



**Notice of Proposed Rule Making
NPRM 19/07- 14
08 November 2019**

Part 71

**Designation and Classification of
Airspace**

**Docket 19/07CAR71/14
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.

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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) 71.

2. Background to the Proposal

2.1 General Summary

PNG has been advised by ICAO Regional Office Bangkok that there are some discrepancies regarding the description of the Port Moresby Flight Information Region (FIR). The boundary data published in the AIP does not align with that held by ICAO or neighboring ANSPs.

Further, PNG has been tasked to rectify the discrepancies to ensure accurate data alignment. The data held by ICAO and Indonesia in respect of the common boundary with PNG indicates an FIR boundary that extends from 00 00 00S 141 00 00E directly south along the 141E longitude to 09 37 00S 141 00 00E.

The boundary data held by PNG, and published in the AIP, is currently as follows: 00 00 00S 141 00 00E, 06 19 14S 141 00 00E, (then follows a number of coordinates loosely aligned with the Fly River) 06 53 34S 141 06 00E, 09 37 00S 141 06 00E. In addition to this data not aligning with current ICAO held data, the 'non-straight' boundary also presents problems with cross boundary flights in terms of their management in modern ATM systems.

The discrepancies in the common boundary between the Port Moresby and Brisbane FIRs were of a very minor nature and involved differences in the rounding of seconds in the boundary coordinates. These have been rectified and agreed.

Consequently it is proposed that:

PNG rectify the boundary data discrepancy and that the current FIR boundary data held by PNG, is amended so as to align with the current ICAO held data.

ADS-B OUT capability throughout PNG fleet of aircraft is gradually increasing and the majority of aircraft operating above FL245 are already equipped. It is also noted that the majority of aircraft operating to/from Australian airspace are also ADS-B equipped. The new PNGASL CNS/ATM "NiuSky" system is progressing well with the deployment of its ADS-B ground stations throughout the country which will complement the current radar surveillance capabilities.

In accordance with ICAO Annex 11 and in view of the current positive developments in aircraft ADS-B fitment and usage, it is proposed that further amendment be made to include a new airspace designation of ADS-B mandatory airspace in the Moresby Flight Information Region (FIR).

Make consequential amendments and editorial changes.

2.2 NPRM Development

The review of rules under this rulemaking cycle is to rectify the boundary date discrepancy and align the Port Moresby Flight Information Region boundary with ICAO data and designate ADS-B mandatory airspace in the Port Moresby FIR for Class A, C, and F airspace with transitional provisions.

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 Minister for Transport
- (3) The Minister for Civil Aviation
- (4) PNG Air Service Limited
- (5) Aircraft operators

3. Issues Addressed during Development

The issues addressed during the development of this NPRM is to mandate ADS-B OUT requirements in accordance with Amendment 10 and 11 of Annex 10 and Annex 11 and align Port Moresby FIR with ICAO data

3.1 Consequential Adjustments

With the inclusion of the new amendments there will be consequential amendments, in terms of the transitional period which relates to CAR Part 20

3.2 Exemptions

There is no provision for exemptions

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 ICAO SARPs contained in the following Annexes:

- Annex 10 – Air Traffic Services.
- Annex 11 – Aeronautical Telecommunications.

3.4 Compliance Costs

No Costs is likely to be incurred by the operator

4. Summary of changes

- Rectification of the boundary data discrepancy and that the current FIR boundary data held by PNG, is amended so as to align with the current ICAO held data.
- Proposed new sub-paragraph under 71.3 (v) – Designation of ADS-B mandatory airspace in accordance with Subpart G
- Proposed new sub-paragraph under 71.9 (5) – Consultation on ADS-B mandatory airspace with stakeholders.
- Proposed new Rule 71.251 in Subpart F – ADS-B mandatory airspace within Class A, C, and F airspace
- Proposed new Rule 71.253 in Subpart F – ADS-B mandatory airspace within special use airspace.
- Paragraphs re-numbering and minor editorial changes.
- Creation of new Subpart G – ADS-B mandatory airspace
- Insertion of ADS-B mandatory airspace in Appendix A – Transitional Provisions.

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 71 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) Annexes 10 and 11.

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

The proposed rule amendments will enhance air navigation safety 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 19/07-14)
Civil Aviation Safety Authority
PO Box 1941
BOROKO
National Capital District |
| delivered: | Docket Clerk (NPRM 19/07-14)
Civil Aviation Safety Authority
Morea-Tobo Road
Six Mile, Jacksons Airport
Port Moresby NCD |
| by Fax: | Docket Clerk (NPRM 19/07-14)
3251789 / 325 1919 |
| by Email: | Docket Clerk (NPRM 19/07-14) |

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:

Carol Jaran (Ms)
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Subpart A—General

71.1 Purpose

This Part prescribes rules, for the designation and classification of airspace within the territorial limits of Papua New Guinea.

71.3 Overview of this Part

- (a) Under this Part the Director may designate-
- (1) Any portion of airspace within the Port Moresby Flight Information Region as any one or more of the following:
 - (i) a sector if the Director considers such a designation is necessary to facilitate the provision of an air traffic service within the flight information region:
 - (ii) controlled and associated airspace in accordance with Subpart B:
 - (iii) special use airspace in accordance with Subpart D:
 - (iv) transponder mandatory airspace in accordance with Subpart E.
 - (v) ADS-B mandatory airspace in accordance with Subpart G.
 - (2) visual reporting points, area QNH zones, mountainous zones, and other miscellaneous designations in accordance with Subpart F.
- (b) The Director must classify airspace that is designated as controlled airspace under paragraph (a)(1)(ii) in accordance with Subpart C.
- (c) The Director may classify a portion of airspace that is not designated as controlled airspace under paragraph (a)(1)(ii) as Class F in accordance with Subpart C.
- (d) Any portion of airspace within the flight information region that is not designated as controlled airspace under paragraph (a)(1)(ii) is uncontrolled airspace and is classified as Class G airspace unless it is classified as Class F airspace under paragraph (c).

71.5 Boundaries of designated airspace

- (a) The lateral limits of airspace designated under this Part must be defined by-
- (1) geographical co-ordinates in degrees, minutes, and seconds; and
 - (2) any one or more of the following:
 - (i) prominent geographical line features:
 - (ii) a circle or any part of a circle of specified radius around a geographical coordinate:
 - (iii) a great circle between 2 points:
 - (iv) a parallel of latitude.
- (b) The vertical limits of airspace designated under this Part must be defined by heights, altitudes, or flight levels.
- (c) Unless otherwise specified, the expression to a height includes that height.

71.7 Application for designation and classification of airspace

- (a) Any person with a bona fide interest in airspace may apply to the Director for a designation or classification of airspace under this Part.
- (b) An applicant for an airspace designation or classification must provide the following details:
- (1) the name and contact details of the applicant:
 - (2) the type of designation or classification required:
 - (3) the reason for the designation or classification:
 - (4) the dimensions or other boundary information for the airspace that is required:
 - (5) the period for which the designation or classification is required:
 - (6) the contact details of any applicable administering authority or using agency:
 - (7) any other applicable information required by the Director.
- (c) Except for urgent requests that are associated with Police operations, search and rescue operations, security, or other emergency situations, an application for an airspace designation or classification must be submitted to the Director not less than 90 days before the date on which the designation or classification is to come into force unless a shorter period is acceptable to the Director.

71.9 Procedures for designation and classification of airspace

- (a) Before making a designation or classification under this Part, the Director must consult with such persons, organisations, and representative groups within the aviation industry and elsewhere, Government departments, and State agencies as the Director in each case considers appropriate, having regard to the requirements of—
- (1) Subpart B (controlled airspace); and
 - (2) Subpart C (classification of airspace); and
 - (3) Subpart D (special use of airspace); and
 - (4) Subpart E (transponder mandatory airspace); and
 - (5) Subpart F (reporting points, area QNH zones, mountainous zones, and other miscellaneous designations); and
 - (6) Subpart G (ADS-B mandatory airspace).
- (b) For each designation or classification of airspace made under this Part, the Director must specify—
- (1) the period that the designation or classification is active; or
 - (2) the method by which the designation or classification is made active.
- (c) Designations and classifications of airspace, and designations of reporting points, area QNH zones, and mountainous zones that are made under this Part do not come into force until those designations and classifications are notified and published in accordance with paragraph (d) and (e)
- (d) Except as provided in paragraph (g), the Director must ensure that each of the following is notified in the *Gazette*:
- (1) a designation of airspace:
 - (2) a classification of airspace:

- (3) a designation of a reporting point:
 - (4) a designation of an area QNH zone:
 - (5) a designation of a mountainous zone.
- (e) The Director must ensure that the details of each designation and classification of airspace, and each designation of a reporting point, area QNH zone, and mountainous zone are—
- (1) published in an AIP Supplement or by NOTAM; and
 - (2) entered in the Papua New Guinea Air Navigation Register.
- (f) The *Gazette* notice required under paragraph (d) must specify the date on which the designation and the classification, as the case may be, comes into force.
- (g) Designations and classifications that will be effective for a period of not more than 6 months need not be notified in the *Gazette*.

71.11 Review of designated and classified airspace

At least every 5 years, and when new Air Traffic Management procedures are to be introduced, the Director must review each current airspace designation and classification to-

- (1) verify the continuing need for the airspace designation or classification; and
- (2) to consider the appropriateness of the current classification.

71.13 Withdrawal of designations and change of airspace classification

(a) If the Director is satisfied that a designation, or a classification, that has been made under this Part is no longer needed or is no longer appropriate, the Director may withdraw the designation or alter the classification.

(b) Except as provided in paragraph (d), the withdrawal of an airspace designation or the change of an airspace classification made under paragraph (a) does not come into force-

- (1) until the withdrawal or change is notified in the *Gazette*; and
- (2) the details are published in the AIP Supplement or by NOTAM; and
- (3) the details in the Papua New Guinea Air Navigation Register are amended.

(c) The *Gazette* notice required under paragraph (b)(1) must specify the date that the withdrawal of an airspace designation or the change of an airspace classification comes into force.

(d) Paragraph (b)(1) does not apply to an airspace designation or an airspace classification that has been in force for a period of not more than 6 months.

71.15 Papua New Guinea Air Navigation Register

(a) The Director must establish and maintain a register, called the Papua New Guinea Air Navigation Register.

(b) The Director must ensure that the Papua New Guinea Air Navigation Register contains the following information-

- (1) a current description of each portion of airspace that is designated under this Part; and
- (2) a current description of the boundary information of each portion of airspace that is classified by the Director as class G or F; and

- (3) current information, including the name or designator and coordinates of each visual reporting point designated under this Part; and
- (4) the details required under Part 95 for each current instrument flight procedure:
- (5) the details required under Part 95 for each current aerodrome meteorological minima.
- (6) the period from which each area of airspace designated by the Director is effective or the method by which the designation is made effective.
- (7) the details for every right-hand aerodrome traffic circuit for which a determination has been issued under part 93.

71.17 Port Moresby flight information region

The Port Moresby flight information region—

- (1) comprises all that airspace bounded by a line joining 00 00 (Equator) E 141 00, to 00 00 (Equator) E 160 00, to S 04 50 E 160 00, to S 04 50 E 159 00, to S 06 38.3 E 156 02, to S 06 41.0 E 156 04.2, to S 06 51.2 E 155 54.6, to S 06 56.8 E 155 42.2, to S 06 56.7 E 155 36.8, to S 07 19 E 155 00, to S 12 00 E 155 00, to S 12 00 E 144 00, S 11 43 E 144 04, to S 11 30 E 144 02, to S 09 57 E 144 05, to S 09 24 E 144 14, ~~then generally north along the eastern limits of the Great Barrier Reef to S 09 24 E 144 14 then to S 09 08 E 143 52.5, to S 09 19.4 E 142 48.3, to S 09 16 E 142 03, to S 09 20.3 E 142 43.9, to S 09 20.4 E 142 41.7, to S 09 21.4 E 142 35.5, to S 09 22.6 E 142 33.5, to S 09 21.8 E 142 31.5, to S 09 22.1 E 142 29.7, to S 09 16.1 E 142 20.7, to S 09 13.9 E 142 16.4, to S 09 11.6 E 142 14.1, to S 09 11.4 E 142 12.9, to S 09 12 E 142 10.3, to S 09 11.9 E 142 08.6, to S 09 12.8 E 142 06.4, to S 09 15.7 E 142 03.5, to S 09 37 E 141 00.02, to S 09 11.5 E 141 01.1, thence along the territorial border to S 02 33.3 E 141 00, to N 00 00 (Equator) E 141 00;~~ and
- (2) has an unlimited upper limit; and
- (3) has the surface of the earth as the lower limit.

Subpart B—Controlled Airspace

71.51 General

- (a) Where the Director determines that an air traffic control service is required in a portion of airspace within the flight information region, the Director must-
 - (1) designate that portion of airspace as a control area or a control zone in accordance with this Subpart; and
 - (2) classify that portion of airspace as Class A, B, C, D or E airspace in accordance with Subpart C.
- (b) If another ICAO Contracting State provides an air traffic control service for any portion of airspace within the Port Moresby Flight Information Region, the Director must-
 - (1) designate that portion of airspace as a control area or a control zone in accordance with this Subpart after consulting with the other State; and
 - (2) classify that portion of airspace as Class A, B, C, D, or E airspace in accordance with Subpart C.

- (c) The Director may designate portions of airspace within a control area or control zone as a specific sector to facilitate air traffic management.
- (d) A control area or control zone becomes uncontrolled class F airspace during those times when an air traffic control service is not being provided within that control area or control zone.
- (e) For each portion of airspace designated as a control area or control zone the Director must-
- (1) specify the air traffic control unit that has responsibility for providing the air traffic control service within that control area or control zone; and
 - (2) identify the control area or control zone by-
 - (i) the ICAO nationality letters of the State followed by the letter "A" followed by a number; and
 - (ii) the name of the air traffic control unit providing the air traffic control service within that control area or control zone, except that, if appropriate, the control area or control zone may be identified with the name of the aerodrome, town, city, or geographical feature over which the control area or control zone is established.

71.53 Control areas

- (a) The Director may specify a control area designated under this Part as—
- (1) a terminal control area (TMA), if the Director determines that an approach control service is required at the confluence of ATS routes in the vicinity of one or more major aerodromes; or
 - (2) an upper control area (UTA), if the Director determines that an area control service is required; or
 - (3) an oceanic control area (OCA), normally over the high seas.
- (b) The upper limit of a control area must not exceed flight level 600.
- (c) The lower limit of a control area must—
- (1) be at least 500 feet below the flight paths of IFR flights that the Director determines are required to be provided with an air traffic control service; and
 - (2) be established at—
 - (i) the highest practical altitude; and
 - (ii) not less than 700 feet above the surface of the earth; and
 - (iii) when the lower limit of a control area is above 3000 feet AMSL, coincide with a VFR cruising altitude or flight level prescribed in Part 91.
- (d) The lateral limits of a control area shall reflect the capabilities of the communication, air navigation and surveillance systems, normally used in the area.
- (e) If a portion of airspace below a control area is designated as another control area, the upper limit of the lower control area must extend to the lower limit of the control area directly above it.

71.55 Control zones

- (a) The Director may designate as a control zone that portion of airspace around an aerodrome if:
 - (1) the Director determines that an aerodrome control services or an aerodrome and approach control service is required; and
 - (2) the traffic density, pattern and complexity requires controlled airspace.
- (b) A control zone must be as small as practical consistent with the need to protect the flight paths of IFR flights arriving at and departing from the aerodrome.
- (c) The lateral limits of a control zone must—
 - (1) encompass at least those portions of the airspace that are not within a control area containing the paths of IFR flights arriving at and departing from the aerodrome under IMC; and
 - (2) extend to at least 5 nm from the centre of the aerodrome in the directions from which instrument approaches may be made; and
 - (3) take into account the types of IFR aircraft using the aerodrome, and the areas of airspace that need to be protected for those IFR flights.
- (d) Prominent geographical features must be used, where practical, to define the lateral limits of a control zone.
- (e) The vertical limits of a control zone shall extend from the surface of the earth to a specified altitude.
- (f) A control zone with an upper limit above 3000 feet AMSL must coincide with a VFR cruising altitude or flight level prescribed in Part 91.
- (g) If a portion of airspace below a control area is designated as a control zone, the upper limit of the control zone must extend to the lower limit of the control area.

71.57 Aerodrome traffic zones

- (a) The Director may designate as an aerodrome traffic zone that portion of airspace around an aerodrome if:
 - (1) the Director determines that an aerodrome control service is required; and
 - (2) the traffic density, pattern and complexity of procedures require the establishment of aerodrome control service at the aerodrome.
- (b) An aerodrome traffic zone must be as small as practical consistent with the need to protect the VFR traffic patterns of aircraft using that aerodrome.
- (c) The lateral limits of an aerodrome traffic zone must—
 - (1) encompass at least those portions of the airspace that are not within a control area containing the paths of IFR flights arriving at and departing from the aerodrome under VMC; and
 - (2) take into account the types of aircraft using the aerodrome, and the areas of airspace that need to be protected for those IFR flights.
- (d) Prominent geographical features must be used, where practical, to define the lateral limits of an aerodrome traffic zone.
- (e) The vertical limits of an aerodrome traffic zone shall extend from the surface of the earth to a specified altitude.

71.59 VFR transit lanes

(a) The Director may designate a portion of controlled airspace as a VFR transit lane for either of the following purposes—

- (1) separating transiting VFR traffic from arriving and departing IFR flights; and
- (2) permitting transiting VFR traffic to operate within the VFR transit lane without requiring ATC clearance—

(b) A VFR transit lane must be clear of airspace that encompasses IFR arrival and departure procedures within that controlled airspace.

(c) The Director must-

- (1) ensure that buffer zones are provided between the nominal flight paths of arriving and departing IFR flights and each VFR transit lane; and
- (2) identify each VFR transit lane by the ICAO nationality letters of the State followed by the letter “T” followed by a number.

(d) AVFR transit lane is class G airspace and may only be active during the day.

71.61 Subsidiary airspace designations

If the Director considers it necessary in the interests of aviation safety, air traffic management, or international agreements, the Director may designate any controlled airspace or portion of controlled airspace as either or both of the following:

- (1) RNP airspace, on consideration of, air traffic density and ATS route structure, and air navigation system accuracy:
- (2) RVSM airspace, on consideration of, air traffic density and ATS route structure, and aircraft altimetry system accuracy.

Subpart C—Airspace Classification**71.101 Class A airspace**

Any portion of airspace that is designated as a control area or control zone under 71.51(a) or (b) must be classified as Class A airspace if the Director considers it necessary in the interests of aviation safety that—

- (1) separation is required between all flights; and
- (2) VFR flights are not permitted.

71.103 Class B airspace

Any portion of airspace that is designated as a control area or control zone under 71.51(a) or (b) must be classified as Class B airspace if the Director considers it necessary in the interests of aviation safety that separation is required between all flights.

71.105 Class C airspace

Any portion of airspace that is designated as a control area or control zone under 71.51(a) or (b) must be classified as Class C airspace if the Director considers it necessary in the interests of aviation safety that—

- (1) separation is required between—

- (i) IFR flights; and
 - (ii) IFR and VFR flights; and
 - (iii) IFR and special VFR flights; and
 - (iv) special VFR flights when the flight visibility is reported to be less than 5 km; and
- (2) traffic information must be provided to VFR flights about other VFR flights; and
 - (3) traffic avoidance advice must be provided to VFR flights on request.

71.107 Class D airspace

Any portion of airspace that is designated as a controlled area or controlled zone under 71.51(a) or (b) must be classified as Class D airspace if the Director considers it necessary in the interests of aviation safety that—

- (1) separation is required between—
 - (i) IFR flights; and
 - (ii) IFR and VFR flights during night; and
 - (iii) IFR and special VFR flights; and
 - (iv) special VFR flights when the flight visibility is reported to be less than 5 km; and
- (2) traffic information is required for—
 - (i) IFR flights about VFR flights during day; and
 - (ii) VFR flights about IFR flights, and
 - (iii) VFR flights about other VFR flights; and
- (3) traffic avoidance advice must be provided to IFR and VFR flights on request.

71.109 Class E airspace

Any portion of airspace that is designated as a control area or control zone under 71.51(a) or (b) must be classified as Class E airspace if the Director considers it necessary in the interests of aviation safety that—

- (1) separation is required between—
 - (i) IFR flights; and
 - (ii) IFR flights and VFR flights during night; and
- (2) traffic information must be provided, where practical, to—
 - (i) IFR flights about VFR flights during day; and
 - (ii) VFR flights about IFR flights; and
 - (iii) VFR flights about other VFR flights.

71.111 Class F airspace

The Director may classify any portion of uncontrolled airspace as class F airspace if the Director considers it necessary in the interests of aviation safety that—

- (1) IFR flights within the airspace need to receive an air traffic advisory service; and
- (2) all flights within the airspace should receive a flight information service if requested.

71.113 Class G airspace

Class G airspace is any uncontrolled airspace that is not Class F airspace and-

- (1) IFR flights are entitled to receive a flight information service; and
- (2) VFR flights are entitled to receive a flight information service on request.

Subpart D—Special Use Airspace**71.151 General**

(a) The Director may designate special use airspace under this Part if the Director considers such airspace necessary-

- (1) in the interests of safety or security within the civil aviation system; or
- (2) in the interests of national security; or
- (3) for any other reason in the public interest.

(b) The Director must ensure that each portion of airspace designated under this Part is as small as practicable, consistent with the activities for which the area is required.

(c) Airspace designated by the Director under this Part must be identified by an alphanumeric designator that is not being used to identify any other portion of airspace designated under this Part.

71.153 Restricted areas

(a) The Director may-

- (1) designate a portion of airspace as a restricted area within the territorial limits of Papua New Guinea to restrict the activities of aircraft within that area; and
- (2) impose conditions under which-
 - (i) aircraft may be permitted to fly within the area; and
 - (ii) the administering authority responsible for the restricted area must operate.

(b) The Director must-

- (1) specify the type of activity for which each restricted area is designated; and
- (2) specify the administering authority responsible for each restricted area; and
- (3) identify each area by the letters PGR followed by a number, except that on maps and charts the letter R followed by the number may be used.

(c) The administering authority responsible for a restricted area-

- (1) must manage:
 - (i) the entry of aircraft into the restricted area; and
 - (ii) the operation of aircraft within the restricted area; and
 - (iii) the exit of aircraft from the restricted area; and
- (2) if the restricted area is designated to be made active by NOTAM, must at least 24 hours before the restricted area is to become active, give to the NOTAM office notice of that restricted area becoming effective, except that in the case of emergencies less than 24 hours notice may be given.
- (3) may, within any conditions imposed by the Director under paragraph (a)(2)(ii), impose conditions under which an aircraft may be operated within the restricted area.

71.155 Danger areas

- (a) The Director may designate a portion of airspace as a danger area, to notify operators that there is potential danger to aircraft flying in the area.
- (b) The Director must—
- (1) specify the nature of the danger for which each danger area is designated; and
 - (2) if the Director considers it necessary, nominate a using agency as a contact point for the danger area; and
 - (3) identify the area by the letters PGD followed by a number, except that on maps and charts the letter D followed by the number may be used.
- (c) The using agency for a danger area must—
- (1) be a person or organisation that is responsible for the activity that necessitated the danger area being so designated; and
 - (2) ensure the activities that necessitated the designation of the danger area are contained within the danger area; and
 - (3) if the danger area is designated to be made active by NOTAM, must at least 24 hours before the danger area is to become active, give to the NOTAM office notice of that danger area becoming effective, except that in the case of emergencies less than 24 hours notice may be given.

71.157 Prohibited areas

- (a) The Director may designate a portion of airspace as a prohibited area within the territorial limits of Papua New Guinea, to prohibit the activities of aircraft within the area.
- (b) The Director must—
- (1) specify the reason why the operation of aircraft within the area is prohibited; and
 - (2) identify the prohibited area by the letters PGP followed by a number, except that on maps and charts the letter P followed by the number may be used.

71.159 Military operating areas

- (a) The Director may-
- (1) Designate a portion of airspace as a military operating area to segregate military activities from other traffic; and
 - (2) Impose conditions under which-
 - (i) aircraft may be permitted to fly within that military operating area; and
 - (ii) an administering authority specified under paragraph (b ((2) must operate.
- (b) The Director must-
- (1) specify the type of activity for which each military operating area is designated; and
 - (2) specify the administering authority responsible for each military operating area; and
 - (3) identify each military operating area by the ICAO nationality letters of the applicable State followed by the letter “M” followed by a number.

- (c) The administering authority responsible for a military operating area-
- (1) must manage-
 - (i) the entry of aircraft into the military operating area; and
 - (ii) the operation of aircraft within the military operating area; and
 - (iii) the exit of aircraft from the military operating area; and
 - (2) if the military operating area is designated as being made active by NOTAM, must at least 24 hours before the military operating area is to become active, give to the Papua New Guinea NOTAM Office notice of that military operating area becoming active, except that in the case of emergencies less than 24 hours notice may be given; and
 - (3) may, within any conditions imposed by the Director under paragraph (a)(2)(ii), impose conditions under which an aircraft may be operated within the military operating area.

71.161 Low flying zones

- (a) The Director may designate a portion of airspace as a low flying zone where pilot training in low level flying may be conducted.
- (b) The Director must—
- (1) nominate a using agency responsible for-
 - (i) briefing pilots on the associated conditions of use agreed with the registered owner or administrator of the land or water below the low flying zone; and
 - (ii) complying with paragraphs (e) and (f).
 - (2) identify the low flying zone by the letters PGL followed by a number, except that on maps and charts the letter L followed by the number may be used.
- (c) A low flying zone may only be active during the day.
- (d) The vertical limits of a low flying zone must extend from the surface of the earth to a height of 500 ft.
- (e) The Director may not designate a portion of airspace as a low flying zone unless the using agency nominated for the low flying zone under paragraph (b)(1)—
- (1) provides the Director with a map or chart on which the boundaries of the zone are defined; and
 - (2) satisfies the Director that the registered owner or administrator of the land or water below the low flying zone consents to the portion of airspace above their land or water being used for low flying; and
 - (3) provides the Director with full details of consultation with other airspace users.
- (f) A using agency nominated under paragraph (b)(1) must, satisfy the Director if requested to, that the using agency continues to have the consent referred to in paragraph (e)(2).

71.163 Mandatory broadcast zones

- (a) The Director may designate a portion of uncontrolled airspace as a mandatory broadcast zone if, due to traffic density or special circumstances, the pilots within that zone are required to make radio broadcasts of their positions and intentions.

- (b) The Director must-
- (1) Identify each mandatory broadcast zone by the ICAO nationality letters of the applicable State followed by the letter “B” followed by a number; and
 - (2) Assign the radio frequency to be used within the mandatory broadcast zone for the mandatory radio broadcasts; and
 - (3) Prescribe the maximum interval between a pilot’s mandatory radio broadcasts.

71.165 Volcanic hazard zones

- (a) The Director may designate a portion of airspace as a volcanic hazard zone if volcanic activity (such as flying rocks, gas plumes, and ash clouds) may present a hazard to aircraft.
- (b) The Director must identify each volcanic hazard zone by the ICAO nationality letters of the applicable State followed by the letter “V” followed by the number.

71.167 Temporary airspace

- (a) The Director may, where the Director considers it necessary in the interests of aviation safety or security or for any reason in the public interest, designate an area of airspace as a temporary danger, restricted or prohibited area.
- (b) The Director shall ensure that each temporary danger, restricted or prohibited area that is designated under paragraph (a) is effective for a period not exceeding 3 months.

Subpart E—Transponder mandatory airspace

71.201 Transponder mandatory airspace within controlled airspace

The Director may designate a control area or a control zone, or any portion of a control area or a control zone, as transponder mandatory airspace if-

- (1) the operation of transponders is required for the provision of an air traffic control surveillance service; or
- (2) the Director determines that the traffic density in the airspace requires the operation of transponders to reduce the risk of an airborne collision with those aircraft that are required to be fitted with an airborne collision avoidance system.

71.203 Transponder mandatory airspace within special use airspace

The Director may designate any portion of special use airspace as transponder mandatory airspace if the Director determines that the traffic density in the airspace requires the operation of transponders to reduce the risk of an airborne collision with those aircraft that are required to be fitted with an airborne collision avoidance system.

Subpart F—Miscellaneous

71.251 Visual reporting points

- (a) The Director may designate visual reporting points for the purpose of-
- (1) facilitating the requirements of air traffic services for information regarding the progress of aircraft in flight; and
 - (2) facilitating the safe conduct of flight by visual reference.

- (b) The Director must ensure that visual reporting points
- (1) are based on prominent geographical features; and
 - (2) are identified by names and designators that-
 - (i) are easily recognisable in voice communications; and
 - (ii) will not be confused with those of other reporting points in the same general area; and
 - (iii) do not create confusion with other communications exchanged between air traffic services and pilots.

71.253 Area QNH zones

The Director may designate as an area QNH zone those portions of airspace from the surface of the earth to an altitude of 20 000 feet within which a common area QNH altimeter setting must be used.

71.255 Mountainous zones

The Director may designate a portion of airspace as a mountainous zone if, in the interests of safety, the Director considers it necessary to increase the minimum obstacle clearance to provide additional height above terrain for IFR flights to accommodate the possible effects of turbulence, down draughts, and other meteorological phenomena on the performance of aircraft.

Subpart G—ADS-B mandatory airspace

71.301 ADS-B mandatory airspace within Class A, C and F airspace

The Director may designate a control area or a control zone, or any portion of a control area or a control zone; or uncontrolled airspace as ADS-B airspace if-

- (1) the operation of ADS-B is required for the provision of an air traffic control surveillance and traffic information; or
- (2) the Director determines that the traffic density in the airspace requires the operation of ADS-B to reduce the risk of an airborne collision with those aircraft that are required to be fitted with an airborne collision avoidance system.

71.303 ADS-B mandatory airspace within special use airspace

The Director may designate any portion of special use airspace as ADS-B airspace if the Director determines that the traffic density in the airspace requires the operation of transponders to reduce the risk of an airborne collision with those aircraft that are required to be fitted with an airborne collision avoidance system.

Appendix A

Transitional Provisions

- (a) The designation of—
- (1) the Port Moresby flight information region; and
 - (2) visual reporting points; and
 - (3) control areas; and
 - (4) terminal control areas; and
 - (5) upper control areas; and
 - (6) control zones; and
 - (7) aerodrome traffic zones; and
 - (8) mandatory broadcast zones; and
 - (9) transponder mandatory airspace;—and
 - (10) ADS-B mandatory airspace

that existed immediately prior to this Part coming into effect, shall be deemed to be airspace designated and notified under and in accordance with this Part.

- (b) The classification of airspace that existed immediately prior to this Part coming into effect, shall be deemed to be airspace classified and notified under and in accordance with this Part.
- (c) QNH areas and zones that existed immediately prior to this Part coming into effect, shall be deemed to be QNH zones designated and notified under and in accordance with this Part.