



Advisory Circular

AC39-1

Airworthiness Directives

Issue 1

14 October 2021

GENERAL

Civil Aviation Authority Advisory Circulars (AC) contain information about standards, practices and procedures that the Director has found to be an Acceptable Means of Compliance (AMC) with the associated rule.

An AMC is not intended to be the only means of compliance with a rule, and consideration will be given to other methods of compliance that may be presented to the Director. When new standards, practices or procedures are found to be acceptable, they will be added to the appropriate Advisory Circular.

This Advisory Circular also includes Explanatory Material (EM) where it has been shown that further explanation is required. Explanatory Material must not be regarded as an acceptable means of compliance.

PURPOSE

This Advisory Circular provides methods, acceptable to the Director, for showing compliance with the airworthiness directive requirements of Part 39 and explanatory material to assist in showing compliance.

RELATED CAR

This AC relates to Civil Aviation Rule Parts 39.

CHANGE NOTICE

This AC replaces Initial Issue dated 1 July 2002

APPROVAL

This AC has been approved for publication by the Director of Civil Aviation.

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Subpart A - General

EM 39.1 Purpose

Part 39 prescribes rules for the airworthiness directives that must be complied with for each PNG registered aircraft issued with an airworthiness certificate under Part 21.

Subpart B requires compliance with two groups of airworthiness directives:

- airworthiness directives issued by the authority responsible for the foreign type certificate for the aircraft or product; and
- PNG Airworthiness Directives promulgated by the Director under section 17(2) of the Civil Aviation Act.

EM Subpart B - Airworthiness Directives

EM 39.11(a)(2) Foreign States of Design Airworthiness Directives

The PNG Civil Aviation Authority does not have a capacity to develop and issue airworthiness directives on a routine basis as we are not an aircraft design State. Consequently, this rule provides a mechanism whereby airworthiness directives issued by aircraft and product type certifying authorities are called up by reference. These are the *State of Design* airworthiness directives.

If the aircraft was type certificated by the FAA, then airworthiness directives issued by the FAA for that aircraft must be complied with. If the engines were type certificated by the Transport Canada, then Canadian airworthiness directives for that engine must be complied with. For example a PT6 turbine- powered Britten Norman BN2T Islander aircraft would need to comply with the UK CAA airworthiness directives for the airframe and the Canadian airworthiness directives issued for the engines.

There will be cases where products are type certificated in more than one country. During the PNG type acceptance process required by Part 21, the applicable airworthiness directives will be declared under that process and stated in the PNG type acceptance report.

EM 39.11(a)(1) – PNG Airworthiness Directives

EM 39.11(a)(1) Issue

This rule provides the Director with the mechanism to issue airworthiness directives to deal with specific concerns of the PNG civil aviation system under section 17(2) of the civil aviation Act. These concerns may arise from:

- an unsafe condition which exists in a PNG type accepted aircraft or product which has not yet been addressed by the type certifying authority and which is likely to occur in other PNG aircraft or products; or
- the need to resolve conflict between an airworthiness directive issued by a foreign type certifying authority and the requirements of a PNG rule.

EM 39.11 Compliance

This rule prohibits the operation of any aircraft or product unless compliance is shown with any PNG airworthiness directive issued under rule 39.11.

Responsibility for compliance with rule 39.11 is placed on the operator of the aircraft. That person must ensure that he or she monitors, either directly or through a person responsible for maintenance control, the status of compliance with all Airworthiness Directives and acts on any ADs, as applicable to their aircraft.

This includes compliance with PNG ADs and any other applicable airworthiness directives promulgated by foreign States of Design.

CASA PNG will use whatever means are at their disposal to communicate to aircraft operators any emergency airworthiness directives sent to us by Foreign Design States. However, it is important to note that Air operators are required to supply the CASA with an address for service to facilitate this process. Communication, in the context of airworthiness directives means by the most expedient and reliable means of communicating airworthiness directive information to the person who is entrusted to take action. This will normally be the owner or operator, unless the operator's exposition states otherwise.

In all cases, PNG Airworthiness Directives issued by the CASA will be promulgated via the CASA website within 14 days of being signed-off by the Director.

When determining compliance with Part 39, the onus is on the operator to ensure compliance with all applicable Airworthiness Directives pertaining to their aircraft, engines, propellers and other aircraft components.

EM 39.13 Acceptance of Foreign State of Design Alternative Means of Compliance (AMOC)

This rule is self-explanatory.

EM 39.15 Deferred Compliance

This rule is self-explanatory.

EM 39.17 Conflict with other Continuing Airworthiness Instructions

This rule is self-explanatory.