



**Notice of Proposed Rule Making  
NPRM 2515/108-25  
14 February 2025**

**Part 108  
Air Operator Security Program**

**Consequential Amendments**

**Part 109**

**Part 140**

**Part 119**

**Part 129**

**Docket25/15/CAR108/25  
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.



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## 1. Purpose of this NPRM

The purpose of this Notice of Proposed Rulemaking (NPRM) is to put forward for consideration proposed amendments in accordance with Amendment 18 to Annex 17 requirements to Civil Aviation Rule (CAR) Part 108. The ICAO USAP CMA Protocol Questions (PQ) Critical Elements (CEs) 02 that required rule amendment action are included in this Part 108.

## 2. Background to the Proposal

### 2.1 General Summary

Amendment 18 to ICAO Annex 17 – Aviation Security standards has meant that PNG Civil Aviation rule requires updating to keep up to the changes. It is necessary to amend Part 108 to ensure that PNG application of security standards meets the ICAO Annex 17 security measures and standards across both its domestic or international operations.

Also as per the summary of changes described in 4 (Summary of Changes) below, the proposed amendment is intended to capture definitions and abbreviations associated with aviation security to be consistent with Amendment 18 to ICAO Annex 17. The ICAO USAP CMA PQs CE 02 that required rule amendment action are included in this Part 108.

### 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 of Papua New Guinea;
- (2) The Ministry for Transport and Civil Aviation;
- (3) Aircraft operators;
- (4) Regulated Air Cargo Agents (RACA); and
- (5) Aviation Security Service Organisation (i.e. Part 140 Certificate Holder).

## 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 109
- (b) Part 140
- (c) Part 119
- (d) Part 129



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### 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.

### 3.4 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 108.

- (a) New Insertion- Amend Rules 108.53(b)(4)(v) & 108.55(b)(5)(v) stating, access to security areas or security enhanced area of designated aerodromes and operational areas at other aerodromes within PNG, through the air operator's facilities or any other access used by the air operator for passengers, personnel, baggage, cargo including special categories of cargo, freight, transfer cargo or mail, or aircraft supplies is controlled including:
  - (v) ensuring that the movement of persons and vehicles to and from the aircraft is supervised in security restricted areas in order to prevent unauthorized access to aircraft.
- (b) New insertion- 108.53(b)(21) stating, (21) 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.
- (c) Amend 108.55(d)(19) ensure ~~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~~ 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.

## 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; and
  - (9) Aeronautical procedures.

The proposed amendment of Part 109 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 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 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.

## **7. How to make submission**

Submissions may be sent by the following methods:

By Mail: Docket Clerk (NPRM 2515/108-25)  
Civil Aviation Safety Authority of Papua  
New Guinea  
PO Box 1941  
Boroko  
National Capital District

Delivered: Docket Clerk (NPRM 2515/108-25)  
Civil Aviation Safety Authority of Papua  
New Guinea  
Morea-Tobo Road  
Six Mile, Jacksons Airport  
Port Moresby NCD

By Fax: Docket Clerk (NPRM 2515/108-25)  
3251789 / 325 1919

By Email: Docket Clerk (NPRM 2515/108-25)  
[rules@casapng.gov.pg](mailto:rules@casapng.gov.pg)



### 7.1 Final date for submissions

Comments must be received before **COB, 21<sup>st</sup> 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](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

### 7.3 Further information

For further information, contact:

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

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## Proposed Rule Amendments

### Part 108

### Air Operator Security Programme

#### 108.53 Security requirements – domestic air operator

- (b) The security procedures required under (a), must detail the means by which—
- (4) access to security areas or security enhanced areas of security designated aerodromes and operational areas at other aerodromes within PNG, through the air operator's facilities or any other access used by the air operator for passengers, personnel, baggage, cargo including special categories of cargoes, freight, transfer cargo or mail, or aircraft supplies is controlled including;

(v) ensuring that the movement of persons and vehicles to and from the aircraft is supervised in security restricted areas in order to prevent unauthorized access to aircraft.

- (21) 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.

#### 108.55 Security requirements – international air operator

- (b) The security procedures required under (a), must detail the means by which—
- (5) access to security areas or security enhanced areas of security designated aerodromes and operational areas at other aerodromes within PNG, through the air operator's facilities or any other access used by the air operator for passengers, personnel, baggage, cargo including special categories of cargoes, freight, transfer cargo or mail, or aircraft supplies is controlled including;

(v) ensuring that the movement of persons and vehicles to and from the aircraft is supervised in security restricted areas in order to prevent unauthorized access to aircraft.

- (19) ~~ensure 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~~ 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.