



**CIVIL AVIATION SAFETY AUTHORITY OF PNG**

**PNG**

**Civil Aviation Rules**

**Part 119**

**Air Operator – Certification**

Applicable 03 November 2022

## DESCRIPTION

Part 119 prescribes the certification requirements for operators to conduct air transport operations and the operating requirements for the continuation of this certification.

Part 119 covers airline operator certification that permits air transport operations for various aircraft sizes and operator certification that permits air transport operations for helicopters, medium and small aeroplanes.

Part 119 adopts the ICAO standards for the certification of air transport operators and follows the requirements of the rule parts relating to the certification of organisations. Specific requirements are prescribed for the certification (entry standards), operation (continued operations), and safety audit (surveillance) of operators carrying out air operations.

This Rule 119 aligns with:

- Amendment 46 of ICAO Annex 6 Part 1
- Amendment 109 of ICAO Annex 8.

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**BULLETIN**

This Part first came into force on 1 January 2004 and now incorporates the following amendments:

<b>Amendment</b>	<b>Effective Date</b>
Amendment 1	01 January 2011
Amendment 2	01 April 2015
Amendment 3	01 May 2017
Amendment 4	01 February 2018
Amendment 5	13 November 2018
Amendment 6	03 November 2022

***Summary of amendments*****Amendment 6:**

(Docket22/10/CAR 119/28)

Rule 119.3 amended – title changed to “Definitions”.

Rule 119.59(c)(12)(x) amended –

- deleted words “procedures for”;
- added new subparagraph (A) before “occurrences that have” with new requirements regarding engines and propellers and transmission of related information;
- added new subparagraph (B) with new requirements relating to modification or repair safety issues and transmission of related information;

Rule 119.59(c)(12)(xx) new rule – added new requirements for monitoring and obtaining mandatory continuing airworthiness information and taking the appropriate action.

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## Subpart A — General

### 119.1 Purpose

This Part prescribes requirements for certification and continuing operations of persons domiciled in Papua New Guinea conducting air operations in accordance with Parts 121, 125, 135, 136 and 137.

### 119.3 Definitions

### 119.5 Requirement for certificate

A person shall not perform an air operation except under the authority of, and in accordance with, an air operator certificate issued under this Part.

### 119.7 Application for certificate

An applicant for the grant of an air operator certificate shall complete form CA 119/01, which shall require—

- (1) the name and address for service in Papua New Guinea of the applicant; and
- (2) the details required by 119.13(b) for the operations specifications; and
- (3) the exposition required by 119.75; and
- (4) such further particulars relating to the applicant as may be required by the Director on the form—

and submit it to the Director, with a payment of the appropriate application fee prescribed by regulations made under the Act, not less than 90 days before the date of intended operation, unless a shorter period is acceptable to the Director.

### 119.9 Issue of certificate

(a) An applicant is entitled to an air operator certificate if the Director is satisfied that, in accordance with Section 49 of the Act—

- (1) the applicant meets the applicable requirements of Subpart B; and
- (2) the applicant and the applicant's senior persons required by 119.51(a)(1) and (2) are fit and proper persons; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.

(b) The air operator certificate shall contain at least the following information: -

- (1) the State of the operator and issuing authority;
- (2) the air operator certificate number and its expiration date;
- (3) the operator name, trading name (if different) and the address of the principal place of business;
- (4) the date of issue and the name, signature and title of the authority representative; and
- (5) reference to a document listing the contact details at which operator management can be contacted.

### **119.11 Privileges of certificate holder**

(a) An air operator certificate holder may perform the scope of air operations listed on the air operator certificate.

### **119.13 Operations specifications**

(a) An air operator certificate issued under the Act in accordance with this Part must be accompanied by the operations specifications specified in paragraph (b).

(b) The operations specifications must contain—

- (1) details of the physical location of the certificate holder's principal base of operations; and
- (2) the certificate holder's address for service in Papua New Guinea; and
- (3) other business names under which the certificate holder may operate; and
- (4) the type/model, serial number and registration of every aircraft that is authorised for use; and
- (5) details of the air operation types authorised; and
- (6) the authorisation and limitations for routes and areas of operations; and
- (7) the following special authorisation as applicable:
  - (i) carriage of dangerous goods;
  - (ii) low visibility operations;
  - (iii) RVSM and EDTO;
  - (iv) Performance based navigation
- (8) the organisation responsible for continuing airworthiness of the certificate holder's aircraft; and
- (9) details of any external service provider contracted to provide maintenance, training or competency assessment; and
- (10) the exposition reference (manual, section, procedure or page as applicable), including revision status and issue date, for the following:
  - (i) the senior persons required by rule 119.51(a);
  - (ii) the certificate holder's safety management system;
  - (iii) the certificate holder's quality management system;
  - (iv) the certificate holder's maintenance programme;
  - (v) the certificate holder's flight and duty time scheme;
  - (vi) the certificate holder's fuel policy;
  - (vii) if applicable, the certificate holder's EDTO policy;
  - (viii) if applicable, the certificate holder's security programme.
- (11) a list of persons who are employed or engaged by the certificate holder to conduct competency assessment under the authority of-
  - (i) a flight examiner rating issued under Part 61; or
  - (ii) an instrument of approval issued under Parts 121, 125, 135 or 136.

- (12) any exemption granted from any requirement of this or any other Part; and
  - (13) any other item the Director determines is necessary to cover a particular situation.
- (c) The Director may specify conditions and limitations in the operations specifications.
- (d) When authorising EDTO in a certificate holder's operations specifications the Director shall specify the following:
- (1) the registration of each aeroplane authorised for EDTO; and
  - (2) the maximum diversion time for each aeroplane that is authorised for EDTO under paragraph (1); and
  - (3) the EDTO alternate aerodromes authorised for EDTO.

#### **119.15 Duration of certificate**

- (a) An air operator certificate may be granted or renewed for a period of up to five years.
- (b) An air operator certificate remains in force until it expires or is suspended or revoked by the Director.
- (c) The holder of an air operator certificate that expires or is revoked shall immediately surrender the certificate to the Director.
- (d) The holder of an air operator certificate that is suspended shall immediately produce the certificate to the Director for appropriate endorsement.

#### **119.17 Notification of termination of operations**

A certificate holder that terminates air operations shall notify the Director of the termination in writing within 30 days of the date of termination.

#### **119.19 Renewal of certificate**

- (a) A certificate holder shall make an application for the renewal of an air operator certificate on form CA 119/01.
- (b) The application required by paragraph (a) shall be submitted to the Director not less than 60 days before the certificate expires.

### **Subpart B — Certification Requirements**

#### **119.51 Personnel requirements**

- (a) An applicant for the grant of an air operator certificate must employ, contract, or otherwise engage—
- (1) a senior person identified as the Chief Executive who—
    - (i) has the authority within the applicant's organisation to ensure that every activity undertaken by the organisation can be financed and carried out in accordance with the requirements and standards prescribed by this Part; and
    - (ii) is responsible for ensuring that the organisation complies with the requirements of this Part; and



- 
- (2) senior persons—
    - (i) responsible for ensuring that the applicant's organisation complies with its exposition; and
    - (ii) responsible for the functions referred to in paragraph (b)(1); and
    - (iii) ultimately responsible to the Chief Executive; and
  - (3) sufficient personnel to plan, perform, supervise, inspect, and certify the operations listed in the applicant's exposition.
- (b) The senior persons required by paragraph (a) must—
- (1) be responsible for the following functions—
    - (i) the flight operations;
    - (ii) crew training and competency assessment;
    - (iii) operational ground activities which directly support air operations;
    - (iv) aircraft airworthiness and the control and scheduling of maintenance;
    - (v) the safety management system;
    - (vi) the quality management system;
    - (vii) where an air operator security programme is required by 119.69, air operator security.
  - (2) hold minimum qualifications and experience listed in Appendix A applicable to the function for which they are responsible.
- (c) Notwithstanding paragraph (b) (1) (ii), and if applicable to the structure of the applicant's organisation the senior person responsibilities for competency assessment may be assumed by the senior person responsible for air operations under paragraph (b) (1) (i).
- (d) Any function referred to in paragraph (b)(1) may be delegated to other personnel provided the senior person responsible for the function retains responsibility for the function and the delegation is acceptable to the Director.
- (e) An applicant for the grant of an air operator certificate must establish procedures for the transfer of responsibilities in the absence of senior persons.

### **119.53 Personnel competency requirements**

- (a) An applicant for the grant of an air operator certificate must establish procedures—
  - (1) to initially assess and subsequently maintain the competence of personnel authorised to plan, perform, supervise, inspect, or certify the air operations listed in the applicant's exposition; and
  - (2) to provide personnel with written evidence of the scope of their authorisation.
- (b) An applicant who contracts with an external organisation or person to satisfy the checking and training requirements of Parts 121, 125, 135 and 136 must include in its exposition details of—
  - (1) the functions to be transferred to the organisation or person; and
  - (2) the scope of the checking or training to be carried out by the organisation or person; and
  - (3) the authority of the organisation or person in respect of the checking or training functions to be carried out.

**119.55 Resource requirements**

- (a) An applicant for the grant of an air operator certificate shall provide resources, acceptable to the Director—
- (1) that enable the satisfactory provision of the operations listed in the applicant's exposition; and
  - (2) that shall, where appropriate, include—
    - (i) accommodation, offices and buildings; and
    - (ii) equipment, material, training aids, data, and documentation necessary to perform the operations listed in the applicant's exposition.
- (b) An applicant shall ensure the environment it provides—
- (1) is appropriate for the tasks to be performed; and
  - (2) where appropriate, offers protection from weather elements.

**119.57 Proving flights or tests**

- (a) An applicant for the grant or amendment of an air operator certificate shall, if required by the Director, perform proving flights or tests to satisfy the Director that it can meet any relevant prescribed requirement.
- (b) The flights or tests shall be conducted in a manner acceptable to the Director.

**119.59 Operator's maintenance control manual**

- (a) An applicant for the grant of an air operator certificate must establish procedures to ensure the continued airworthiness of—
- (1) every aircraft that is operated under the authority of the certificate; and
  - (2) any equipment installed in or attached to the aircraft.
- (b) For the purposes of this rule, continuing airworthiness organisation means the group of persons established under the authority of the air operator certificate to ensure paragraph (a) is complied with.
- (c) The procedures required under paragraph (a) must include the following:
- (1) a statement of the functions-
    - (i) carried out by the continuing airworthiness organisation; and
    - (ii) transferred to the maintenance provider to be carried out on behalf of the continuing airworthiness organisation.
  - (2) a summary of the systems and processes used to manage continuing airworthiness;
  - (3) an organisational chart showing lines of responsibility within the air operator's organisation for aircraft airworthiness and maintenance control; and
  - (4) duties and responsibilities of all personnel engaged to ensure compliance with the continuing airworthiness requirements of rule 119.59;
  - (5) qualifications, experience and recurrency training required for the persons referred to in paragraph (c)(4);
  - (6) the scope of the aircraft airworthiness and maintenance control carried out in accordance

- with the maintenance control manual;
- (7) a general description of the facilities and locations where continuing airworthiness is managed;
  - (8) a statement of the deliverables required of a maintenance provider;
  - (9) procedures for observing Human Factors principles in the design of the maintenance control manual;
  - (10) procedures for the appointment of a maintenance provider, including-
    - (i) where the air operator is approved to conduct maintenance under Part 145, establishment of an internal service level agreement or similar between the Part 119 continuing airworthiness organisation and the Part 145 organisation; and
    - (ii) where the air operator is not approved to conduct maintenance under Part 145-
      - (A) establishment of a written maintenance contract with an external maintenance provider; and
      - (B) for unscheduled line maintenance and component maintenance the form of work order or similar used to task an external maintenance provider.
  - (11) the details of the Part 145 maintenance organisation(s) engaged or contracted to maintain the air operator's aircraft and equipment;
  - (12) procedures for the following;
    - (i) establishing and maintaining the maintenance programme required by rule 119.61, including a system of analysis and continued monitoring of the performance and efficiency of the maintenance program in order to correct any deficiency in that programme;
    - (ii) maintenance planning and forecasting;
    - (iii) maintenance tracking, including procedures to ensure that every inspection required to be done by the maintenance programme is carried out;
    - (iv) assigning maintenance tasks to a maintenance provider;
    - (v) ensuring up-to-date maintenance documentation is used;
    - (vi) discrepancy control and defect rectification and ensuring that they are recorded;
    - (vii) aircraft configuration control, including management of modifications and repairs;
    - (viii) weight and balance control;
    - (ix) occurrence investigation and reporting;
    - (x) reporting –
      - (A) occurrences that have or may have an adverse effect on the continuing airworthiness of the aircraft to both the State of Registry and aircraft type certificate holder, except when such information relates to an engine or propeller, the information shall be transmitted to both the organisation responsible for engine or propeller, and the organisation responsible for aircraft type design; and
      - (B) continuing airworthiness safety issues associated with a modification or repair, and transmission to the individual or organisation responsible for the design of

- 
- the modification or repair;
- (xi) reliability monitoring;
  - (xii) maintenance trend analysis if the programme utilizes condition monitored maintenance or information derived from health and usage monitoring systems;
  - (xiii) ensuring every applicable airworthiness directive and operational directive with a continuing airworthiness impact is acted upon;
  - (xiv) release to service certification;
  - (xv) where applicable, the issue of a special flight permit under a continuing authorisation granted under rule 21.45;
  - (xvi) removing an unairworthy aircraft from service;
  - (xvii) grant of an authorisation for pilot maintenance in accordance with Part 43 Appendix A;
  - (xviii) obtaining and assessing continuing airworthiness information and recommendations from the organization responsible for the type design and implement resulting actions as considered necessary for aeroplanes over 5700 kg maximum certificated take-off mass and helicopters over 3175 kg maximum certificated take-off mass.
  - (xix) a description of aircraft types and models to which the manual applies.
  - (xx) monitoring and obtaining mandatory continuing airworthiness information from the State of Design of Modification in order to adopt the mandatory information directly or assess the information received and take appropriate action.
- (13) establishing and maintaining a MEL for every aircraft type operated under the air operator certificate and the procedures for deferring defects in accordance with a MEL;
- (14) details of the record control systems including-
- (i) use of the technical log required by rule 91.619; and
  - (ii) establishment and maintenance of aircraft and component logbooks; and
  - (iii) post maintenance records checking; and
  - (iv) records of airworthiness reviews;
  - (v) electronic database verification and backup arrangements;
  - (vi) retention and archiving of records in accordance with rule 91.623;
  - (vii) transfer of records to another continuing airworthiness organisation or to the owner of the aircraft.
- (15) the process for carrying out an airworthiness review including-
- (i) the qualification and experience criteria for appointment of authorised inspectors; and
  - (ii) the standards to be used for conducting an airworthiness review; and
  - (iii) the records to be maintained; and
  - (iv) where applicable, the system to be used for progressive review in accordance with rules 121.407, 125.407, 135.405 and 136.609.
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- (v) the method of responding to review findings.
- (16) the process for preparing an aircraft for-
  - (i) issue of an airworthiness certificate; and
  - (ii) issue of an export certificate of airworthiness.
- (17) where applicable, the process for providing to both the State of the Operator and the State of Registry up to date copies of the maintenance control procedures required by paragraph (a).

### **119.61 Maintenance programme**

- (a) An applicant for the grant of an air operator certificate must establish a maintenance programme for every aircraft that is operated under the authority of the certificate.
- (b) The design and application of the operator's maintenance programme in paragraph (a) shall observe Human Factors principles.
- (c) The maintenance programme required under paragraph (a) must include—
  - (1) the registration, type and serial number of each aircraft that is subject to the programme; and
  - (2) instructions and procedures that are at least equivalent to the requirements prescribed in Subpart G of Part 91 and the manufacturer's maintenance schedule, for the performance of maintenance of the aircraft including any required inspections and tests of the airframe, aircraft engine, propellers, rotors, appliances, and emergency equipment, together with details of the parts and areas that—
    - (i) must be inspected; and
    - (ii) could result in a failure, malfunction, or defect endangering the safe operation of the aircraft if not performed properly or if an improper part or material is used; and
  - (3) a schedule for the performance of the maintenance under subparagraph (2) expressed in terms of the time in service, cycles, calendar time, number of system operations, or any combination of these; and
  - (4) the identification of life limited components; and
  - (5) where specified by the manufacturer, supplementary inspections to ensure the structural integrity of the airframe; and
  - (6) procedures for the induction of an aircraft onto the maintenance programme; and
  - (7) procedures for varying an inspection interval because of service experience; and
- (d) Where applicable, the maintenance programme required by paragraph (a) must include inspections and tests of role equipment.

### **119.63 Documentation**

- (a) An applicant for the grant of an air operator certificate shall establish procedures to control, amend, and distribute required documentation, including operational, safety, and maintenance data.
- (b) The procedures required by paragraph (a) shall ensure that—
  - (1) all documentation is reviewed and authorised by appropriate personnel before issue; and
  - (2) current issues of all relevant documents are available to personnel at all locations where they need access to such documentation, in either hard copy, electronic, or other form acceptable to the Director; and
  - (3) all obsolete documentation is promptly removed from all points of issue or use; and
  - (4) changes to documentation are reviewed and approved by appropriate personnel; and

- (5) the current version of each item of documentation can be identified to preclude the use of superseded material.; and
- (6) documentation concerning Flight Data Recorder parameter allocation, conversion equations, periodic calibration and other maintenance information is maintained; and
- (7) the documentation in paragraph (b)(6), is sufficient to ensure that PNG Investigation Authority have the necessary information to read out the data in engineering units.

### **119.65 Records — personnel**

An applicant for the grant of an air operator certificate shall establish procedures to ensure that—

- (1) an accurate record is maintained of—
  - (i) each employee who, in the performance of their duties, is required to hold a licence or rating; and
  - (ii) each employee who is exercising any delegation of the Director's functions or powers; and
  - (iii) each employee who is exercising any authorisation granted by the certificate holder; and
- (2) the record includes details of—
  - (i) the relevant experience, qualifications, and training of each employee listed under subparagraph (1); and
  - (ii) the scope, validity, and currency of any licence or rating referred to in subparagraph (1)(i); and
  - (iii) the delegations referred to in subparagraph (1)(ii); and
  - (iv) the authorisations referred to in subparagraph (1)(iii); and
- (3) the record is retained for two years from the date that the employee;
  - (i) ceases to perform duties requiring a licence or rating; or
  - (ii) exercises any delegation or authorisation.

### **119.67 Records — resources**

- (a) An applicant for the grant of an air operator certificate shall establish procedures to ensure that—
  - (1) details are accurately recorded of testing, checking, and calibration of any safety-critical resources used in carrying out the operations specified on the certificate; and
  - (2) the record of details required by subparagraph (1) are retained for two years from the date the details are recorded.
- (b) An applicant for the grant of an air operator certificate shall maintain fuel records to enable:
  - (1) the Director to ascertain that for each flight, an aeroplane is carrying sufficient amount of usable fuel to complete the planned flight safely and to allow for deviations from the planned operation; and
  - (2) the certificate holder to establish policies and procedures, approved by Director, to ensure that inflight fuel checks and fuel management are performed.

(c) An applicant for the grant of an air operator certificate shall maintain oil records to enable the Director to ascertain that trends for oil consumption are such that an aeroplane has sufficient oil to complete each flight.

(d) The record of details required by paragraph (b) and (c) are retained for three months from the date the details are recorded.

### **119.69 Air operator security programme**

(a) An applicant for the grant of an air operator certificate that proposes to operate a regular air operation from or within Papua New Guinea with any aircraft that has a passenger seating configuration (excluding any required crew member seats) of more than 9 seats must:

- (1) establish an air operator security programme that meets the requirements of Part 108; and
- (2) establish and maintain an aviation security training program that meets the requirements of Rule 108.59(a)(1) and approved by the Director.

### **119.71 Safety management system**

An applicant for the grant of an air operator certificate must establish and implement a safety management system which meets the requirements of Part 100.

### **119.73 Quality management system**

An applicant for the grant of an air operator certificate must establish and implement a quality assurance management system which meets the requirements of Part 100.

### **119.75 Air operator exposition**

(a) An applicant for the grant of an air operator certificate must provide the Director with an exposition that contains the following—

- (1) a statement signed by the Chief Executive on behalf of the applicant's organisation confirming that the exposition and any included manuals—
  - (i) define the air operator organisation and demonstrate its means and methods for ensuring ongoing compliance with this Part and any other Part; and
  - (ii) are required to be complied with by the organisation's personnel at all times.
- (2) the titles and names of the senior persons required by rules 119.51(a)(1) and (2);
- (3) the duties and responsibilities of the senior persons identified under paragraph (a)(2) including matters for which they have responsibility to deal directly with the Director on behalf of the applicant's organisation;
- (4) the scope of approved operations and the aircraft type to be operated;
- (5) a summary of the scope of activities at every location where the applicant's operational personnel are based for the purpose of providing air operations;
- (6) an organisation chart showing lines of responsibility of the senior persons specified under paragraph (a)(2) and extending to every location listed under paragraph (a)(5);
- (7) a summary of the operational staffing structure at each location listed under paragraph (a)(5);
- (8) details of the principal place of operation and if applicable, the main operation base and the main maintenance base;

- (9) details of the resources required by 119.55;
  - (10) the airworthiness management and maintenance control procedures required by rule 119.59; and
  - (11) details of the maintenance programme and Human Factors principles required by rule 119.61; and
  - (12) an Operations Manual containing details of the operational programmes and procedures required to ensure compliance with this Part and Part 121, Part 125, Part 135 or Part 136 as appropriate; including
    - (i) an Operations Manual required by rule 119.79.
    - (ii) details of fuel and oil records required by rule 119.67.
    - (iii) policies and procedures to ensure that inflight fuel checks and fuel management are performed.
  - (13) details of the safety management system required by rule 119.71;
  - (14) details of the quality management system required by rule 119.73;
  - (15) details of the procedures that ensure compliance with the laws of any foreign State in which the applicant's aircraft operate;
  - (16) procedures to control, amend, and distribute the exposition.
  - (17) procedures to ensure that the language of the exposition is comprehended by all personnel who are required to do so, including where necessary the use of an alternative language to English.
  - (18) details of the fatigue risk management system required by rule 119.77.
- (b) The Exposition must be accepted by the Director before the operations specifications document required by rule 119.13 is issued.

### **119.77 Fatigue Risk Management System**

An applicant for the grant of an air operator certificate must establish and implement a fatigue risk management system for flight and cabin crew members which meet the requirements of Part 122.

### **119.79 Operations Manual**

An applicant for the grant of an air operator certificate must provide, for the use and guidance of operations personnel concerned, an operations manual in accordance with Appendix B.

## **Subpart C — Operating Requirements**

### **119.101 Continued compliance**

- (a) A holder of an air operator certificate must comply with the operations specifications required by rule 119.15.
- (b) A holder of an air operator certificate must—
  - (1) continue to meet the standards and comply with the requirements of Subpart B; and
  - (2) comply with every procedures and programmes detailed in the certificate holder's exposition; and
  - (3) hold at least one current copy of the certificate holder's operations specifications and the relevant sections of the certificate holder's exposition applicable to the operation at the



location, in hard copy, electronic, or other form acceptable to the Director, at every location specified in the certificate holder's exposition as a base of operations; and

- (4) make records available to the Director on request; and
- (5) notify the Director of any change of contact details or address for service.

### **119.103 Flight Operation requirements**

- (a) Each holder of an air operator certificate conducting an air operation with—
  - (1) except as provided for in paragraph (c), an aeroplane that is certificated to carry 20 or more passengers or that has a payload capacity of more than 2500 kg shall comply with the applicable operating requirements of Part 121; and
  - (2) an aeroplane that is certificated to carry 10 to 19 passengers or that has a MCTOW of greater than 5700kg, must comply with the applicable operating requirements of Part 125; and
  - (3) an aeroplane that is certificated to carry 9 or less passengers and that has a MCTOW of 5700 kg or less, shall, subject to paragraph (b), comply with the applicable requirements of Part 135.
    - (4) a helicopter, shall comply with the applicable operating requirements of Part 136.
- (b) Each holder of an air operator certificate conducting an SEIFR passenger operation shall comply with the applicable operating requirements of Part 125.
- (c) Each holder of an air operator certificate conducting air operations with an aeroplane of the following types shall comply with the applicable operating requirements of Part 125:
  - (1) DHC-6-300 series certificated under Canadian DoT Type Approval A-82;
  - (2) DHC-6-320 certificated by the Civil Aviation Safety Authority of Australia;
  - (3) DHC-6-400 series certificated under Transport Canada.

### **119.105 Charter and leasing of Papua New Guinea registered aircraft**

- (a) A certificate holder that charters or leases an aircraft, with or without flight crew, from another certificate holder shall clearly establish with that other certificate holder, and inform the pilot-in-command, prior to the aircraft's use in an air operation, under which air operator certificate the operation will be conducted.
- (b) Where the certificate holder charters or leases an aircraft, with or without flight crew, from any person who does not hold an air operator certificate, then the certificate holder shall conduct the operation under its own air operator certificate.
- (c) A certificate holder that charters or leases an aircraft, with or without flight crew, shall record in writing details of the charter or lease arrangement.
- (d) A certificate holder shall keep a copy of each written charter or lease arrangement, under which it performs an air operation, for a period of at least one year after the date of completion of the last flight under the arrangement.
- (e) Notwithstanding paragraphs (a), (b), (c) and (d), a certificate holder intending to enter into a charter or lease arrangement with another certificate holder for a period exceeding 28 days, must notify the Director in writing and provide the following:

- (1) for each aircraft involved in the arrangement;
    - (i) the certificate of registration;
    - (ii) the certificate of airworthiness;
    - (iii) the certificate of noise compliance; and
  - (2) the certificate of emissions compliance; and
  - (3) the names of the parties to the arrangement; and
  - (4) the duration of the arrangement; and
  - (5) other information on request.
- (f) A certificate holder intending to enter into a charter, lease or similar arrangement with a foreign operator for the use of a Papua New Guinea registered aircraft must provide the Director with:
- (1) an application for approval at least 30 days prior to the date on which the operation is to commence; and
  - (2) the details required by paragraphs (e)(1), (2), (3), (4) and (5).

### **119.107 Use of non-Papua New Guinea registered aircraft**

- (a) A holder of an air operator certificate intending to use a non-Papua New Guinea registered aircraft under a charter, lease, or similar arrangement, to perform an air operation must, apply to the Director for approval to perform the operation at least 30 days prior to the date on which the operation is to commence, unless a shorter period is acceptable to the Director.
- (b) A holder of an air operator certificate intending to use a non-Papua New Guinea registered aircraft under a lease arrangement must provide the Director with—
- (1) for each aircraft involved in the arrangement;
    - (i) the certificate of registration;
    - (ii) the certificate of airworthiness;
    - (iii) the certificate of noise compliance;
  - (2) the certificate of emission compliance; and
  - (3) the names of the parties to the arrangement; and
  - (4) the duration of the arrangement; and
  - (5) for a dry lease-
    - (i) details of any differences between the continuing airworthiness requirements of this and any other Part and the requirements for continuing airworthiness prescribed by the State of Registry; and
    - (ii) the arrangements by which the holder of the air operator certificate will manage the continuing airworthiness of the aircraft; and
    - (iii) appropriate contact details in the national aviation authority of the State of Registry for persons responsible for continuing airworthiness oversight of the aircraft.
  - (6) for a wet and damp lease-
    - (i) a copy of the lessor's air operator certificate and operations specifications including evidence that the lessor is authorised to perform air operations in Papua New Guinea; and
    - (ii) evidence of flight crew licence and medical certificate validity; and

- (iii) appropriate contact details in the national aviation authority of the State of Registry of the aircraft for persons responsible for operational oversight of the foreign air operator and continuing airworthiness oversight of the aircraft; and
  - (iv) the crew provided by the lessee undergo Safety and Emergency Procedure (SEP) training for the particular type of leased aircraft provided by the lessor.
- (c) The differences notified under paragraph (b) (5) (i) and the arrangements provided under paragraph (b) (5) (ii) must be acceptable to the Director.
- (d) The information provided under paragraphs (b)(6)(i) and (b)(6)(ii) must provide evidence acceptable to the Director that the safety standards of the lessor with respect to aircraft, operations, maintenance and flight crew are equivalent to the safety standards required by this and any other Part.
- (e) Where an arrangement under paragraph (a) involves the transfer of functions and responsibilities from the foreign air operator (lessor) to the PNG air operator (lessee) the Director will invoke the protocols of Article 83*bis* to the Convention in regard to the transfer of regulatory oversight.
- (f) A holder of an air operator certificate may be approved to operate a non-Papua New Guinea registered aircraft for a period not exceeding 6 calendar months.
- (g) The use of a non-Papua New Guinea registered aircraft on air operations must be approved on the air operator's operations specifications required under rule 119.13 before air operations with the aircraft commence.

#### **119.109 Reserved**

#### **119.111 Changes to certificate holder's organisation**

- (a) A holder of an air operator certificate must —
  - (1) ensure that the exposition is amended to reflect changes to the organisation and changes to the procedures for conducting air operations; and
  - (2) provide the Director with a copy of every amendment to its exposition as soon as practicable after the amendment is incorporated into its exposition; and
- (b) Where the holder of an air operator certificate proposes to make a change to any of the following, prior notification to, and approval by the Director is required:
  - (1) the Chief Executive;
  - (2) the senior persons required by rule 119.51(b);
  - (3) the scope of the air activities the certificate holder undertakes;
  - (4) the locations from which the certificate holder conducts air operations;
  - (5) the maintenance programme;
  - (6) any contractor carrying out maintenance, training or competency assessment for the certificate holder;
  - (7) the flight and duty scheme;
  - (8) the fuel policy;
  - (9) extended range operations;
  - (10) safety management system;

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- (11) quality management system;
  - (12) where required, the air operator security programme.
- (c) Changes to any of the subjects listed in paragraph (b) must be approved by the Director through the issue of revised operations specifications issued in accordance with rule 119.13 prior to the effective date of changes to the exposition.
- (d) The Director may specify in writing conditions under which the air operator may operate during or following any of the changes specified in paragraph (b).
- (e) A certificate holder must comply with any conditions prescribed under paragraph (c).
- (f) The certificate holder must amend the exposition for the holder's organisation as the Director may consider necessary in the interest of aviation safety.

### **119.113 Changes to the maintenance programme**

The holder of an air operator certificate must, upon the Director's request, make any revisions to a maintenance programme found by the Director to be necessary to satisfy the continuing airworthiness requirements of that programme.

### **119.115 Special flight permits – continuing authorisations**

The holder of an air operator certificate who is granted a continuing authorisation to issue special flight permits in accordance with Part 21.45 must amend the air operator exposition to include procedures for the application of that authorisation.

## **Subpart D — Transition Provisions**

### **119.201 Transition**

Transition provisions detailed in Part 20 apply to this Part.

## Appendix A – Qualifications and Experience of Senior Persons

This Appendix prescribes the qualifications and experience for the senior persons responsible under rule 119.51(b)(1).

### A1. Senior person responsible for air operations

Part 121 Operation	
Document required	Airline Transport Pilot Licence
Pilot-in-command	3 years as pilot-in-command under Part 121 operations
Managerial experience	3 years in an operational control position

Part 125 Operation		
	Multi-Crew	Single Pilot
Document required	Airline Transport Pilot Licence	Commercial Pilot Licence, with Instrument Rating if operations include IFR.
Pilot-in-command experience	3 years as pilot-in-command under Part 121, Part 125 or Part 135 operations;	3 years as pilot-in-command under Part 121, Part 125 or Part 135 operations;
Managerial experience	3 years in an operational control position.	3 years in an operational control position.

Part 135/Part 136 Operation		
	Greater than 3 aircraft or greater than 2 bases	Less than 4 aircraft and less than 3 bases
Document required	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Commercial Pilot Licence, with Instrument Rating if operations include IFR.
Pilot-in-command experience	3 years as pilot-in-command under Part 135 operations; and 750 hours flight time during air operations in Papua New Guinea on the same category of aircraft to be operated, with experience in the same or similar type of air operation to be performed that is acceptable to the Director; and 75 hours actual or simulated instrument time if operations include IFR.	750 hours flight time during air operations in Papua New Guinea on the same category of aircraft to be operated, with experience in the same or similar type of air operations to be performed that is acceptable to the Director; and 75 hours actual or simulated instrument time if operations include IFR;
Managerial experience	3 years in an operational control position.	Equivalent experience in air operations conducted under the authority of an Air Service Licence or an equivalent type of operation acceptable to the Director.

For assessing the senior person experience requirements for Part 135, the Director may consider the following:

- (a) for a senior person qualifying under the pilot-in-command requirements, the Director may consider experience in the same types of air operations or similar types of air operations involving similar operating environment, types of equipment and aircraft configurations including operations in a military or similar type of service.
- (b) for a senior person qualifying under the managerial experience requirements, the Director may consider flight operational control experience, or similar experience, in air operations or other similar transport type operations in a military or similar type of service.

## A2 Senior person responsible for crew training & competency assessment

Part 121 Operation	
Document required	Airline Transport Pilot Licence
Pilot-in- command	3 years as pilot-in-command under Part 121 operations
Managerial experience	3 years in an operational control position

Part 125 Operation		
	Multi-crew	Single Pilot
Document required	Airline Transport Pilot Licence with ratings	Commercial Pilot Licence, with instrument Rating if operations include IFR
Currency	Current to act as pilot-in-command of one type of operator's aircraft	Current to act as pilot-in-command of one type of operator's aircraft
Experience	3 years as pilot-in-command under Part 121, Part 125, or Part 135 operations and 2 years' experience in the check and training role	3 years as pilot-in-command under Part 121, Part 125, or Part 135 operations and 2 years' experience in the check and training role.

Part 135/Part 136 Operation		
	Greater than 3 aircraft or greater than 2 bases	Less than 4 aircraft and less than 3 bases
Document required	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Commercial Pilot Licence, with Instrument Rating if operations include IFR.
Currency	Current to act as pilot-in-command of one type of operator's aircraft	Current to act as pilot-in-command of one type of operator's aircraft
Experience	3 years as pilot-in-command under Part 135 operations and 2 years' experience in the check and training role and 750 hours flight time during air operations in Papua New Guinea	750 hours flight time during air operations in Papua New Guinea

In addition, where there is a requirement for experience under Part 121, Part 125, Part 135 or Part 136 operations, a person may be assessed as meeting that requirement if they have had equivalent experience in air transport operations conducted under the authority of an Air Service Licence or an equivalent type of operation acceptable to the Director.

**A3. Senior person responsible for ground operations**

Part 121/125/135/136 Operation	
Document required	Nil
Technical experience	At least 3 years' experience in ground operations, including traffic and ramp positions or equivalent, appropriate to the type of operation for which the person will be responsible.  Where the position also includes supervision of a flight dispatch function, the person shall have acted in the role of flight dispatcher for a minimum of 1
Managerial experience	At least 1 year in aviation management.

**A4. Senior person responsible for aircraft airworthiness and maintenance operations**

Part 121 Operation		
	Licensed Engineer	Graduate Engineer
Document required	Hold or have held an aircraft maintenance engineer licence or equivalent, acceptable to the Director, with appropriate ratings;  AND  Have successfully completed a formal course of training in continuing airworthiness and the control of maintenance acceptable to the director	Hold a graduate engineering degree or equivalent diploma in an aeronautical, mechanical or electrical discipline  AND  Have successfully completed a formal course of training in continuing airworthiness and the control of maintenance acceptable to the director
Technical experience	At least 5 years' experience in the maintenance of aircraft of a similar size and type as that to be operated by the organisation	At least 5 years' experience of the maintenance of aircraft, which may be gained while working in maintenance supervision, maintenance planning, engineering development, or work-shop environment.  AND  At least 6 months practical experience in aircraft maintenance tasks which may be undertaken during the 5 years
Managerial experience	At least 2 years' experience in a supervisory position which may be undertaken during the 5 years' technical experience required above.	
Knowledge	Have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of Part 121	
Competency	Undertake any examination or test that the Director may require to determine the applicant's competency to perform the maintenance planning and control functions required.	

PART 125 Operation		
	Licensed Engineer	Other
Document required	Hold or have held an aircraft maintenance engineer licence or equivalent, acceptable to the Director, with appropriate ratings;  AND  Have successfully completed a formal course of training in continuing airworthiness and the control of maintenance acceptable to the Director	An engineering qualification acceptable to the Director  AND  Have successfully completed a formal course of training in continuing airworthiness and the control of maintenance acceptable to the Director
Technical experience	At least 3 years' experience in the maintenance of aircraft of a similar size and type as that to be operated by the organisation  AND  At least 1 year experience of releasing aircraft to service, which may be undertaken during the 3 years' experience required above	Experience acceptable to the Director including at least 5 years' experience of the control and direction of maintenance and the continuing airworthiness of aircraft of a similar size and type as that to be operated by the organisation
Managerial Experience	At least 2 years' experience in a supervisory position which may be obtained during the five years technical experience required above	
Knowledge	Have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of Part 125.	
Competency	Undertaken any examination or test that the Director may require to determine the applicant's competency to perform the maintenance planning and control functions required.	

Part 135/Part 136 Operation		
	Greater than 3 aircraft or greater than 2 bases	Less than 4 aircraft and less than 3 bases
Document required	Have successfully completed a formal course of training in continuing airworthiness and the control of maintenance acceptable to the Director	Have successfully completed a formal course of training in continuing airworthiness and the control of maintenance acceptable to the Director
Experience	As for Part 121 or Part 125	Sufficient knowledge of maintenance to be able to ensure that the aircraft is maintained in an airworthy condition and that any maintenance required by its maintenance programme is satisfactorily accomplished
Knowledge	Have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of Part 135	
Competency	Undertake any examination or test that the Director may require to determine the applicant's competency to perform the maintenance planning and control functions required	

In addition, the technical experience requirements under Part 121, Part 125, Part 135 and Part 136 may be met through a course of instruction conducted by a Part 141 organisation acceptable to the Director.



## A5. Senior person responsible for safety management system and / or quality management system

Part 121/Part 125 Operation		Part 135/Part 136 Operation	
		Greater than 3 aircraft or greater than 2 bases	Less than 4 aircraft and less than 3 bases
Document required (Responsibility for SMS and QMS, or SMS only)	Certified Lead Auditor AND Have successfully completed a formal course of training in safety management systems acceptable to the Director	Certified Lead Auditor AND Have successfully completed a formal course of training in safety management systems acceptable to the Director	Certified Lead Auditor AND Have successfully completed a formal course of training in safety management systems acceptable to the Director
Document required (Responsibility for QMS only)	Certified Lead Auditor	Certified Lead Auditor	Certified Lead Auditor
Experience	3 years' experience in quality management and integrated safety systems  5 years' experience in aviation with flight operations or maintenance background	3 years' experience in aviation with flight operations or maintenance background	

In addition, a person may be assessed as meeting the qualification requirements for this senior person position if they have equivalent experience in quality assurance management acceptable to the Director.

## Appendix B – Organisation and Content of an Operations Manual

This Appendix prescribes the organisation and contents of an operations manual required under Rule 119.79.

### B.1. Organisation

An operations manual, which may be issued in separate parts corresponding to specific aspects of operations must be organized with the following structure:

- (a) General;
- (b) Aircraft operating information;
- (c) Areas, routes and aerodromes; and
- (d) Training.

### B.2. Contents

The operations manual referred to in B1 shall contain at the least the following:

#### B.2.1. General

- 
- B.2.1.1. Instructions outlining the responsibilities of operations personnel pertaining to the conduct of flight operations.
  - B.2.1.2. Information and policy relating to fatigue management including:
    - (a) rules pertaining to flight time, flight duty period, duty period limitations and rest requirements for flight and cabin crew members in accordance with Part 122; and
    - (b) policy and documentation pertaining to the operator's FRMS in accordance with Part 122 Subpart I.
  - B.2.1.3. A list of the navigational equipment to be carried including any requirements relating to operations where performance-based navigation is prescribed.
  - B.2.1.4. Where relevant to the operations, the long-range navigation procedures, engine failure procedure for EDTO and the nomination and utilization of diversion aerodromes.
  - B.2.1.5. The circumstances in which a radio listening watch is to be maintained.
  - B.2.1.6. The method for determining minimum flight altitudes.
  - B.2.1.7. The methods for determining aerodrome operating minima.
  - B.2.1.8. Safety precautions during refueling with passengers on board.
  - B.2.1.9. Ground handling arrangements and procedures.
  - B.2.1.10. Procedures, as prescribed in Part 12, for pilots-in-command observing an accident.
  - B.2.1.11. The flight crew for each type of operation including the designation of the succession of command.
  - B.2.1.12. Specific instructions for the computation of the quantities of fuel and oil to be carried, taking into account all circumstances of the operation including the possibility of loss of pressurization and the failure of one or more engines while en route.
  - B.2.1.13. The conditions under which oxygen shall be used and the amount of oxygen determined in accordance with Part 91.209.
  - B.2.1.14. Instructions for mass and balance control.
  - B.2.1.15. Instructions for the conduct and control of ground de-icing/anti-icing operations.
  - B.2.1.16. The specifications for the operational flight plan.
  - B.2.1.17. Standard operating procedures (SOPs) for each phase of flight
  - B.2.1.18. Instructions on the use of normal checklists and the timing of their use
  - B.2.1.19. Departure contingency procedures.
  - B.2.1.20. Instructions on the maintenance of altitude awareness and the use of automated or flight crew altitude call-out.
  - B.2.1.21. Instructions on the use of autopilots and auto-throttles in IMC.
  - B.2.1.22. Instructions on the clarification and acceptance of ATC clearances, particularly where terrain clearance is involved.
  - B.2.1.23. Departure and approach briefings.
  - B.2.1.24. Procedures for familiarization with areas, routes and aerodromes.
  - B.2.1.25. Stabilized approach procedure.
  - B.2.1.26. Limitation on high rates of descent near the surface.
  - B.2.1.27. Conditions required to commence or to continue an instrument approach.

- B.2.1.28. Instructions for the conduct of precision and non-precision instrument approach procedures.
- B.2.1.29. Allocation of flight crew duties and procedures for the management of crew workload during night and IMC instrument approach operations.
- B.2.1.30. Instructions and training requirements for the avoidance of controlled flight into terrain and policy for the use of the ground proximity warning system(GPWS).
- B.2.1.31. Policy, instructions, procedures and training requirements for the avoidance of collisions and the use of the airborne collision avoidance system (ACAS).
- B.2.1.32. Information and instructions relating to the interception of civil aircraft including:
  - (a) procedures, as prescribed in Annex 2, for pilots-in-command of intercepted aircraft; and
  - (b) visual signals for use by intercepting and intercepted aircraft, as contained in Annex 2.
- B.2.1.33. For aeroplanes intended to be operated above 15 000 m (49 000 ft.):
  - (a) information which will enable the pilot to determine the best course of action to take in the event of exposure to solar cosmic radiation; and
  - (b) procedures in the event that a decision to descend is taken, covering:
    - (1) the necessity of giving the appropriate ATS unit prior warning of the situation and of obtaining a provisional
    - (2) descent clearance; and
- B.2.1.34. The action to be taken in the event that communication with the ATS unit cannot be established or is interrupted
- B.2.1.35. Details of the safety management system (SMS) provided in accordance with Part 100.
- B.2.1.36. Information and instructions on the carriage of dangerous goods, in accordance with Chapter 14, including action to be taken in the event of an emergency.
- B.2.1.37. Security instructions and guidance.
- B.2.1.38. The search procedure checklist.
- B.2.1.39. Instructions and training requirements for the use of head-up displays (HUD) and enhanced vision systems (EVS) equipment as applicable.
- B.2.1.40. Instructions and training requirements for the use of the EFB, as applicable.

## **B.2.2. Aircraft operating information**

- B.2.2.1. Certification limitations and operating limitations.
- B.2.2.2. The normal, abnormal and emergency procedures to be used by the flight crew and the checklists.
- B.2.2.3. Operating instructions and information on climb performance with all engines operating,
- B.2.2.4. Flight planning data for pre-flight and in-flight planning with different thrust/power and speed settings.
- B.2.2.5. The maximum crosswind and tailwind components for each aeroplane type operated and the reductions to be applied to these values having regard to gusts, low visibility, runway surface conditions, crew experience, use of autopilot, abnormal or emergency circumstances, or any other relevant operational factors.
- B.2.2.6. Instructions and data for mass and balance calculations.
- B.2.2.7. Instructions for aircraft loading and securing of load.
- B.2.2.8. Aircraft systems, associated controls and instructions for their use,

- B.2.2.9. The minimum equipment list and configuration deviation list for the aeroplane types operated and specific operations authorized, including any requirements relating to operations where performance-based navigation is prescribed.
- B.2.2.10. Checklist of emergency and safety equipment and instructions for its use.
- B.2.2.11. Emergency evacuation procedures, including type-specific procedures, crew coordination, assignment of crew's emergency positions and the emergency duties assigned to each crew member.
- B.2.2.12. The normal, abnormal and emergency procedures to be used by the cabin crew, the checklists relating thereto and aircraft systems information as required, including a statement related to the necessary procedures for the coordination between flight and cabin crew.
- B.2.2.13. Survival and emergency equipment for different routes and the necessary procedures to verify its normal functioning before take-off, including procedures to determine the required amount of oxygen and the quantity available.
- B.2.2.14. The ground-air visual signal code for use by survivors, as contained in Annex 12.

### **B.2.3. Routes and aerodromes**

- B.2.3.1. A route guide to ensure that the flight crew will have, for each flight, information relating to communication facilities, navigation aids, aerodromes, instrument approaches, instrument arrivals and instrument departures as applicable for the operation, and such other information as the operator may deem necessary for the proper conduct of flight operations.
- B.2.3.2. The minimum flight altitudes for each route to be flown.
- B.2.3.3. Aerodrome operating minima for each of the aerodromes that are likely to be used as aerodromes of intended landing or as alternate aerodromes.
- B.2.3.4. The increase of aerodrome operating minima in case of degradation of approach or aerodrome facilities.
- B.2.3.5. Instructions for determining aerodrome operating minima for instrument approaches using HUD and EVS.
- B.2.3.6. The necessary information for compliance with all flight profiles required by regulations, including but not limited to, the determination of:
  - (a) take-off runway length requirements for dry, wet and contaminated conditions, including those dictated by system failures which affect the take-off distance;
  - (b) take-off climb limitations;
  - (c) en-route climb limitations;
  - (d) approach climb limitations and landing climb limitations;
  - (e) landing runway length requirements for dry, wet and contaminated conditions, including systems failures which affect the landing distance; and
  - (f) supplementary information, such as tire speed limitations.

### **B.2.4. Training**

- B.2.4.1. Details of the flight crew training programme required under Parts 121, 125, 135 and 136.
- B.2.4.2. Details of the cabin crew duties training programme required under Part 121.

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- B.2.4.3. Details of the flight operations officer/flight dispatcher training programme when employed in conjunction with a method of flight supervision.
  - B.2.4.4. Details of the flight operations officer/flight dispatcher training programme when employed in conjunction with a method of flight supervision.
  - B.2.4.5. Details of the training programme for instructors and examiners.
  - B.2.4.6. Details of specialised training programme
  - B.2.4.7. Details of security training programme.
  - B.2.4.8. Details of certificate holder's ground operations training programme.