



**Notice of Proposed Rule Making
NPRM 2414/20-03
28 August 2024**

**Part 20
Transition Rules**

**Docket24/14/CAR20/03
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 20.

2. Background to the Proposal

2.1 General Summary

Civil Aviation Rule (CAR) Part 20 Transition Rules came into force on 1 January 2004. The Part contains transition provisions for the introduction of new rules which require participants to change the manner in which they conduct an aviation activity.

To date, 10 amendments to the Part have been enacted.

- (a) Amendment 01 – 1st January 2011
- (b) Amendment 02 – 1st April 2015
- (c) Amendment 03 – 1st May 2016
- (d) Amendment 04 – 1st May 2017
- (e) Amendment 05 – 1st February 2018
- (f) Amendment 06 – 13th November 2018
- (g) Amendment 07 – 4th December 2019
- (h) Amendment 08 – 14th December 2020
- (i) Amendment 09 – 2nd November 2021
- (j) Amendment 10 – 3rd November 2022
- (k) Amendment 11 – 3rd April 2023

This NPRM amendment includes rule 20.139 which introduces the design requirement to pave movement areas in order to measure runway surface friction level and provide pavement markings, and shall come into effect on 7th November 2024.

2.2 NPRM Development

This NPRM resulted from the identified fact that the standards for runway surface friction measurement and pavement markings are considered not applicable at unpaved aerodromes. The risks associated with the absence of friction measurement and pavement markings are also not taken into consideration. This rationale gave rise to the development of a design requirement to ensure that movement areas are paved so that surface friction levels can be measured and markings installed.

2.3 Key Stakeholders

The Civil Aviation Safety Authority identifies the following as key stakeholders for the proposed rule amendments contained in this NPRM:

- (a) The Civil Aviation Safety Authority
- (b) The Ministry for Transport and Civil Aviation
- (c) Aviation Document Holders
- (d) Other interested stakeholders



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3. Issues Addressed during Development

The were no major issues addressed during the development of this NPRM.

3.1 Consequential Amendments

The imposition of the new requirement to pave movement areas will involve high cost for pavement sealing or surfacing. Therefore, the proposed requirement will be introduced in Part 20 and transition over 2 years before it comes into force and promulgated in Part 139.

3.2 Exemptions

There will be no filing of difference to ICAO as a result of this NPRM.

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

The proposed rule amendment are intended to comply with the SARPs contained in Annex 14, Volume I — Aerodrome Design and Operations, section 5.2.

The introduction of paved movement areas will increase the level of safety in terms of;

- (a) Allowing the installation of markings for designated points and positions on movement areas such as runway threshold, runway end, touchdown zone, aiming point, holding position, parking stand etc.
- (b) Allow measurement of runway surface friction level.
- (c) Eliminating risk of damage to aircraft tyres caused by loose stones that exist on a gravel surface.
- (d) Eliminating risk of bogged aircraft caused by soft spots that occur on a gravel surface after a downpour.

3.4 Compliance Costs

The proposed amendment coming into force will not impose additional requirements. Therefore, no additional cost is foreseen resulting from this NPRM.

4. Summary of changes

The following are the proposed amendments to the current Part;

Car Part 20		Current Rule	Changes
(a) 20.79		71.305	Delete rule 71 and replace with “Reserved”
(b) 20.119		139	Insert under heading “An applicant for the grant of an aerodrome operating certificate must ensure that the movement areas of the aerodrome are paved before 31 st December 2026.”
(c) 20.121		140	Delete rule 40 and replace with “Reserved”



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 20 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.



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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 2414/20-03)
Civil Aviation Safety Authority
PO Box 1941
Boroko
National Capital District

Delivered: Docket Clerk (NPRM 2414/20-03)
Civil Aviation Safety Authority
Morea-Tobo Road
Six Mile, Jacksons Airport
Port Moresby NCD

By Fax: Docket Clerk (NPRM 2414/20-03)
3251789 / 325 1919

By Email: Docket Clerk (NPRM 2414/20-03)
rules@casapng.gov.pg

7.1 Final date for submissions

Comments must be received before **COB, 17th March 2023.**

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:

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Proposed Rule Amendments

Part 20 Transition Rule

Subpart B — Transition Rules

20.79 Part 71

Reserved

~~A pilot in command of an aircraft must operate ADS-B OUT transmitting equipment in accordance with acceptable procedures, on or before the date specified for each airspace volume as mandated below.~~

Airspace Volume	Class	Applicability Date
Aerodrome Traffic Zones	F	02-Dec-2021
All remaining airspace	F	17-Jun-2022

20.119 Part 139

An applicant for the grant of an aerodrome operating certificate must ensure that the movement areas of the aerodrome are paved before 31st December 2026 ~~7th November 2024~~.

20.121 Part 140

Reserved

~~A holder of an aviation security organisation certificate must ensure it complies with the requirements of Appendix A. A.24 (a) (1) and A.24 (d) no later than 11th December 2021.~~