



**Notice of Proposed Rule Making  
NPRM 25/16/109-26  
19 November 2025**

**Part 109  
Regulated Air Cargo Agent -  
Certification**

**Consequential Amendments  
Part 108**

**Docket 25/16/CAR109-26  
2025 Rules Review**

Proposed Applicable Date 19 November 2025



## Background to the Civil Aviation Rules

The Papua New Guinea (PNG) Civil Aviation Rules (CARs) establish the *minimum* regulatory safety standards and boundary for participants to gain entry into, operate within, and exit the PNG civil aviation system. The PNG Rules are divided into Parts and each Part contains a series of individual rules which relate to a particular aviation activity.

Advisory Circulars accompany many rule Parts and contain information about standards, practices and procedures that the Director has been established to be an ‘*Acceptable Means of Compliance*’ (AMC) for the associated rule. An Advisory Circular may also contain Guidance Material (GMs) and Explanatory Material (EMs) to facilitate compliance with the rule requirements.

The objective of the Civil Aviation Rules system is to obtain a balance of responsibility between, on the one hand, the State and regulatory authority, the Civil Aviation Safety Authority of PNG (CASA PNG) and, on the other hand, those who provide services and exercise privileges in the civil aviation system. This balance must enable the State and regulatory authority to set standards for, and monitor performance of aviation participants whilst providing the maximum flexibility for the participants to develop compliance within the safety boundary.

Section 45 of the *Civil Aviation Act 2000* prescribes general requirements for participants in the civil aviation system and requires, amongst other things, participants to carry out their activities safely and in accordance with the relevant prescribed safety standards and practices. Section 69 of the Act allows the Minister to make ordinary rules for any of the following purposes:

- (a) The implementation of Papua New Guinea’s obligations under the Convention
- (b) To provide for a safe, sustainable, effective and efficient aviation services
- (c) The provision of aviation meteorological services, search and rescue services and civil aviation security programmes and services
- (d) Assisting aviation safety and security, including but not limited to personal security
- (e) Assisting economic development
- (f) Improving access and mobility
- (g) Protecting and promoting public health
- (h) Ensuring environmental sustainability
- (i) Any matter related or reasonably incidental to any of the following:
  - (1) The Minister’s functions and role under section 8 of the Act;
  - (2) The Authority’s general objects and functions under section 11 of the Act;
  - (3) The Authority’s functions in relation to safety under section 12 of the Act; and
  - (4) The Director’s functions and powers under section 17 the Act
  - (5) The Director’s powers under section 52A, 53 and 54 of the Act
- (j) Any other matter contemplated by any provision of the Act.



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## 1. Purpose of this NPRM

The purpose of this Notice of Proposed Rulemakings to put forward for consideration proposed amendments to Civil Aviation Rule Part 109.

## 2. Background to the Proposal

### 2.1 General Summary

The last amendment of CAR Part 109 was amendment 6.

These proposed changes will ensure alignment with the security standards outlined in Annex 17 particularly in response to evolving cyber threat measures introduced by ICAO Annex 17 Standard 4.9.1. The amendments also provide greater clarity. These new measures are designed to prevent acts of unlawful interference (AUI), including any disruption that could impact the safety, security, or smooth operation of the civil aviation system.

The proposed amendments are an extension of the most recent amendments (amendment 6) to Part 109 in accordance with the requirements of ICAO Annex 17 regarding cyber security.

### 2.2 NPRM Development

As a signatory to the convention on international civil aviation, Papua New Guinea is committed to aligning its regulations to ICAO SARPS, where practicable. NPRM development are therefore triggered by the amendments of various Annexes to the Convention on international aviation and in PNG's effort to ensure compliance rules are developed and proposed to ensure that international operations are consistent with the international requirements of ICAO Annexes. The development of this NPRM is a result of amendment 18 to Annex 17.

### 2.3 Key Stakeholders

The Civil Aviation Safety Authority of Papua New Guinea identifies the following as key stakeholders for the proposed rule amendments contained in this NPRM;

- (1) The Civil Aviation Safety Authority;
- (2) The Minister for Transport;
- (3) The Minister for Civil Aviation;
- (4) Aviation Document Holders and
- (5) Other interested stakeholders

## 3. Consequential Amendments

There are consequential amendments in the following Parts:

- (a) Part 108

## 4. Exemptions

There are no current Exemptions against this Rule Part.

## 5. Impact Assessment

### 5.1 Safety

This amendment has a positive impact on improving overall safety.



## 5.2 Compliance Cost

There would be negligible cost for the service providers to comply with this amendment.

## 5.3 Security

This amendment has a positive impact on improving overall security.

## 5.4 Environment

Negligible environmental impact.

## 5.5 Efficiency and capacity

Implementation will result in efficiency gains and overall positive impact.

## 5.6 Expected implementation time

Date of publication of final rule.

# 6. Summary of changes

Amendment 07 aligns Part 109 with Amendment 18 of ICAO Annex 17 requirements.

The following amendments are considered for inclusion in the current Part 109;

Editorials:

- Rule 109.64 – restructuring and realignment of information content to align with ICAO Annex 17 SARP 4.9.1.
- Rule 109.73(a)(9)(xi) – (xv) – renumbering and minor editorial amendment to include reference of the section 109.64 which was a new inclusion in amendment 6

# 7. Legislative Analysis

## 7.1 Power to make rules

The Minister may make ordinary rules under sections 69, 70, 71 and 72 of the *Civil Aviation Act 2000*, for various purposes including implementing Papua New Guinea's obligations under the Convention, assisting aviation safety and security, and any matter contemplated under the Act.

These proposed rules are made pursuant to:

- (a) Section 69(1)(a) which provides for the Minister to make rules for the implementation of Papua New Guinea's obligations under the Convention;
- (b) Section 72(a) which provides for the Minister to make rule for the designation, classification and certification of-
  - (1) Air services;
  - (2) Aerodrome operators;
  - (3) Aviation security providers;
  - (4) Aviation training organizations;
  - (5) Aircraft design, manufacture, maintenance and supply organizations;
  - (6) Air traffic services;
  - (7) Aviation meteorological services;



- (8) Aeronautical communication services; and
- (9) Aeronautical procedures.

The proposed amendment of Part 109 complies with the requirements of the *Civil Aviation Act and does not contravene the Constitution, the Aerodrome (Business Concession) Act, Civil Aviation (Air Craft Operator Liability) Act, Aircraft Charges Act, Airport Departure Tax Act, the Explosive Act, Firearms Act, Customs Act, Plant and Disease Control Act and the Environmental Act.*

The proposed Rule has been checked for language and compliance with the legal conventions of Papua New Guinea.

## 7.2 Matters to be taken into account

This NPRM is developed in accordance with the primary statutory requirements, including but not limited to those set out in s.2 and s. 75 of the Act and key government policy priorities. The matters taken into consideration include:

- 7.2.1 Enhancing safety, security, efficiency, and service quality in the civil aviation system in a sustainable manner.
- 7.2.2 Facilitating access to the air transport network, contributing to the economic and social development of Papua New Guinea.
- 7.2.3 Establishing rules of operation and responsibilities within the civil aviation system to promote safety and security at a reasonable cost.
- 7.2.4 Implementing Papua New Guinea's obligations under international aviation and meteorological agreements.
- 7.2.5 Modernizing and harmonizing regulations with international practice is important.
- 7.2.6 Ensuring provision of civil aviation and meteorological services and facilities as efficiently and economically as practicable.
- 7.2.7 Driving sustainability and inclusive national development and
- 7.2.8 Engaging all stakeholders through transparent policy and rulemaking processes.



## 8. Submissions on the NPRM

### 8.1 Submissions are invited

Interested persons are invited to participate in the making of the proposed rule amendment by submitting written data, views, or comments. All submissions will be considered before final action on the proposed rule amendment is taken. If there is a need to make any significant change to the rule requirements in the proposal as a result of the submissions received, then interested persons may be invited to make further submissions.

### 8.2 Examination of submissions

All submissions will be available in the rules docket for examination by interested persons both before and after the closing date for submissions. A consultation summary will be published with final rule.

Submissions may be examined by application to the Docket Clerk at the Civil Aviation Safety Authority of Papua New Guinea between 8:30 am and 3:30 pm, on weekdays, except statutory holidays.

### 8.3 Disclosure

Submitters should note that any information attached to submissions will become part of the docket file and will be available to the public for examination at the Civil Aviation Safety Authority of Papua New Guinea Headquarter.

Submitters should state clearly if there is any information in their submission that is commercially sensitive or for some other reason the submitter does not want the information to be released to other interested parties.

## 9. How to make submission

Submissions may be sent by the following methods:

By Mail: Docket Clerk (NPRM 25/16/109-26)  
Civil Aviation Safety Authority of Papua New Guinea  
PO Box 1941  
Boroko  
National Capital District

Delivered: Docket Clerk (NPRM 25/16/109-26)  
Civil Aviation Safety Authority of Papua New Guinea  
Morea-Tobo Road  
Six Mile, Jacksons Airport  
Port Moresby NCD

By Fax: Docket Clerk (NPRM 25/16/109-26)  
3251789 / 325 1919

By Email: Docket Clerk (NPRM 25/16/109-26)  
[rules@casapng.gov.pg](mailto:rules@casapng.gov.pg)



### 9.1 Final date for submissions

Comments must be received before **COB, 26<sup>th</sup> September 2025.**

### 9.2 Availability of the NPRM

Any person may obtain a copy of this NPRM from-  
CASA PNG web site: [www.casapng.gov.pg](http://www.casapng.gov.pg)

or at a cost from

Docket Clerk

Civil Aviation Safety Authority of Papua New Guinea Headquarter

Building 1, Level 1

Morea-Tobo Road

Six Mile, Jacksons Airport

Port Moresby NCD

### 9.3 Further information

For further information, contact:

Gloria Sikre (Ms.)

Acting Manager- Legal Services

CASA PNG

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Ph.: 325 7571

Mob: 74127191





## Part 109

### Regulated Air Cargo Agent

#### 109.64 Measures and Procedures to cyber threats

~~(b)~~—An applicant for the grant of a regulated air cargo agent certificate who intends to accept cargo or mail for carriage by air must ~~establish measures and procedures for ensuring~~ ensure appropriate procedures are established to minimise cyber threats to civil aviation operations, including:

- ~~(i)~~(a) identifying critical information and communications technology systems and data used for civil aviation purposes;
- ~~(ii) (b) to~~ measures to prevent, respond to and rectify cyber-attacks and corruption of information technology systems; and
- (c) developing and implement appropriate measures to protect itself from unlawful interference in accordance with a risk assessment described in the national civil aviation security programme.

#### 109.73 Organisation Exposition

- (a) An applicant for the grant of a regulated air cargo agent certificate must submit to the Director for acceptance, an exposition containing –

...

- (9) the detailed procedures, or an outline of the procedures including information that identifies the documentation that contains the detailed procedures, that are required under –

...

(xi) rule 109.64 regarding measures and procedures to cyber threats; and

~~(xi)~~(xii) rule 109.65(4) regarding the training programme; and

~~(xii)~~ (xiii) rule 109.67(1) regarding the notification, investigation and reporting of a cargo security incident; and

~~(xiii)~~ (xiv) rule 109.67(2) regarding the implementation of a corrective action to eliminate the cause of a cargo security incident and prevent its recurrence; and

~~(xiv)~~ (xv) rule 109.69 regarding the identification, collection, indexing, storage, maintenance and disposal of records; and

...