



**Notice of Proposed Rule Making
NPRM 2515/107-24
14 February 2025**

**Part 107
Airport Security Programme**

**Consequential Amendments
Part 139
Part 140**

**Docket25/15/CAR107/24
2025 Rules Review**

Proposed Applicable 21 March 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.



Latest Amendment Date: 19/04/2024	Applicable Date: 21/03/2025	Page 3 of 10
-----------------------------------	-----------------------------	--------------

Table of Contents

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. Issues Addressed during Development	5
3.1 Consequential Amendments	5
3.2 Exemptions	5
3.3 ICAO SARPS and Level of Risk to Papua New Guinea Aviation Safety	5
4. Summary of changes	5
5. Legislative Analysis	6
6. Submissions on the NPRM	7
6.1 Submissions are invited	7
6.2 Examination of submissions	7
6.3 Disclosure	7
7. How to make submission	8
7.1 Final date for submissions	8
7.2 Availability of the NPRM	8
7.3 Further information	8
Proposed Rule Amendments	9

Note: Page numbers may not coincide with the Table of Contents and are subject to change.



1. Purpose of this NPRM

The purpose of this Notice of Proposed Rulemaking (NPRM) is to put forward for consideration proposed amendments as per Annex 17 requirements to Civil Aviation Rule (CAR) Part 107. The 2019 USAP CMA unsatisfactory Protocol Questions (PQs) Critical Elements (CEs) 02, 03 that needed to be included in the rule and to correct the incorrect rule referencing and minor editorials.

2. Background to the Proposal

2.1 General Summary

The following amendment is considered for inclusion are:

- (a) **Amend** 107.53(d)(13) stating ~~appropriate steps are taken to minimise the threat to civil aviation operations, including measures to prevent, respond to and rectify cyber-attacks and corruption of information technology systems~~ and include the words, ensure to identify critical information and communications technology systems and data used for civil aviation purposes; and develop and implement appropriate measures to protect itself from unlawful interference in accordance with a risk assessment described in the national civil aviation security programme.
- (b) New inclusion 107.53(d) (20) to ensure mechanism and supplies introduced into the SRA are subjected to appropriate security controls, which may include a supply secure chain process or screening.
- (c) 107.53(d)(21) to ensure that procedures are established to deal with unidentified baggage and suspicious object in accordance with a risk assessment carried out by the relevant authority
- (d) **Minor editorials**
 - (1) 107.53 (e)(4) minor editorial, *replace* 107.53(e)(11) to 107.53(d)(12)
 - (2) 107.53 (e)(5) minor editorial, *replace* 107.53(e)(12) to 107.53 (d)(13)
 - (3) 107.57 (a)(1)(ii) minor editorial, *replace* 107.51 (7) to 107.51 (g)

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 and. PQ requirement and audit findings raised by ICAO during the 2019 USAP

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:

- (a) The Civil Aviation Safety Authority of Papua New Guinea;
- (b) The Ministry for Transport and Civil Aviation;



- (c) Aircraft operators;
- (d) Aviation Security Service Organisation (Part 140 Certificate Holder); and
- (e) Airport Operators.

3. Issues Addressed during Development

There were no significant issues identified during the development of this NPRM

3.1 Consequential Amendments

There are consequential amendments in the following Parts:

- (a) Part 139 Subpart D
- (b) Part 140

3.2 Exemptions

There are no current Exemptions against this Rule Part.

3.3 ICAO SARPS and Level of Risk to Papua New Guinea Aviation Safety

The proposed rule amendments are intended to align, where practicable, with the SARPs contained in ICAO Annexes and are written in consultation with the following Annex and guidance material:

- (a) Annex 17 – Security
- (b) ICAO GM Doc 8973.

3.1 Compliance Costs

The proposed amendments do not require additional compliance costs.

4. Summary of changes

The following amendments are considered for inclusion in the current Part 107 are minor editorials to rule correct referencing

The following amendments have been proposed;

- (a) 107.53(d) (13) amended to include new insertions (107.53(d) (13) (i, ii). These measures are to prevent AUIs including any interference that would affect the safety, security and smooth operation of the civil aviation system.
- (b) 107.53(d) (20) is a new inclusion for the merchandise and supplies introduced into the SRA are subjected to appropriate security controls, which may include a supply secure chain process or screening.
- (c) 107.53(d)(21) is a new insertion for procedures to deal with unidentified baggage and suspicious object in accordance with a risk assessment carried out by the relevant authority.
- (d) **Minor editorials**
 - (1) 107.53 (e)(4) minor editorial, *replace 107.53(e)(11) to 107.53(d)(12)*
 - (2) 107.53 (e)(5) minor editorial, *replace 107.53(e)(12) to 107.53 (d)(13)*
 - (3) 107.57 (a)(1)(ii) minor editorial, *replace 107.51 (7) to 107.51 (g)*



Latest Amendment Date: 19/04/2024	Applicable Date: 21/03/2025	Page 6 of 10
-----------------------------------	-----------------------------	--------------

5. Legislative Analysis

5.1 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:
 - (9) Aeronautical procedures.

The proposed amendment of Part 107 complies with the requirements of the *Civil Aviation Act 2000* and does not contravene the Constitution, the *Aerodrome (Business Concession) Act 2000*, *Civil Aviation (Air Craft Operator Liability) Act 1975*, *Aircraft Charges Act*, *Airport Departure Tax Act*, *Explosive Act 1952*, *Firearms Act 1978*, *Customs Act 1951*, *Plant, Disease and Control Act 1953* and the *Environmental Act 2000*.

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

5.2 Matters to be taken into account

The development of this NPRM and the proposed rule changes take into account the matters under section 75 of the Act that the Minister must take into account when making ordinary rules including the following:

5.2.1 ICAO Standards and Recommended Practices

The proposed rule amendments comply with applicable sections of the International Civil Aviation Organization (ICAO) Annexes listed in 3.3 above.

5.2.2 Assisting Economic Development

The proposed rule amendments will have no detrimental impact on economic development, and in some cases will reduce costs incurred by the aviation industry.

5.2.3 Assisting Safety and Personal Security

The proposed rule amendments will maintain safety levels in respect to clarifying and



maintaining common standards of definitions, abbreviations and units of measurements used throughout the industry.

5.2.4 Improving Access and Mobility

The proposed rule amendments will have no impact on access and mobility.

5.2.5 Protecting and Promoting Public Health

The proposed rule amendments will have no impact on protecting and promoting public health.

5.2.6 Ensuring Environmental Sustainability

The proposed rule amendments will have no impact on environmental sustainability.

6. Submissions on the NPRM

6.1 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.

6.2 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.

6.3 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 office.

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.



7. How to make submission

Submissions may be sent by the following methods:

- By Mail: Docket Clerk (NPRM 2515/107-24)
Civil Aviation Safety Authority of
Papua New Guinea
PO Box 1941
Boroko
National Capital District
- Delivered: Docket Clerk (NPRM 2515/107-24)
Civil Aviation Safety Authority of
Papua New Guinea
Morea-Tobo Road
Six Mile, Jacksons Airport
Port Moresby NCD
- By Fax: Docket Clerk (NPRM 2515/107-24)
3251789 / 325 1919
- By Email: Docket Clerk (NPRM 2515/107-24)
rules@casapng.gov.pg

7.1 Final date for submissions

Comments must be received before **COB, 14th March 2025.**

7.2 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 Papua New Guinea Headquarter
Building 1, Level 1
Morea-Tobo Road
Six Mile, Jacksons Airport
Port Moresby NCD

7.3 Further information

For further information, contact:

Gloria Sikre (Ms.)
Acting Manager Legal Services
CASA PNG
gsikre@casapng.gov.pg

Ph.: 325 7571

Mob: 74127191



Proposed Rule Amendments

Part 107

Airport Security Programme

107.1 Purpose

This Part prescribes rules governing the airport security programme required by Part 139 for a security designated aerodrome.

Subpart B — Airport Security Programme Requirements

107.53.1 Security requirements

- (d) The construction and height of each barrier required by paragraph (b)(1) must, considering the surrounding topography, provide an effective measure against penetration of the security area or security enhanced areas and must in no case be less than 2440 millimeters in height.

Other requirements

The holder of an aerodrome operating certificate for a security designated aerodrome must:

- (13) ~~appropriate steps are taken to minimise the threat to civil aviation operations, including measures to prevent, respond to and rectify cyber attacks and corruption of information technology systems~~ ensure to identify critical information and communications technology systems and data used for civil aviation purposes; and develop and implement appropriate measures to protect itself from unlawful interference in accordance with a risk assessment describe in the national civil aviation security programme.
- (20) ensure merchandise and supplies introduced into the SRA are subjected to appropriate security controls, which may include a supply secure chain process or screening; and
- (21) ensure that procedures are established to deal with unidentified baggage and suspicious objects in accordance with a risk assessment carried out by the relevant authority.
- (e) The security measures and procedures required by paragraph (a) must set out the means by which—
- (4) the requirements of rule 107.53 ~~(e)(11)~~(d)(12) are complied with in relation to the security of services; and
- (5) the requirements of rule 107.53 ~~(e)(12)~~(d)(13) are complied with in relation to cyber security; and

107.57 Screening

- (a) Each airport security programme shall have procedures to ensure the screening of passengers, crew and baggage, prior to boarding an aircraft, at a security designated aerodrome is conducted—
- (1) by the Aviation Security Service, or the holder of an aviation security service certificate issued in accordance with Part 140; and



- (i) where that function is contracted out to a security service provider, the means of ensuring that the contractor complies with the Part 140 certificate holder's exposition; and
- (ii) where that function is contracted out to a security service provider, the means of ensuring compliance with rule 107.51(~~7~~)(g); and