



**Notice of Proposed Rule Making
NPRM 26/17/172-44
17 August 2026**

Part 172

**Air Traffic Service Organizations –
Certification and Operation**

**Consequential Amendments
Nil**

**Docket 26/17/CAR172-44
2026 Rules Review**

Proposed Applicable 26 November 2026



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.



Table of Contents

Background to the Civil Aviation Rules	2
Table of Contents	3
1. Purpose of this NPRM	4
2. Background to the Proposal	4
2.1 General Summary	4
2.2 NPRM Development	4
2.3 Key Stakeholders	4
3. Consequential Amendments.....	4
4. Exemptions	4
5. Impact Assessment	5
5.1 Safety.....	5
5.2 Compliance Cost.....	5
5.3 Security	5
5.4 Environment.....	5
5.5 Efficiency and capacity.....	5
5.6 Expected implementation time	5
6. Summary of changes	5
7. Legislative Analysis	6
7.1 Power to make rules	6
7.2 Matters to be taken into account	6
8. Submissions on the NPRM	7
8.1 Submissions are invited	7
8.2 Examination of submissions.....	7
8.3 Disclosure	7
9. How to make submission.....	8
9.1 Final date for submissions.....	8
9.2 Availability of the NPRM.....	8
9.3 Further information.....	8
Part 172	9



1. Purpose of this NPRM

The purpose of this Notice of Proposed Rulemaking is to submit for consideration the proposed amendments to Civil Aviation Rule Part 172.

2. Background to the Proposal

2.1 General Summary

Amendment 8 to Part 172 transposes standards from the following:

- (1) Amendment 95, Annex 10, Vol II, - the adoption of the aeronautical mobile service – data link communications on data link initiation capability and establishment of control pilot data link communication.
- (2) Amendment 54, Annex 11, and;
- (3) National Civil Aviation Security Program (NCASP) requirements.

This NPRM proposes changes to Air Traffic Service Organizations – Certification and Operation in Part 172 as detailed in section 6.

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 existing regulations that could impact aviation safety. Evolving industry best practices and technological advancements play a significant role in driving the need for regulatory updates through NPRMs. The proposed amendments are developed in consultation with internal subject matter experts.

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 Ministry of Civil Aviation
- (4) Aviation Document Holders
- (5) Other interested Stakeholders

3. Consequential Amendments

There are no consequential amendments

4. Exemptions

There are no current Exemptions against this Rule Part.



5. Impact Assessment – Datalink communications

5.1 Safety

Positive. This amendment has a positive impact that will enhance air-ground data link operations to ensure alignment with operational realities, while facilitating the safe integration of data link technologies and maintaining or improving overall network safety and performance.

5.2 Compliance Cost

Positive. The compliance cost will mostly involve amendment to the aeronautical information publication and documentation supporting initiatives for the implementation of data link services.

5.3 Security

This amendment has no security impact.

5.4 Environment

Positive. The harmonized and safe use of data link services is essential for implementing performance-based separation Standards, enabling optimal flight profiles and reducing CO2 emissions, thereby benefiting the environment.

5.5 Efficiency and capacity

Positive. Global harmonization improves efficiency of data link operations, which would enable flights to be more efficiently managed.

5.6 Expected implementation time

1-2 years timeframe is needed by States to revise their national regulations, if necessary. 1-2 years for industry if there is a need to develop new procedures and training of personnel and amendment to stakeholder documentation.

6. Summary of changes

The proposed changes in amendment 08 of CAR Part 172 relate to:

(a) New Rules:

- (1) Rule 172.67(f) procedures for activities potentially hazardous to civil aircraft transposes Annex 11, standard 2.19
- (2) Rule 172.97(i)(2) plotting requirement of aircraft's known position transposes Annex 11, standard 5.4
- (3) Rule 172.97(i)(3) information on aircraft in an emergency is made known to other aircraft in its vicinity transposes Annex 11, standard 5.6
- (4) Rule 172.151(b) inserted requirement for the provision of aircraft movement data for the upper airspace.
- (5) Rule 172.179 data link communication (amendment 95 to Annex 10 Vol II)

(b) Amendments:

- (1) Rule 172.67(d), (e) and (g) replaced the word 'provide' with 'establish' for clarity



Latest Amendment Date: 04 Nov 2024	Applicable Date: 26 Nov 2026	Page 6 of 12
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- (2) Rule 172.67(e) divided into two (2) to align with Annex 11, 6.2.3.1.2
- (3) Rule 172.97(i)(1) amended in accordance with Annex 11, 5.3
- (4) Rule 172.101(a) and (b)(1) aligned with Annex 11, 2.26
- (5) Rule 172.119(a) inserted 'in accordance with NCASP'.
- (6) Appendix B to align with Annex 1 Appendix 2.

(c) Editorials

Nil

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 172 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 CASA PNG 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.



9. How to make submission

Submissions may be sent by the following methods:

- By Mail: Docket Clerk (NPRM 26/17/172- 44)
Civil Aviation Safety Authority of Papua New Guinea
PO Box 1941
Boroko
National Capital District
- Delivered: Docket Clerk (NPRM 26/17/172-44)
Civil Aviation Safety Authority of Papua New Guinea
Morea-Tobo Road
Six Mile, Jacksons Airport
Port Moresby NCD
- By Fax: Docket Clerk (NPRM 26/17/172-44)
3251789 / 325 1919
- By Email: Docket Clerk (NPRM 26/17/172-44)
rules@casapng.gov.pg

9.1 Final date for submissions

Comments must be received before **COB, 25th September 2026.**

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 General Counsel and Board Secretary
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Part 172

Air Traffic Service Organisations – Certification and Operation

Subpart B — Certification Requirements

172.67 Co-ordination requirements

...

- (d) The applicant shall establish ~~provide systems and~~ procedures to ~~facilitate communications between those ATS units having an operational requirement to communicate with each other and to ensure that direct speech and/or data link communications are used in ground-ground communications for air traffic services purposes.~~
- (e) The applicant shall establish ~~provide~~ facilities for communications between area control centres serving contiguous control areas to –
 - (1) ~~to and in addition,~~ include provisions for direct speech and, where applicable, data link communications, with automatic recording; and
 - (2) ~~(f) The applicant shall provide systems and procedures to ensure that communications can be established instantaneously for the purpose of transfer of control using radar, ADS-B or ADS-C data and for other purposes the communications can normally be established within fifteen seconds.~~
- (f) An applicant shall establish procedures to ensure activities potentially hazardous to civil aircraft, within the FIR is coordinated with the appropriate ATS unit or authority.
- (g) The applicant shall establish ~~provide systems and~~ procedures to ensure that ATS units, aircraft operators, and aviation meteorological service providers, where they require the information, are provided, through the exchange of ATS messages, with details of —
 - (1) the intended movement of each aircraft for which a flight plan has been filed, and any amendments to that flight plan; and
 - (2) current information on the actual progress of the flight.

172.97 Alerting service

...

- (i) The applicant shall establish procedures for aircraft in a state of emergency to ensure that—
 - (1) as necessary, ~~the use of all available communication facilities to endeavour means to establish and maintain communication with and surveillance of, an aircraft in a state of emergency, and to request news of the aircraft; and~~
 - (2) when a state of emergency is considered to exist, the flight of the aircraft involved shall be plotted on a chart in order to determine the probable future position of the aircraft and its maximum range of action from its last known position; and



- (3) the flights of other known aircraft operating in the vicinity of the aircraft involved shall also be plotted in order to determine their probable future positions and maximum endurance; and the last known position of any aircraft involved is established and recorded
- (4) other known aircraft in the vicinity of the aircraft involved shall be informed of the nature of the emergency as soon as practicable, except when it is known or believed that the aircraft is being subjected to unlawful interference.

172.101 Time

- (a) An applicant for the grant of an air traffic service certificate shall establish a procedure to ensure that ATS unit clocks and other time recording devices—
 - (1) use Co-ordinated Universal Time (UTC) and express that time in hours and minutes and when required, seconds of the 24-hour day beginning at 0000 UTC; and
 - (2) is indicating the time in hours, minutes and seconds, clearly visible from each operating position in the unit concerned; and
 - (3) are checked to ensure are correct time to within plus or minus 30 5 seconds of UTC as determined by reference to a standard time station or GPS time standard; and
 - (4) used in data link communications are correct to within 1 second of UTC.
- (b) The applicant shall establish a procedure to ensure that the correct time, to the nearest half minute, is provided—
 - (1) in respect of any aerodrome control service or aerodrome flight information service, to ~~IFR~~ an aircraft prior to taxiing for take-off unless arrangements have been made for the pilot to obtain it from other sources; and
 - (2) to any aircraft on request.

172.119 Security

...

- (c) Without limiting the generality of paragraph (b), the security programme shall specify such physical other security requirements, practices, and procedures as may be necessary to meet the requirements of the National Civil Aviation Security Program (NCASP), including—
 - (1) to ensure that entrances to permanent ATS facilities operated by the applicant are subject to positive access control at all times; so as to prevent unauthorised entry; and
 - (2) to protect personnel on duty; and
 - (3) procedures to be followed in the event of a bomb threat or other threat of violence against an ATS unit; and
 - (4) to monitoring of unattended ATS unit buildings to ensure that any intrusion or interference is detected; and
 - (5) to protect critical information and communications technology systems from interference and cyber security threats that may jeopardise the safety of air navigation services; and



- (6) ATM contribution to safeguarding against unlawful interference; and
- (7) contingency planning for ATM security; and
- (8) ATM support for law enforcement; and
- (9) airspace management for ATM security.

Subpart C — Operating Requirements

172.151 Continued compliance

(a)....

- (b) The holder of an air traffic service certificate shall notify the Director of aircraft movement data in the upper airspace on a monthly basis, no later than the tenth of the following month.
- (c) The following data is required for notification under paragraph (b) for each flight;
 - (1) Aircraft call-sign and registration
 - (2) name of international air operator;
 - (3) date of flight;
 - (4) tracked distance of flight; and
 - (5) aircraft maximum take-off weight.

172.179 Data link communication

- (a) The holder of an air traffic service certificate shall establish systems and procedures for data link communication. -
- (b) The procedures required by paragraph (a) shall include –
 - (1) data link connection forwarding between ATS units;
 - (2) initiation, restoration and re-initiation and verification that the aircraft is initiating a data link request following the failure of data link
 - (3) the exchange of operational CPDLC messages;
 - (4) transfer of CPDLC;
 - (5) free text message elements;
 - (6) failure of CPDLC; and
 - (7) intentional shutdown of CPDLC
- (b) The certificate holder shall ensure the logon address and procedures associated with an ATS unit is published in the Aeronautical Information Publication.
- (c) The certificate holder shall establish procedures to ensure that ATC unit will only request a CPDLC connection with an aircraft if the unit is the current controlling authority or is expecting to become the next data authority;



- (d) The procedures shall be established to ensure that the controller is alerted as soon as the CPDLC failure is detected and –
- (1) to take action in the event of the failure of a single CPDLC message;
 - (2) the resumption of the data link services; and
 - (3) testing of CPDLC

Appendix B – ATS Training

B.1 Issue of approval

- 1.1 ~~The approval for the training and assessment of ATS personnel and the continued validity of the approval shall depend on the validity of the Part 172 ATS Operating Certificate.~~

The issuance of an approval for a training organization and the continued validity of the approval shall depend upon the training organization being in compliance with the requirements of Part 141.

- 1.2 ~~The ATSOC SATOC shall contain at least the following:~~
- ~~(a) organization's name and location;~~
 - ~~(b) date of issue and period of validity (where appropriate);~~
 - ~~(c) terms of approval.~~