

GOVERNMENT NOTICE No. 30

AVIATION ACT

(CAP. 70:01)

AVIATION (AIRCRAFT REGISTRATION AND MARKING)  
REGULATIONS, 2013

ARRANGEMENT OF REGULATIONS

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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

1.—(1) These Regulations may be cited as the Aviation (Aircraft Registration and Marking) Regulations, 2013. Citation and Application

(2) These Regulations prescribe the requirements for registration and marking of civil aircraft under the provisions of the Act.

(3) The Regulations do not apply to meteorological pilot balloons used exclusively for meteorological purposes or to unmanned free balloons without a payload.

2.—(1) For the purpose of these Regulations, unless the context otherwise requires— Definitions

“aeroplane” means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

“aircraft” means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth’s surface; the term “aircraft,” when used under the Act or regulation shall refer to civil aircraft only, and will not include State or public aircraft;

“airship” means a power-driven lighter-than-air aircraft;

“balloon” means a non-power-driven lighter-than-air aircraft;

“class in relation to aircraft” means class in accordance with the table of aircraft classification contained in IS 4:2 (1) (e);

“common mark” means a mark assigned by the International Civil Aviation Organization to the common mark registering authority registering aircraft of an international operating agency on other than a national basis;

“common mark registering authority” means the authority maintaining the non-national register or, where appropriate, the part thereof, in which aircraft of an international operating agency are registered;

“fireproof material” means a material capable of withstanding heat as well as or better than steel when the dimensions in both cases are appropriate for the specific purpose;

“glider” means a non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

“gyroplane” means a heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors which rotate freely on substantially vertical axes;

“heavier-than-air aircraft” means any aircraft deriving its lift in flight chiefly from aerodynamic forces;

“helicopter” means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes;

“international operating agency” means an agency of the kind contemplated in Article 77 of the Convention on International Civil Aviation;

“lighter-than-air aircraft” means any aircraft supported chiefly by its buoyancy in the air;

“ornithopter” means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on planes to which a flapping motion is imparted;

“powered lift” means a heavier-than-air aircraft capable of vertical takeoff, vertical landing, and low speed flight that depends principally on engine-driven lift devices or engine thrust for lift during these flight regimes and on nonrotating airfoil(s) for lift during horizontal flight;

“rotorcraft” means a power-driven heavier-than-air aircraft supported in flight by the reactions of the air on one or more rotors;

“State of Registry” means the State on whose register the aircraft is entered;

## PART II—REGISTRATION REQUIREMENTS

3.—(1) No person may operate a civil aircraft that is eligible for registration under the laws of Malawi unless it has been registered by its owner or operator under the provisions of the laws of Malawi and the Authority has issued a certificate of registration for that aircraft which shall be carried aboard that aircraft for all operations. General

(2) The certificate of aircraft registration shall be in the English language.

(3) When certificates of registration are issued in a language other than English, they shall include an English translation.

(4) The certificate of aircraft registration will be issued by the Director of Civil Aviation in the form as contained in IS 4:3 contained in the Schedule hereto and will be of a size determined by the Authority.

4. An aircraft is eligible for registration if it is—

(a) owned by—

(i) a citizen of Malawi;

(ii) an individual citizen of another State who is lawfully admitted for permanent residence in Malawi;

(iii) a corporation lawfully organized and doing business under the laws of Malawi and the aircraft is based and primarily used in Malawi; or

(iv) a government entity of Malawi or political subdivision thereof; and

(b) not registered under the laws of any other State. Registration  
eligibility

5.—(1) A person who wishes to register an aircraft in Malawi must submit an application for aircraft registration to the Authority in a form and manner acceptable to the Authority. Each application shall— Application  
for  
registration  
and  
deregistration

(a) certify as to compliance with regulation 4;

(b) show evidence identifying ownership; and

(c) be signed in ink.

(2) Upon an applicant meeting all requirements for registration, a certificate of registration will be issued by the Authority.

(3) A person who wishes to de-register an aircraft from the National Register of Civil Aircraft of Malawi must submit the following application to the Authority in a form and manner acceptable to the Authority—

(a) application for aircraft deregistration; and

(b) application for issuance of an Export certificate of airworthiness, if required.

6.—(1) As required by the Act, the Authority shall maintain an aircraft registry showing for each aircraft registered by Malawi the information recorded on the certificate of aircraft registration and any other information required by the Authority. Aircraft  
registry

(2) Upon request, Malawi will provide information to another ICAO Contracting State or to ICAO as to aircraft registration and/or ownership of any particular aircraft registered in Malawi.

### PART III—NATIONALITY AND REGISTRATION MARKS

Application 7.—(1) This Part prescribes the requirements for the identification and marking of civil aircraft registered in Malawi.

General 8.—(1) No person may operate a civil aircraft registered in Malawi unless it displays nationality and registration marks in accordance with the requirements of this part. The letter or letters used to identify the aircraft nationality as of Malawi shall conform to the requirements outlined in Annex 7 to the Convention on International Civil Aviation. This is to be followed by a series of numbers or letters assigned by the Authority.

(2) Unless otherwise authorized by the Authority, no person may place on any aircraft a design, mark, or symbol that modifies or confuses the nationality and registration marks. Marks shall not be used which might be confused with the International Five Letter Code of Signals, Part II, the three-letter combinations beginning with Q used in the Q Code or Distress Codes or other similar, urgent codes.

(3) Permanent marking of aircraft nationality and registration shall—

(a) be painted on the aircraft or affixed by other means insuring a similar degree of permanence;

(b) have no ornamentation;

(c) contrast in color with the background;

(d) be legible; and

(e) be kept clean and visible at all times.

(4) The classification of aircraft is contained in IS 4:8 (4).

Display of marks—  
general 9.—(1) Each owner shall display on that aircraft marks consisting of the number 7 and Roman capital letter Q denoting nationality of Malawi, followed by hyphen, then a series of three letters in Roman capital letters assigned by the Authority denoting the registration mark of the aircraft.

Size of marks 10.—(1) Each owner of an aircraft shall display marks on the aircraft meeting the size requirements of this section.

(2) Height: The character marks shall be of equal height and on—

(a) heavier-than-air aircraft shall be at least—

(i) 50 centimeters high if on the wings, and

(ii) 30 centimeters high if on the fuselage (or equivalent structure) and vertical tail surfaces;

(iii) lighter-than-air aircraft other than unmanned free balloons shall be at least 50 centimeters high;

(iv) unmanned free balloons shall be determined by the Authority, taking into account the size of the payload to which the identification plate is affixed.

(3) Width: Characters shall be two-thirds as wide as they are high, except the number “1” and the letter “I”, which shall be one-sixth as wide as it is high.

(4) Thickness: Characters shall be formed by solid lines one-sixth as thick as the character is high.

(5) Spacing: The space between each character may not be less than one-fourth of a character width.

(6) Uniformity: The marks required by this Part for fixed-wing aircraft must have the same height, width, thickness, and spacing on both sides of the aircraft.

11.—(1) The owner of a fixed-wing aircraft shall display the marks once on the lower surface of the wing structure as follows—

Location of marks on heavier-than-air aircraft

(a) they shall be located on the left half of the lower surface of the wing structure unless they extend across the whole of the lower surface of the wing structure;

(b) so far as is possible, the marks shall be located equidistant from the leading and trailing edge of the wings;

(c) the tops of the letters and numbers shall be toward the leading edge of the wing.

(2) On a heavier-than-air aircraft with a fuselage (or equivalent structure) and/or a vertical tail surface, the marks shall appear on either the vertical tail surfaces or the sides of the fuselage as follows—

(a) if displayed on the vertical tail surfaces, horizontally on both surfaces of a single vertical tail or on the outer surfaces of a multi-vertical tail;

(b) if displayed on the fuselage surfaces, horizontally on both sides of the fuselage between the trailing edge of the wing and the leading edge of the horizontal stabilizer;

(c) if engine pods or other appurtenances are located in the area described in subregulation (b) and are an integral part of the aircraft, the marks may appear on those pods or appurtenances.

12.—(1) Airships: The owner shall place marks on an airship to appear on—

Location of mark on lighter-than-air aircraft

(a) the hull, located lengthwise on each side of the hull and on its upper surface on the line of symmetry; or

(b) the horizontal and vertical stabilizers surfaces—

(i) for the horizontal stabilizer, located on the right half of the upper surface and on the left half of the lower surface, with the tops of the letters and numbers toward the leading edge; and

(ii) for the vertical stabilizer, located on each side of the bottom half stabilizer, with the letters and numbers placed horizontally.

(2) Spherical balloons (other than unmanned free balloons). The owner shall apply marks in two places diametrically opposite each other and located near the maximum horizontal circumference of the balloon.

(3) Non-spherical balloons (other than unmanned free balloons). The owner shall apply marks on each side, located near the maximum cross-section of the balloon immediately above either the rigging band or the points of attachment of the basket suspension cables.

(4) Lighter-than-air aircraft (other than unmanned free balloons). The owner shall apply side marks to be visible both from the sides and from the ground.

(5) Unmanned free balloons. The owner shall apply marks to appear on the identification plate.

Special cases  
for seize and  
locations of  
marks

13.—(1) If either one of the surfaces authorized for displaying required marks is large enough for display of marks meeting the size requirements of this section and the other is not, the full-size marks shall be placed on the larger surface.

(2) If neither surface is large enough for full-size marks, the Authority may approve marks as large as practicable for display on the larger of the two surfaces.

(3) If, because of the aircraft configuration, it is not possible to mark the aircraft in accordance with this Part, the owner may apply to the Authority for a different procedure.

Sales of  
aircraft:  
removal of  
marks

14. When an aircraft that is registered in Malawi is sold, the holder of the certificate of registration shall remove, before its delivery to the purchaser, all nationality and registration marks of Malawi unless the purchaser is a citizen or other legal entity as prescribed in regulation 4 (a).

Identification  
plate  
required

15.—(1) The owner shall affix to each aircraft registered under the laws of Malawi an identification plate—

(a) containing the aircraft type, model, serial number, marks of nationality and registration mark; and

(b) made of fireproof metal or other fireproof material of suitable physical properties; and

(c) secured to the aircraft in a prominent position, near the main entrance, or, in the case of an unmanned free balloon, affixed conspicuously to the exterior of the payload.

(2) The registration mark (number) on the identification plate shall to be changed each time the aircraft registration changes.

SCHEDULE

IMPLEMENTING STANDARDS

AIRCRAFT REGISTRATION AND MARKING REGULATIONS

IS:4.2 (1) (e) CLASSIFICATION OF AIRCRAFT

Aircraft are classified in accordance with the following table.

Classification of Aircraft					
AIRCRAFT	Lighter-than-air aircraft	Non-power-driven	Free balloon	<ul style="list-style-type: none"> <li>{ Spherical free balloon</li> <li>{ Non-spherical free balloon</li> </ul>	
			Captive balloon	<ul style="list-style-type: none"> <li>{ Spherical captive balloon</li> <li>{ Non-spherical captive balloon<sup>1</sup></li> </ul>	
		Power-driven	Airship	<ul style="list-style-type: none"> <li>{ Rigid airship</li> <li>{ Semi-rigid airship</li> <li>{ Non-rigid airship</li> </ul>	
		Heavier-than-air aircraft	Non-power-driven	Glider	{ Land glider
	Kite <sup>4</sup>			{ Sea glider <sup>2</sup>	
	Power-driven		Aeroplane		{ Landplane <sup>3</sup>
					{ Seaplane <sup>2</sup>
			Gyroplane		{ Land
					{ Sea
	Rotorcraft		Amphibian		
Helicopter			<ul style="list-style-type: none"> <li>{ Land</li> <li>{ Sea helicopter<sup>2</sup></li> <li>{ Amphibian</li> </ul>		
gyroplane <sup>3</sup>					
gyroplane <sup>2</sup>					
gyroplane <sup>2</sup>					
helicopter <sup>3</sup>					
helicopter <sup>2</sup>					
		Ornithoper	<ul style="list-style-type: none"> <li>{ Land ornithoper<sup>3</sup></li> <li>{ Sea ornithoper<sup>2</sup></li> <li>{ Amphibian ornithoper<sup>2</sup></li> </ul>		

1. Generally designated "kite-balloon".
2. "Float" or "boat" may be added as appropriate.
3. Includes aircraft equipped with ski-type landing gear (substitute "ski" for "land").
4. For the purpose of completeness only.

## IS 4:3 CERTIFICATE OF AIRCRAFT REGISTRATION

The certificate of aircraft registration issued by the Authority shall be as follows—

For CAA Use Only

REPUBLIC OF MALAWI

For CAA Use Only

## DEPARTMENT OF CIVIL AVIATION

## CERTIFICATE OF AIRCRAFT REGISTRATION

- |                                      |  |                            |
|--------------------------------------|--|----------------------------|
| 1. Nationality and registration mark | 2. Manufacturer and manufacturer's designation of aircraft | 3. Aircraft serial number: |
|--------------------------------------|--|----------------------------|

\_\_\_\_\_

\_\_\_\_\_

4. Name of owner: \_\_\_\_\_

5. Address of owner: \_\_\_\_\_

\_\_\_\_\_

6. It is hereby certified that the above described aircraft has been duly entered on the National Civil Aircraft Registry in accordance with the Convention on International Civil Aviation dated 7 December 1944 and with the Regulations of Malawi.

Signature \_\_\_\_\_

Date of issue: \_\_\_\_\_

For CAA Use Only

Made this 26th day of June, 2013.

MOHAMMED SIDIK MIA  
*Minister of Transport and Public Works*

(FILE NO. 5/2/3)