



**Notice of Proposed Rule Making
NPRM 2414/174-46
28 August 2024**

**Part 174
Aviation Meteorological Service
Organisation – Certification and
Operation**

**Consequential Amendments
05**

**Docket 24/14/CAR174/46
2024 Rules Review**

Proposed Applicable 04th November 2024



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 the proposed amendments to Civil Aviation Rule (CAR) Part 174.

2. Background to the Proposal

2.1 General Summary

Part 174 was first amended in August 2015 and became effective on May 2016. The amendments were to capture the requirements of Part 100 and coordination requirements that was identified by ICAO as deficient against Part 174 in the 2009 ICAO's USOP audit.

The second amendment to Part 174 was done in July 2018 and become effective in November 2018, which included the transposing of latest Amendment 78 to ICAO's Annex 3 standards and incorporating them into Part 174.

The third amendment was done in the beginning of 2019 and become effective in December 2019. The amendment was to capture a new definition and a slight adjustment to coordinating requirement for clarity required by the standard in ICAO's Annex 3.

The fourth amendment was done in 2023 and became effective in April 2023. That was done to capture a new definition, rule adjustments and editorials as identified by Annex 3 compliance checklist (CC) for Electronic Filing of Difference (EFOD) that was not adequately captured in the last Annex 3 transposition (2018).

The proposed rule amendment to Part 174 consist of transposing of a new standard to capture amendment 81 of ICAO's Annex 3 and rule adjustments for consistency and clarity. This was done to align Part 174 with the requirements of Annex 3 including the latest amendment.

The proposed amendment will align Part 174 with ICAO's Annex 3 requirements.

2.2 NPRM Development

The gap analysis conducted on compliance checklist assessment of EFOD for Annex 3, revealed gaps in Part 174 were noted resulting in the proposed rule amendments in this NPRM. The gaps highlighted were as follows:

- (a) a new standard for adoption in amendment 81 of Annex 3 that require meteorological information to be supplied by the State to users through information service; and
- (a) adjustments where applicable to the existing rule for consistency and clarity.

As a signatory to the convention on international civil aviation, Papua New Guinea is committed to align its regulations to ICAO SARPS, where applicable.

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;



3. Issues Addressed during Development

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

3.1 Consequential Amendments

There are nil consequential amendments to this following Rule Part.

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 3- Aviation Meteorological Services for International Air Navigation
- (b) ICAO GM Doc 8896 -Manual of Aeronautical Meteorological Practice

3.4 Compliance Costs

The proposed amendments do not require additional compliance costs.

4. Summary of changes

The proposed amendment covers the following: -

- (a) Rule 174.3 - Definitions
Adjustment to paragraph (a) to include new definition as indicated below to define 'Information Service' used in the new standard as per amendment 81 to Annex 3.
“**Information Service** - An information service provides information consumers access to one or more applications or systems by means of the SWIM core services. It encapsulates a distinct set of operations logic within a well-defined functional boundary”.
(adapted from the definition in ICAO Doc 10039 SWIM Manual)
- (b) 2. Rule 174.53 – Site Requirements and Meteorological office Requirements
Adjustment to paragraph (a)(2) of the existing rule to include “along the touchdown and take-off zone of the runway” for consistency with Annex 3 requirements.
- (c) 3. Rule 174.61 – Facility Requirements
The rule is adjusted to include “conventional instruments” for clarity with current practice required by Annex 3.
- (d) Rule 174.79 – Quality Management System
Inclusion of a new paragraph as paragraph (b)(3)(iii) of rule 174.79 to capture and transpose the new standard in the latest amendment (amendment 81) of Annex 3 to align Part 174 with the requirements of Annex 3.
- (e) Rule 174.101 – Continued Compliance
Adjust paragraph (5) of rule 174.101 to include deletion of one letter 'A' in the form



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reference number CAA 174/01 for correct form reference number. The correct form reference number should be CA 174/01.

(f) Rule 174.211 Dissemination of Meteorological Reports/ Information

Adjust the rule title to include deletion of “Report” and replacing it with “Information” as well as in the rule paragraph. Include the words TAF, SIGMET and Forecasts for consistency with the requirements of Annex 3.

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 174 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.

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 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 2414/174-46)
Civil Aviation Safety Authority
PO Box 1941
BOROKO
National Capital District
- Delivered: Docket Clerk (NPRM 2414/174-46)
Civil Aviation Safety Authority
Morea-Tobo Road
Six Mile, Jacksons Airport
Port Moresby NCD
- By Email: Docket Clerk (NPRM 2414/174-46)
rules@casapng.gov.pg

7.1 Final date for submissions

Comments must be received before **COB,01st October 2024.**

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:

Taras Garap (Ms.)
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Proposed Rule Amendments

Part 174 Aviation Meteorological Service Organisation – Certification and Operation

Subpart A — General

174.3 Definitions

(a) In this Part:

Information Service- means an information service provides information consumers access to one or more applications or systems by means of the SWIM core services. It encapsulates a distinct set of operations logic within a well-defined functional boundary.

Subpart B — Certification Requirements

174.53 Site Requirements and Meteorological Office requirements

(a) An applicant for the grant of a meteorological service certificate shall establish procedures to ensure that—

- (2) each of the remote weather sensing facilities listed in their exposition is installed and maintained in a technically appropriate position along the take-off and touchdown zone of the runway to ensure that the facility provides an accurate representation of the local aerodrome meteorological conditions.

174.61 Facility Requirements

An applicant for the grant of a meteorological service certificate shall establish procedures to ensure that all electronic data processing facilities and conventional instruments used in the acquisition, compilation, computing, access or dissemination of meteorological information are of a nature, configuration and capability to ensure the adequacy, accuracy and timeliness of that meteorological and related information

174.79 Quality Management System

(b) The quality management system required by paragraph (a) must also include and address the following:

- (3) the supply of meteorological information is:

(iii) provided to the operators, flight crew members, air traffic services units, search and rescue services units, airport managements, and others concerned is provided through information services.



Subpart C — Operating Requirements

174.101 Continued compliance

The certificate holder shall—

...

- (5) notify the Director of any change of address for service, telephone number, or facsimile number required by form ~~CAA~~ 174/01 within 28 days of the change.

Subpart D — Meteorological Observations, Reports and Forecast

174.211 Dissemination of Meteorological Reports Information

A holder of a meteorological service certificate shall establish procedures to ensure that dissemination of meteorological information reports (METAR/SPECI, TAF, SIGMET and Forecasts) ~~shall be~~ are transmitted in IWXXM GML form, in addition to the supplementary information in abbreviated plain language.