



**Notice of Proposed Rule Making
NPRM 2515/121-28
14 February 2025**

**Part 121
Air Operations – Large
Aeroplanes**

**Consequential Amendments
Nil**

**Docket 25/15/CAR121/28
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;
 - (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; and
- (j) Any other matter contemplated by any provision of the Act.



Latest Amendment Date: 04/11/2024	Applicable Date: 21/03/2025	Page 3 of 13
-----------------------------------	-----------------------------	--------------

Table of Content

1. Purpose of this NPRM	4
2. Background to the Proposal	4
2.1 General Summary	4
2.2 NPRM Development	5
2.3 Key Stakeholders	5
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
3.4 Compliance Costs	5
4. Summary of changes	5
5. Legislative Analysis	6
5.1 Power to make rules	6
5.2 Matters to be taken into account	7
5.2.1 ICAO Standards and Recommended Practices	7
5.2.2 Assisting Economic Development	7
5.2.3 Assisting Safety and Personal Security	7
5.2.4 Improving Access and Mobility	7
5.2.5 Protecting and Promoting Public Health	7
5.2.6 Ensuring Environmental Sustainability	7
6. Submissions on the NPRM	7
6.1 Submissions are invited	7
6.2 Examination of submissions	7
6.3 Disclosure	8
7. How to make submission	8
7.1 Final date for submissions	8
7.2 Availability of the NPRM	8
7.3 Further information	9
Proposed Rule Amendments	10

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 to Civil Aviation Rule (CAR) Part 121.

2. Background to the Proposal

2.1 General Summary

As a signatory to the Convention on International Civil Aviation, Papua New Guinea is committed to aligning its regulations to the ICAO SARPS, where practicable.

This rule amendment intends to align specifically with amendment number 49 to ICAO Annex 6 Part 1 and industry best practices standards.

- (a) Rule 121.1 – Amended paragraph to clarify the three (3) items that defines the purpose of Part 121. Inserted wording ‘a MCTOW > 5700kg’ to align with definition of Large aeroplanes as described in Annex 6 Part 1 Definitions and CAR Part 1. Amendment additionally address ICAO Protocol Question (PQ) 4.005.
- (b) Rule 121.60 (a) –Added additional subparagraph (4) to align with Annex 6 part 1 Standard 4.6.1 (d)
- (c) Rule 121.105 – Added word ‘and’ to (a) (2) (i) to align with Annex 6 part 1 Standard 3.5.3 (a)
- (d) Rule 121.105 – Added new subparagraph ‘(c)’ to align with Annex 6 Part 1 standard 3.5.4 regarding variations to automated reporting intervals regarding Aircraft Tracking
- (e) Rule 121.565 (b) (3) – Added text ‘for flight crew member’ to clarify the requirement for biannual recurrent training to be applicable to flight crew only and exclude cabin crew from that requirement. The amendment will be beneficial for cabin crew training and shall not have any impact on flight crew member training as this is already practiced within the industry.
- (f) Rule 121.583, 121,585, 121.587 & 121.589 amended –to ensure instructors and examiners have completed a training course in the methods for assessing crew member competency in the technical and non-technical aspects of aircraft operation including human factors and crew resource management.

The rule requirement is adopted from New Zealand CAR Part 121, ensuring CASA PNG rules align with industry best standards in addition to ICAO requirements.

Introduction of these new rule requirements aligns with current industry practices of pilot training and checking in accordance with the non-technical and technical competencies identified by ICAO.

Supported with recent industry experiences, root causes in majority of aircraft accidents and serious incidents link to deficiencies in pilots non-technical and technical competencies. These rule amendments ensure instructors and examiners are equipped with the additional qualification to conduct training and checking in line with the non-technical and technical competencies.

These rule amendments align the PNG aviation industry to competency based training and assessments programs for pilots.

- (g) Rule 121.595 – Revoked wording ‘cabin crew members’ to clarify and enable any authorised personnel to be eligible as a ground instructor



2.2 NPRM Development

The proposal was developed in consultation with internal and external subject matter experts. Majority of the issues were identified during a recent ICAO audit, requiring CASA to amend the legislation to ensure compliance with ICAO Annex 6 Part I standard and recommended practices.

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) Aircraft operators

3. Issues Addressed during Development

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

3.1 Consequential Amendments

There are no consequential amendments to other rule parts with this new standard

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 amendment is intended to comply with amendment 49 to ICAO Annex 6 Part 1, adopted by the ICAO council on 18 July 2022.

3.4 Compliance Costs

Negligible financial impact from this amendment.

4. Summary of changes

- (a) Rule 121.1 – Restructured the paragraph to clearly outline and list the three (3) specific items that defines the purposes of CAR Part 121;
 - i. Text *‘having a certificated seating configuration of 20 seats or more, excluding any required crew member seat’* listed as item (1),
 - ii. text *‘a payload capacity of more than 2500 kg’* listed as item (2) and
 - iii. new text *‘a MCTOW greater than 5700kg’* added as item (3). Inclusion of item (3) aligns with definition of Large aeroplanes as described in Annex 6 Part 1 Definitions and CAR Part 1. Amendment additionally address ICAO Protocol Question (PQ) 4.005.
- (b) Rule 121.60 (a) –Inclusion of new subparagraph (4) outlines the additional duties of a flight operations officer and/or flight dispatcher as specified in Annex 6 part 1 Standard 4.6.1 (d).



- (c) Rule 121.105 – Added word ‘and’ to (a) (2) (i) to ensure mandatory compliance to subparagraphs (i) and (ii) in line with Annex 6 part 1 Standard 3.5.3 (a) regarding Aircraft Tracking.
- (d) Rule 121.105 – Added new subparagraph ‘(c)’ detailing the additional option available for an operator in how it can conduct aircraft tracking. New requirement aligns with Annex 6 Part 1 standard 3.5.4 for the requirement of an operator to conduct a thorough risk assessment before varying the automated reporting intervals.
- (e) Rule 121.565 (b) (3) – Added text ‘for flight crew member’ to clarify the frequency requirement for recurrent training. Previous text required both cabin crew and flight crew members to undergo recurrent training twice in a calendar year. Annex 6 Part I requires a cabin crew member to undergo recurrent training annually and flight crew members twice in a calendar year.
- (f) Rule 121.583 (3) – revoked and inserted new requirement
- (g) Rule 121.585 (3) - revoked and inserted new requirement
- (h) Rule 121.587 (7) - revoked and inserted new requirement
- (i) Rule 121.589 (a) (4) - revoked and inserted new requirement
- (j) Rule 121.595 – Revoked wording ‘cabin crew members’ to allow the eligibility requirement to be a ground instructor available for any authorised personnel nominated by an operator.

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.



Latest Amendment Date: 04/11/2024	Applicable Date: 21/03/2025	Page 7 of 13
-----------------------------------	-----------------------------	--------------

The proposed amendment of Part 1 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.

5.2.3 Assisting Safety and Personal Security

No security impact with the implementation of this amendment

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

Environmental impact: No environmental impact with the implementation of this amendment

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 offices.

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 2515/121-28)
Civil Aviation Safety Authority
PO Box 1941
Boroko
National Capital District
- Delivered: Docket Clerk (NPRM 2515/121-28)
Civil Aviation Safety Authority
Morea-Tobo Road
Six Mile, Jacksons Airport
Port Moresby NCD
- By Email: Docket Clerk (NPRM 2515/121-28)
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 web site: www.casapng.gov.pg

or at a cost from

Docket Clerk
Civil Aviation Safety Authority 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 121

Air Operations – Large Aeroplanes

Subpart A — General

121.1 Purpose

This Part prescribes rules governing air operations using an aeroplane —

- (1) having a certificated seating configuration of 20 seats or more, excluding any required crew member seat; or
- (2) a payload capacity of more than 2500 kg; or
- (3) a MCTOW greater than 5700kg.

Subpart B - Operating Rules

121.59 Duties and qualification of flight operations officers or flightdespatchers

- (a) A flight operations officer or despatcher engaged by the certificate holder in conjunction with the holder's approved method of control and supervision must:
 - (1) assist the pilot-in-command in flight preparation and provide the relevant information;
 - (2) assist the pilot-in-command in preparing the operational and ATS flight plans, sign when applicable and file the ATS flight plan with the appropriate ATS unit; and
 - (3) furnish the pilot-in-command while in flight, by appropriate means, with information which may be necessary for the safe conduct of the flight; and
 - (4) notify the appropriate ATS unit when the position of the aeroplane cannot be determined by an aircraft tracking capability, and attempts to establish communication are unsuccessful.

121.105 Aircraft Tracking

- (a) Each holder of an air operator certificate shall;
 - (1) establish an aircraft tracking capability to track aeroplanes throughout its area of operation;
 - (2) track the position of an aeroplane through automated reporting at least every 15 minutes for the portion(s) of the in-flight operation(s) that is planned in an oceanic area(s) under the following conditions:
 - (i) the aeroplane has a maximum certificated take-off mass of over 45 500kg and a seating capacity greater than 19; and
 - (ii) where an ATS unit obtains aeroplane position information at greater than 15 minute intervals



- (b) Each holder of an air operator certificate shall establish procedures, approved by the Director for the retention of aircraft tracking data to assist SAR in determining the last known position of the aircraft.
- (c) Notwithstanding paragraph (a), the Director may, based on the results of an approved risk assessment process implemented by the operator, allow for variations to automated reporting intervals. The process shall demonstrate how risks to the operation, resulting from such variations, can be managed and must include at least the following:
- (1) capability of the operator's operational control systems and processes, including those for contacting ATS units;
 - (2) overall capability of the aeroplane and its systems;
 - (3) available means to determine the position of, and communicate with, the aeroplane;
 - (4) frequency and duration of gaps in automated reporting;
 - (5) human factors consequences resulting from changes to flight crew procedures; and
 - (6) specific mitigation measures and contingency procedures.

Subpart I — Training

121.565 Crew member recurrent segment

- (a) The certificate holder shall ensure that each of its crew members are adequately trained, current, and proficient for each aeroplane, crew member position, and type of operation, in which the crew member serves.
- (b) The certificate holder shall ensure that each crew member completes the recurrent segment of its training programme—
- (1) in a structured manner; and
 - (2) in accordance with the syllabus required by 121.557; and
 - (3) for a flight crew member, twice in each calendar year at intervals of not less than four months.

121.583 Pilot flight examiner requirements

The certificate holder shall ensure that each person performing the functions of an aeroplane or simulator flight-examiner, for an aeroplane type, in an operational competency assessment programme that is established under this Part—

- (1) has satisfactorily completed the appropriate competency checks required to serve as pilot-in-command in air operations in the aeroplane type; and is—
 - (i) the holder of an appropriate and current flight examiner rating; or
 - (ii) a person approved for that purpose; and



- (2) has acquired
 - (i) 200 hours exercising the privileges of a flight instructor for the particular aeroplane type involved; or
 - (ii) 100 hours exercising the privileges of a flight examiner rating on another aeroplane type to which this Part applies; and
- (3) ~~completes the introduction and recurrent training requirements under this Subpart applicable to the testing to be carried out;~~ has completed a training course in the methods for assessing crew member competency in the technical and non-technical aspects of aircraft operation including human factors and crew resource management

121.585 Pilot instructor requirements

The certificate holder shall ensure that each person performing the functions of an aeroplane or simulator instructor in a pilot training programme that is established under this Part—

- (1) has satisfactorily completed the appropriate training required to serve as pilot-in-command in air operations in the aeroplane type; and is—
 - (i) the holder of an appropriate and current flight instructor rating; or
 - (ii) a person approved for that purpose; and
- (2) has acquired at least 3000 hours of flight time as a pilot, including—
 - (i) 500 hours' line-operating flight time experience for the particular aeroplane type involved; or
 - (ii) 100 hours exercising the privileges of a flight instructor rating instructing pilots on another aeroplane type to which this Subpart applies; and
- (3) ~~completes the introduction and recurrent training requirements under this Subpart applicable to the instruction to be carried out~~ has completed a training course in the methods for assessing crew member competency in the technical and non-technical aspects of aircraft operation including human factors and crew resource management.

121.587 Pilot instructor supervisor requirements

- (a) The certificate holder shall ensure that supervisory functions in a pilot training programme established under this Part are performed by an aeroplane or simulator instructor.
- (b) The certificate holder shall ensure that each instructor performing supervisory functions—
 - (1) has satisfactorily completed the appropriate training required to serve as pilot-in-command in air operations; and is
 - (i) the holder of an appropriate and current flight instructor rating; or



- (ii) a person approved for that purpose; and
- (2) has acquired at least 2000 hours of flight time as a pilot including—
 - (i) 200 hours' line-operating flight time experience for the particular aeroplane type involved; or
 - (ii) 100 hours supervising pilots on another aeroplane type to which this Subpart applies; and
- (3) ~~completes the introduction and recurrent training requirements under this Subpart applicable to the supervisory functions to be carried out.~~ has completed a training course in the methods for assessing crew member competency in the technical and non-technical aspects of aircraft operation including human factors and crew resource management

121.589 Simulator instructor and examiner requirements

- (a) The certificate holder shall ensure that, where instruction or competency checks are carried out in a flight simulator, the person performing the functions of an instructor, or flight examiner—
 - (1) meets the appropriate requirements of 121.583 or 121.585; and
 - (2) continues to demonstrate competency as pilot-in-command in the simulator to the standard and frequency required by Subpart J; and
 - (3) has received proficiency training in the operation of the training equipment; and
 - (4) has completed a training course in the methods for assessing crew member competency in the technical and non-technical aspects of aircraft operation including human factors and crew resource management.

121.595 Ground instructor requirements

A holder of an air operator certificate must not designate a person to perform the functions of a ground instructor in its crew member training programme required by rule 121.553 ~~cabin crew members~~, unless that person has completed—

- (1) an instructional techniques course acceptable to the Director; and
- (2) a human factors course acceptable to the Director; and
- (3) a comprehensive training course in the subject matter area in which instruction is being provided; and
- (4) is approved for that purpose.