



Republic of the Philippines  
**CIVIL AVIATION AUTHORITY OF THE  
PHILIPPINES**

**MEMORANDUM CIRCULAR NO.: 25-2021**

**TO : ALL CONCERNED**

**FROM : THE DIRECTOR GENERAL**

**SUBJECT : INCORPORATION OF ICAO ANNEX 6 PART II,  
AMENDMENT 34-C TO PHILIPPINE CIVIL AVIATION  
REGULATIONS AND AMENDMENTS TO PCAR PART 8**

**REFERENCES:**

1. ICAO State Letter No. AN 11/6.3.28-16/13
2. Philippine Civil Aviation Regulation Part 8
3. Regulations Amendment/Revision Procedure
4. Board Resolution No. 2012-054 dated 28 September 2012

Pursuant to the powers vested on the Director General of the Civil Aviation Authority of the Philippines under Republic Act No. 9497, otherwise known as the Civil Aviation Authority Act of 2008 and in accordance with the Regulations Amendment/Revision Procedure with Board Resolution No. 2012-054 dated 28 September 2012, I hereby approve the incorporation of the following amendments to the Philippine Civil Aviation Regulations Part 8.

**AMENDED REGULATIONS:**

**PCAR PART 8**

**8.5.1.1 AUTHORITY AND RESPONSIBILITY OF THE PIC**

~~(f) The pilot in command shall ensure that the checklists specified in 8.5.1.9 are complied with in detail.~~

~~(g) The pilot in command shall be responsible for notifying the nearest appropriate authority by the quickest available means of any accident involving the aeroplane, resulting in serious injury or death of any person or substantial damage to the aeroplane or property.~~

~~Note. A definition of the term "serious injury" is contained in Annex 13.~~

**8.5.1.6 FLIGHT CREW MEMBER USE OF SEAT BELTS AND SAFETY HARNESS**

(b) xxx

*Note- Safety harness includes shoulder straps and a seat belt which may be used independently.*



### 8.5.1.21 REPORTING OF HAZARDOUS CONDITIONS

(a)xxx

#### (3) Meteorological Observation

*Note.- The procedures for making meteorological observations on board aircraft in flight and for recording and reporting them are contained in ICAO Annex 3, the PANS-ATM (ICAO Doc 4444) and the appropriate Regional Supplementary Procedures (ICAO Doc 7030).*

- (i) As of 4 November 2021, the pilot-in-command shall report the runway braking action special air-report (AIREP) when the runway braking action encountered is not as good as reported.

*Note: The procedures for making special air-reports regarding runway braking action are contained in the PANS-ATM (ICAO Doc 4444), Chapter 4 and Appendix I.*

#### ~~(b) Meteorological Observation.~~

~~*Note.- The procedures for making meteorological observations on board aircraft in flight and for recording and reporting them are contained in Annex 3, the PANS-ATM (Doc 4444) and the appropriate Regional Supplementary Procedures (Doc 7030).*~~

- ~~(1) As of 5 November 2021, the pilot in command shall report the runway braking action special air report (AIREP) when the runway braking action encountered is not as good as reported.~~

~~*Note: The procedures for making special air reports regarding runway braking action are contained in the PANS-ATM (Doc 4444), Chapter 4 and Appendix I.*~~

- (e-b) Hazardous flight conditions encountered, other than those associated with meteorological conditions, shall be reported to the appropriate aeronautical station as soon as possible. The reports so rendered shall give such details as may be pertinent to the safety of other aircraft.

### 8.5.1.23 ACCIDENT NOTIFICATION

(a) xxx

*Note. – A definition of the term “serious injury” is contained in PCAR Part 13.*

### 8.5.1.25 CREW MEMBER OXYGEN: MINIMUM SUPPLY AND USE

- (g) Cabin crew ~~should~~ shall be safeguarded so as to ensure reasonable probability of their retaining consciousness during any emergency descent which may be necessary in the event of loss of pressurization and, in addition, they ~~should~~ shall have such means of protection as will enable them to administer first aid to passengers during stabilized flight following the emergency. Passengers ~~should~~ shall be safeguarded by such devices or operational procedures



as will ensure reasonable probability of their surviving the effects of hypoxia in the event of loss of pressurization.

*Note - It is not envisaged that cabin crew will always be able to provide assistance to passengers during emergency descent procedures which may be required in the event of loss of pressurization.*

#### **8.5.1.30 SAFEGUARDING OF CABIN CREW AND PASSENGERS IN PRESSURIZED AIRPLANES IN THE EVENT OF LOSS OF PRESSURIZATION**

~~(g) Cabin crew should shall be safeguarded so as to ensure reasonable probability of their retaining consciousness during any emergency descent which may be necessary in the event of loss of pressurization and, in addition, they should shall have such means of protection as will enable them to administer first aid to passengers during stabilized flight following the emergency. Passengers should shall be safeguarded by such devices or operational procedures as will ensure reasonable probability of their surviving the effects of hypoxia in the event of loss of pressurization.~~

~~*Note - It is not envisaged that cabin crew will always be able to provide assistance to passengers during emergency descent procedures which may be required in the event of loss of pressurization.*~~

#### **8.5.2.21 IN-FLIGHT OPERATIONAL INSTRUCTIONS**

~~(g) Operational instructions involving a change in the ATS flight plan shall, when practicable, be coordinated with the appropriate ATS unit before transmission to the airplane.~~

~~*Note: When the above coordination has not been possible, operational instructions do not relieve a pilot of the responsibility for obtaining an appropriate clearance from an ATS unit, if applicable, before making a change in flight plan.*~~

#### **8.6.2.21 TIME CAPABILITY OF CARGO COMPARTMENT FIRE SUPPRESSION SYSTEM**

(1-a) No person may plan a flight if the diversion time to an aerodrome where a safe landing could be made exceeds the cargo compartment fire suppression time capability of the airplane, when one is identified in the relevant airplane documentation, unless the Authority specifies a reduction of the operational safety margin.

*Note 1.- Cargo compartment fire suppression time capabilities will be identified in the relevant airplane documentation when they are to be considered for the operation.*

*Note 2.-Fifteen minutes is an operational safety margin commonly retained for that purpose.*

*Note 3.- Refer to ICAO Annex 6 Part 1 Chapter 4, 4.7 and Attachment B for considerations of time capability of cargo compartment fire suppression systems for airplanes engaged in EDTO.*



### 8.7.1.2 GENERAL

(h-b) The Authority shall ensure that the level of performance specified in 8.7.1.5 shall be met as far as practicable for aeroplanes below 5 700 kgs because of the exemption provided for in Article 41 of the Convention.

### 8.7.1.3 AIRCRAFT PERFORMANCE CALCULATIONS

(b)xxx

*Note.— Guidelines for using runway surface condition information on board aircraft in accordance with 2.2.4.4 are contained in the PANS-Aerodromes (ICAO Doc 9981) and in the Aeroplane Performance Manual (ICAO Doc 10064).*

### 8.7.1.5 APPLICABLE TO AEROPLANES CERTIFICATED IN ACCORDANCE WITH PARTS IIIA AND IIIB OF ICAO ANNEX 8

(a) xxx

(b) xxx

(i-c) An aeroplane shall be operated in compliance with the terms of its certificate of airworthiness and within the approved operating limitations contained in its flight manual.

(j-d) The Authority shall take such precautions as are reasonably possible to ensure that the general level of safety contemplated by these provisions is maintained under all expected operating conditions, including those not covered specifically by the provisions of this subpart.

(k-e) A flight shall not be commenced unless the performance information provided in the flight manual, supplemented as necessary with other data acceptable to the State of the Operator, indicates that the Standards of paragraphs (f) to (l) can be complied with for the flight to be undertaken.

(l-f) Until 3 November 2021, in applying the Standards of this ~~chapter~~ subpart, account shall be taken of all factors that significantly affect the performance of the the aeroplane, including but not limited to: the mass of the aeroplane, the operating procedures, the pressure-altitude appropriate to the elevation of the aerodrome, the ambient temperature, the wind, the runway slope, and surface conditions of the runway i.e., presence of snow, slush, water, and/or ice for landplanes, water surface condition for seaplanes. Such factors shall be taken into account directly as operational parameters or indirectly by means of allowances or margins, which may be provided in the scheduling of performance data or in the comprehensive and detailed code of performance in accordance with which the aeroplane is being operated.

(m-g) As of 4 November 2021, in applying the Standards of this ~~chapter~~ subpart, account shall be taken of all factors that significantly affect the performance of the aeroplane, including but not limited to: the mass of the aeroplane, the operating procedures, the pressure-altitude appropriate to the elevation of the aerodrome, the runway slope, the ambient temperature, the wind, and surface conditions of the runway at the expected time of use, i.e. presence of snow, slush, water, and/or ice for landplanes, water surface condition for seaplanes. Such factors shall be taken into account directly as operational parameters or indirectly by means of allowances or margins, which may be provided in the scheduling of performance data or in the



comprehensive and detailed code of performance in accordance with which the aeroplane is being operated.

*Note.- Guidelines for using runway surface condition information on board aircraft in accordance with 8.8.1.33 are contained in the Aeroplane Performance Manual (ICAO Doc 10064).*

**(nh) Mass Limitations**

- (1) The mass of the aeroplane at the start of take-off shall not exceed the mass at which paragraph (g i) is complied with, or the mass at which paragraphs (i-j), (j k) and (k l) are complied with, allowing for expected reductions in mass as the flight proceeds, and for such fuel jettisoning as is envisaged in applying paragraphs (i-j) and (j-k) and, in respect of alternate aerodromes, paragraphs (h)(3) and (l).
- (2) In no case shall the mass at the start of take-off exceed the maximum take-off mass specified in the flight manual for the pressure-altitude appropriate to the elevation of the aerodrome, and, if used as a parameter to determine the maximum take-off mass, any other local atmospheric condition.
- (3) In no case shall the estimated mass for the expected time of landing at the aerodrome of intended landing and at any destination alternate aerodrome, exceed the maximum landing mass specified in the flight manual for the pressure-altitude appropriate to the elevation of those aerodromes, and if used as a parameter to determine the maximum landing mass, any other local atmospheric condition.
- (4) In no case shall the mass at the start of take-off, or at the expected time of landing at the aerodrome of intended landing and at any destination alternate aerodrome, exceed the relevant maximum masses at which compliance has been demonstrated with the applicable noise certification Standards in ICAO Annex 16, Volume I, unless otherwise authorized in exceptional circumstances for a certain aerodrome or a runway where there is no noise disturbance problem, by the competent authority of the State in which the aerodrome is situated.

**(h-i) Take-off**

- (1) The aeroplane shall be able, in the event of a critical engine failing, or for other reasons, at any point in the take-off, either to discontinue the take-off and stop within the accelerate-stop distance available, or to continue the takeoff and clear all obstacles along the flight path by an adequate vertical or horizontal distance until the aeroplane is in a position to comply with paragraph (k-j). When determining the resulting take-off obstacle accountability area, the operating conditions, such as the crosswind component and navigation accuracy, must be taken into account.

*Note.— ICAO Annex 6, Part 1, Attachment B contains guidance on the vertical and horizontal distances that are considered adequate to show compliance with this Standard.*

- (2) In determining the length of the runway available, account shall be taken of the loss, if any, of runway length due to alignment of the aeroplane prior to take-off.



(i-j) *En route — one engine inoperative.* The aeroplane shall be able, in the event of the critical engine becoming inoperative at any point along the route or planned diversions therefrom, to continue the flight to an aerodrome at which the Standard of paragraph (k-l) can be met, without flying below the minimum flight altitude at any point.

(j-k) *En route — two engines inoperative.* In the case of aeroplanes having three or more engines, on any part of a route where the location of en-route alternate aerodromes and the total duration of the flight are such that the probability of a second engine becoming inoperative must be allowed for if the general level of safety implied by the Standards of this subpart is to be maintained, the aeroplane shall be able, in the event of any two engines becoming inoperative, to continue the flight to an en-route alternate aerodrome and land.

(k-l) *Landing.* The aeroplane shall, at the aerodrome of intended landing and at any alternate aerodrome, after clearing all obstacles in the approach path by a safe margin, be able to land, with assurance that it can come to a stop or, for a seaplane, to a satisfactorily low speed, within the landing distance available. Allowance shall be made for expected variations in the approach and landing techniques, if such allowance has not been made in the scheduling of performance data.

*Note.— As of 4 November 2021, guidelines on appropriate margins for the “at time of landing” distance assessment is contained in the Aeroplane Performance Manual (ICAO Doc 10064).*

#### **8.7.1.6 OBSTACLE DATA**

(a) Obstacle data shall be provided to enable the operator to develop procedures to comply with 8.7.1.5 (i-j).

*Note.— See ICAO Annex 4 and Annex 15, Chapter 5 and Appendix 1 and the ICAO Procedures for Air Navigation Services — Aeronautical Information Management (PANS-AIM), Chapter 5 for methods of presentation of certain obstacle data.*

(b) The operator shall take account of charting accuracy when assessing compliance with 8.7.1.5 (h i).

#### **8.8.1.32 AIRPLANE OPERATING PROCEDURES FOR RATES OF CLIMB AND DESCENT**

(a) Unless otherwise specified in an air traffic control instruction, to avoid unnecessary airborne collision avoidance system (ACAS II) resolution advisories in aircraft at or approaching adjacent altitudes or flight levels, operators should specify procedures by which an aeroplane climbing or descending to an assigned altitude or flight level, especially with an autopilot engaged, may do so at a rate less than 8 m/sec (26 ft)/sec or 450 m (1500 ft)/min (depending on the instrumentation available) throughout the last 300 m (1000 ft) of climb or descent to the assigned level when the pilot is made aware of another aircraft at or approaching an adjacent altitude or flight level.

#### **8.8.4.1 APPLICABILITY**

(a) xxx



*Note 1: Information for pilots on flight procedure parameters and operational procedures is contained in ICAO Doc 8168, PANS-OPS, Volume I. Criteria for the construction of visual and instrument flight procedures are contained in ICAO DOC 8186, PANS-OPS, Volume II. Obstacle clearance criteria and procedures used in certain States may differ from PANS - OPS, and knowledge of these differences is important for safety reasons.*

*Note 2.— See ICAO Annex 6, Part 1 4.2.8.3 for instrument approach operation classifications.*

(b) xxx

~~*Note 1: Information for pilots on flight procedure parameters and operational procedures is contained in ICAO Doc 8168, PANS-OPS, Volume I. Criteria for the construction of visual and instrument flight procedures are contained in ICAO DOC 8186, PANS-OPS, Volume II. Obstacle clearance criteria and procedures used in certain States may differ from PANS - OPS, and knowledge of these differences is important for safety reasons.*~~

~~*Note 2.— See ICAO Annex 6, Part 1 4.2.8.3 for instrument approach operation classifications.*~~

#### **8.8.4.23 ADDITIONAL REQUIREMENTS FOR SINGLE-ENGINE TURBINE POWERED AIRPLANES AT NIGHT AND/OR IN INSTRUMENT METEOROLOGICAL CONDITIONS (IMC)**

(a) xxx

- (3) equipment and other requirements provided in accordance with ICAO Annex 6; Part 1, Appendix 3 to:

#### **8.12.1.3 FUNCTIONS ASSOCIATED WITH OPERATIONAL CONTROL**

(a) xxx

- (13) Operational instructions involving a change in the ATS flight plan, shall, when practicable, be coordinated with the appropriate ATS unit before transmission to the aircraft.

*Note 1: See also ICAO Doc 9376, Preparation of an Operations Manual, Chapters 7 and 8.*

*Note 2: When the above coordination has not been possible, operational instructions do not relieve a pilot of the responsibility for obtaining an appropriate clearance from an ATS unit, if applicable, before making a change in flight plan.*

"End of Text"

**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.

**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.

**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.

**Effectivity** - Fifteen (15) days after compliance with the requisite publication in a single newspaper of general circulation and a copy filed with the U.P. Law Center – Office of the National Administrative Register, these amendments shall be incorporated to the Philippine CAR, series of 2021.

Signed this 30 day of JUNE 2021, CAAP, Pasay City

  
**CAPTAIN JIM C. SYDIONGCO**  
Director General