

Statutory Instrument 73 of 2023.

[CAP. 13:16

**Civil Aviation (Aircraft Nationality and Registration Marks)
(Amendment) Regulations, 2023 (No. 1)**

IT is hereby notified that the Minister of Transport and Infrastructural Development has, in terms of section 79 of the Civil Aviation Act [*Chapter 13:16*], made the following regulations:—

1. These regulations may be cited as the Civil Aviation (Aircraft Nationality and Registration Marks) (Amendment) Regulations, 2023 (No. 1).

2. Section 4 of the Civil Aviation (Aircraft Nationality and Registration Marks) Regulations, 2023, published in Statutory Instrument 64 of 2018 (“hereinafter called the principal regulations”) is amended—

(a) by the repeal of subsection (2) and substitution of the following—

“(2) An aircraft is eligible for registration if it is not registered in another country and if it is owned by—

- (a) an individual citizen of Zimbabwe;
- (b) an individual citizen of a foreign State who is lawfully admitted for residency in Zimbabwe;
- (c) a juristic person lawfully registered in Zimbabwe;
- (d) the government of Zimbabwe;
- (e) a body incorporated in a foreign country or a citizen of a foreign country and is leased or sold under a hire purchase agreement to a citizen of Zimbabwe or a juristic person lawfully registered in Zimbabwe;

Provided that the Authority is satisfied that the lease agreement or hire purchase agreement is acceptable in accordance with subsection (5);

(f) a foreign person subject to the approval of the Minister.”;

(b) by the insertion of a new subsection as follows—

“(5) For the purposes of subsection (2)(e), an aircraft lease agreement or hire purchase agreement

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may be accepted by the Authority, if the Authority is satisfied that in the lease or hire purchase agreement —

- (a) the contracting parties are properly identified;
- (b) the aircraft subject to the agreement is identified by aircraft make, model and manufacturer's serial number;
- (c) the effective commencement and termination dates of the agreement are clearly stated;
- (d) the person having operational control is the lessee or purchaser respectively;
- (e) Zimbabwe is identified as the State of Registry;
- (f) the aircraft will be maintained and the maintenance and record keeping responsibilities of the parties are clearly specified and comply with the applicable civil aviation regulations on continuing airworthiness;
- (g) the continuing airworthiness requirements of the aircraft are specified under the terms and conditions of the lease agreement.”.

3. Section 4 of the principal regulations is amended by the repeal of subsection (3) and substitution of the following —

“(3) The following persons shall be qualified to be the owners of a legal interest in an aircraft registered in Zimbabwe—

- (a) Government of Zimbabwe;
- (b) any citizen of Zimbabwe or any person *bona fide* resident in Zimbabwe;
- (c) a juristic person lawfully registered in Zimbabwe and having its principal place of business in Zimbabwe;
- (d) such other person as the Minister may approve.”.

4. Section 16 of the principal regulations is amended in subsection (2)(a) by the insertion of “or Z2” after the symbol “Z”.

5. The principal regulations are amended by the repeal of the Third Schedule and substitution of the following —

“THIRD SCHEDULE (*Section 6(1)*)

*	State <i>or</i> Common mark registering authority Ministry Department or Service	*
CERTIFICATE OF REGISTRATION		
1. Nationality or common mark and registration mark 	2. Manufacturer and manufacturer’s designation of aircraft 	3. Aircraft serial no.
4a. Issued to		
..... (<i>name of certificate holder</i>)		
Basis of registration (check one):		
<ul style="list-style-type: none"> • ownership of aircraft • operator of aircraft • other (<i>explain</i>): 		
4b. Address of certificate holder		
5. Name and contact information of owner, if different from certificate holder:		
6. It is hereby certified that the above described aircraft has been duly entered on thein accordance with the Convention on International Civil (name of register) Aviation dated 7 December 1944 and with the (†)		
(Signature)		
Date of issue		
(†) Insert reference to applicable regulations.		
*		

* For use by the State of Registry or common mark registering authority. ”.

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7. The principal regulations are amended by the insertion of a new Fifth Schedule as follows—

“FIFTH SCHEDULE (*Section 10*)

*	State <i>or</i> Common mark registering authority Ministry Department or Service	*
CERTIFICATE OF DEREGISTRATION		
1. Nationality or common mark and registration mark	2. Manufacturer and manufacturer’s designation of aircraft	3. Aircraft serial no.
4a. Issued to..... <i>(name of certificate holder)</i>		
Basis of registration (check one): • ownership of aircraft • operator of aircraft • other (<i>explain</i>):		
4b. Address of certificate holder..... <i>(at the time of deregistration)</i>		
5. Name and contact information of owner, if different from certificate holder: <i>(at the time of deregistration)</i>		
6. It is hereby certified that the above described aircraft has been duly removed from the on <i>(name of register)</i> <i>(date)</i> and the Certificate of Registration has been cancelled.		
6a. Reason(s) for deregistration, if known:		
(Signature).....		
Date of issue.....		
*		

* For use by the State of Registry or common mark registering authority.”