



**Notice of Proposed Rule Making
NPRM 25/16/136-34
19 November 2025**

**Part 136
Air Operations — Helicopters**

**Consequential Amendments
Nil**

**Docket 25/16/CAR136-34
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 of 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 Rulemaking is to submit for consideration proposed amendments to Civil Aviation Rule Part 136.

2. Background to the Proposal

2.1 General Summary

These proposed changes to Part 136 are intended to align Papua New Guinea's regulatory requirements for external load operations with industry best practices and to address recommendations arising from recent accident investigations.

Majority of changes proposed for Part 136 intends to expand on the requirements of Subpart H – External Load operations. Definition of helicopter sling load operation amended to include the external carriage, lowering or picking up of persons by means of a bucket, net, harness, sling or stretcher suspended beneath the helicopter.

The amendment aligns with industry best practice providing PNG operators with appropriate procedures and training to utilize external sling load operations for the carriage of person(s) for various scenarios, example medical emergencies or rescues operations.

Textual amendments are also made to rule parts 136.303, 136.309, 136.325, and 136.327 under Subpart H to further clarify rule requirements and ensure regulatory clarity and consistency.

New rule is proposed in direct response to findings arising from the ongoing investigation into a fatal controlled flight into terrain (CFIT) accident involving a Britten Norman Islander (BN2) operated by North Coast Aviation (registration P2-SAM) on 22 December 2024. Following this accident, the Papua New Guinea Accident Investigation Commission (AIC) issued Safety Recommendation 25-R09/24-1003 to CASA PNG on 16 May 2025, identifying the need for improved activation, management, and maintenance of terrain awareness functionality in GPS equipment on PNG-registered aircraft.

Other proposed changes include editorial amendments to update and clarify existing text, supporting the ongoing enhancement of safety and compliance within external load and sling operations in PNG.

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 is triggered by several key factors. A primary trigger for NPRM is the amendments of various Annexes to the Convention. Additionally, NPRMs may be triggered when internal reviews, audits or accident and incident investigations reveal safety or compliance gaps in ex role in driving the need for regulatory updates through NPRMs. The proposed amendments are developed in consultation with internal subject matter experts. Sting regulations that could impact aviation safety. Evolving industry best practices and technological advancements play a significant

2.3 Key Stakeholders

The Civil Aviation Safety Authority identifies the following as key stakeholders for the proposed rule amendments contained in this NPRM:

- (1) The Civil Aviation Safety Authority;
- (2) The Ministry for Transport;



- (3) The Minister for Civil Aviation;
- (4) Aviation Document Holders; and
- (5) Other interested stakeholders

3. Consequential Amendments

There are no consequential amendments to any Rule Parts.

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 of airport and aerodrome operations.

5.2 Compliance Cost

Additional compliance costs to the proposed amendments will only affect operators who intend to expand on the scope of external sling load operations to include carriage of persons. Cost related to purchasing appropriate equipment, amendment to procedures and training of all personnel required to be involved.

5.3 Security

This amendment has a positive impact on improving overall security of airport and aerodrome operations in compliance with ICAO Annex 17 requirements.

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

The proposed amendments include:

- Rule 136.5 - Editorial Correction
- Rule 136.59 (e) – Editorial Correction
- Rule 136.73 (h) – Editorial Correction
- Rule 136.155 (b) – Editorial Correction
- Rule 136.303 – Definition of External sling load operation expended to include the external carriage, lowering or picking up of passengers by means of a bucket, net, harness, sling or stretcher suspended beneath the helicopter.
- Rule 136.309 – Text amended to provide clarity on the requirements for carriage of persons during external load operations.
- Rule 136.319 – Editorial Correction
- Rule 136.321 - Editorial Correction
- Rule 136.325 – Text amended to provide clarity on the requirements for operation over congested areas.
- Rule 136.327 – Rule Title amended to Suspension of person beneath helicopters.
- Rule 136.327 – Texts amended to provide clarity of the requirements for persons suspended beneath helicopters.
- New Rule 136.521 - GPS Activated Terrain Warning Systems

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 136 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.

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 CASA PNG Head office 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 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.

8. How to make submission

Submissions may be sent by the following methods:

- By Mail: Docket Clerk (NPRM 25/16/136-34)
Civil Aviation Safety Authority of Papua New Guinea
PO Box 1941
Boroko
National Capital District
- Delivered: Docket Clerk (NPRM 25/16/136-34)
Civil Aviation Safety Authority of Papua New Guinea
Morea-Tobo Road
Six Mile, Jacksons Airport
Port Moresby NCD
- By Fax: Docket Clerk (NPRM 25/16/136-34)
3251789 / 325 1919
- By Email: Docket Clerk (NPRM 25/16/136-34)
rules@casapng.gov.pg

9.1 Final date for submissions

Comments must be received before **COB, 26th 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

or at a cost from

Docket Clerk
Civil Aviation Safety Authority of PNG 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
gsikre@casapng.gov.pg

Ph.: 325 7571 Mob: 74127191



Part 136 Air Operations — Helicopters

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DESCRIPTION

Part 136 prescribes the operating requirements for air operations conducted by a holder of an Air Operator Certificate issued in accordance with Part 119 using -

- Helicopters

...

136.5 Laws, regulations, and procedures

A holder of an air operator certificate must take reasonable care to ensure that all persons employed, engaged, or contracted by the holder of an air operator certificate to perform aviation activities, are familiar with the appropriate sections of the Act, Civil Aviation Rules, and procedures specified in the certificate holder's exposition.

...

136.59 Flight preparation and flight planning

...

- (e) Notwithstanding 91.307(a), the holder of the air operator certificate must ensure that prior to any air operation the flight plan required by paragraph (b) is submitted to an appropriate ATS.

...

136.73 Refuelling and de-fuelling operations

...

- (b) A person operating an helicopter under the authority of an air operator certificate may refuel or defuel the helicopter with a Class 3.1C or a Class 3.1D flammable liquid (aviation turbine grade fuel) with one or more propulsion engines running, if—

...

136.155 Meteorological conditions – VFR flight

- (a) The pilot-in-command must ensure a flight under VFR is not commenced unless, if available, current meteorological information indicates VFR minima prescribed in rule

91.301 can be complied with along the route, or that part of the route to be flown under VFR.

- (b) A pilot-in-command must not conduct a flight under VFR in an helicopter above more than broken cloud unless—

- (1) the helicopter is authorised for IFR flight and the required minimum flightcrew for IFR operation, holding current instrument rating qualifications, is performing the operation; and
- (2) the instruments and equipment, including radio navigation equipment, required for IFR flight are operative; and
- (3) the helicopter carries radio navigation equipment enabling it to be navigated by IFR to an aerodrome where an instrument approach procedure may be carried out for landing; and



- (4) if the pilot-in-command cannot determine that the meteorological conditions at the destination aerodrome are suitable for an approach and landing under VFR, the helicopter carries sufficient fuel and fuel reserves to proceed under IFR to an aerodrome where an instrument approach procedure may be carried out for landing.

...

136.303 Definitions

Helicopter external load operation means—

- (1) a helicopter sling load operation; or
- (2) a helicopter winching operation; or
- (3) a helicopter rappelling operation. or

Helicopter sling load operation means the external carriage, lowering, or picking up, of a load ~~or~~, cargo, or person by a helicopter by means of a bucket, net, harness ~~or~~, sling, or stretcher suspended beneath the helicopter:

...

136.309 Carriage of persons

- (a) A pilot-in-command must not carry a person inside the helicopter during an external load operation who is not performing a function essential to that the helicopter external load operation.
- (b) Notwithstanding paragraph (a), a pilot-in-command may carry a person inside the helicopter on a sling load operation, who is not performing a function essential to the operation, if—
 - (1) the person to be carried inside the helicopter is necessary to accomplish the on- site work activity directly associated with the sling load; and
 - (2) ~~the person is on board the helicopter when the sling load to which the person is associated with is being carried; and~~ the operation is not a human sling load operation; and
 - (3) ~~the helicopter is operated with not less than a 10% power margin from maximum power available at the point of departure and landing. the safety of the operation is not compromised.~~
- (c) A pilot-in-command must not carry a person inside the helicopter on a winching, rappelling, or human sling load operation, who is not performing a function essential to the winching, rappelling, or human sling load operation.
- (d) Notwithstanding paragraphs (a), (b), and (c), a pilot-in-command may carry a crew member trainee inside the helicopter, who is not performing an essential function in connection with the operation, provided that—
 - (1) the pilot-in-command is qualified to instruct in the type of operation to be carried out; and
 - (2) the safety of the operation is not compromised.

...



136.319 Carriage of loads

A pilot-in-command performing a helicopter sling load operation must ensure that the external load is carried on a hook or device required by 136.516 7(1).

...

136.321 Dangerous goods

(a) ...

(3) the dangerous goods are—

...

136.325 Operations over congested areas

A pilot-in-command of a helicopter performing a helicopter external load operation over or adjacent to a congested area of a city, town, or settlement must—

(1) ...

(iii) ~~the emergency landing capabilities of the helicopter to be used~~ details of the actions to be taken in the event of a serious malfunction of the helicopter; and

(iv) risk assessment and mitigating measures taken to ensure no exposure to danger of persons or property on the ground at all times including when the load is intentionally released during emergencies and when the load is inadvertently released; and

...

136.327 ~~Helicopter winching, rappelling operations~~ Suspension of persons beneath helicopters

(a) Except as provided in paragraph (b), ~~a pilot-in-command performing a helicopter winching, or rappelling an~~ operation involving the suspension of a person beneath a helicopter must ensure that—

(1) the helicopter is certified as a Class A helicopter and is capable of hovering OGE with one engine inoperative predicated on—

(i) 50% of the forecast wind speed, or 80% of the actual measured wind speed, up to a maximum calculated percentage value of 20 knots; or

(ii) if a forecast or measured wind speed is not available, nil wind; and

(2) the distance the person is suspended beneath the helicopter carried is the minimum distance necessary to achieve the objective of the operation; and

(3) the helicopter is operated in a safe manoeuvring area that has—

(i) a diameter ~~of at least 30 meters or~~ not less than twice the overall length of the helicopter, ~~whichever is longer; and~~

(ii) no obstructions ~~higher than 3 meters~~ within one metre vertically below the



lowest fixed part of the helicopter; and

- (iii) ~~at its centre, a zone with a diameter of at least 5 meters free of any obstruction or other hazard.~~ a clear zone for winching, rappelling, or human sling loads

- (4) the equipment on which the person is suspended is capable of release from the helicopter by the crew, and that the release system is so arranged that two separate actions must be taken to effect release; and

- (5) the equipment on which the person is suspended is such that the possibility of inadvertent release is eliminated.

- (6) Paragraph (a) shall not apply to a pilot-in-command if the helicopter operation is—

- (7) an emergency operation for the protection of life or property; or

- (8) a training operation involving emergency personnel, police or Defence Force personnel; and

- (9) conducted in an area that is clear of an obstruction—

- (i) that is likely to foul the equipment being used; and

- (ii) that is likely to endanger any person being suspended from the helicopter.

- (b) A pilot-in-command of a helicopter must ensure that, where a person is raised or lowered by winch beneath the helicopter—

- (1) the person to be lowered is attached to the cable before being released from the seat harness; and

- (2) the person who has been raised is secured by means of a safety strap or seat belt before being released from the cable; and

- (c) the person has been briefed, by a crew member of the helicopter, on normal and emergency procedures appropriate to the operation unless the person is unconscious or unable to understand
A pilot-in-command of a helicopter must ensure that, when a helicopter rappelling operation is performed, the person to be rappelled—

- (1) has successfully completed a course of training appropriate to the rappelling operation being conducted; and

- (2) has been adequately briefed by a crew member on normal and emergency procedures appropriate to the operation; and

- (3) is attached to the static line before being released from the seat harness.-

- (d) Each pilot-in-command of a helicopter must ensure that, when an injured person is carried beneath the helicopter in a harness or stretcher—

- (1) the distance the person is carried is the minimum distance necessary—

- (i) to transfer the person to a more suitable means of transport; or

- (ii) to safely land and transfer the suspended person inside the helicopter; and



- (2) unless the person is unconscious or unable to understand, that person has been briefed, by a crew member of the helicopter, on normal and emergency procedures appropriate to the operation
- (e) A pilot in command of helicopter performing an operation involving suspension of a person beneath a helicopter must ensure that all equipment and quick release devices are maintained in accordance to requirements in Rule 136.517 and 136.519.

...

136.521 GPS Activated Terrain Warning Systems

- (a) the holder of an air operator certificate must ensure that each aircraft fitted with Global Navigation System receivers with terrain warning functionality must activate a visual terrain awareness with audio input that is acceptable to the Director; and
- (b) the operator must implement database management procedures that ensure the timely distribution and update of current terrain and obstacle data to the GPS receivers with terrain warning functionality.