

THE CIVIL AVIATION (AMENDMENT) BILL, 2026

MEMORANDUM

The object of this Bill is to amend the Civil Aviation Act so as to —

- (a) enhance the regulation and oversight of civil aviation security;
- (b) revise penalties relating to offences committed on board a civil aircraft;
- (c) provide for the declaration of danger areas and prohibited areas; and
- (d) provide for matters connected with, or incidental to, the foregoing.

M. D. KABESHA,
Attorney-General

A BILL

ENTITLED

An Act to amend the Civil Aviation Act.

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Civil Aviation (Amendment) Act, 2026, and shall be read as one with the Civil Aviation Act, in this Act referred to as the principal Act.

Short title

Cap. 444

5 2. Section 2(1) of the principal Act is amended by the—

Amendment
of section 2

(a) deletion of the definitions of “National Aviation Security Programme or NASP”, “National Facilitation Programme or NFP” and “restricted area”;

10 (b) deletion of the definition of “harmful article” and the substitution therefor of the following:

“harmful article” means a dangerous good, weapon, explosive or other dangerous device, article or substance which is subject to security control in accordance with the Chicago Convention; and

15 (c) insertion of the following new definitions in the appropriate places in alphabetical order:

“act of unlawful interference” has the meaning assigned to the words in the Civil Aviation Authority Act;

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Cap. 445	“approved maintenance organisation” means an approved maintenance organisation issued with a certificate in accordance with section 42 of the Civil Aviation Authority Act;	
Cap. 445	“approved training organisation” means an approved training organisation issued with a certificate in accordance with section 42 of the Civil Aviation Authority Act;	5
Cap. 445	“civil aviation security” has the meaning assigned to the words in the Civil Aviation Authority Act;	10
Cap. 445	“facilitation” has the meaning assigned to the words in the Civil Aviation Authority Act;	
	“general agent” means a general agent designated under section 151A;	
Cap. 87	“grievous harm” has the meaning assigned to the words in the Penal Code Act;	15
Cap. 30	“legal practitioner” has the meaning assigned to word “practitioner” in the Legal Practitioners Act;	
	“national civil aviation security programme” means the national civil aviation security programme referred to under section 73;	20
Cap. 445	“National Civil Aviation Security Committee” has the meaning assigned to the words in the Civil Aviation Authority Act;	
Cap. 445	“national air transport facilitation programme” means the national air transport facilitation programme developed by the Authority under the Civil Aviation Authority Act; and	25
	“National Air Transport Facilitation Committee” means the National Air Transport Facilitation Committee established in accordance with section 76.	30
Amendment of section 8	3. Section 8 of the principal Act is amended —	
	(a) by the deletion of subsection (2) and the substitution therefor of the following:	
	(2) The Minister may, where the Minister is satisfied that it is necessary or desirable in the public interest to exercise the powers conferred by this Act —	35
	(a) by statutory notice and for the purposes of this Act, declare that the Republic or any part of the Republic is, a danger area, restricted area or, in consultation with the Minister responsible for defence, a prohibited area;	40

5 (b) in the statutory notice referred to under paragraph (a),
issue orders and instructions in respect of a danger area,
restricted area or prohibited area or part of the danger
area, restricted area or prohibited area regulating,
restricting or prohibiting the —

(i) navigation of all or any description of aircraft;
or

(ii) use, erection, building, maintenance or establishment
of an aerodrome or flying school; or

10 (c) assign to an authorised person any of the powers specified
in paragraph (b) relating to a danger area, restricted
area or prohibited area.; and

15 (b) in subsection (3), by the deletion of the words
“restricted area” and the substitution therefor of
the words “danger area, restricted area or
prohibited area”.

4. The principal Act is amended by the insertion of the following
new sections immediately after section 8:

Insertion of
sections 8A
and 8B

20 8A. (1) A pilot in command of an aircraft flying or navigating
within the airspace of the Republic shall —

Flying or
navigating
within
airspace of
Republic,
danger areas,
etc.

(a) comply with air routes that the Authority shall
establish; and

25 (b) not fly or navigate within an airspace declared as a
danger area, restricted area or prohibited area
under section 8.

30 (2) An aircraft that deviates from an air route established by
the Authority under subsection (1)(a) or flies or navigates within a
danger area, restricted area or prohibited area shall be considered
to be an unauthorised operation and the pilot in command of that
aircraft shall —

(a) take immediate corrective measures to resume the
established air route; and

35 (b) comply with any special instructions given by a competent
authority, including an instruction to land the aircraft at
a designated location.

8B. In this Part, unless the context otherwise requires —

Interpretation
of Part

“danger area” means an airspace of defined dimensions
where an activity which is dangerous to the flight of
an aircraft exists at specified periods;

“prohibited area” means an airspace of defined dimensions within which flight of an aircraft is prohibited; and

“restricted area” means, in the case of an —

(a) aerodrome, an area, building or place, in respect of which — 5

(i) access control has been instituted for security purposes; or

(ii) the Minister has directed the management of that area, building or place or a person conducting business at the area, building or place to institute access control and the access control is instituted; and 10

(b) airspace, an area of defined dimensions where the flight of an aircraft is restricted in accordance with specified conditions. 15

Amendment
of section 73

5. Section 73 of the principal Act is amended in —

(a) subsection (1), by the deletion of the words “Annex 17” and substitution therefor of the words “the Zambia Civil Aviation Requirements relating to civil aviation security”;

(b) subsection (2), by the deletion of paragraph (a) and the substitution therefor of the following: 20

(a) the compilation, revision and development of a national civil aviation security programme in compliance with the Zambia Civil Aviation Requirements relating to civil aviation security;; 25
and

(c) subsection (3), by the deletion of the words “Annex 17” and the substitution therefor of the words “the Zambia Civil Aviation Requirements relating to civil aviation security”. 30

Amendment
of section 75

6. Section 75 of the principal Act is amended in —

(a) subsection (1), by the deletion of the words “and Annex 9”; and

(b) subsection (2), by the deletion of paragraph (a) and the substitution therefor of the following: 35

(a) compilation, revision and development of a national air transport facilitation programme in accordance with the Zambia Civil Aviation Requirements relating to facilitation;

7. Section 76 of the principal Act is amended by the deletion of paragraph (a) and the substitution therefor of the following: Amendment
of section 76

5 (a) a National Air Transport Facilitation Committee for the purposes of coordinating the activities of the national air transport facilitation programme;

8. Section 80 of the principal Act is amended by the deletion of the words “to a fine not exceeding forty thousand penalty units or to a term of imprisonment not exceeding two years, or to both” and the substitution therefor of the words “to a fine not exceeding three million penalty units or to a term of imprisonment not exceeding thirty years, or to both”. Amendment
of section 80

9. Section 136 of the principal Act is amended —

15 (a) by the deletion of paragraph (c) and the substitution therefor of the following: Amendment
of section
136

 (c) places, or causes to be placed, on a civil aircraft in service, by any means, a device or substance which is likely to destroy the aircraft or cause damage to the aircraft, render the aircraft incapable of flight or endanger the safety of the aircraft in flight;

20 (b) by the insertion of the following new paragraphs immediately after paragraph (h):

 (i) commits an act of violence against a person, using a device, substance or weapon, at an airport and that act of violence —

25 (i) causes, or is likely to cause, grievous harm or death; or

 (ii) endangers, or is likely to endanger, safety at that airport;

30 (j) causes the destruction of, or serious damage to the facilities of, an airport or a civil aircraft not in service located at the airport if the destruction or damage endangers, or is likely to endanger, safety at that airport; and

35 (k) causes the disruption of services at an airport if the disruption endangers or is likely to endanger safety at that airport;; and

 (c) by the renumbering of paragraphs (i) and (j) as paragraphs (l) and (m), respectively.

Insertion of
section 151A

10. The principal Act is amended by the insertion of the following new section immediately after section 151:

Designation
of general
agent

151A. (1) An air operator or a foreign air operator operating in the Republic shall designate, in writing, a person in the Republic, as a general agent to act on behalf of the air operator or foreign air operator for the purposes of this Act. 5

(2) A general agent referred to under subsection (1) shall —

(a) submit documents to the Authority that may be required by the Authority under this Act, the Zambia Civil Aviation Requirements, an order, a notice, process, circular, requirement or directive made under this Act; 10

(b) undertake an act or procedure under this Act or regulations required to be undertaken by an air operator or a foreign air operator; 15

(c) facilitate operational logistics of an air operator or a foreign air operator; and

(d) perform other functions as may be authorised by an air operator, a foreign air operator or the Authority.

(3) An air operator or a foreign air operator shall notify the Director-General of the designation referred to under subsection (1) and the notification shall consist of the following documents: 20

(a) a certified copy of the instrument of designation of a general agent;

(b) a written acceptance of the designation by a general agent; 25
and

(c) any other documents as the Director -General may require.

(4) The Director-General may, within fourteen days of receipt of a notification referred to under subsection (3), approve or reject the designation. 30

(5) The Director-General shall, where a designation meets the requirements of this section, approve the designation.

(6) The Director-General shall, where the Director-General rejects a designation under subsection (4), inform the air operator or foreign air operator, in writing, stating the reasons for the rejection. 35

(7) A general agent designated under this section shall not, unless the general agent is a legal practitioner, represent an air operator or a foreign air operator in quasi judicial or judicial proceedings.

(8) The designation of a general agent under this section shall not relieve an air operator or a foreign air operator of its statutory obligations or liabilities under this Act.

5 (9) An act or omission of a general agent designated under this section shall be considered to be an act or omission of an air operator or a foreign air operator.

(10) An air operator or a foreign air operator may substitute or revoke a designation under this section.

10 (11) An air operator or a foreign air operator shall, where the air operator or foreign air operator substitutes or revokes a designation under subsection (10), notify the Director-General of the substitution or revocation within fourteen days of the substitution or revocation.

15 (12) A general agent shall cease to act on behalf of an air operator or a foreign air operator immediately after the Director-General receives a notification under subsection (11).

20 (13) An air operator or a foreign air operator shall, where the Director-General rejects a designation under subsection (6) or receives a notification of a revocation or substitution of a designation under subsection (11), designate another general agent and the provisions of this section shall apply relating to the approval of the designation.

11. The principal Act is amended by the repeal of section 163 and the substitution therefor of the following:

25 163. A civil aircraft engaged in air traffic operations shall carry on board the following documents:

- (a) a certificate of registration of the civil aircraft issued under the Civil Aviation Authority Act;
- (b) a certificate of airworthiness issued under the Civil Aviation Authority Act;
- (c) an aircraft journey log;
- (d) an aircraft radio licence;
- (e) a list of names of passengers and points of embarkation and destination, where applicable;
- 35 (f) a cargo manifest, including special loads information;
- (g) an aircraft technical log;
- (h) an air operator's certificate, where required;

Repeal and replacement of section 163

Documents carried on board civil aircraft

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- (i) a noise certificate, where required;
 - (j) an aircraft flight manual or rotorcraft flight manual, where applicable;
 - (k) parts of an operations manual relevant to operations conducted; 5
 - (l) a minimum equipment list;
 - (m) a category II or category III manual, where applicable;
 - (n) an operational flight plan for all international flights;
 - (o) a filed air traffic control flight plan; 10
 - (p) a notice to airmen briefing documentation;
 - (q) meteorological information;
 - (r) mass and balance documentation;
 - (s) a roster of special situation passengers;
 - (t) maps and charts for routes of proposed flights or diverted flights, where applicable; 15
 - (u) forms for complying with the reporting requirements of the Authority and a holder of an air operator certificate;
 - (v) a general declaration for customs for international flights; 20
 - (w) appropriate licences for each member of the flight crew;
 - (x) a copy of an approval for return to service in force with respect to the civil aircraft, if any; 25
 - (y) search and rescue information for international flights;
 - (z) a certified true copy of a summary of an Article 83 bis agreement, entered into between the State of Registry and the State of Operator, in an electronic or a hard copy format and an English translation 30 where the summary is issued in a language other than English;
 - (aa) an aerial work certificate for aerial work operators;
 - (bb) a certificate of insurance; and 35
 - (cc) any other documentation that may be required by the Authority or a State concerned with a proposed flight.

12. The principal Act is amended by the insertion of the following new section immediately after section 166:

Insertion of section 166A

5 166A. (1) The following institutions shall, on a quarterly or annual basis as the Authority may determine, submit statistical information to the Authority in a prescribed manner and form:

Submission of statistical information to Authority

- (a) an air operator;
- (b) a foreign air operator;
- (c) an airport operator;
- 10 (d) an air navigation services provider;
- (e) an approved training organisation;
- (f) an approved maintenance organisation; and
- (g) any other institution as the Authority may determine.

(2) The statistical information referred to under subsection (1) shall include information relating to —

- (a) traffic, for commercial air carriers;
- (b) fleet and personnel, for commercial air carriers;
- (c) financial data, for commercial air carriers;
- (d) on-flight origin and destination;
- 20 (e) traffic by flight stage;
- (f) airport traffic;
- (g) airport traffic filling requirements;
- (h) airport financial data;
- (i) air navigation services financial data;
- 25 (j) en-route services traffic statistics;
- (k) fuel consumption and traffic;
- (l) aviation personnel;
- (m) cargo operations; and
- 30 (n) any other statistical information as may be required by the Authority for safety, security, regulatory or planning purposes.

(3) A person who contravenes subsection (1) is liable to pay an administrative penalty.

Amendment
of section
167

13. Section 167 (2) of the principal Act is amended by the deletion of paragraph (cc) and the substitution therefor of the following:

- (cc) air transport economic regulation, including the —
- (i) licensing and market access conditions for an air operator; 5
 - (ii) negotiation, implementation and enforcement of bilateral air services agreements and provisions governing traffic rights, designation of air carriers and capacity entitlements;
 - (iii) protection of consumers of air transport services, including passenger rights in cases of death, injury, flight cancellation, delay, denied boarding, baggage loss or damage; 10
 - (iv) obligations of air operators to provide compensation, assistance and information to a passenger; 15
 - (v) provision of fair competition in the aviation sector, including prevention of abuse of dominant and unfair trade practices;
 - (vi) provision of dispute resolution mechanisms; and 20
 - (vii) imposition of penalties, administrative sanctions and other enforcement measures for non-compliance with regulations issued under this Act.

General
amendment

14. The principal Act is amended by the deletion of the — 25
- (a) abbreviation “NASP”, wherever the abbreviation appears and the substitution therefor of the words, “national civil aviation security programme”;
 - (b) abbreviation “NFP” wherever the abbreviation appears and the substitution therefor of the words “national air transport facilitation programme”; 30
 - (c) words “national facilitation programme” wherever the words appear and the substitution therefor of the words “national air transport facilitation programme”; and
 - (d) words “restricted area” wherever the words appear and the substitution therefor of the words “airport restricted area”, except for where the words appear in sections 8 and 8A. 35