



Republic of the Philippines
CIVIL AVIATION AUTHORITY OF THE PHILIPPINES

MEMORANDUM CIRCULAR NO.: 018-2022

TO : ALL CONCERNED

FROM : DIRECTOR GENERAL

SUBJECT : AMENDMENT 1 TO PHILIPPINE CIVIL AVIATION REGULATIONS-AIR NAVIGATION SERVICES (CAR-ANS) PART 16 GOVERNING PROCEDURE DESIGN SERVICES (PANS-OPS)

REFERENCE:

1. CAR-ANS Part 16, Issue 1
2. CAAP Regulations Amendment Procedures
3. Board Resolution No. 2012-054 dated 28 September 2012

Pursuant to the powers vested in me under the Republic Act 9497, otherwise known as the Civil Aviation Authority Act of 2008 and in accordance with the Board Resolution No.: 2012-054 dated 28 September 2012, I hereby approve the incorporation of Amendment 1 to CAR-ANS Part 16

ORIGINAL REGULATION SUBJECT FOR REVIEW AND REVISION:

CAR-ANS PART 16, ISSUE 1

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FOREWORD

This Civil Aviation Regulations-Air Navigation Services (CAR-ANS) Part 16 (~~CAR-ANS Part 16~~) ~~was formulated~~ is developed in accordance with Republic Act No. 9497 otherwise known as the Civil Aviation Authority Act of 2008 and issued by the Civil Aviation Authority of the Philippines (CAAP), ~~prescribing guidelines,~~ setting forth the rules and ~~procedures~~ regulations in the provision of Procedure Design Services (IFPDS) in order to ensure safety, regularity and efficiency of air navigation within the airspace jurisdiction of the Philippines.

~~This Civil Aviation Regulation provides guidance for Procedure Design Service Providers and the CAAP in the provision of flight procedure design and implementation within the Manila Flight Information Region.~~

The ~~procedures~~ regulations embodied herein are issued by authority ~~by~~ of the Director General of the CAAP and ~~will be complied with by all concerned~~ shall apply to all organizations and individuals involved in the development, design and maintenance of flight procedures for departure, arrival and en-route phases in aircraft flight operations within Manila Flight Information Region (FIR).

~~As used in this Civil Aviation Regulation, “Appropriate Authority” means the Director General of the Civil Aviation Authority of the Philippines.~~

~~The procedures embodied herein shall apply to all those involved in the development, design and utilization of flight procedures for departure, arrival and en-route phases in aircraft flight operations.~~

Whenever an apparent conflict arises between the regulations in this CAR-ANS and instructions / guidelines in other agency issuances, the appropriate or concerned flight procedure design entity should seek clarification ~~form~~ from the regulatory authority AANSOO. Normally, the provisions in any promulgated CAR-ANS shall prevail.

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16.1 DEFINITIONS AND ABBREVIATIONS

16.1.1 Definitions of Terms

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Authorized designer - ~~an authorized designer~~ is a recognized procedure design service authority under CAAP or 3rd party procedure design service provider who is a holder of a procedure design certificate of authorization that is in force.

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Employee - ~~of an authorized designer, includes a person who carries on design work on a terminal instrument flight procedure for the designer in the course of performing services for the designer.~~

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Manual of Standards - means the document called ‘Manual of Standards (MOS) for Instrument Flight Procedure Design Services’ (MOS-IFPDS), published by CAAP, as in force from time to time.

Note: The Manual of Standards for Instrument Flight Procedure Design Services is currently being developed and shall be made available for download at CAAP’s official website at: www.caap.gov.ph.

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Regulatory Authority – hereinafter referred to as the Director General of the CAAP with the exclusive determination and recommendation from the AANSOO and FSIS.

Third Party Procedure Design Service Provider (3rd Party PDSP) - a PDSP other than the recognized procedure design service authority under CAAP.

Types of instrument flight procedure - means a type of instrument flight procedure mentioned in the Manual of Standards. Refers to the following, whether Conventional or Performance Based Navigation;

- a) Enroute,
- b) Standard Terminal Arrival Route,
- c) Standard Instrument Departure,
- d) Instrument Approach Procedures (see definition for further classification),

- e) Visual Approach Procedures including Visual with Prescribed Track, and
- f) Helicopter Point-in-Space (PinS).

16.1.2 Abbreviations

AANSOO	<i>Aerodrome and Air Navigation Safety Oversight Office</i>
ADMS	<i>Aerodrome Development and Management Service</i>
AFPDD	<i>Airspace and Flight Procedure Design Division</i>
AIP	<i>Aeronautical Information Publication</i>
AIRAC	<i>Aeronautical Information Regulation and Control</i>
AIS	<i>Aeronautical Information Services</i>
ANS	<i>Air Navigation Services</i>
APV	<i>Approach Procedures with Vertical Guidance</i>
ATM	<i>Air Traffic Management</i>
ATMSID	<i>Air Traffic Management Safety Inspectorate Division</i>
ATS	<i>Air Traffic Services</i>
CAAP	<i>Civil Aviation Authority of the Philippines</i>
CAR-ANS	<i>Civil Aviation Regulations- Air Navigation Services</i>
CNS	<i>Communications, Navigation and Surveillance</i>
DG	<i>Director General</i>
FIR	<i>Flight Information Region</i>
FPD	<i>Flight Procedure Design</i>
FPI	<i>Flight Procedure Inspectorate</i>
FPIS	<i>Flight Procedure Inspectorate Staff</i>
GV	<i>Ground Validation</i>
IAC	<i>Instrument Approach Chart</i>
IAP	<i>Instrument Approach Procedure</i>
ICAO	<i>International Civil Aviation Organization</i>
IFP	<i>Instrument Flight Procedure</i>
IFPDS	<i>Instrument Flight Procedure Design Services</i>
IFR	<i>Instrument Flight Rules</i>
MOS	<i>Manual of Standards</i>
NOTAM	<i>Notice to Airmen</i>
NPA	<i>Non-precision Approach</i>
OAS	<i>Obstacle Assessment Surface</i>
OCA/H	<i>Obstacle Clearance Altitude/Height</i>
OJT	<i>On-the-Job Training</i>
OLS	<i>Obstacle Limitation Surface</i>
PA	<i>Precision Approach</i>
PANS-OPS	<i>Procedures for Air Navigation Services – Aircraft Operations</i>
PBN	<i>Performance-Based Navigation</i>
PDSP	<i>Procedure Design Service Provider</i>
PinS	<i>Point-in-Space</i>
QM	<i>Quality Manual</i>
QMS	<i>Quality Management System</i>
RNAV	<i>Area Navigation</i>
RNP	<i>Required Navigation Performance</i>
RNP AR	<i>Required Navigation Performance Authorization Required</i>
SARPS	<i>Standards and Recommended Practices</i>

SID	<i>Standard Instrument Departure</i>
STAR	<i>Standard Instrument Arrival</i>

16.2 APPLICABILITY

16.2.1 ~~This Part~~ **CAR-ANS Part 16:**

a) provides for the standards that apply for the design of instrument flight procedures within the Philippine airspace ~~Manila FIR~~; and

b) applies to person or organization who ~~wants~~ intends to become, or are, authorized designers of instrument flight procedures engage in procedure design work to be implemented within ~~Manila FIR~~.

~~16.2.2 This Part also sets out certain rules that apply to CAAP in administering procedure design certificate of authorizations.~~

16.3 Procedure Design Certificate of Authorization

16.3.1 A procedure design certificate of authorization is a certificate credential that:

a) is granted by ~~the CAAP Regulatory Authority~~ to a procedure design service provider under this Part regulation; and

b) certifies authorizes that the procedure design service provider is authorized to carry on engage in the following activities covered by the authorization subject to design work on an instrument flight procedure of a type covered by the certificate subject to any conditions set out in the certificate. by CAAP:

i) review or amend an instrument flight procedure for a certain type covered by the authorization and is for use by civil aircraft operating under the instrument flight rules (IFR) within the Manila Flight Information Region (FIR);

ii) carry on design work on an instrument flight procedure for a certain type covered by the authorization and is for use by civil aircraft operating under the IFR within the Manila FIR; or

iii) validate flight procedure design developed by another designer.

16.4 Procedure Design Authorization

~~16.4.1 A procedure design authorization is an authorization that:~~

~~a) is granted by the CAAP Regulatory Authority to an authorized designer under this Part; and~~

~~b) authorizes him to carry on either of the following activities subject to any conditions set out in the authorization:~~

~~i) review or amend an instrument flight procedure for a certain type covered by the authorization and is for use by civil aircraft operating under the IFR at, or within the Manila Flight Information Region (FIR);~~

- ii) ~~carry on design work on an instrument flight procedure for a certain type covered by the authorization and is for use by civil aircraft operating under the IFR at, or within the Manila Flight Information Region (FIR).; or~~

16.54 Requirement for Authorization as a Procedure Designer Service Provider (PDSP)

16.54.1 ~~No person or organization, shall design procedures or publish such procedures for air navigation services in Philippine airspace and aerodromes unless he or she belongs to any of the under mentioned categories or holds a certificate of authorization issued by the CAAP Regulatory Authority in accordance with this section:~~

a) an authorized designer belonging to the following:

- i. a recognized procedure design service authority under CAAP as stipulated in CAR-ANS Part 11, Appendix 11.7, 1 (a); or
- ii. a 3rd party PDSP that holds a certificate of authorization issued by CAAP.

ab) the person or organization has a co-operation arrangement with an authorized designer; or

bc) there is a commercial agreement with an authorized designer PDSP.

16.65 Privileges of an Authorized Designer

16.6.1 ~~An approval for procedure design service provider issued under these this regulations authorizes the person or organization to carry on either of the following activities subject to any condition set out in the approval to the person or organization:~~

- a) ~~review, amend or make changes to an instrument flight procedure that is of a type covered by the authorization and is for use by civil aircraft operating under the IFR within the Manila FIR;~~
- b) ~~carry on design work on an instrument flight procedure that is of a type covered by the authorization and is for use by civil aircraft operating under the IFR within the Manila FIR.; and/or~~

16.5.1 Only Instrument Flight Procedure Designs developed, reviewed, validated or amended by authorized PDSPs for their business clients shall be approved by CAAP for implementation or publication in accordance to the IFP processes stated in MOS-IFPDS.

16.65.2 ~~An application for authorization as a procedure designer shall be made in the form specified in 16.10.2 of this regulation.~~ Air operators, Air Traffic Services, aerodrome authorities and other organizations desiring to acquire the services of a PDSP, are advised to consult with CAAP before entering into any contract to ensure that the PDSP of their choice satisfies the requirement stipulated in 16.4.

16.76 Responsibilities of the Holder of Certificate of Authorization

16.76.1 The holder of a procedure design certificate of authorization shall:

16.7.6.1.1 Provide for the development and maintenance of a Manual of Operations (MANOPs);

16.76.1.1.1 A Procedure Design Service Provider PDSP shall develop and maintain a Manual of Operations (MANOPs) appropriate to their organization and that meets the standards for Manual of Operations set out in the Manual of Standards for Flight Procedure Design (MOS-IFPDS) 3.3.1.

16.76.1.1.2 A Procedure Design Service Provider PDSP shall:

- a) shall keep the MANOPs in a readily accessible form; and
- b) shall ensure that each employee of the PDSP whose duties include carrying on design work under the PDSP's procedure design certificate has ready access to the MANOPs; and
- c) shall amend the MANOPs whenever it is necessary to do so to keep it up-to-date.

16.76.1.1.3 A PDSP shall ensure:

- a) ensure that all amendments to of the MANOPs are incorporated in all copies of the manual kept by the PDSP; and
- b) ensure that copies of the amendments are given to the CAAP AANSOO.

16.76.1.2 Provide the services listed in its MANOPs, in accordance with the procedures as prescribed in these this regulations and MOS-IFPDS;

16.76.1.3 Continuously Comply with all procedures detailed in its Manual of Operations, and with the Manual of Standards for Flight Procedure Design (MOS-FPD) prescribed by the CAAP Regulatory Authority, in the provision of procedure design for air navigation services the applicable regulations prescribed by CAAP and with all the procedures detailed in the PDSP's MANOPs;

16.7.1.4 Continue to comply with the appropriate requirements prescribed in this regulation;

16.76.1.5 4 Provide facilities;

16.76.1.54.1 A PDSP must shall provide and maintain adequate facilities facilities for carrying on design work on instrument flight procedures under the PDSP's procedure design certificate, including:

- a) providing premises and equipment appropriate for the PDSP's employees to carry on the design work; and
- b) ensuring that those employees have access to all necessary data for designing the procedures including:
 - (1) accurate and current databases or charts detailing terrain and obstacle information; and

(2) accurate and current navigation aid coordinate data; and

(3) accurate and current aerodrome reference point and threshold data.

16.76.1.54.2 A PDSP ~~must~~ shall, if an aeronautical database and aeronautical data is required for designing an ~~terminal~~ instrument flight procedure under the designer's procedure design certificate, have and put into effect, procedures to ensure the integrity of the database and the data;

16.76.1.65 Maintain an appropriate organization with a sound and effective management structure to enable the designer to carry on design work on ~~terminal~~ instrument flight procedures under the designer's procedure design certificate in accordance with ~~these~~ this Regulations and MOS IFPDS;

16.76.1.76 Have sufficient personnel;

16.76.1.76.1 A PDSP ~~must~~ shall employ a sufficient number of personnel to enable the designer to carry on design work of instrument flight procedures under the designer's procedure design certificate authorization in accordance with ~~these~~ this Regulations and in MOS IFPDS; and ~~must~~ shall ensure that those personnel:

a) are suitably qualified and competent to perform their duties; and

b) are trained in accordance with the ~~Manual of Standards (MOS-IFPDS)~~ 3.6 and the designer's operations manual.

16.76.1.87 Provide training and checking program;

A PDSP PDSP ~~must~~ shall provide a training and checking program that is of an adequate standard to ensure that the ~~employees of the procedure designers and validators~~ maintain their competence and are provided with ongoing training appropriate to their duties.

16.76.1.98 Maintain reference materials;

16.76.1.98.1 A PDSP ~~must~~ shall maintain reference materials of the kinds ~~specified~~ referred to in the ~~Manual of Standards (MOS-IFPDS)~~.

16.76.1.98.2 A PDSP ~~must~~ shall keep the reference materials up-to-date and in a readily accessible form;

16.76.1.98.3 Each employee of the ~~certified-authorized~~ designer who carries ~~on~~ out design work on an ~~terminal~~ instrument flight procedure under the ~~certified authorized~~ designer's procedure design certificate ~~must~~ shall have ready access to the reference materials.

16.76.1.109 Keep documents and records;

16.76.1.109.1 A PDSP ~~must~~ shall keep documents and records of the kinds specified in 16.6.1.11 and the ~~Manual of Standards for Instrument Flight Procedure Design Services (MOS-IFPDS)~~;

16.76.1.109.2 A document or record ~~must~~ shall be retained for as long as the in accordance with the provisions specified in 16.6.1.11 and Manual of Standards (MOS-IFPDS) specifies for the particular kind of document or record;

16.76.1.109.3 The PDSP shall, at CAAP's AANSOO's request, make the documents and records, or copies of them or extracts from them, available for inspection by CAAP.

16.76.1.110 Have document and record control system;

16.76.1.110.1 A PDSP ~~must~~ shall establish, and put into effect, a system for controlling documents and records relating to the instrument flight procedures on which the designer carries on design work under the PDSP's procedure design certificate, including the policies and procedures for making, amending, preserving and disposing of those documents and records;

16.76.1.110.2 The system ~~must~~ shall be in effective enough to meet the requirements accordance with the standards set out in the Manual of Standards for Flight Procedure Design Services (MOS-FPD) MOS-IFPDS.

16.76.1.121 Keep the records of all regular internal and external inspections/audits for a period of five (5) years from the date of each inspection.

16.87 Display of Procedure Design Certificate of Authorization

16.87.1 The holder of a procedure design certificate of authorization shall display the certificate in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the original approval is displayed, it shall produce the original to the officials of the CAAP Regulatory Authority regulatory body, if so requested.

16.98 Safety Inspections and Audits

16.98.1 An applicant for the issuance of procedure design certificate of authorization shall permit an ATM Inspectorate Division (ATMID) PANS-OPS Aviation Services Safety Inspectors (ASSI) to carry out such safety inspections and audits as may be necessary to verify the validity of any application made in accordance with these Regulations stated herein.

16.98.2 The holder of procedure design certificate of authorization shall permit a PANS-OPS Aviation Safety Services Safety Inspector (ASSIs) to carry out such safety inspections and audits as may be necessary to determine continuous compliance with the appropriate requirements prescribed in this CAR-ANS the established regulatory framework for Instrument Flight Procedure Design Services.

16.109 Application for Approval, Amendment or Renewal

16.109.1 An applicant is eligible to become authorized designer if the applicant is able to comply with the requirements of these-this Regulations.

16.109.2 An application for the issuance of procedure design services approval, or an amendment thereof, shall:

- a) be made to the CAAP Regulatory Authority in the form and manner prescribed by the Authority (see MOS-IFPDS Appendix 1);
- b) be accompanied by a copy of the applicant's Manual of Operations;
- c) include a written statement setting out design procedures that the applicant proposes to provide;
- d) contain enough information to identify, for each procedure design:
 - 1) the location for which the service is proposed to be provided;
 - 2) if the service is to be provided within a particular airspace – the airspace;
 - 3) if the service is to be provided for an aerodrome – the name of the aerodrome;
- e) include a written statement describing the arrangements the applicant has made to comply with the requirements of these ~~these~~ **this** Regulations;
- f) include the appropriate fees prescribed by the CAAP Regulatory Authority, **if any**.

Note:- Please refer to MOS-IFPDS Appendix 1 for complete list of requirements.

16.109.3 In the case of approval renewal, the holder of an approval shall ensure that the process for renewal is commenced at least sixty (60) days prior to the date on which such approval expires.

16.109.4 If a procedure design service provider's approval is subject to conditions, the provider shall comply with the conditions so specified.

16.10 Authorization for PDSP under CAAP

16.10.1 In accordance with CAR-ANS Part 11, Appendix 11.7, 1. a), CAAP provides an instrument flight procedure design service also referred to as the PDSP under CAAP.

16.10.2 The PDSP under CAAP shall be exempted from any fees imposed by CAAP for application of PDSP authorization.

16.10.3 The PDSP under CAAP upon satisfactory evaluation of the documents listed under 16.10.4 item (1), shall be issued a one-time certificate recognizing the organization as procedure design service authority under CAAP, such certificate serves as a PDSP authorization and shall be valid until the organization cease to exist or unless, suspended in accordance with 16.16.

16.10.4 The PDSP under CAAP shall:

- 1) submit the following documents to AANSOO for proper entry in the registry of authorizations:

- a. A copy of the Manual of Operations;
 - b. List of IFP designs published with corresponding dates of publication (type of IFP, location, effective date, as evidence of quality records and aviation experience);
 - c. Training records of designers employed by the office with corresponding authenticated copies of training certificates; and
 - d. If any, authenticated copies of all authorization issued by other states or organizations (preferably ICAO member state).
- 2) have the responsibilities and privileges accorded to all other CAAP-authorized PDSPs;
 - 3) abide by any other established regulations pertaining to the provision of instrument flight procedure design service; and
 - 4) be subjected to safety regulatory oversight activities (audit and inspections) in accordance with the ATMSID Surveillance Program.

16.11 Manual of Operations

16.11.1 The Manual of Operations of a ~~Procedure Design Service Provider (PDSP)~~ shall contain the following information:

- a) personnel requirements and the responsibilities of personnel;
- b) training and checking of staff and how that information is tracked;
- c) quality assurance/safety management system;
- d) contingency plans developed for part or total system failure for which the organization provides a service;
- e) security plan;
- f) facilities and equipment and how those facilities are maintained;
- g) fault and defect reporting;
- h) maintenance of documents and records; and
- i) any other information requested by the CAAP Regulatory Authority body.

Note: MOS-IFPDS 3.3.1 enumerates more information that a PDSP may opt to include in their MANOPS.

16.12 Issuance of Procedure Design Certificate of Authorization

16.12.1 The CAAP Regulatory Authority shall issue a procedure design certificate of authorization for the provision of design work if the applicant complies with the requirements prescribed in these ~~this~~ Regulations.

16.12.2 The CAAP Regulatory Authority shall issue the certificate of authorization in the appropriate form.

16.12.3 A certificate and a letter of approval issued under this Part regulation shall include the following information:

- a) the procedure design service provider's name and address of its principal place of business;
- b) the date of issuance and the date of expiry;
- ~~b~~c) a list of the procedure design services covered by the procedure design service provider's approval; and
- ~~e) for each procedure design service provider, the type of service that is proposed to be provided.~~
- d) any conditions set by CAAP enumerated in an attached letter of approval.

16.13 Scope and Variation of ~~Approvals~~ Authorizations

16.13.1 The holder of a procedure design ~~approval~~ certificate of authorization shall be entitled to provide any service or combination of services listed in its manual of operation.

16.13.2 If a procedure design provider for ANS wants to vary its ~~approval~~ authorization, it shall apply to the CAAP Regulatory Authority under this Regulation for that purpose:

- a) the application ~~must~~ shall contain, or have with it, a copy of the proposed variation;
- b) if the ~~CAAP Regulatory Authority~~ DG, through the recommendation of AANSOO, approves the variation, the variation shall take effect from the day proposed by the applicant;
- c) where no date is proposed by the applicant, the effective date of the variation shall be the date the approval notice is given to the provider.

16.14 Period of Validity of Authorization for Third Party PDSPs

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16.14.4 The holder of an ~~approval~~ authorization, which is suspended, shall forthwith produce the approval certificate of authorization to the Authority CAAP Regulatory Authority for appropriate endorsement.

~~16.14.5 The holder of an approval, which is suspended, shall forthwith produce the approval certificate to the Authority CAAP Regulatory Authority for appropriate endorsement.~~

16.15 Transferability of ~~Approval~~ Authorization

16.15.1 Subject to the provisions of ~~these Regulations~~ **this regulation**, an approval authorization shall not be transferable.

16.15.2 A change in ownership of the holder of an approval authorization shall be deemed to be a change of significance that ~~must~~ **shall** be notified to ~~the CAAP Regulatory Authority~~.

16.16 Notice of Recommendation for Suspension or Approval of Approval Certificate of Authorization

16.16.1 ~~A procedures design inspector (ASSI)~~ **AANSOO** may recommend to DG, the suspension or cancellation of a procedure design certificate of authorization issued under this regulation, ~~for a period not exceeding thirty (30) days~~ **six (6) months**, ~~of a procedure design provider for air navigation service approval issued under this Part~~, if:

- a) after a safety inspection and audit carried out in terms of ~~these Regulations~~ **this regulation**, it is evident that the holder of the approval authorization does not comply with the requirements prescribed in ~~this Part~~ **promulgated national regulations** pertaining to PANS-OPS, and such ~~an~~ holder fails to remedy such non-compliance within ~~30 days~~ **the period agreed by the auditor and auditee to resolve the findings** after receiving notice in writing from the ~~ATMSID/PANSOPS inspectorate~~ **AANSOO** to do so; or
- b) the PANS-OPS ~~Aviation Services Safety Inspector (ASSI)~~ is prevented by the holder of the approval from carrying out a safety inspection and audit in accordance with ~~these Regulations~~ **the ATMSID Surveillance Program**.

16.17 Suspension, Cancellation or Variation of Procedure Design Service Provider Approval Certificate of Authorization by the CAAP Regulatory Authority

16.17.1 ~~The CAAP Regulatory Authority~~ may, arising from the recommendation of a ~~PANS-OPS Inspector~~ **AANSOO**, by written notice given to a procedure designer, suspend, cancel or vary the procedure design service provider's certificate if there are reasonable grounds for believing that the certificate holder:

- a) has breached a condition of the certificate; or
- b) has contravened a provision of this CAR-ANS **and other promulgated national regulations pertaining to PANS-OPS**; or
- c) does not meet, or continue to meet, a requirement of this CAR-ANS for getting or holding the certificate; or
- d) has otherwise been guilty of conduct that renders the procedure design service provider's continued holding of the certificate likely to have an adverse effect on the safety of air navigation.

16.17.2 Before suspending, cancelling or varying a procedure design service provider's certificate, the CAAP Regulatory Authority **shall**:

- a) ~~must~~ give written notice to the certificate holder of the facts or circumstances that, in the ~~well-founded~~ opinion of the ~~CAAP Regulatory Authority~~, amount to grounds for the suspension, cancellation or variation of the certificate; and
- b) ~~must~~ invite the certificate holder to show cause in writing, within thirty (30) days after the date of the notice, why the certificate should not be suspended, cancelled or varied; and
- c) ~~must~~ take into account any written representations made, within the time allowed under paragraph (b), by or on behalf of the procedure design service provider explaining why the certificate should not be cancelled.

16.18 Right of Appeal of an Authorized Designer

16.18.1 The holder of an ~~approval-authorization~~ who feels aggrieved by the suspension or cancellation of the ~~approval~~ certificate of authorization may file his motion for reconsideration against such suspension to ~~the CAAP Regulatory Authority~~, within ~~five (5)~~ days after such holder becomes aware of such suspension, and in case of denial, may file his appeal to the CAAP Board of Directors within ~~ten (10)~~ days.

16.18.2 An appellant shall deliver an appeal in writing, stating the reasons why, in his or her opinion, the suspension or cancellation should not be upheld or should be set aside.

16.18.3 The appellant shall submit a copy of the appeal and any document or record supporting such appeal, to ~~the PAN-OPS inspector concerned~~ DG and shall furnish proof of such submission for the information of ~~the CAAP Regulatory Authority~~ AANSOO.

16.18.4 The PANS-OPS iInspector ~~concerned~~ may, within 30 days of receipt of the copy of the appeal referred to in paragraph (3), ~~deliver to the Director General his or her written reply~~, upon the instruction of the DG, shall submit his/her written reply to the appeal referred to in 16.18.3 no longer than fifteen (15) working days.

16.18.5 The ~~Director General~~ may:

- a) adjudicate the appeal on the basis of the documents submitted; or
- b) order the appellant and ~~the PANS-OPS inspector~~ AANSOO ~~concerned~~ to appear before ~~it~~ ~~him~~, either in person or through a representative, at a time and place determined by the DG, to give evidence.

16.18.6 The ~~Director General~~ may confirm, vary or set aside the suspension or cancellation referred to in subsection 16.17 of this CAR-ANS.

16.18.7 ~~The DG shall:~~

- a) ~~confirm the suspension in line with this regulation; or~~
- b) ~~if an approval is suspended in line with Subsection 16.17 of these Regulations and the holder thereof does not appeal against such suspension, cancel the approval concerned.~~

If the holder thereof failed to appeal against such suspension or cancellation within the prescribed number of days stated in 16.17, wherefore waiving his/her right to appeal, suspension or cancellation will take effect immediately.

16.19 Registry of Authorizations

16.19.1 ~~The Authority~~ AANSOO shall maintain a ~~register~~ registry of all authorized designer issued under this CAR-ANS.

16.19.2 The ~~register~~ registry shall contain the following particulars:

- a) the full name of the authorized designer;
- b) the business address of the authorized designer;
- c) the postal address of the authorized designer;
- d) the date on which the authorization was issued or renewed;
- e) the type of procedure design service in respect of which the authorization was issued;
- f) the list of IFPs approved and/or published with the date of approval/publication;
- g) the date on which the authorization was suspended, if applicable; and
- h) the date on which the authorization expires.

16.19.3 The particulars referred to in paragraph 16.19.2, with the exception of letter (f), shall be recorded in the ~~register~~ registry within seven (7) days from the date on which ~~the CAAP Regulatory Authority~~ issued the certificate of authorization. Item (f) in 16.19.2 shall be entered into the registry if any, and shall be updated by AANSOO once corresponding IFPs are approved/ published.

16.19.4 The ~~register~~ registry and any updates thereto shall be kept in a safe place at the offices of Chief, ATMSID-AANSOO and Chief, RSSD-AANSOO for filing in the physical and electronic technical library.

16.19.5 A copy of the ~~registry~~ registry shall be furnished by ~~the CAAP Regulatory Authority~~ on payment of the appropriate fees as prescribed from time to time upon request by organizations intending to avail procedure design services to be implemented within Manila FIR.

16.20 Substitution of another Procedure Designer for Air Navigation.

16.20.1 ~~The CAAP Regulatory Authority may, when it considers it necessary in the interest of aviation safety, appoint the holder of a procedure design certificate of authorization as a substitute provider to carry on activities specified in 16.65.1 in respect of an authorization that has been suspended or cancelled by the CAAP Regulatory Authority under this part, for the duration of such suspension or cancellation.~~

16.21 16.20 Standards for design of instrument flight procedures

~~16.21.1~~ 16.20.1 A PDSP designing an instrument flight procedure under its certificate of authorization ~~must~~ shall ensure that the procedure is designed in accordance with:

~~a) the applicable standards set out in the Manual of Standards for Instrument Flight Procedure Design Services (MOS-IFPD);~~

~~ba)~~ the applicable standards set out or referred to in ICAO Doc. 8168 (PANS-OPS); ~~and~~

~~eb)~~ any applicable standards set out or referred to in ICAO approved documents and materials (e.g. ICAO Doc- 9905 – RNP AR Procedure Design Manual); and

~~c)~~ any applicable standards set out by CAAP that differs from those stipulated in ICAO approved documents and materials in accordance with MOS-IFPDS 1.4.2.

16.22 16.21 Maintenance of instrument flight procedures

~~16.22.1~~ 16.21.1 The airport or aerodrome authority takes responsibility for updating relevant data (e.g. aerodrome data) and the protection of the Obstacle Limitation Surfaces (OLS). When there is new or updated data or when these surfaces OLS are infringed, close cooperation with the Aeronautical Information Services (AIS) and designer for obstacle assessment on the IFP is needed. It is important to set up an agreement for relevant airport/obstacle data to be provided to the procedure designer. In the case where an obstacle will not infringe OLS surfaces, the procedure designer should also conduct an obstacle assessment to ensure that the procedures will not be affected.

~~16.22.2~~ 16.21.2 Continuous maintenance of the procedure shall be the joint responsibility of all the stakeholders concerned such as ADMS, ATS, CNS, AIS, Aerodrome Operators, etc., to ensure that significant changes to obstacles, aerodrome, aeronautical and navaid data are assessed for their impact on the IFP.

~~16.22.3~~ 16.21.3 An authorized designer's responsibility for maintaining an IFP as designed under the designer's PDSP's procedure design certificate of authorization shall be governed by ~~the this regulation and Manual of Standards for Flight Procedure Design~~ MOS-IFPDS.

~~16.22.4~~ 16.21.4 The authorized designer ceases to be responsible for the maintenance of the procedure:

~~16.22.4.1~~ a) If the authorized designer has notified CAAP, that the designer has ceased to have that responsibility:

a i) within thirty (30) days when the notice is given; or

~~b~~ ii) if a later day date is specified in the notice—, on the later day date specified; or

~~16.22.4.2~~ b) If the authorized designer's responsibility for the maintenance of the procedure is transferred to another authorized designer in accordance with this regulation—, on the day when the responsibility is transferred; or

~~16.22.4.3~~ c) If the authorized designer has notified CAAP, that the designer has ceased to design the type of ~~terminal~~ instrument flight procedure concerned:

a-i) on the day when the notice is given; or

~~b-i)~~ ii) if a later day date is specified in the notice—, on the ~~later day~~ date specified; or

d) If the certificate of authorization issued to the designer is suspended or cancelled under the conditions specified in 16.16 for the duration of such suspension or cancellation.

~~16.22.4.4~~ e) If the authorized designer ceases to be an authorized designer—, on the day when the designer ceases to be an authorized designer procedure design authorization expires; or

16.21.5 In the event described in 16.21.4 the owner of the procedure shall advise CAAP thru AANSOO their new designated PDSP to conduct maintenance of an IFP to ensure safe implementation of the procedure.

~~16.23~~ 16.22 Periodic Review

~~16.23.1~~ 16.22.1 On a periodic basis (but no longer than five (5) years) the IFP shall be subjected to periodic review to ensure that all changes to obstacles, aerodrome, aeronautical and navaid data are assessed.

~~16.23.2~~ On a periodic basis ensure that all changes to criteria, user requirements and depiction standards are assessed.

~~16.23.3~~ 16.22.2 It is mandatory to keep the quality assurance documentation for an adequate period of time to allow traceability for later purposes. The required amount of time to retain such documentations is specified in MOS-IFPDS 4.4.17.5.

~~16.23.4~~ The CAAP thru AANSOO shall designate to an authorized designer, whether a unit under CAAP or an authorized designer (3rd Party), the conduct of periodic review an IFP to ensure that all changes to obstacles, aerodrome, aeronautical and navaid data are properly assessed.

~~16.23.5~~ 16.22.3 An authorized designer's responsibility for the periodic review of an IFP as designed under the designer's procedure design certificate of authorization or an IFP delegated by the CAAP for the periodic review shall be governed by the this regulation and Manual of Standards for Flight Procedure Design MOS-IFPDS.

~~16.23.6~~ 16.22.4 The authorized designer ceases to be responsible for the periodic review of the procedure:

~~16.23.6.1~~ a) If the authorized designer has notified CAAP, that the designer has ceased to have that responsibility:

a i) within thirty (30) days when the notice is given; or

b ii) if a later day date is specified in the notice—, on the ~~later day~~ date specified; or

~~16.23.6.2~~ b) If the authorized designer's responsibility for the periodic review of the procedure is transferred to another authorized designer in accordance with this regulation—, on the day when the responsibility is transferred; or

~~16.23.6.3~~ c) If the authorized designer has notified CAAP, that the designer has ceased to design the type of terminal instrument flight procedure concerned:

a i) on the day when the notice is given; or

b ii) if a later ~~day~~ **date** is specified in the notice—, on the ~~later day~~ **date specified**; or

d) **If the certificate of authorization issued to the designer is suspended or cancelled under the conditions specified in 16.16 for the duration of such suspension or cancellation.**

~~16.23.6.4~~ e) If the authorized designer ceases to be an authorized designer—, on the day when the ~~designer ceases to be an authorized designer~~ procedure design authorization expires; or

16.22.5 In the event described in 16.22.4, the owner of the procedure shall advise CAAP thru AANSOO their new designated PDSP to conduct periodic review of an IFP to ensure that all changes to obstacles, aerodrome, aeronautical and navaid data are properly assessed.

— END —

NEW/AMENDED REGULATION AFTER REVISION:

CAR-ANS PART 16, Amendment 1

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FOREWORD

This Civil Aviation Regulations-Air Navigation Services (CAR-ANS) Part 16 is developed in accordance with Republic Act No. 9497 otherwise known as the Civil Aviation Authority Act of 2008 and issued by the Civil Aviation Authority of the Philippines (CAAP), setting forth the rules and regulations in the provision of Instrument Flight Procedure Design Services (IFPDS) in order to ensure safety, regularity and efficiency of air navigation within the airspace jurisdiction of the Philippines.

The regulations embodied herein are issued by authority of the Director General of CAAP and shall apply to all organizations and individuals involved in the development, design and maintenance of flight procedures for departure, arrival and en-route phases in aircraft flight operations within Manila Flight Information Region (FIR).

Whenever an apparent conflict arises between the regulations in this CAR-ANS and instructions / guidelines in other agency issuances, the appropriate or concerned flight procedure design entity should seek clarification from AANSOO. Normally, the provisions in any promulgated CAR-ANS shall prevail.

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16.1 DEFINITIONS

16.1.1 Definition of Terms

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Authorized designer – a recognized procedure design service authority under CAAP or a 3rd-party procedure design service provider who is a holder of a procedure design certificate of authorization that is in force.

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Manual of Standards - means the document called Manual of Standards for Instrument Flight Procedure Design Services (MOS-IFPDS), published by CAAP, as in force.

Note: The Manual of Standards for Instrument Flight Procedure Design Services shall be made available for download at CAAP's official website: www.caap.gov.ph

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Regulatory Authority – hereinafter referred to as the Director General of the CAAP with the exclusive determination and recommendation from the AANSOO and FSIS.

Third Party Procedure Design Service Provider (3rd Party PDSP) - a PDSP other than the recognized procedure design service authority under CAAP.

Types of instrument flight procedure -

Refers to the following, whether Conventional or Performance Based Navigation;

- a) Enroute,
- b) Standard Terminal Arrival Route,
- c) Standard Instrument Departure,
- d) Instrument Approach Procedures (see definition for further classification),
- e) Visual Approach Procedures including Visual with Prescribed Track, and
- f) Helicopter Point-in-Space (PinS).

16.1.2 ABBREVIATIONS

AANSOO	<i>Aerodrome and Air Navigation Safety Oversight Office</i>
ADMS	<i>Aerodrome Development and Management Service</i>
AFPDD	<i>Airspace and Flight Procedure Design Division</i>
AIP	<i>Aeronautical Information Publication</i>
AIRAC	<i>Aeronautical Information Regulation and Control</i>
AIS	<i>Aeronautical Information Services</i>
ANS	<i>Air Navigation Services</i>
APV	<i>Approach Procedures with Vertical Guidance</i>
ATM	<i>Air Traffic Management</i>
ATMSID	<i>Air Traffic Management Safety Inspectorate Division</i>
ATS	<i>Air Traffic Services</i>
CAAP	<i>Civil Aviation Authority of the Philippines</i>
CAR-ANS	<i>Civil Aviation Regulations- Air Navigation Services</i>
CNS	<i>Communications, Navigation and Surveillance</i>
DG	<i>Director General</i>
FIR	<i>Flight Information Region</i>
FPD	<i>Flight Procedure Design</i>

FPI	<i>Flight Procedure Inspectorate</i>
FPIS	<i>Flight Procedure Inspectorate Staff</i>
GV	<i>Ground Validation</i>
IAC	<i>Instrument Approach Chart</i>
IAP	<i>Instrument Approach Procedure</i>
ICAO	<i>International Civil Aviation Organization</i>
IFP	<i>Instrument Flight Procedure</i>
IFPDS	<i>Instrument Flight Procedure Design Services</i>
IFR	<i>Instrument Flight Rules</i>
MOS	<i>Manual of Standards</i>
NOTAM	<i>Notice to Airmen</i>
NPA	<i>Non-precision Approach</i>
OAS	<i>Obstacle Assessment Surface</i>
OCA/H	<i>Obstacle Clearance Altitude/Height</i>
OJT	<i>On-the-Job Training</i>
OLS	<i>Obstacle Limitation Surface</i>
PA	<i>Precision Approach</i>
PANS-OPS	<i>Procedures for Air Navigation Services – Aircraft Operations</i>
PBN	<i>Performance-Based Navigation</i>
PDSP	<i>Procedure Design Service Provider</i>
PinS	<i>Point-in-Space</i>
QM	<i>Quality Manual</i>
QMS	<i>Quality Management System</i>
RNAV	<i>Area Navigation</i>
RNP	<i>Required Navigation Performance</i>
RNP AR	<i>Required Navigation Performance Authorization Required</i>
SARPS	<i>Standards and Recommended Practices</i>
SID	<i>Standard Instrument Departure</i>
STAR	<i>Standard Instrument Arrival</i>

16.2 APPLICABILITY

16.2.1 CAR-ANS Part 16:

- a) provides the standards that apply for the design of instrument flight procedures within Manila FIR; and
- b) applies to person or organization who intends to engage in procedure design work to be implemented within Manila FIR.

16.3 Procedure Design Certificate of Authorization

16.3.1 A procedure design certificate of authorization is a credential that:

- a) is granted by CAAP to a procedure design service provider under this regulation; and
- b) authorizes the procedure design service provider to engage in the following activities covered by the authorization subject to conditions set out by CAAP:

- i) review or amend an instrument flight procedure for a certain type covered by the authorization and is for use by civil aircraft operating under the instrument flight rules (IFR) within the Manila Flight Information Region (FIR);
- ii) carry on design work on an instrument flight procedure for a certain type covered by the authorization and is for use by civil aircraft operating under the IFR within the Manila FIR; or
- iii) validate flight procedure design developed by another designer.

16.4 Requirement for Authorization as a Procedure Designer Service Provider (PDSP)

16.4.1 No person or organization, shall design procedures or publish such procedures for air navigation services in Philippine airspace and aerodromes unless he or she belongs to any of the undermentioned categories:

- a) an authorized designer belonging to the following:
 - i. a recognized procedure design service authority under CAAP as stipulated in CAR-ANS Part 11, Appendix 11.7, 1 (a); or
 - ii. a 3rd party PDSP that holds a certificate of authorization issued by CAAP.
- b) the person or organization has a co-operation arrangement with an authorized designer; or
- c) there is a commercial agreement with an authorized PDSP.

16.5 Privileges of an Authorized Designer

16.5.1 Only Instrument Flight Procedure Designs developed, reviewed, validated or amended by PDSPs as described in 16.4.1 for their business clients shall be approved by CAAP for implementation and/or publication in accordance to the IFP processes stated in MOS-IFPDS.

16.5.2 Air operators, Air Traffic Services, aerodrome authorities and other organizations desiring to acquire the services of a PDSP, are advised to consult with CAAP before entering into any contract to ensure that the PDSP of their choice satisfies the requirement stipulated in 16.4.

16.6 Responsibilities of the Holder of Certificate of Authorization

16.6.1 The holder of a procedure design certificate of authorization shall:

16.6.1.1 Develop and maintain a Manual of Operations (MANOPs);

16.6.1.1.1 A PDSP shall develop and maintain a MANOPs appropriate to their organization and meets the standards for Manual of Operations set out in the MOS-IFPDS 3.3.1.

16.6.1.1.2 A PDSP shall:

- a) keep the MANOPs in a readily accessible form;

- b) ensure that each employee of the PDSP whose duties include carrying on design work under the PDSP's procedure design certificate has ready access to the MANOPs; and
- c) amend the MANOPs whenever it is necessary to do so to keep it up-to-date.

16.6.1.1.3 A PDSP shall:

- a) ensure that all amendments to the MANOPs are incorporated in all copies of the manual kept by the PDSP; and
- b) ensure that copies of the amendments are given to AANSOO.

16.6.1.2 Provide the services listed in its MANOPs, in accordance with the procedures as prescribed in this regulation and MOS-IFPDS;

16.6.1.3 Continuously comply with the applicable regulations prescribed by CAAP and with all the procedures detailed in the PDSP's MANOPs;

16.6.1.4 Provide facilities;

16.6.1.4.1 A PDSP shall provide and maintain adequate facilities for carrying on design work on instrument flight procedures under the PDSP's procedure design certificate, including:

- a) providing premises and equipment appropriate for the PDSP's employees to carry on the design work; and
- b) ensuring that those employees have access to all necessary data for designing the procedures including:
 - (1) accurate and current databases or charts detailing terrain and obstacle information; and
 - (2) accurate and current navigation aid coordinate data; and
 - (3) accurate and current aerodrome reference point and threshold data.

16.6.1.4.2 A PDSP shall, if an aeronautical database and aeronautical data is required for designing an instrument flight procedure under the designer's procedure design certificate, have and put into effect, procedures to ensure the integrity of the database and the data.

16.6.1.5 Maintain an appropriate organization with a sound and effective management structure to enable the designer to carry on design work on instrument flight procedures under the designer's procedure design certificate in accordance with this regulation and MOS-IFPDS;

16.6.1.6 Have sufficient personnel;

16.6.1.6.1 A PDSP shall employ a sufficient number of personnel to enable the designer to carry on design work of instrument flight procedures under the designer's procedure design authorization in accordance with this regulation and in MOS-IFPDS; and shall ensure that those personnel:

- a) are suitably qualified and competent to perform their duties; and

b) are trained in accordance with the MOS-IFPDS 3.6 and the designer's operations manual.

16.6.1.7 Provide training and checking program;

A PDSP shall provide a training and checking program that is of an adequate standard to ensure that the procedure designers and validators maintain their competence and are provided with ongoing training appropriate to their duties.

16.6.1.8 Maintain reference materials;

16.6.1.8.1 A PDSP shall maintain reference materials of the kinds referred to in the MOS-IFPDS.

16.6.1.8.2 A PDSP shall keep the reference materials up-to-date and in a readily accessible form.

16.6.1.8.3 Each employee of the authorized designer who carries out design work on an instrument flight procedure under the authorized designer's procedure design certificate shall have ready access to the reference materials.

16.6.1.9 Keep documents and records;

16.6.1.9.1 A PDSP shall keep documents and records of the kinds specified in 16.6.1.11 and MOS-IFPDS.

16.6.1.9.2 A document or record shall be retained in accordance with the provisions specified in 16.6.1.11 and MOS-IFPDS.

16.6.1.9.3 The PDSP shall, at AANSOO's request, make the documents and records, or copies of them or extracts from them, available for inspection.

16.6.1.10 Have document and record control system;

16.6.1.10.1 A PDSP shall establish, and put into effect, a system for controlling documents and records relating to the instrument flight procedures on which the designer carries on design work under the PDSP's procedure design certificate, including the policies and procedures for making, amending, preserving and disposing of those documents and records;

16.6.1.10.2 The system shall be effective enough to meet the requirements set out in MOS-IFPDS.

16.6.1.11 Keep the records of all regular internal and external inspections/audits for a period of five (5) years from the date of each inspection.

16.7 Display of Procedure Design Certificate of Authorization

16.7.1 The holder of a procedure design certificate of authorization shall display the certificate in a prominent place, generally accessible to the public at such holder's principal place of business and, if a copy of the original approval is displayed, it shall produce the original to the officials of the CAAP regulatory body, if so requested.

16.8 Safety Inspections and Audits

16.8.1 An applicant for the issuance of procedure design certificate of authorization shall permit PANS-OPS Aviation Services Safety Inspectors (ASSI) to carry out safety inspections and audits as may be necessary to verify the validity of any application made in accordance with regulations stated herein.

16.8.2 The holder of procedure design certificate of authorization shall permit PANS-OPS ASSIs to carry out such safety inspections and audits to determine continuous compliance with the established regulatory framework for Instrument Flight Procedure Design Services.

16.9 Application for Approval, Amendment or Renewal

16.9.1 An applicant is eligible to become authorized designer if the applicant is able to comply with the requirements of this regulation.

16.9.2 An application for the issuance of procedure design services approval, or an amendment thereof, shall:

- a) be made to the CAAP Regulatory Authority in the form and manner prescribed by the Authority (see MOS-IFPDS Appendix 1);
- b) be accompanied by a copy of the applicant's Manual of Operations;
- c) include a written statement setting out design procedures that the applicant proposes to provide;
- d) contain enough information to identify, for each procedure design:
 - 1) the location for which the service is proposed to be provided;
 - 2) if the service is to be provided within a particular airspace
 - the airspace;
 - 3) if the service is to be provided for an aerodrome
 - the name of the aerodrome;
- e) include a written statement describing the arrangements the applicant has made to comply with the requirements of this regulation;
- f) include the appropriate fees prescribed by the CAAP Regulatory Authority, if any.

Note:- Please refer to MOS-IFPDS Appendix 1 for complete list of requirements.

16.9.3 In the case of approval renewal, the holder of an approval shall ensure that the process for renewal is commenced at least sixty (60) days prior to the date on which such approval expires.

16.9.4 If a procedure design service provider's approval is subject to conditions, the provider shall comply with the conditions so specified.

16.10 Authorization for PDSP under CAAP

16.10.1 In accordance with CAR-ANS Part 11, Appendix 11.7, 1. a), CAAP provides an instrument flight procedure design service also referred to as the PDSP under CAAP.

16.10.2 The PDSP under CAAP shall be exempted from any fees imposed by CAAP for application of PDSP authorization.

16.10.3 The PDSP under CAAP upon satisfactory evaluation of the documents listed under 16.10.4 item (1), shall be issued a one-time certificate recognizing the organization as procedure design service authority under CAAP, such certificate serves as a PDSP authorization and shall be valid until the organization cease to exist or unless, suspended in accordance with 16.16.

16.10.4 The PDSP under CAAP shall:

- 1) submit the following documents to AANSOO for proper entry in the registry of authorizations:
 - a. A copy of the Manual of Operations;
 - b. List of IFP designs published with corresponding dates of publication (type of IFP, location, effective date, as evidence of quality records and aviation experience);
 - c. Training records of designers employed by the office with corresponding authenticated copies of training certificates; and
 - d. If any, authenticated copies of all authorization issued by other states or organizations (preferably ICAO member state).
- 2) have the responsibilities and privileges accorded to all other CAAP-authorized PDSPs;
- 3) abide by any other established regulations pertaining to the provision of instrument flight procedure design service; and
- 4) be subjected to safety regulatory oversight activities (audit and inspections) in accordance with the ATMSID Surveillance Program.

16.11 Manual of Operations

16.11.1 The Manual of Operations of a PDSP shall contain the following information:

- a) personnel requirements and the responsibilities of personnel;
- b) training and checking of staff and how that information is tracked;
- c) quality assurance/safety management system;

- d) contingency plans developed for part or total system failure for which the organization provides a service;
- e) facilities and equipment and how those facilities are maintained;
- f) fault and defect reporting;
- g) maintenance of documents and records; and
- h) any other information requested by the CAAP regulatory body.

Note: MOS-IFPDS 3.3.1 enumerates more information that a PDSP may opt to include in their MANOPS.

16.12 Issuance of Procedure Design Certificate of Authorization

16.12.1 The CAAP Regulatory Authority shall issue a procedure design certificate of authorization if the applicant complies with the requirements prescribed in this regulation.

16.12.2 The CAAP Regulatory Authority shall issue the certificate of authorization in the appropriate form.

16.12.3 A certificate and a letter of approval issued under this regulation shall include the following information:

- a) the procedure design service provider's name and address of its principal place of business;
- b) the date of issuance and the date of expiry;
- c) a list of the procedure design services covered by the procedure design service provider's approval; and
- d) any conditions set by CAAP enumerated in an attached letter of approval.

16.13 Scope and Variation of Authorizations

16.13.1 The holder of a procedure design certificate of authorization shall be entitled to provide any service or combination of services listed in its manual of operation.

16.13.2 If a procedure design provider wants to vary its authorization, it shall apply to CAAP under this regulation for that purpose:

- a) the application shall contain, or have with it, a copy of the proposed variation;
- b) if the DG, through the recommendation of AANSOO, approves the variation, the variation shall take effect from the day proposed by the applicant;
- c) where no date is proposed by the applicant, the effective date of the variation shall be the date the approval notice is given to the provider.

16.14 Period of Validity of Authorization for Third Party PDSPs

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16.14.4 The holder of an authorization, which is suspended, shall forthwith produce the approval certificate of authorization to CAAP for appropriate endorsement.

16.15 Transferability of Authorization

16.15.1 Subject to the provisions of this regulation, an authorization shall not be transferable.

16.15.2 A change in ownership of the holder of an authorization shall be deemed to be a change of significance that shall be notified to CAAP.

16.16 Notice of Recommendation for Suspension or Approval of Certificate of Authorization

16.16.1 AANSOO may recommend to DG, the suspension or cancellation of a procedure design certificate of authorization issued under this regulation for a period not exceeding six (6) months, if:

a) after a safety inspection and audit carried out in terms of this regulation, it is evident that the holder of the authorization does not comply with the requirements prescribed in promulgated national regulations pertaining to PANS-OPS, and such holder fails to remedy such non-compliance within the period agreed by the auditor and auditee to resolve the findings after receiving notice in writing from the AANSOO to do so; or

b) the PANS-OPS Inspector is prevented by the holder of the approval from carrying out a safety inspection and audit in accordance with the ATMSID Surveillance Program.

16.17 Suspension, Cancellation or Variation of Procedure Design Service Provider Certificate of Authorization by CAAP

16.17.1 CAAP may, arising from the recommendation of AANSOO, by written notice given to a procedure designer, suspend, cancel or vary the procedure design service provider's certificate if there are reasonable grounds for believing that the certificate holder:

a) has breached a condition of the certificate; or

b) has contravened a provision of this CAR-ANS and other promulgated national regulations pertaining to PANS-OPS; or

c) does not meet, or continue to meet, a requirement of this CAR-ANS for getting or holding the certificate; or

d) has otherwise been guilty of conduct that renders the procedure design service provider's continued holding of the certificate likely to have an adverse effect on the safety of air navigation.

16.17.2 Before suspending, cancelling or varying a procedure design service provider's certificate, the CAAP Regulatory Authority shall:

- a) give written notice to the certificate holder of the facts or circumstances that, in the well-founded opinion of the CAAP Regulatory Authority, amount to grounds for the suspension, cancellation or variation of the certificate; and
- b) invite the certificate holder to show cause in writing, within thirty (30) days after the date of the notice, why the certificate should not be suspended, cancelled or varied; and
- c) take into account any written representations made, within the time allowed under paragraph (b), by or on behalf of the procedure design service provider explaining why the certificate should not be cancelled.

16.18 Right of Appeal of an Authorized Designer

16.18.1 The holder of an authorization who feels aggrieved by the suspension or cancellation of the certificate of authorization may file his motion for reconsideration against such action to CAAP, within five (5) days after such holder becomes aware of such suspension, and in case of denial, may file his appeal to the CAAP Board of Directors within ten (10) days.

16.18.2 An appellant shall deliver an appeal in writing, stating the reasons why, in his or her opinion, the suspension or cancellation should not be upheld or should be set aside.

16.18.3 The appellant shall submit a copy of the appeal and any document or record supporting such appeal to DG and shall furnish proof of such submission for the information of AANSOO.

16.18.4 The PANS-OPS Inspector, upon the instruction of the DG, shall submit his/her written reply to the appeal referred to in 16.18.3. no longer than fifteen (15) working days.

16.18.5 The Director General may:

- a) adjudicate the appeal on the basis of the documents submitted; or
- b) order the appellant and AANSOO to appear before him, either in person or through a representative, at a time and place determined by the DG, to give evidence.

16.18.6 The Director General may confirm, vary or set aside the suspension or cancellation referred to in subsection 16.17 of this CAR-ANS.

16.18.7 If the holder thereof failed to appeal against such suspension or cancellation within the prescribed number of days stated in 16.17, wherefore waiving his/her right to appeal, suspension or cancellation will take effect immediately.

16.19 Registry of Authorizations

16.19.1 AANSOO shall maintain a registry of all authorized designer issued under this CAR-ANS.

16.19.2 The registry shall contain the following particulars:

- a) the full name of the authorized designer;
- b) the business address of the authorized designer;

- c) the postal address of the authorized designer;
- d) the date on which the authorization was issued or renewed;
- e) the type of procedure design service in respect of which the authorization was issued;
- f) the list of IFPs approved and/or published with the date of approval/publication;
- g) the date on which the authorization was suspended, if applicable; and
- h) the date on which the authorization expires.

16.19.3 The particulars referred to in paragraph 16.19.2, with the exception of letter (f), shall be recorded in the registry within seven (7) days from the date on which CAAP issued the certificate of authorization. Item (f) in 16.19.2 shall be entered into the registry if any, and shall be updated by AANSOO once corresponding IFPs are approved/ published.

16.19.4 The registry and any updates thereto shall be kept in a safe place at the office of the Chief, ATMSID-AANSOO and Chief, RSSD-AANSOO for filing in the physical and electronic technical library.

16.19.5 A copy of the registry shall be furnished by CAAP upon request by organizations intending to avail procedure design services to be implemented within Manila FIR.

16.20 Standards for design of instrument flight procedures

16.20.1 A PDSP designing an instrument flight procedure under its certificate of authorization shall ensure that the procedure is designed in accordance with:

- a) the applicable standards set out or referred to in ICAO Doc. 8168 (PANS-OPS);
- b) any applicable standards set out or referred to in ICAO approved documents and materials (e.g. ICAO Doc 9905 – RNP AR Procedure Design Manual); and
- c) any applicable standards set out by CAAP that differs from those stipulated in ICAO approved documents and materials in accordance with MOS-IFPDS 1.4.2;

16.21 Maintenance of instrument flight procedures

16.21.1 The airport or aerodrome authority takes responsibility for updating relevant data (e.g. aerodrome data) and the protection of the Obstacle Limitation Surfaces (OLS). When there is new or updated data or when the OLS are infringed, close cooperation with the Aeronautical Information Services (AIS) and designer for obstacle assessment on the IFP is needed. It is important to set up an agreement for relevant airport/obstacle data to be provided to the procedure designer. In the case where an obstacle will not infringe OLS surfaces, the procedure designer should also conduct an obstacle assessment to ensure that the procedures will not be affected.

16.21.2 Continuous maintenance of the procedure shall be the joint responsibility of all the stakeholders concerned such as ADMS, ATS, CNS, AIS, Aerodrome Operators, etc., to ensure

that significant changes to obstacles, aerodrome, aeronautical and navaid data are assessed for their impact on the IFP.

16.21.3 An authorized designer's responsibility for maintaining an IFP as designed under the PDSP's procedure design certificate of authorization shall be governed by this regulation and MOS-IFPDS.

16.21.4 The authorized designer ceases to be responsible for the maintenance of the procedure:

a) If the authorized designer has notified CAAP, that the designer has ceased to have that responsibility:

i) within thirty (30) days when the notice is given; or

ii) if a later date is specified in the notice, on the date specified; or

b) If the authorized designer's responsibility for the maintenance of the procedure is transferred to another authorized designer in accordance with this regulation, on the day when the responsibility is transferred; or

c) If the authorized designer has notified CAAP, that the designer has ceased to design the type of instrument flight procedure concerned:

i) on the day when the notice is given; or

ii) if a later date is specified in the notice, on the date specified; or

d) If the certificate of authorization issued to the designer is suspended or cancelled under the conditions specified in 16.16 for the duration of such suspension or cancellation; or

e) If the authorized designer ceases to be an authorized designer, on the day when the procedure design authorization expires.

16.21.5 In the event described in 16.21.4 the owner of the procedure shall advise CAAP thru AANSOO their new designated PDSP to conduct maintenance of an IFP to ensure safe implementation of the procedure.

16.22 Periodic Review

16.22.1 On a periodic basis (but no longer than five (5) years) the IFP shall be subjected to periodic review to ensure that all changes to obstacles, aerodrome, aeronautical and navaid data are assessed.

16.22.2 It is mandatory to keep the quality assurance documentation for an adequate period of time to allow traceability for later purposes. The required amount of time to retain such documentations is specified in MOS-IFPDS 4.4.17.5.

16.22.3 An authorized designer's responsibility for the periodic review of an IFP shall be governed by this regulation and MOS-IFPDS.

16.22.4 The authorized designer ceases to be responsible for the periodic review of the procedure:

a) If the authorized designer has notified CAAP, that the designer has ceased to have that responsibility:

i) within thirty (30) days when the notice is given; or

ii) if a later date is specified in the notice, on the later date specified; or

b) If the authorized designer's responsibility for the periodic review of the procedure is transferred to another authorized designer in accordance with this regulation, on the day when the responsibility is transferred; or

c) If the authorized designer has notified CAAP, that the designer has ceased to design the type of terminal instrument flight procedure concerned:

i) on the day when the notice is given; or

ii) if a later date is specified in the notice, on the later date specified; or

d) If the certificate of authorization issued to the designer is suspended or cancelled under the conditions specified in 16.16 for the duration of such suspension or cancellation; or

e) If the authorized designer ceases to be an authorized designer, on the day when the procedure design authorization expires.

16.22.5 In the event described in 16.22.4 the owner of the procedure shall advise CAAP thru AANSOO their new designated PDSP to conduct periodic review of an IFP to ensure that all changes to obstacles, aerodrome, aeronautical and navaid data are properly assessed.

xxx

“End of Amendment”

i. ***Separability Clause.*** - If, for any reason, any provision of this Memorandum Circular is declared invalid or unconstitutional, the other part or parts thereof which are not affected thereby shall continue to be in full force and effect.

ii. ***Repealing Clause.*** - All orders, rules, regulations and issuances, or parts thereof which are inconsistent with this Memorandum Circular are hereby repealed, superseded or modified accordingly.

iii. ***Determination of changes.*** – To highlight the amendments and/or revisions in the Memorandum Circular, the deleted text shall be shown with strikethrough and the new inserted text shall be highlighted with grey shading, as illustrated below:

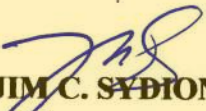
1. Text deleted: ~~Text to be deleted is shown with a line through it.~~

2. New text inserted: **New text is highlighted with grey shading.**

3. New text replacing existing text: ~~Text to be deleted is shown with a line through it~~ followed by the replacement text which is highlighted with grey shading.

- iv. ***Effectivity Clause.*** - This Memorandum Circular shall take effect fifteen (15) days following completion of its publication in a newspaper of general circulation or the Official Gazette and a copy filed with the U.P. Law Center - Office of the National Administrative Register. The amendment shall be incorporated to Philippine CAR-ANS in the next regular Amendment Cycle.

So Ordered. Signed this 05 day of MAY 2022, at the Civil Aviation Authority of the Philippines, MIA Road, Pasay City, Metro Manila, 1301.


CAPTAIN JIM C. SYDIONGCO
Director General