Aerodrome operator's internal safety audits and safety reporting
 - 5.1 The aerodrome operator shall arrange for an audit of the safety management system, including an inspection of the aerodrome facilities and equipment. The audit shall cover the aerodrome operator's own functions. The aerodrome operator shall also arrange for an external audit and inspection programme for evaluating other users, including fixed-base operators, ground handling agencies and other organizations working at the aerodrome as referred to in 4.2.
 - 5.2 The audits referred to in 5.1 shall be carried out every 12 months, or less, as agreed with the Authority.
 - 5.3 The aerodrome operator shall ensure that the audit reports, including the report on the aerodrome facilities, services and equipment, are prepared by suitably qualified safety experts.
 - 5.4 The aerodrome operator shall retain a copy of the report(s) referred to in 5.3 for a period to be agreed with the Authority. The Authority may request a copy of the report(s) for its review and reference.
 - 5.5 The report(s) referred to in 5.3 must be prepared and signed by the persons who carried out the audits and inspections.
 6. Access to the aerodrome
 - 6.1 Personnel so authorized by the Authority may inspect and carry out tests on the aerodrome facilities, services and equipment, inspect the aerodrome operator's documents and records and verify the aerodrome operator's safety management system before the aerodrome certificate is granted or renewed and, subsequently, at any other time, for the purpose of ensuring safety at the aerodrome.
 - 6.2 An aerodrome operator shall, at the request of the person referred to in 6.1, allow access to any part of the aerodrome or any aerodrome facility, including equipment, records, documents and operator personnel, for the purpose referred to in 6.1.

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- 6.3 The aerodrome operator shall cooperate in conducting the activities referred to in 6.1.
7. Notifying and reporting
- 7.1 An aerodrome operator shall adhere to the requirement to notify and report to the Authority, air traffic control and pilots within the specified time limits required by these regulations.
- 7.2 Notification of inaccuracies in aeronautical information service (AIS) publications. An aerodrome operator shall review all Aeronautical Information Publications (AIPs), AIP Supplements, AIP Amendments, Notices to Airmen (NOTAMs), Pre-flight Information Bulletins and Aeronautical Information Circulars issued by AIS on receipt thereof and immediately after such reviews shall notify AIS of any inaccurate information contained therein that pertains to the aerodrome.
- 7.3 Notification of changes to the aerodrome facilities, equipment and level of service planned in advance. An aerodrome operator shall notify AIS and the Authority, in writing, at least 60 days before effecting any change to the aerodrome facility or equipment or the level of service at the aerodrome that has been planned in advance and which is likely to affect the accuracy of the information contained in any AIS publication referred to in regulation 7.2.
- 7.4 Issues requiring immediate notification. Subject to the requirements of 7.5, an aerodrome operator shall give AIS and shall arrange for air traffic control and the flight operations unit to receive immediate notice detailing any of the following circumstances of which the operator has knowledge—
- (a) obstacles, obstructions and hazards—
 - (i) any projections by an object through an obstacle limitation surface relating to the aerodrome; and
 - (ii) the existence of any obstruction or hazardous condition affecting aviation safety at or near the aerodrome;
 - (b) level of service:

Reduction in the level of service at the aerodrome as set out in any of the AIS publications referred to in regulation 7.2;
 - (c) movement area:

closure of any part of the movement area of the aerodrome; and
 - (d) any other condition that could affect aviation safety at the aerodrome and against which precautions are warranted.
- 7.5 Immediate notification to pilots. When it is not feasible for an aerodrome operator to arrange for the air traffic control and the flight operations unit to receive notice of a

circumstance referred to in 7.4 in accordance with that regulation, the operator must give immediate notice direct to the pilots who may be affected by that circumstance.

8. Special inspections

An aerodrome operator shall inspect an aerodrome, as circumstances require, ensuring aviation safety—

- (a) as soon as practicable after any aircraft accident or incident within the meaning of these terms as defined in Annex 13 to the Convention on International Civil Aviation;
- (b) during any period of construction or repair of the aerodrome facilities or equipment that is critical to the safety of aircraft operation; and
- (c) at any other time when there are conditions at the aerodrome that could affect aviation safety.

9. Removal of obstructions from the aerodrome surface

An aerodrome operator shall remove from the aerodrome surface any vehicle or other obstruction that is likely to be hazardous.

10. Warning notices

When low flying aircraft, at or near an aerodrome, or taxiing aircraft are likely to be hazardous to people or vehicular traffic, the aerodrome operator shall—

- (a) post hazard warning notices on any public way that is adjacent to the manoeuvring area; or
- (b) if such a public way is not controlled by the aerodrome operator, inform the authority responsible for posting the notices on the public way that there is a hazard.

Made this 26th day of June, 2013.

(FILE NO. 5/2/3)

MOHAMMED SIDIK MIA
Minister of Transport and Public Works