



**Notice of Proposed Rule Making
NPRM 19/07-11
8 November 2019**

**Part 65
Air Traffic Service
Personnel Licences and Ratings**

**Docket 19/07/CAR65/11
2019 Rules Review**

Proposed Rule Applicable 8th November 2019

Background to the Civil Aviation Rules

The Civil Aviation Rules establish the minimum regulatory safety boundary for participants to gain entry into, operate within, and exit the Papua New Guinea civil aviation system. The Rules are structured in a manner similar to the Civil Aviation Rules of New Zealand and the Federal Aviation Regulations of the USA. Where practicable the Rules also align with the International Civil Aviation Organization Annexes and the regulatory code of the Civil Aviation Safety Authority of Australia.

Rules are divided into Parts and each Part contains a series of individual rules that relate to a particular aviation activity. Advisory Circulars accompany many rule Parts and contain information about standards, practices and procedures that the Director has established to be an Acceptable Means of Compliance (AMC) with the associated rule. An Advisory Circular may also contain guidance material (GM) to facilitate compliance with the rule requirements.

The objective of the Civil Aviation Rules system is to strike a balance of responsibility between, on the one hand, the State and regulatory authority (CASA) 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 while providing the maximum flexibility for the participants to develop their own means of 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, among 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; and
- (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.

Contents

1. Purpose of this NPRM.....	4
2. Background to the Proposal.....	4
General Summary	4
NPRM Development	4
Key Stakeholders	4
3. Issues Addressed during Development.....	5
Consequential Amendments	5
Exemptions	5
ICAO SARPS and Level of Risk to Papua New Guinea Aviation Safety	5
Compliance Costs	5
4. Summary of Changes.....	5
5. Legislative Analysis.....	5
Power to Make Rules	5
Matters to be taken into account	7
6. Submissions on the NPRM.....	7
Submissions are invited	7
Examination of Submissions	8
Disclosure.....	8
7. How to make a submission.....	8
Final date for submissions	8
Availability of the NPRM:.....	8
Further information.....	9
Proposed Rule Amendments.....	10

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 65.

2. Background to the Proposal

2.1 General Summary

This amendment is to capture the following amendments:

- Amend rule 65.103(a)(4)(iv) to include the requirements for Threat & Error Management in the eligibility requirements for the issuance of an ATC license.
- Amend rule 65.203(a)(5) to include the requirements for Threat & Error Management in the eligibility requirements for the issuance of an ATC rating.
- Amend 65.303(a)(4)(iv) to include the requirements for Threat & Error Management in the eligibility requirements for the issuance of an ASO license.
- Amend 65.353(3) to include the requirements for Threat & Error Management in the eligibility requirements for the issuance of an ASO rating.
- Amend 65.209(b) to change the current duration for recent experience from the current 3 months to 6 months.

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. Therefore, international operations will need to remain consistent with the requirements of ICAO Annex 1. Although Threat & Error Management (TEM) standards were introduced by ICAO in Annex 1, amendment 170 becoming effective since the 17th November 2011, Papua New Guinea had never included TEM in Part 65. The amendment proposes to adopt ICAO Annex 1 standard 4.4.1.2 and 4.5.2.3 to include TEM into Part 65.

This amendment also proposes to increase the time duration for recent experience of an Air Traffic Controller not exercising the privileges of the ATC rating from 3 months to 6 months. This will align rule 65.209(b) with ICAO Annex 1 standard 4.5.2.2.2.

2.3 Key Stakeholders

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

- The Civil Aviation Safety Authority
- The Minister for Transport
- The Minister for Civil Aviation
- PNG Air Services Ltd (PNGASL).

3. Issues Addressed during Development

There were no issues arising out of the development of this proposal.

3.1 Consequential Amendments

There are no other consequential amendments to other Rule Parts.

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 Annexes:

- Annex 1 – Personnel Licensing

3.4 Compliance Costs

The proposal does not impose any additional costs to industry.

4. Summary of changes

This amendment is to capture the following amendments:

- (1) Amend rule 65.103(a)(4)(iv) to include the requirements for Threat & Error Management for the issue of an ATC license.
- (2) Amend rule 65.203(a)(5) to include the requirements for Threat & Error Management for the issue of an ATC rating.
- (3) Amend 65.303(a)(4)(iv) to include the requirements for Threat & Error Management for the issue of an ASO license.
- (4) Amend 65.353(3) to include the requirements for Threat & Error Management for the issue of an ASO rating.
- (5) Amend 65.209(b) to change the current duration for recent experience from the current 3 months to 6 months.

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 allows the Minister to make rules for the purpose of the implementation of Papua New Guinea's obligations under the Convention:
- (b) Section 69(b) which allows the Minister to make rules for the purpose of assisting aviation safety and security, including (but not limited to) personal security:
- (c) Section 69(5) which allows the Minister to make rules that provide for matters to be determined or approved by the Authority, the Director, or any other person or empower the Authority, the Director or any other person to impose requirements, or conditions on the performance of any activity including but not limited to procedures to be followed:

- (d) Section 70(c) which allows the Minister to make rules providing for general operating rules, air traffic rules, and flight rules, including but not limited to the following:
 - (1) the conditions under which aircraft may be used or operated, or under which any act may be performed in or from an aircraft:
 - (2) the prevention of aircraft endangering persons or property.
- (e) Section 72(a) which allows the Minister to make rules for the designation, classification, and certification of all or any of the following:
 - (1) aircraft:
 - (2) aircraft pilots:
 - (3) flight crew members:
 - (4) air traffic service personnel:
 - (5) aviation security service personnel:
 - (6) aircraft maintenance personnel:
 - (7) aviation examiners or medical examiners:
 - (8) air services:
 - (9) air traffic services:
 - (10) aerodromes and aerodrome operators:
 - (11) aeronautical navigation service providers:
 - (12) aviation training organisations:
 - (13) aircraft design, manufacture, and maintenance organisations:
 - (14) aeronautical procedures:
 - (15) aviation security services:
 - (16) aviation meteorological services:
 - (17) aeronautical communication services:
 - (18) any other person who provides services in the civil aviation system, and any aircraft, aeronautical products, aviation related services, facilities, and equipment operated in support of the civil aviation system, or classes of such persons, aircraft, aeronautical products, aviation related services, facilities, and equipment operated in support of the civil aviation system:
- (f) Section 70(b) which allows the Minister to make rules for the setting of standards, specifications, restrictions, and licensing requirements for all or any of those persons or things specified in paragraph 70(a) including the specifications of standards of design, construction, manufacture, processing, testing, supply, approval, and identification of aircraft and aeronautical products:

- (g) Section 70(c) which allows the Minister to make rules setting the conditions of operation of foreign aircraft and international flights to, from, or within Papua New Guinea:
- (h) Section 70(d) which allows the Minister to make rules for the definitions, abbreviations, and units of measurement to apply within the civil aviation system.

The proposed amendment of Part 65 complies with the requirements of the Civil Aviation Act and does not contravene the Constitution, the Aerodrome (Business Concession) Act, Civil Aviation (Aircraft 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 International Civil Aviation Organization (ICAO) Annex 1 – *Personnel Licensing*.

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 and enhance safety and security levels.

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 rules by submitting written data, views, or comments. All submissions will be considered before final action on the proposed rulemaking is taken. If there is a need to make any significant change to the rule requirements in this 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 on the CAA web site and provided to each person who submits a written submission on this NPRM. Submissions may be examined by application to the Docket Clerk at the Civil Aviation Safety Authority Headquarter Building 1, Level 1, Morea Tobo Road, Six Mile, NCD Port Moresby 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 CASA 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 a submission

Submissions may be sent by the following methods:

- | | |
|------------|--|
| by Mail: | Docket Clerk (NPRM 19/07-11)
Civil Aviation Safety Authority
PO Box 1941
BOROKO
National Capital District |
| delivered: | Docket Clerk (NPRM 19/07-11)
Civil Aviation Safety Authority
Morea-Tobo Road
Six Mile, Jacksons Airport
Port Moresby NCD |
| by Fax: | Docket Clerk (NPRM 19/07-11)
3251789 / 325 1919 |
| by Email: | Docket Clerk (NPRM 19/07-11)
rules@casapng.gov.pg |

7.1 Final date for submissions

Comments must be received before **COB 27th September, 2019**

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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Subpart A — General

65.1 Purpose

This Part prescribes rules governing-

- (1) the issue of air traffic service licences and ratings; and
- (2) the conditions under which those licences and ratings are necessary; and the privileges and limitations of air traffic services personnel licences and ratings.

65.3 Definitions

In this Part—

Air traffic service personnel licence means any licence issued under Part 65:

Authorised Air Traffic Services Examiner means a person appointed by the Director as an authorised representative under Part 183.

Direct supervision, in respect of the privileges of an air traffic service personnel licence or rating, means the licence holder is supervising the situation as closely as if they were performing the task themselves, and is ready to correct or take over control at any time:

Validation, in respect of an air traffic service rating, means an authorisation to exercise the privileges of that rating at a specified location, and in a specified operating position.

65.5 Requirement for licences and ratings

- (a) A person who provides an air traffic service within the airspace specified in rule 172.1 may only provide that service within an organisation operating under the authority of an air traffic service certificate issued under Part 172 and must hold-
 - (1) an appropriate current air traffic service licence issued under this Part; and
 - (2) an appropriate current rating issued and validated under this Part.
- (b) A person who exercises the privileges of an air traffic service instructor listed in rule 65.255 must hold a current air traffic service instructor rating issued under this Part

65.7 Licences and ratings

- (a) The following air traffic service personnel licences and ratings may be granted by the Director under section 49 of the Act in accordance with the applicable requirements of this Part:
 - (1) Air traffic controller licence:
 - (2) Aeronautical station operator licence:
 - (3) Air traffic controller ratings:
 - (i) Aerodrome control rating:
 - (ii) Approach control procedural rating:
 - (iii) Approach control surveillance rating:
 - (iv) Area control procedural rating:
 - (v) Area control surveillance rating:
 - (vi) Area control automatic dependant surveillance rating:

- (4) Air traffic service instructor rating;
 - (5) Aeronautical station operator rating
 - (i) Oceanic air-ground rating;
 - (ii) Aerodrome flight information rating;
 - (iii) Area flight information rating;
- (b) All ratings and validations under this Part shall be shown on the holder's licence.

65.9 Specifications for Licences

An air traffic service personnel licences issued under this Part must contain the following:

- (1) Name of the issuing State; and
- (2) Title of licence; and
- (3) Licence number; and
- (4) Full name of the licence holder; and
- (5) Licence holder's date of birth; and
- (6) Licence holder's address; and
- (7) Licence holder's nationality; and
- (8) Signature of the licence holder; and
- (9) Authority and conditions under which the licence is issued; and
- (10) Certification concerning validity and authorization for holder to exercise privileges; and
- (11) Signature of the Officer issuing the licence and the date of such issue; and
- (12) Seal or stamp of Authority issuing the licence; and
- (13) Ratings and endorsements; and
- (14) Remarks on ratings and endorsements and other information required by Article 39 to the Convention.

65.11 Application for licences and ratings

Each applicant for the grant of an air traffic service personnel licence, an air traffic service instructor rating, or for the endorsement of any other rating on that licence, shall complete form CA 65/01 and submit it to the Director with a payment of the appropriate application fee prescribed by regulations made under the Act if applicable.

65.13 Issue of licences and ratings

An applicant is entitled to a licence or rating issued by the Director under this Part if the Director is satisfied that—

- (a) the applicant is a fit and proper person; and
- (b) the applicant has sufficient ability in reading, writing, speaking, and understanding the English language to enable the applicant to carry out their responsibilities as the holder of that licence or rating; and
- (c) the applicant complies with all of the eligibility requirements specified in this Part for that licence or rating; and
- (d) the granting of the licence or rating is not contrary to the interests of aviation safety.

65.15 Production of licences or ratings

- (a) The holder of a licence or rating must on request of the Director, produce the licence or rating for inspection as soon as practicable.
- (b) The licence or rating holder's signature must be entered on the licence or rating.

65.17 Duration of licences and ratings

- (a) Except as provided in paragraph (b), a licence or rating issued under this Part shall be valid for the lifetime of the holder unless it is suspended or revoked in accordance with the Act.
- (b) The Director may, where the Director considers it necessary, issue a temporary licence or rating.

65.19 Examinations

- (a) A candidate for an examination under this Part shall—
 - (1) produce written proof of their identity; and
 - (2) except where a particular examination requires a higher pass mark, gain at least 75% of the possible marks in order to achieve an examination pass credit.
- (b) An organisation conducting any examination required under this Part shall identify any knowledge deficiencies exhibited by each candidate, and shall ensure those deficiencies are corrected before issuing any examination pass credit.
- (c) A pass in a written subject is valid for the lifetime of the holder except for a written pass in Air Law which shall lapse after 2 years if the licence or rating has not been issued in that two-year period.

65.21 Cheating or other unauthorized conduct

- (a) During any examination under this Part, no person shall, unless authorised by the conducting officer—
 - (1) copy from another person; or
 - (2) refer to any source of information; or
 - (3) communicate in any way with anyone other than the conducting officer; or
 - (4) take an examination on behalf of anyone else; or
 - (5) remove material from the examination; or
 - (6) record any examination by electronic means.
- (b) Any person who performs any of the acts specified in paragraph (a) shall be liable to all or any of the following subject to the Director's decision:
 - (1) failure in that subject;
 - (2) disqualification of all or any subjects already passed;
 - (3) debarment from sitting further examinations under the Civil Aviation Rules for up to 12 months;
 - (4) suspension or revocation of any licence, certificate, or rating issued to that person under this or any other Part of these rules.

65.23 Medical requirements

- (a) Except as provided in (d) the holder of an air traffic controller licence issued under this Part shall not exercise the privileges of that licence unless that person—
- (1) holds a current Class 3 medical certificate issued under Part 67; and
 - (2) complies with all medical endorsements on that medical certificate.
- (b) The holder of an air traffic controller licence issued under this Part shall not exercise the privileges of that licence—
- (1) while they have a known medical deficiency that would make them unable to meet the medical standards for their medical certificate; or
 - (2) after—
 - (i) any medical procedure which involves the holder being subjected to general anaesthesia; or
 - (ii) other major surgery; or
 - (iii) in the case of pregnancy, the end of the second trimester or after delivery or termination—
until they are assessed fit again by an authorised aviation medical assessor; or
 - (3) is not using one or more psychoactive substances.
- (c) A person who exercises the privileges of an air traffic controller licence issued under this Part shall, on demand by the Director, by any employee of the Authority duly authorised by the Director, or by any sworn member of the Police—
- (1) produce, within 7 days, a current Class 3 medical certificate issued under Part 67; and
 - (2) on further demand by any such person surrender such medical certificate to that person.
- (d) The holder of an Aeronautical Station Operator Licence issued under this Part is not required to hold a current Class 3 medical certificate in order to exercise the privileges of that licence.

65.25 Examination for continued fitness or proficiency

- (a) The holder of a licence or rating issued under this Part shall, within such period as the Director determines, undergo such medical or other examination or test as the Director considers necessary to demonstrate their continued fitness or proficiency in the capacity for which the licence or rating is held.
- (b) A person who undergoes a medical or other examination or test under paragraph (a) and who fails to comply with the requirements prescribed for the grant of the licence or rating held, shall not exercise the privileges of that licence or rating.

65.27 Offences involving alcohol or drugs

A conviction for any offence relating to alcohol or drugs, including a refusal to submit to any lawful test for alcohol or drugs, shall be relevant for determining whether a person is or remains fit and proper to hold a licence. Such conviction may result in a refusal to grant a licence, or suspension or revocation of the licence.

Subpart B — Air Traffic Controller Licences

65.101 Purpose

This Subpart prescribes rules governing—

- (1) the issue of air traffic controller licences; and
- (2) the privileges and limitations of those licences.

65.103 Eligibility requirements

- (a) To be eligible for an air traffic controller licence a person shall—
 - (1) have completed an approved training course or hold a current air traffic controller licence issued by a foreign contracting State to the Convention; and
 - (2) be at least 21 years of age; and
 - (3) have at least—
 - (i) three months satisfactory service engaged in air traffic control under the supervision of an appropriately rated air traffic control instructor; or
 - (ii) two years' experience, within the State of issue, exercising the privileges of an air traffic controller licence issued by a foreign contracting State to the Convention; and
 - (4) have passed examinations relevant to the duties of an air traffic controller, in the following subject areas:
 - (i) *Air law*: Rules and regulations; and
 - (ii) *Air traffic control equipment*: Principles, use, and limitations of equipment used in air traffic control; and
 - (iii) *General aircraft knowledge*: Principles of flight; principles of operation and functioning of aircraft, power plants and systems; aircraft performances; and
 - (iv) *Human factors*: Human performance including the principles of threat and error management and limitations with emphasis on cognitive maps, the role of imagery in their work, fatigue, workload stressors in ATC operations, equipment and workspace design, and key issues in human communication; and
 - (v) *Meteorology*: Aeronautical meteorology; use and appreciation of meteorological documentation and information; origin and characteristics of weather phenomena affecting flight operations and safety; altimetry; and
 - (vi) *Navigation*: Principles of air navigation; principle, limitation and accuracy of navigation systems and visual aids; and
 - (vii) *Operational procedures*: Air traffic control, separation standards and operating procedures, communication, radiotelephony and phraseology procedures (routine, non-routine and emergency); use of the relevant aeronautical documentation; safety practices associated with flight; and
 - (5) have met the training, experience, and assessment requirements for at least one air traffic controller rating issued under Subpart C; and
 - (6) have demonstrated to an appropriate authorised air traffic service examiner the

ability to perform competently the duties of an air traffic controller.

- (b) The holder of a current air traffic controller licence issued by a foreign contracting State to the Convention is deemed to have passed the examinations required by paragraph (a)(4) in general aircraft knowledge, meteorology, and navigation.
- (c) The examinations required to be passed by paragraph (a)(4) shall be conducted by—
 - (1) the holder of an air traffic service organisation certificate issued under Part 172, where the certificate authorises the holder to conduct those examinations; or
 - (2) the holder of an aviation training organisation certificate issued under Part 141, where the certificate authorises the holder to conduct those examinations; or
 - (3) an overseas training organisation duly recognised by ICAO and accepted by the Director to be equivalent to (c)(1) or (c)(2).

65.105 Privileges and limitations

- (a) An air traffic controller licence authorises the holder to exercise the privileges of any current air traffic controller ratings and validations held.
- (b) The holder of a current air traffic controller licence shall not exercise the privileges of paragraph (a) unless the person-
 - (1) is not under the influence of any psychoactive substance; and
 - (2) has demonstrated proficiency in the English language at ELP level 4 or above; and
 - (3) is evaluated for continuing proficiency at ELP Level 4 at least once every three years and at ELP Level 5 at least once every six years.

65.107 Recent experience requirements

Where the privileges of an air traffic controller licence issued under this Part have not been exercised within the immediately preceding 3 years, the licence holder shall meet the requirements of 65.103(a)(6) before the privileges of that licence may be exercised again.

Subpart C — Air Traffic Controller Ratings

65.201 Purpose

This Subpart prescribes rules governing—

- (1) the issue and validation of the following air traffic controller ratings—
 - (i) Aerodrome control rating;
 - (ii) Approach control procedural rating;
 - (iii) Approach control surveillance rating;
 - (iv) Area control procedural rating;
 - (v) Area control surveillance rating;
 - (vi) Area control automatic dependant surveillance rating; and
- (2) the privileges and limitations of those ratings; and
- (3) where a person's air traffic controller rating refers to an-
 - (i) approach control rating, it is deemed to be an approach procedural rating; and
 - (ii) approach control radar rating, it is deemed to be an approach surveillance rating; and
 - (iii) area control rating, it is deemed to be an area control procedural rating; and

- (iv) area control radar rating, it is deemed to be an area control surveillance rating.

65.203 Eligibility requirements

(a) To be eligible for an air traffic controller rating and an initial validation of that rating a person shall—

- (1) hold an air traffic controller licence; and
- (2) have satisfactorily completed a training course relevant to the rating and validation, in the following subject areas—
 - (i) *Aerodrome control rating*: Aerodrome layout; physical characteristics and visual aids, airspace structure; applicable rules, procedures and source of information; air navigation facilities; air traffic control equipment and use; terrain and prominent landmarks; characteristics of air traffic; weather phenomena; emergency and search and rescue plans:
 - (ii) *Approach control procedural and area control procedural ratings*: Airspace structure; applicable rules, procedures and source of information; air navigation facilities; air traffic control equipment and its use; terrain and prominent landmarks; characteristics of air traffic and traffic flow; weather phenomena; emergency and search and rescue plans:
 - (iii) *Approach surveillance and area control surveillance ratings*: As for subparagraph (ii) in so far as they affect the area of responsibility, plus — Principles, uses and limitations of radar, other surveillance systems and associated equipment; procedures for the provision of approach or area radar control services, as appropriate, including procedures to ensure appropriate terrain clearance, and emergency procedures:
 - (iv) *Area control automatic dependant surveillance rating*: As for subparagraph (ii) in so far as they affect the area of responsibility, plus — Principles, uses and limitations of automatic dependant surveillance systems and associated equipment; procedures for the provision of area control automatic dependant surveillance services, including procedures to ensure appropriate terrain clearance, emergency procedures; and
- (3) have completed the following applicable experience under the direct supervision of an appropriately rated holder of an air traffic service instructor rating:
 - (i) *Aerodrome control rating*: an aerodrome control service, for at least 90 hours or one month, whichever is the greater, at the aerodrome for which the rating is sought:
 - (ii) Approach control procedural, approach control surveillance, area control procedural, area control surveillance, or area control automatic dependant surveillance rating: the control service for which the rating is sought, for at least 180 hours or three months, whichever is the greater, providing the service at the unit for which the rating is sought; and
- (4) have passed examinations relevant to the privileges of the rating, in the subject areas specified in paragraph (2), conducted by—
 - (i) the holder of an air traffic service certificate granted under section 49 of the Act in accordance with Part 172, where the certificate authorises the holder

- to conduct those examinations; or
- (ii) the holder of an aviation training organisation certificate granted under section 49 of the Act in accordance with Part 141, where the certificate authorises the holder to conduct those examinations; and
- (5) have demonstrated to the holder of an appropriate air traffic service instructor rating, the skill, judgement, and performance including the principles of threat and error management, required to provide a safe, orderly, and expeditious control service, at the unit for which the rating is sought.
- (b) The training required to be completed by paragraph (a)(2) shall be conducted by—
- (1) the holder of an air traffic service organisation certificate referred to in (a)(4)(i), where the certificate authorises the holder to conduct that training; or
- (2) the holder of an aviation training organisation certificate referred to in (a)(4)(ii), where the certificate authorises the holder to conduct that training; or
- (3) an overseas training organisation duly recognised by ICAO, and accepted by the Director to be equivalent to (b)(1) or (b)(2).
- (c) To be eligible for validation of an existing air traffic controller rating for an additional location a person shall—
- (1) have completed the training required by paragraph (a)(2) for the additional location; and
- (2) have complied with the requirement of paragraph (a)(5) for the additional location.

65.205 Issue

- (a) When an appropriate authorised air traffic service examiner is satisfied that the requirements of 65.203(a) for an air traffic controller rating have been met, they shall issue the rating by entering in the air traffic controller's licence the rating; any conditions on the use of the rating; the name of the location for which it has been validated; the name, number of licence and rating, and signature of the examiner; and date of issue of the air traffic control rating.
- (b) When an appropriate authorised air traffic service examiner is satisfied that the requirements of 65.203(c) for the additional validation of an air traffic controller rating have been met, they shall validate the rating by entering in the air traffic controller's licence the name of the location for which the rating has been validated; the name, number of licence and rating, and signature of the examiner; and date of issue of the additional validation.
- (c) Upon application to the Director and payment of the applicable fee, the holder of an air traffic controller licence may, in addition, have their ratings endorsed on their licence.

65.207 Privileges and limitations

- (a) Subject to paragraph (b), the following air traffic controller ratings authorise the holder to exercise the corresponding privileges—
- (1) *Aerodrome control rating*: to provide aerodrome control service at the aerodrome or aerodromes for which the rating is validated:
- (2) *Approach control procedural rating*: to provide approach control service for the aerodrome or aerodromes for which the rating is validated:
- (3) *Approach control surveillance rating*: to provide approach control service with the use of radar, or other surveillance systems, for the aerodrome or aerodromes for which the

rating is validated:

- (4) *Area control procedural rating*: to provide area control service within the control area or areas for which the rating is validated:
- (5) *Area control surveillance rating*: to provide area control service with the use of radar, or other surveillance systems, within the control area or areas for which the rating is validated:
- (6) *Area control automatic dependant surveillance rating*: to provide area control service with the use of automatic dependant surveillance systems, within the control area or areas for which the rating is validated.

(b) Before exercising the privileges of a rating, the holder shall be familiar with all current information relevant to that rating.

65.209 Recent experience requirements

(a) Where the privileges of an air traffic controller rating or validation issued under this Part have not been exercised, without direct supervision, for at least 5 hours of operational duty during a single shift, within the immediately preceding 21 days, the holder shall demonstrate their ability to perform unsupervised duty to an appropriate authorised air traffic service examiner, before the privileges of that rating or validation may be exercised again.

(b) Where the privileges of an air traffic controller rating or validation issued under this Part have not been exercised within the immediately preceding 36 months, the holder shall meet the requirements of 65.203(a)(5) before the privileges of that rating or validation may be exercised again.

Subpart D — Air Traffic Service Instructor Ratings

65.251 Purpose

This Subpart prescribes rules governing—

- (1) the issue of air traffic service instructor ratings; and
- (2) the privileges and limitations of those ratings.

65.253 Eligibility requirements

(a) To be eligible for an air traffic service instructor rating a person shall—

- (1) hold an air traffic service licence; and
- (2) have at least 1-year experience exercising the privileges of an air traffic controller licence or an aeronautical station operator licence; and
- (3) have satisfactorily completed a training course in the theory and practice of instruction conducted by—
 - (i) the holder of an air traffic service certificate issued under Part 172, where the certificate authorises the holder to conduct that training; or
 - (ii) the holder of an aviation training organisation certificate issued under Part 141, where the certificate authorises the holder to conduct that training; and
- (4) have demonstrated the ability to exercise the privileges of the rating by passing an examination and a practical test that are acceptable to the Director.

- (b) The examination and test required to be demonstrated by paragraph (a)(4) shall be conducted by—
- (1) the holder of an air traffic service organisation certificate issued under Part 172, where the certificate authorises the holder to conduct those assessments; or
 - (2) the holder of an aviation training organisation certificate issued under Part 141, where the certificate authorises the holder to conduct those assessments.

65.255 Privileges and limitations

- (a) Subject to paragraph (b), the holder of an air traffic service instructor rating is authorised to—
- (1) instruct air traffic service personnel; and
 - (2) directly supervise air traffic service personnel under training, or regaining currency, who are performing air traffic service duties.
- (b) Subject to paragraph (c), to exercise the privileges of an air traffic service instructor rating the holder shall—
- (1) hold a current air traffic service licence with a current rating and validation for the relevant service; and
 - (2) exercise those privileges within an organisation operating under—
 - (i) an air traffic service certificate issued under Part 172, where the certificate authorises the holder to conduct those privileges; or
 - (ii) an aviation training organisation certificate issued under Part 141, where the certificate authorises the holder to conduct those privileges; and
 - (3) to assess for, and issue to the holders of air traffic service licences, air traffic service ratings and validations—
 - (i) have at least 2 years' experience exercising the privileges of an air traffic controller licence or an aeronautical station operator licence; and
 - (ii) within the immediately preceding 13 months have demonstrated to the holder of an appropriate authorised air traffic service examiner the ability to exercise those privileges by passing an examination and a practical test based on the exercise of those privileges of the rating.
- (c) Where the holder of an instructor rating is not exercising the privilege of providing an air traffic service, the holder is not required to hold a current medical certificate.

Subpart E – Aeronautical Station Operator Licences

65.301 Purpose

This Subpart prescribes rules governing—

- (1) the issue of aeronautical station operator licences; and
- (2) the privileges and limitations of those licences.

65.303 Eligibility requirements

- (a) To be eligible for an aeronautical station operator licence a person shall—

- (1) Have completed an approved training course or hold a current aeronautical station operator licence issued by a foreign contracting State to the Convention; and
 - (2) be at least 18 years of age; and
 - (3) have at least—
 - (i) six months satisfactory service engaged in aeronautical station operation under the supervision of a licensed aeronautical station operator; or
 - (ii) one-year experience, within the State of issue, exercising the privileges of an aeronautical station operator licence issued by a foreign contracting State to the Convention; and
 - (4) have passed examinations relevant to the duties of an aeronautical station operator, in the following subject areas:
 - (i) Air law: Rules and regulations; and
 - (ii) *Aeronautical station telecommunication equipment*: Principles, use, and limitations of telecommunication equipment used; and
 - (iii) *General knowledge*: Air traffic services provided within Papua New Guinea; and
 - (iv) *Human factors*: Human performance including the principles of threat and error management and limitations with emphasis on fatigue, workload stressors in telecommunications operations, equipment and workspace design, and key issues in human communication; and
 - (v) *Meteorology*: Aeronautical meteorology; use and appreciation of meteorological phenomena affecting flight operations and safety; and
 - (vi) *Operational procedures*: Operating procedures, communication, radiotelephony and phraseology procedures (routine, non-routine and emergency); use of the relevant aeronautical documentation; safety practices associated with flight; and
 - (vii) *Air traffic services general knowledge*: Air traffic service provided within Papua New Guinea; and
 - (5) have demonstrated to an appropriate authorised air traffic service examiner the ability to perform competently the duties of an aeronautical station operator in the following areas:
 - (i) operating the telecommunication equipment in use; and
 - (ii) transmitting and receiving radiotelephony messages with efficiency and accuracy.
- (b) The holder of a current aeronautical station operator licence issued by a Contracting State is deemed to have passed the examinations required by paragraph (a)(4).
- (c) The examinations required to be passed by paragraph (a)(4) shall be conducted by—
- (1) the holder of an air traffic service organisation certificate issued under Part 172, where the certificate authorises the holder to conduct those examinations; or
 - (2) the holder of an aviation training organisation certificate issued under Part 141, where the certificate authorises the holder to conduct those examinations; or
 - (3) an overseas training organisation duly recognised by ICAO and accepted by the Director to be equivalent to (c)(1) or (c)(2).

65.305 Privileges and limitations

- (a) An aeronautical station operator licence authorises the holder to act as an operator in an aeronautical station.
- (b) The holder of a current aeronautical station operator licence shall not exercise the privileges of paragraph (a) unless the person-
 - (1) is not under the influence of any psychoactive substance; and
 - (2) has demonstrated proficiency in the English language at ELP level 4 or above.; and
 - (3) is evaluated for continuing proficiency at ELP Level 4 at least once every three years and at ELP Level 5 at least once every six years.

65.307 Recent experience requirements

Where the privileges of an aeronautical station operator licence issued under this Part have not been exercised within the immediately preceding 3 years, the licence holder shall meet the requirements of 65.303(a)(5) before the privileges of that licence may be exercised again.

Subpart F — Aeronautical Station Operator Ratings

65.351 Purpose

This Subpart prescribes rules governing—

- (1) the issue of the following aeronautical station service operator ratings-
 - (i) Oceanic air-ground rating;
 - (ii) Aerodrome Flight information rating;
 - (iii) Area flight information rating; and
- (2) the privileges and limitations of those ratings.

65.353 Eligibility requirements

To be eligible for an aeronautical station operator rating and an initial validation of that rating, a person shall—

- (1) hold an aeronautical station operator licence; and
- (2) have satisfactorily completed a training course relevant to the rating conducted by—
 - (i) the holder of an air traffic service certificate issued under Part 172, where the certificate authorises the holder to conduct that training; or
 - (ii) the holder of an aviation training organisation certificate issued under Part 141, where the certificate authorises the holder to conduct that training; and
- (3) have demonstrated to the holder of an applicable air traffic service examiner the required skill, judgement, and performance including the principles of threat and error management to provide the aeronautical service at the unit for which the rating is sought.

65.355 Issue

- (a) When an appropriate authorised air traffic service examiner is satisfied that the requirements of 65.353 for an aeronautical station operator rating have been met, the examiner shall issue the rating by entering in the aeronautical station operator's licence the rating; any conditions on the use of the rating; the name of the location for which it has been validated; the name, number of licence and rating, and signature of the examiner; and date of issue of the aeronautical station operator rating.

- (b) When an appropriate authorised air traffic service examiner is satisfied that the requirements of 65.353 for the additional validation of an aeronautical station operator rating have been met, the examiner shall validate the rating by entering in the aeronautical station operator's licence the name of the location for which the rating has been validated; the name, number of licence and rating, and signature of the examiner; and date of issue of the additional validation.
- (c) Upon application to the Director and payment of the applicable fee, the holder of an aeronautical station operator licence may, in addition, have their ratings endorsed on their licence.

65.357 Privileges and limitations

- (a) Subject to paragraph (b), the following aeronautical station operator ratings authorise the holder to exercise the corresponding privileges—
- (1) *Oceanic air-ground rating*: to provide oceanic air ground service for the area or areas for which the holder is validated:
 - (2) *Aerodrome flight information rating*: to provide aerodrome flight information service for the aerodrome or aerodromes for which the holder is validated:
 - (3) *Area flight information rating*: to provide flight information service for the area or areas for which the holder is validated:
- (b) Before exercising the privileges of a rating, the holder shall be familiar with all current information relevant to that rating.

65.359 Recent experience requirements

- (a) Where the privileges of an aeronautical station operator rating or validation issued under this Part have not been exercised, without direct supervision, for at least 5 hours of operational duty during a single shift, within the immediately preceding 28 days, the holder shall demonstrate their ability to perform unsupervised duty to an authorised air traffic service examiner, before the privileges of that rating or validation may be exercised again.
- (b) Where the privileges of an aeronautical station operator rating or validation issued under this Part have not been exercised with the immediately preceding 6 months, the holder shall meet the requirements of 65.353(3) before the privileges of that rating or validation may be exercised again.