



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

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**MEMORANDUM CIRCULAR NO.: 30-2020**

**TO : ALL CONCERNED**

**FROM : THE DIRECTOR GENERAL**

**SUBJECT : AMENDMENT TO PHILIPPINE CIVIL AVIATION REGULATIONS – AIR NAVIGATION SERVICES (CAR-ANS) PART 11 ADOPTING AMENDMENT 52 TO ICAO ANNEX 11 – AIR TRAFFIC SERVICES AND SUPPLEMENTAL AMENDMENTS**

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**REFERENCES:**

1. Philippine Civil Aviation Regulations – Air Navigation Services Part 11 Governing Air Traffic Services
2. ICAO Annex 11 – Air Traffic Services
3. ICAO Annex 11, Amendment 52
4. Regulations Amendment Procedures
5. 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 adoption of ICAO Annex 11 Amendment No. 52 to the Philippine Civil Aviation Regulations – Air Navigation Services (CAR-ANS) Part 11 Governing Air Traffic Services.

**ORIGINAL REGULATIONS SUBJECT TO AMENDMENT:**

**CAR-ANS PART 11 GOVERNING AIR TRAFFIC SERVICES**

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**FOREWORD**

This CAR-ANS Part 11 Governing Air Traffic Services was developed based on the Standards and Recommended Practices prescribed by the International Civil Aviation Organization (ICAO) as contained in Annex 11 – Air Traffic Services which were first adopted by the Council on 18 May 1950 pursuant to the provisions of Article 37 of the Convention of International Civil Aviation (Chicago 1944), and became effective on October 1, 1950.

~~This Civil Aviation Regulations – Air Navigation Services Part 11 provides guidance for air traffic service within the Manila Flight Information Region.~~

The ~~procedures~~ regulations embodied herein are issued by authority of the Director General of the CAAP and ~~will~~ shall be complied with by all concerned.

As used in this Civil Aviation Regulations – Air Navigation Services Part 11 **Governing Air Traffic Services**, “Appropriate Authority” **means** **refers to** the Director General of the Civil Aviation Authority of the Philippines.

~~The procedures embodied herein~~ **This regulation** shall apply to all ~~those involved in~~ air traffic services units responsible for the provision of air traffic control service, flight information service, ~~and alerting service~~ **and air traffic advisory service.**

~~Whenever an apparent conflict arises between the instructional / guidelines in this CARANS Part 11 and instructions / guidelines in other agency issuances, a request for clarification from the appropriate air traffic service authority will be made.~~ **The responsibility for matters within this CAR-ANS rests with CAAP, and any inconsistencies, errors, omissions observed and suggestions for the improvement of the material should be addressed to the Chief, AANSOO of CAAP.**

## **11.2 GENERAL**

### **11.2.1 Authority**

~~11.2.1.1 The Philippines, through the Civil Aviation Authority of the Philippines (CAAP) is responsible for the provision of air traffic services over the high seas or in airspace within the Manila Flight Information Region (FIR) including aerodromes. CAAP shall also be responsible for the establishment or des-establishment thereafter of such services in accordance with the provision of the CAR-ANS Part 11.~~ **The Philippines, through Civil Aviation Authority of the Philippines (CAAP), shall determine the portions of the airspace and those aerodromes where air traffic services will be provided within the Manila Flight Information Region (FIR).**

**11.2.1.2 Air traffic services shall be provided in accordance with this regulation, except that, by mutual agreement, CAAP may delegate to another State the responsibility for establishing and providing air traffic services in portions of Manila flight information region, control areas or control zones extending over the territory of the Republic of the Philippines.**

~~11.2.1.23~~ **23** Those portions of the airspace over the high seas or in airspace of undetermined sovereignty where air traffic services will be provided shall be determined on the basis of regional air navigation agreements. ~~If~~ **Where** the CAAP ~~accepts~~ **has accepted** the responsibility to provide air traffic services in such portions of airspace, ~~it shall thereafter~~ **it shall** arrange for the services to be established and provided in accordance with the provisions of ~~the CAR-ANS Part 11~~ **this** regulation.

*Note. - The phrase “regional air navigation agreements” refers to the agreements approved by the Council of ICAO normally on the advice of Regional Air Navigation Meetings.*

~~11.2.1.3 Air traffic services within the Manila FIR shall be provided in full compliance with the Standards and Recommended Practices prescribed by the International Civil Aviation Organization as contained in Annex 11 (Air Traffic Services) as adopted by the Republic of the Philippines through CAR-ANS Part 11.~~

~~11.2.1.4 For an aircraft whose registration was issued by a State other than the Republic of the Philippines which employs a set of Rules of the Air contrary to Annex 2 of ICAO and such differences were not made known to and approved by the ICAO, it shall be deemed, as regards aircraft of its registration, to have agreed as follows:~~

11.2.1.4.1 For purposes of flight over parts of high seas where the Republic of the Philippines has accepted, pursuant to a regional air navigation agreement, the responsibility of providing air traffic services, the “appropriate ATS authority” referred to in this CAR-ANS Part 11 is the relevant authority designated by the Republic of the Philippines/CAAP responsible for providing those services.

11.2.1.54 In the provision of air traffic services, the CAAP-ATS may delegate/designate the authority responsible for providing such services to a suitable agency or private entity either part or whole of the FIR, route or portion of a route, by applicable agreement and/or contract. is the designated authority responsible for the provision of air traffic services. No person or organization may provide such service unless:

- a) the person or organization has a co-operation arrangement with CAAP-ATS; or
- b) there is a commercial agreement with CAAP-ATS.

11.2.1.65 Information in the provision of air traffic services are published in the Aeronautical Information Publication. Where air traffic services are established, information shall be necessarily published in the AIP Philippines to permit the utilization of such services.

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### **11.2.19 Coordination of activities potentially hazardous to civil aircraft**

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11.2.19.1 The arrangements for activities potentially hazardous to civil aircraft, whether over the Philippine territory of a State or over the high seas, shall be coordinated with the appropriate air traffic services authorities. The coordination shall be effected early enough to permit timely promulgation of information regarding the activities in accordance with the provisions of CAR-ANS Part 15 Manual of Standards for Aeronautical Information Services (MOS-AIS).

11.2.19.1.1 If the appropriate ATS authority is not that of the Philippines where the organization planning the activities is located, initial coordination shall be effected through the ATS authority responsible for the airspace over the State where the organization is located.

11.2.19.2 The objective of the coordination shall be to achieve the best arrangements which will avoid hazards to civil aircraft and minimize interference with the normal operations of such aircraft.

11.2.19.2.1 In determining these arrangements the following shall be applied:

a) the locations or areas, times and durations for the activities shall be selected to avoid closure or realignment of established ATS routes, blocking of the most economic flight levels, or delays of scheduled aircraft operations, unless no other options exist;

b) the size of the airspace designated for the conduct of the activities shall be kept as small as possible;

c) direct communication between the appropriate ATS authority or air traffic services unit and the organization or unit conducting the activities shall be provided for use in the event that civil aircraft emergencies or other unforeseen circumstances require discontinuation of the activities.

11.2.19.3 The appropriate ATS authorities shall be responsible for initiating the promulgation of information regarding the activities. The appropriate ATS authority shall ensure that a safety risk

assessment is conducted, as soon as practicable, for activities potentially hazardous to civil aircraft and that appropriate risk mitigation measures are implemented.

*Note 1.— Such risk mitigation measures may include, but would not be limited to, airspace restriction or temporary withdrawal of established ATS routes or portions thereof.*

*Note 2.— Guidance on safety risk management can be found in the Safety Management Manual (SMM) (ICAO Doc 9859).*

**11.2.19.3.1** The Civil Aviation Authority of the Philippines (CAAP) shall establish procedures to enable the organization or unit conducting or identifying activities potentially hazardous to civil aircraft to contribute to the safety risk assessment in order to facilitate consideration of all relevant safety-significant factors.

*Note.— Guidance on collaborative decision making (CDM) processes for safety risk assessment and promulgation through NOTAM that could involve military authorities can be found in the Manual Concerning Safety Measures Relating to Military Activities Potentially Hazardous to Civil Aircraft Operations (ICAO Doc 9554), AIP Philippines, AIC 006/19 - Procedures on Requesting the Promulgation of Notice to Airmen (NOTAM), AIC 005/19 - Guidelines in Accomplishing the Aeronautical Information Promulgation Advice Form (AIPAF), and MOS-AIS.*

**11.2.19.34** The appropriate ATS authorities shall be responsible for initiating the promulgation of information regarding the activities.

**11.2.19.45** If activities potentially hazardous to civil aircraft take place on a regular or continuing basis, special committees shall be established as required to ensure that the requirements of all parties concerned are adequately coordinated.

**11.2.19.56** Adequate steps shall be taken to prevent emission of laser beams from adversely affecting flight operations.

**11.2.19.67** In order to provide added airspace capacity and to improve efficiency and flexibility of aircraft operations, CAAP shall establish procedures providing for a flexible use of airspace reserved for military or other special activities. The procedures should permit all airspace users to have safe access to such reserved airspace.

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## **11.2.29 ATS Safety Management**

*Note. – ~~Annex 19~~ CAR Safety Management includes the safety management provisions applicable to ATS providers. Further guidance is contained in the Safety Management Manual (SMM) (ICAO Doc 9859) and associated procedures are contained in the Manual of Standards for Air Traffic Services (MOS-ATS).*

**11.2.29.1** Any significant safety-related change to the ATS system, including the implementation of a reduced separation minimum or a new procedure, shall only be effected after a ~~safety assessment~~ safety risk assessment has demonstrated that an acceptable level of safety will be met and users have been consulted. When appropriate, CAAP shall ensure that adequate provision is made for post-implementation monitoring to verify that the defined level of safety continues to be met.

*Note. – When, due to the nature of change, the acceptable level of safety cannot be expressed in quantitative terms, the safety assessment safety risk assessment may rely on operational judgement.*

~~11.2.29.2 The applicable level of safety to be achieved shall be established by the CAAP.~~

~~*Note. — Guidance on defining acceptable levels of safety to contained in Safety Management Manual (SMM) (Doc 9859).*~~

~~11.2.29.3 CAAP shall require, as part of their safety program, that an air traffic services provider implements a safety management system acceptable to the CAAP that, as a minimum:~~

- ~~a) identifies safety hazards;~~
- ~~b) ensures the implementation of remedial action necessary to maintain agreed safety performance;~~
- ~~c) provides for continuous monitoring and regular assessment of the safety performance; and~~
- ~~d) aims a continuous improvement of the overall performance of the safety management system.~~

~~11.2.29.4 A safety management system shall clearly define lines of safety accountability throughout the air traffic services provider, including direct accountability for safety on the part of senior management.~~

~~*Note. — The framework for the implementation and maintenance of a safety management system is contained in Appendix 11.6 Guidance on safety management systems is contained in the ATS Safety Management Systems Manual and associated procedures are contained in the Manual of Standards for ATS (MOS-ATS).*~~

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## **11.3 AIR TRAFFIC CONTROL SERVICE**

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11.3.7.3 Read-back of clearances and safety-related information

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11.3.7.3.3 Vehicle drivers operating or intending to operate on the maneuvering area shall read back to the air traffic controller safety-related parts of instructions which are transmitted by voice, e.g. instructions to enter, hold short of, cross and operate on any operational runway or taxiway.

11.3.7.3.4 The controller shall listen to the read-back to ascertain that the instruction has been correctly acknowledged by the vehicle driver and shall take immediate action to correct any discrepancies revealed by the read-back.

## **NEW / AMENDED REGULATIONS:**

## **FOREWORD**

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11.2.1.3 Those portions of the airspace over the high seas or in airspace of undetermined sovereignty where air traffic services will be provided shall be determined on the basis of regional air navigation agreements. Where CAAP has accepted the responsibility to provide air traffic services in such portions of airspace, it shall arrange for the services to be established and provided in accordance with the provisions of this regulation.

*Note. – The phrase “regional air navigation agreements” refers to the agreements approved by the Council of ICAO normally on the advice of Regional Air Navigation Meetings.*

11.2.1.4 CAAP-ATS is the designated authority responsible for the provision of air traffic services. No person or organization may provide such service unless:

- a) the person or organization has a co-operation arrangement with CAAP-ATS; or
- b) there is a commercial agreement with CAAP-ATS.

11.2.1.5 Where air traffic services are established, information shall be necessarily published in the AIP Philippines to permit the utilization of such services.

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a) the locations or areas, times and durations for the activities shall be selected to avoid closure or realignment of established ATS routes, blocking of the most economic flight levels, or delays of scheduled aircraft operations, unless no other options exist;

b) the size of the airspace designated for the conduct of the activities shall be kept as small as possible;

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11.2.19.6 Adequate steps shall be taken to prevent emission of laser beams from adversely affecting flight operations.

11.2.19.7 In order to provide added airspace capacity and to improve efficiency and flexibility of aircraft operations, CAAP shall establish procedures providing for a flexible use of airspace reserved for military or other special activities. The procedures should permit all airspace users to have safe access to such reserved airspace.

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11.3.7.3.4 The controller shall listen to the read-back to ascertain that the instruction has been correctly acknowledged by the vehicle driver and shall take immediate action to correct any discrepancies revealed by the read-back.

**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 20 day of October 2020, at the Civil Aviation Authority of the Philippines, MIA Road, Pasay City, Metro Manila, 1301.

  
CAPTAIN JIM C. SYDIONGCO  
Director General

