



**MEMORANDUM CIRCULAR NO.:** 22-15

**TO :** ALL CONCERNED  
**FROM :** THE DIRECTOR GENERAL  
**SUBJECT :** AMENDMENTS TO THE PHILIPPINE CIVIL AVIATION REGULATIONS (PCAR) PART 18

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**REFERENCES:**

1. Philippine Civil Aviation Regulations Part 18
2. ICAO Annex 18, Amendments 10 and 11
3. Regulations Amendment Procedures
4. Board Resolution No.: 2012-054 dated 28 September 2013

Pursuant to the powers vested in me under Republic Act 9497, otherwise known as the Civil Aviation Authority Act of 2008 and in accordance with the Regulations Amendment Procedures with Board Resolution No.: 2012-054 dated 28 September 2013, I hereby approve the incorporation of ICAO Annex 18, Amendments 10 and 11 to the Philippine Civil Aviation Regulations.

**AMENDED REGULATIONS:**

**PCAR PART 18**

**SUBPART A: GENERAL**

**18.001 APPLICABILITY**

- (a) This Part prescribes the requirements of the Republic of the Philippines that apply to the carriage of dangerous goods by air in international and domestic operations of aircraft as specified in—
- (b) This Part is applicable to all Dangerous Goods (DG) and No-DG carry operators of aircraft in—
  - (1) Aerial work;
  - (2) Commercial air transport; and
  - (3) General aviation.
- (c) This Part is also applicable to all organizations and individuals involved in the handling and shipping process of dangerous goods by air, which includes but is not limited to all airline operators, ground service providers, cargo shippers,

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maintenance organizations and aerodromes, who performs duties required by these regulations.

#### 18.002 DANGEROUS GOODS TECHNICAL INSTRUCTIONS

- (a) The CAAP takes the necessary measures to achieve compliance with the detailed provisions contained in the Technical Instructions. CAAP also takes the necessary measures to achieve compliance with any amendment to the Technical Instructions which may be published during the specified period of applicability of an edition of the Technical Instructions.

#### 18.005 DEFINITIONS

**Approval.** An authorization granted by an appropriate national authority for:

- (1) the transport of dangerous goods forbidden on passenger and/or cargo aircraft where the Technical Instructions state that such goods may be carried with an approval; or
- (2) other purposes as provided for in the Technical Instructions.

*Note: In the absence of a specific reference in the Technical Instructions allowing the granting of an approval, an exemption may be sought.*

**Dangerous goods accident.** An occurrence associated with and related to the transport of dangerous goods which results in fatal or serious injury to a person or major property or environmental damage.

**Dangerous goods incident.** An occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in injury to a person, property or environmental damage, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained. Any occurrence relating to the transport of dangerous goods which seriously jeopardizes the aircraft or its occupants is also deemed to constitute a dangerous goods incident.

**Exemption.** An authorization, other than an approval, granted by an appropriate national authority providing relief from the provisions of the Technical Instructions.

**State of Destination.** The State in the territory of which the consignment is finally to be unloaded from an aircraft.

**State of Origin.** The State in the territory of which the consignment is first to be loaded on an aircraft.

**Technical Instructions.** The *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284), approved and issued periodically in accordance with the procedure established by the ICAO Council.

**UN number.** The four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labeling of Chemicals to identify an article or substance or a particular group of articles or substances.

## **SUBPART B: EXCEPTIONS**

### **18.045 DANGEROUS GOODS FORBIDDEN FOR TRANSPORT BY AIR UNLESS EXEMPTED**

- (a) No person may offer for transport on an aircraft or carry on an aircraft the dangerous goods unless—
  - (1) Exempted by CAAP under provisions similar to Section 18.050 of this Part, or
  - (2) The provisions of the *Technical Instructions* indicate they may be transported under an approval granted by the State of Origin:
    - (i) articles and substances that are specifically identified by name or by generic description in the *Technical Instructions* as being forbidden for transport by air under any circumstances.
    - (ii) infected live animals on any aircraft.

### **18.046 DANGEROUS GOODS PERMITTED FOR TRANSPORT BY AIR**

- (a) The transport of dangerous goods by air shall be forbidden except as established in this Part and the detailed specifications and procedures provided in the *Technical Instructions*.

### **18.050 EXEMPTIONS**

- (a) Where specifically provided for in the *Technical Instructions*, the CAAP may grant an approval provided that in such instances an overall level of safety in transport which is equivalent to the level of safety provided for in the *Technical Instructions* is achieved.
  - (1) In instances:
    - (A) of extreme urgency; or
    - (B) when other forms of transport are inappropriate; or
    - (C) when full compliance with the prescribed requirements is contrary to the public interest, the CAAP may grant an exemptions from these provisions provided that in such instances every effort shall be made to achieve an overall level of safety in transport which is equivalent to the level of safety provided by the requirements of this Part and the *Technical Instructions*.
- (b) Where the Philippines is the State of Overflight, if none of the criteria for granting an exemption are relevant, an exemption with specific routing and other restrictions may be granted by the Authority based solely on whether it is believed that an equivalent level of safety in air transport has been achieved.

*Note: Guidance for the processing of exemptions, including examples of extreme urgency, may be found in the Supplement to the Technical Instructions (Part S-1, Chapter 1, paragraphs 1.2 and 1.3).*

**SUBPART H: COMPLIANCE**

**18.290 INSPECTION SYSTEMS**

- (a) CAAP shall establish inspection, surveillance and enforcement procedures for all entities performing any function prescribed in its regulations for air transport of dangerous goods with a view to achieving compliance with those regulations.

DELETED - SECTION 18.005 DEFINITION "Incompatible"

DELETED - SECTION 18.015 General Prohibitions paragraphs (a) and (b)

**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 Part 18, series of 2015 and shall supersede any memoranda, regulations and directives in conflict herewith.

So Ordered. Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2015, CAAP, Pasay City



**LT GEN WILLIAM K HOTCHKISS III AFP (RET)**  
Director General



Republic of the Philippines  
Department of Transportation and Communications

**CIVIL AVIATION AUTHORITY OF THE PHILIPPINES**  
*Office of the Director General*

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MEMORANDUM CIRCULAR NO.: 08 Series of 2015

**ALL : ALL CONCERNED**

**FROM : THE DIRECTOR GENERAL**

**SUBJECT : AMENDMENTS TO THE PHILIPPINE CIVIL AVIATION REGULATIONS (PCAR) PART 10 AND MANUAL OF VALIDATION AND SURVEILLANCE OF FOREIGN AIR OPERATOR**

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**REFERENCE/s:**

1. Philippine Civil Aviation Regulations Part 10
2. Board Resolution No.: 2011-025 dated 11 April 2011
3. Regulations Amendment Procedures with Board Resolution No.: 2011-054 dated 28 September 2012

**AMENDED REGULATION:**

**PCAR PART 10**

**10.1.1.2 DEFINITIONS**

**Authority.** Refers to the Civil Aviation Authority of the Philippines pursuant to the Republic Act 9497 also known as the Civil Aviation Authority of the Philippines Act of 2008.

**10.2 VALIDATION OF AIR OPERATOR CERTIFICATE**

**10.2.1.1 GENERAL REQUIREMENTS FOR VALIDATION OF AIR OPERATOR CERTIFICATE**

- (a) No foreign air operator may commence commercial air transport operations in and to the Republic of the Philippines, until the Validation of Air Operator Certificate has been issued.
- (b) Where an air operator wishes to apply to operate in the Republic of the Philippines it shall:
  - (1) Make such application to the Authority in the form and manner prescribed in Implementing Standards IS: 10.2.1.1; and
  - (2) Pay the prescribed fees.
- (c) An application for Validation of Air Operator Certificate shall be accompanied by:
  - (1) A copy of a valid air operator certificate or equivalent document issued by the foreign authority;

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- (2) A copy of the license or authorization granted to the air operator by the appropriate authority of the State of the air operator to operate an air transport service to and from the Republic of the Philippines;
  - (3) A copy of the approval page for a Minimum Equipment List for each aircraft type intended to be operated by the air operator in the Republic of the Philippines;
  - (4) A copy of the Certificate of Registration issued for each aircraft proposed to be operated by the air operator in the Republic of the Philippines;
  - (5) A copy of a document identifying the maintenance checks that are required to be carried out for aircraft of the air operator while they are operated in the Republic of the Philippines;
  - (6) A copy of the maintenance contract between the air operator and the Approved Maintenance Organization (AMO), where the maintenance under subparagraph (7), is carried out by an AMO approved by the foreign authority;
  - (7) A copy of the lease agreement for any aircraft operated by the air operator who does not hold an Air Operator Certificate issued by the Authority which is not registered by the foreign authority;
  - (8) A copy of any equivalent Operations Specifications issued by the foreign authority for any specialized flight operations specifications requested by the foreign air operator for operations in the Republic of the Philippines;
  - (9) A proposed Aircraft Operator Security Program for the foreign air operator which meets the requirements of the Civil Aviation Security Regulations, for the acceptance and subsequent approval of the Authority; and
  - (10) Documents the Authority considers necessary to ensure that the intended operations will be conducted safely; such as:
    - (i) Certificate of Airworthiness;
    - (ii) Aircraft Radio License;
    - (iii) Certificate of Insurance;
    - (iv) Noise Certificate or equivalent document showing compliance with ICAO Annex 16 Part I Chapter 3: Noise Standards;
    - (v) Certified aircraft maximum take-off weight;
    - (vi) Certified aircraft maximum passenger seating capacity;
    - (vii) Compliance with requirements for carriage of TCAS II (Change 7) equipment; and
    - (viii) Any other document the Authority considers necessary.
- (d) An applicant under these Regulations shall apply for the initial issue of a Validation of Air Operator Certificate at least ninety days before the date of commencement of intended operation.

#### **10.2.1.2 CONDITIONS FOR THE ISSUANCE OF VALIDATION OF AIR OPERATOR CERTIFICATE**

- (a) The Director General may issue a Validation of Air Operator Certificate to an air operator who does not hold an Air Operator Certificate issued by the

Authority to conduct commercial air operations in the Republic of the Philippines wherein the Director General is satisfied that such air operator:

- (1) Has a valid Air Operator Certificate issued by a foreign Civil Aviation Authority;
- (2) Has had its Aircraft Operator Security Program approved by its Civil Aviation Authority for the operations intended;
- (3) Meets the applicable flight operations requirements in PCAR Part 8 and the equipment requirements in PCAR Part 7 for the operation to be conducted;
- (4) Meets the standards contained in applicable Annexes to the Chicago Convention for the operations to be conducted; and
- (5) Philippine Civil Aeronautics Board (CAB) approval.

**10.2.1.3 CONDITIONS AND LIMITATIONS FOR OPERATIONS INTO, WITHIN, OR FROM THE PHILIPPINE TERRITORY**

- (a) Conditions and limitations issued shall specify which specific operations are authorized, prohibited, limited or subject to certain conditions, in the interest of public safety.
- (b) Conditions and limitations issued under this Part shall contain details of the following:
  - (1) The purpose of issuance;
  - (2) Applicability and duration;
  - (3) Limitations to, or actions required by, the operator;
  - (4) General provisions;
  - (5) En-route authorization and limitations;
  - (6) Aerodrome/heliport authorizations and limitations;
  - (7) Maintenance;
  - (8) Weight and balance;
  - (9) Interchange or equipment operations; and
  - (10) Aircraft leasing operations.
- (c) The Conditions and limitations issued to a foreign air operator by the Authority shall be supplementary to these Regulations.

**10.2.1.4 DURATION AND RENEWAL OF VALIDATION OF AIR OPERATOR CERTIFICATE**

- (a) A Validation of Air Operator Certificate issued by the Authority shall be effective and remains valid until:
  - (1) The expiry date of the Foreign Air Operator Certificate or 24 months from date of issuance of the Validation Certificate whichever comes first;
  - (2) The Authority amends, suspends, revokes or otherwise terminates the Validation Certificate;
  - (3) The Foreign Authority concerned suspends, revokes or otherwise terminates the Foreign AOC;
  - (4) The operator surrenders it to the Authority; or
  - (5) The operator suspends operations for more than 60 days.

- (b) An Operator shall make application for the renewal of a Validation of Foreign Air Operator Certificate at least 30 days before the end of the existing period of validity.

Section 10.2.1.4 paragraph (b)(1), (2), (3) and (4) - DELETED

**10.3.1.2 AIR OPERATOR MANUALS DOCUMENTS AND FLIGHT CREW LICENSES TO BE CARRIED**

- (a) A foreign air operator shall ensure that the following manuals, documents and licenses are carried on flight in and to the Republic of the Philippines:

XXX

- (2) Copy of the Validation of Air Operator Certificate and the Conditions and Limitations required under this Part;

**10.7.1.1 OFFERING DANGEROUS GOODS FOR TRANSPORT BY AIR**

XXX

- (c) The foreign air operator shall state in the Conditions and Limitations required in Subpart 10.2 whether or not that operator has been authorized to accept dangerous goods by the foreign Authority.

**IS:10.2.1.1 APPLICATION FOR VALIDATION OF AIR OPERATOR CERTIFICATE**

- (a) General: Each applicant must be executed by an authorized officer of the applicant having knowledge of the matter set forth therein, and must have attached thereto two copies of the appropriate written authority issued to that officer by the applicant.
- (b) Format of application: The attached outline shall be followed in completing the information to be submitted in the application.

|  <b>APPLICATION FOR<br/>VALIDATION OF AIR OPERATOR<br/>CERTIFICATE</b>   |   |                           |
|---|---|---------------------------|
| Application for Air Transport Operations by a Foreign Operator<br>(To be completed by a foreign air operator for an approval to conduct operations in the Philippines)  |   |                           |
| Section 1A. To be completed by the air operator   |   |                           |
| 1. Company registered name and trading name if different. Address of company, mailing address, telephone, fax, and e-mail   | 2. Address of the principal place of business including telephone, fax, and e-mail                |                           |
| 3. Proposed Start Date of Operations:<br>(dd/mm/yyyy):  | 4. ICAO 3-letter Designator for aircraft operating agency:  |                           |
| 5. Operational Management Personnel   |   |                           |
| Name  | Title   | Telephone, fax and e-mail |
|   |   |                           |
| Section 1B. Type of approval requested - To be completed by the air operator, checking applicable boxes.  |   |                           |
| 6. Air operator intends to conduct commercial rights to and from aerodromes in the Philippines.   |   |                           |
| 7. Air Operator proposed types of operation:  | 8. Geographic areas or intended operations and proposed route structure:                          |                           |
| <input type="checkbox"/> Passenger and cargo<br><input type="checkbox"/> Cargo only<br><input type="checkbox"/> Scheduled Operations<br><input type="checkbox"/> Charter Flight Operations<br><input type="checkbox"/> Dangerous Good |   |                           |
| Section 1C. on Page 2 to be completed by the air operator   |   |                           |
| Signature   | Date (dd/mm/yyyy)   | Name and Title            |
|   |   |                           |
| Section 2. To be completed by the CAAP  |   |                           |
| Evaluated by (Name and Office):   | CAAP Decision: <input type="checkbox"/> Approval granted<br><input type="checkbox"/> Not approved |                           |
| Remarks:  |   |                           |
|   |   |                           |
| Signature of CAAP representative:   |   | Date (dd/mm/yyyy):        |
|   |   |                           |



| Section 1C. To be completed by the air operator   |                          |                          |                                      |         |
|---|--------------------------|--------------------------|--------------------------------------|---------|
| 9. Provide location on board or provide separate documentation where individual aircraft nationality and registration marks are listed as part of the aircraft fleet operated within the Philippines territory under the air operator certificate:  |                          |                          |                                      |         |
| Provide following information:  |                          |                          |                                      |         |
| Aircraft type (make, model and series, or master series)  | IR/SM-3 Approval         | ETOPS-3                  | Noise-4 Certification (Annex 16 Ch.) | Remarks |
| [Aircraft type 1]   | <input type="checkbox"/> | <input type="checkbox"/> |                                      |         |
| [Aircraft type 2]   | <input type="checkbox"/> | <input type="checkbox"/> |                                      |         |
| [Aircraft type 3]   | <input type="checkbox"/> | <input type="checkbox"/> |                                      |         |
| [Aircraft type 4]   | <input type="checkbox"/> | <input type="checkbox"/> |                                      |         |
| Etc.  | <input type="checkbox"/> | <input type="checkbox"/> |                                      |         |
| Attach copies of:<br>Air Operator Certificate and associated operations<br>Specifications, insurance certificate;<br>In case of wet-lease of aircraft: approval of CAA of the State of the Operator, with identification of the operator that exercises operational control on the aircraft; and<br>Document authorizing the specific traffic rights, issued by [appropriate department] or resulting from a bilateral air transport agreement (if required by the State to which the operator is flying to). |                          |                          |                                      |         |

Note : 3 As approved by the State of the Operator

4 As approved by the State of Registry

### EFFECTIVITY CLAUSE:

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 Part 10, series of 2015 and shall supersede any memoranda, regulations and directives in conflict herewith.

So Ordered. Signed this 26 day of MAR 2015 CAAP, Pasay City.



**LT GEN WILLIAM K HOTCHKISS III AFP (RET)**  
**DIRECTOR GENERAL**



**MEMORANDUM CIRCULAR NO.:** 18-15

**TO :** ALL CONCERNED  
**FROM :** THE DIRECTOR GENERAL  
**SUBJECT :** AMENDMENTS TO THE PHILIPPINE CIVIL AVIATION REGULATIONS (PCAR) PART 13

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**REFERENCE:**

1. Philippine Civil Aviation Regulations Part 13
2. ICAO Annex 13, Amendment 14
3. Regulations Amendment Procedures
4. Board Resolution No.: 2012-054 dated 28 September 2013

Pursuant to the powers vested in me under Republic Act 9497, otherwise known as the Civil Aviation Authority Act of 2008 and in accordance with the Regulations Amendment Procedures with Board Resolution No.: 2012-054 dated 28 September 2013, I hereby approve the incorporation of ICAO Annex 13, Amendments 14 to the Philippine Civil Aviation Regulations Part 13.

**AMENDED REGULATION:**

**PCAR PART 13**

**13.005 DEFINITIONS AND APPLICATION**

**Contributing factors.** Actions, omissions, events, conditions, or a combination thereof, which, if eliminated, avoided or absent, would have reduces the probability of the accident or incident occurring, or mitigated the severity of the consequences of the accident or incident. The identification of contributing factors does not imply the assignment of fault or the determination of administrative, civil or criminal liability.

**State Safety Program (SSP).** An integrated set of regulations and activities aimed at improving safety.

**13.125 ENTITLEMENT OF ACCREDITED REPRESENTATIVE, ADVISERS AND EXPERTS FROM OTHER CONTRACTING STATES**

**XXX**

- (b) An accredited representative shall be entitled to participate in all aspects of an investigation under the control of the investigator-in-charge and shall be entitled, in particular, to –

**XXX**

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- (8) participate in investigation progress meetings, including deliberations related to analysis, findings, causes, contributing factors and safety recommendations; and

### **13.145 PUBLICATION OF REPORTS**

#### **XXX**

- (c) In the interest of accident prevention, the Aircraft Accident Investigation and Inquiry Board (AAIIB) shall make the Final Report publicly available as soon as possible, and, if possible, within twelve months. Making a Final Report publicly available can be achieved by posting the Final Report on the internet, and does not necessarily require a hard-copy publication of the Final Report.

*Note: In addition to the provisions of this Part other provisions relative to the promotion of accident prevention by collection and analysis of safety data and by a prompt exchange of safety information, as part of the State Safety Program (SSP), will be included in Part 19(on-going deliberation) – Safety Management System and, to this effect, are applicable to this Part. Further guidance is contained in the Safety Management Manual (SMM) (Doc 9859).*

- (d) If the report cannot be made publicly available within twelve months, the AAIIB shall make an interim statement publicly available on each anniversary of the occurrence, detailing the process of the investigation and any issues raised.
- (e) No person shall circulate, publish, disclose or give access to any draft report or any part of its contents or any documents obtained during an investigation of an accident or incident which is carried out under this Part or carried out by another Contracting State without the expressed consent of the investigator-in-charge or the State which conducted the investigation unless the report has already been published by the investigator-in-charge or the State concerned, as the case may be.
- (f) The AAIIB shall establish and maintain an accident and investigated incident database to facilitate the effective analysis of information on actual or potential safety deficiencies and to determine any preventive actions required.

*Note: Additional information on which to base preventive actions may be contained in the Final Reports on accidents and incidents that have been investigated.*

- (g) The Authority is responsible for the implementation of the State Safety Program (SSP) and should have access to the accident and investigated incident database to support its safety responsibilities.

*Note: An accident and incident database may be included in a safety database, which may refer to a single or multiple database(s). Further provisions on a safety database are contained in Annex 19 – Safety Management Additional guidance is also included in the Safety Management Manual (SMM) (Doc 9859).*

### **13.140 ACTIONS OF INVESTIGATOR-IN-CHARGE**

**XXX**

- (c) The Final Report of an investigation shall state the sole objective of the investigation as set out in paragraph b.

*Note 1: Analyze, as appropriate, only the information documented in 1. – Factual information and which is relevant to the determination of conclusions and causes and/or contributing factors.*

*Note 2: List the findings, causes and/or contributing factors established in the investigation. The list of causes and/or contributing factors should include both the immediate and the deeper systematic causes and/or contributing factors.*

- (d) The Final Report shall be forwarded by the Chairman or investigator-in-charge to the Authority for Notation before its dissemination to any contracting State under this Part or its subsequent publication.

### **13.150 SAFETY RECOMMENDATIONS**

**XXX**

- (f) In addition to safety recommendations arising from accident and incident investigations, safety recommendations may result from diverse sources, including safety studies. If safety recommendations are addressed to an organization in other State, these should also be transmitted to that State's investigation authority.

### **IS 13.030**

#### **LIST OF EXAMPLES OF SERIOUS INCIDENTS**

The incidents listed are typical examples of incidents that are likely to be serious incidents. The list is not exhaustive and only serves as guidance to the definition of serious incidents.

1. A near collision requiring an avoidance maneuver to avoid a collision or an unsafe situation or when an avoidance action would have been appropriate.
2. Collisions not classified as accidents.
3. A controlled flight into terrain only marginally avoided.
4. An aborted take-off on a closed or engaged runway, on a taxiway (excluding authorized operations by helicopters) or unassigned runway.
5. A take-off from a closed or engaged runway, from a taxiway (excluding authorized operations by helicopters) or unassigned runway.
6. A landing or an attempted landing on a closed or engaged runway, on a taxiway (excluding authorized operations by helicopters) or unassigned runway.
7. A gross failure to achieve predicted performance during take-off or initial climb.
8. Fire and/or smoke in the cockpit, in the passenger compartment, in the cargo compartment or engine fire, even though such a fire was extinguished by the use of extinguishing agents.

9. An event requiring the emergency use of oxygen by the flight crew.
10. An aircraft structural failure or engine disintegration, including uncontained turbine engine failure, not classified as an accident.
11. Multiple malfunctions of one or more aircraft systems seriously affecting the operation of the aircraft.
12. Flight crew incapacitation in flight.
13. Fuel quantity level or distribution situations requiring the declaration of an emergency by the pilot, such as insufficient fuel, fuel exhaustion, fuel starvation, or inability to use all usable fuel on board.
14. Runway incursions classified with severity A. (per Manual on the Prevention of Runway Incursions (Document 9870) contains information on the severity classifications.
15. A take-off or landing incident such as undershooting, overrunning or running off the side of runways.
16. A system failure, weather phenomenon, an operation outside the approved flight envelope or other occurrence which caused or could have caused difficulties controlling the aircraft.
17. Failures of more than one system in a redundancy system mandatory for flight guidance and navigation.
18. Aircraft collide in flight.
19. Damage to property, other than the aircraft, estimated to exceed \$25,000 for repair (including materials and labor) or fair market value in the event of total loss, whichever is less.
20. For large multiengine aircraft (more than 5,700 kg maximum takeoff weight);
  - (a) In-flight failure of electrical systems which requires the sustained use of an emergency bus powered by a backup source such as a battery, auxiliary power unit, or air driven generator to retain flight control or essential instruments;
  - (b) In-flight failure of hydraulic systems that results in sustained reliance on the sole remaining hydraulic or mechanical system for movement of flight control surfaces;
  - (c) Sustained loss of the power or thrust produced by two or more engines; and
  - (d) An evacuation of an aircraft in which an emergency egress system is utilized.
21. The unintentional or, as an emergency measure, the intentional release of a slung load or any other load carried external to the aircraft.

**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 Part

13, series of 2015 and shall supersede any memoranda, regulations and directives in conflict herewith.

So Ordered. Signed this 20<sup>th</sup> day of August 2015, CAAP, Pasay City

A handwritten signature in blue ink, appearing to read 'W. K. Hotchkiss III', written over the printed name below.

**LT GEN WILLIAM K HOTCHKISS III AFP (RET)**  
Director General



Republic of the Philippines  
Department of Transportation and Communications

**CIVIL AVIATION AUTHORITY OF THE PHILIPPINES**  
*Office of the Director General*

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MEMORANDUM CIRCULAR NO.: 05-16

TO : ALL CONCERNED

FROM : THE DIRECTOR GENERAL

SUBJECT : AMENDMENTS TO THE PHILIPPINE CIVIL AVIATION REGULATIONS PARTS 1 AND 2

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**REFERENCES:**

1. Philippine Civil Aviation Regulations Parts 1 and 2
2. ICAO Annex 1
3. Medical Handbook of Procedure
4. ICAO Annex 1; Amendment 169, 170, 171 & 172
5. Regulations Amendment Procedures
6. Board Resolution No.: 2012-054 dated 28 September 2013

Pursuant to the powers vested in me under Republic Act 9497, otherwise known as the Civil Aviation Authority Act of 2008 and in accordance with the Regulations Amendment Procedures with Board Resolution No.: 2012-054 dated 28 September 2013, I hereby approve the incorporation of ICAO Annex 1, Amendment 169, 170, 171 and 172 to the Philippine Civil Aviation Regulations.

**AMENDED REGULATIONS:**

**PCAR PART 1**

**APPENDIX A DEFINITIONS**

**Approved training.** Training conducted under special curricula and supervision approved by the Authority.

**Approved training organization.** An organization approved by and operating under the supervision of this Authority in accordance with the requirements of PCAR to perform approved training.

**Medical Assessor.** A physician, appointed by the Licensing Authority, qualified and experienced in the practice of aviation medicine and competent in evaluating and assessing medical conditions of flight safety significance.

*Note 1: Medical assessors evaluate reports submitted to the Licensing Authority by medical examiners.*

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Note 2: Medical assessors are expected to maintain the currency of their professional knowledge.

## **PCAR PART 2**

### **2.2.7 LANGUAGE PROFICIENCY**

- (a) Flight navigators required to use the radio telephone aboard an aircraft, air traffic controllers and aeronautical station operators shall demonstrate the ability to speak, read and understand the English language used for radio telephony communications.
- (b) All airplane, airship, helicopter and powered-lift pilots, air traffic controllers and aeronautical station operators shall demonstrate the ability to speak and understand the language used for radiotelephony communications to the level specified in the language proficiency requirements.

### **2.3.2.4 TYPE RATINGS - AIRPLANE AND HELICOPTER AND POWERED-LIFTS**

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#### **(c) Flight instruction.**

- (1) The applicant for a type rating shall have completed the flight instruction for the type rating:
  - (i) for single-pilot aircraft: on the subjects listed in IS 2.3.3.2 or IS 2.3.3.3 Appendix B (for airplane) or IS 2.3.3.6 or IS 2.3.3.7 Appendix B for helicopter, as applicable; and
  - (ii) for multi-pilot aircraft: on the subjects listed in IS 2.3.3.4 Appendix B (for airplane) or 2.3.3.8 Appendix B (for helicopter), as applicable.
- (2) Where applicable the flight instruction shall include instrument procedures, including instrument approach and landing procedures under normal, abnormal and emergency conditions, including simulated engine failure and upset prevention and recovery training.

### **2.3.3.5.2 REQUIREMENTS**

xxx

#### **(f) Ratings.** Comply with the sections of this regulation that apply to the rating he seeks.

- (1) Airplane rating: Aeronautical experience.
  - (i) An applicant for a Multi-crew pilot license with an airplane rating shall have completed an approved training course and shall have not less than 240 hours as pilot flying and pilot not flying of actual and simulated flight.
  - (ii) Flight experience in actual flight shall include not less than 40 hours of flight time, or 35 hours if completed during a course of approved training, as a pilot of airplanes appropriate to the class rating sought and shall include upset prevention and recovery training, night flying, cross-country and flight by reference solely to instruments.



## **2.6.2 AVIATION MAINTENANCE TECHNICIAN (AMT)**

### **2.6.2.4 KNOWLEDGE REQUIREMENTS**

xxx

#### **(5) Human performance:**

- (i) human performance and limitations, including principles of threat and error management relevant to the duties of an aviation maintenance license holder.

## **2.6.3 AVIATION MAINTENANCE SPECIALIST (AMS)**

### **2.6.3.4 KNOWLEDGE REQUIREMENTS**

xxx

#### **(5) Human performance:**

- (i) Human performance and limitations, including principles of threat and error management relevant to the duties of an aviation maintenance license holder.

## **2.7.5 AIR TRAFFIC CONTROLLER RATING REQUIREMENTS**

xxx

- (c) *Skill.* The applicant shall have demonstrated by passing the required skill test, at a level appropriate to the privileges being granted, the skill, judgement and performance required to provide a safe, orderly and expeditious control service including the recognition and management of threats and errors.

## **2.8.3 FLIGHT OPERATIONS OFFICER LICENSE**

xxx

- (b) *Knowledge.* The applicant for a flight operations officer license shall:

- (1) receive an approved training course from an authorized instructor on the knowledge areas:

- (i) Air Law: rules and regulations relevant to the holder of a flight operations officer license; appropriate air traffic services practices and procedures;

- (ii) Aircraft general knowledge:

- (A) principles of operation of airplane powerplants, systems and instruments;

- (B) operating limitations of airplanes and powerplants; and

- (C) minimum equipment list.

- (iii) Flight performance calculation and planning procedures:

- (A) effects of loading and mass distribution on aircraft performance and flight characteristics; mass and balance calculations;

- (B) operational flight planning; fuel consumption and endurance calculations; alternate airport selection procedures; en-route cruise control; extended range operation;

- (C) preparation and filing of air traffic services flight plans; and

(D) basic principles of computer-assisted planning systems.

(iv) Human performance: human performance relevant to dispatch duties; including principles of threat and error management.

### **2.8.3 FLIGHT OPERATIONS OFFICER LICENSE**

xxx

(d) *Skill.* The applicant shall have demonstrated the ability to:

- (1) make an accurate and operationally acceptable weather analysis from a series of daily weather maps and weather reports; provide an operationally valid briefing on weather conditions prevailing in the general neighborhood of a specific air route; forecast weather trends pertinent to air transportation with particular reference to destination and alternates;
- (2) determine the optimum flight path for a given segment, and create accurate manual and/or computer generated flight plans;
- (3) provide operating supervision and all other assistance to a flight in actual or simulated adverse weather conditions as appropriate to the duties of the holder of a flight operations officer license; and
- (4) recognize and manage threats and errors.

### **2.10.1.3 AVIATION MEDICAL EXAMINERS (AME)**

xxx

(g) The medical examiner shall be required to submit sufficient information to the Licensing Authority to enable that Authority to undertake Medical Assessments audits.

*Note: The purpose of such auditing is to ensure that medical examiners meet applicable standards for good medical practice and aeromedical risk assessment. Guidance on aeromedical risk assessment is contained in the Handbook of Procedures of Aviation Medical Examination.*

### **2.10.1.3 AVIATION MEDICAL EXAMINERS (AME)**

xxx

(k) The competence of a medical examiner shall be evaluated periodically by the medical assessor.

### **2.10.1.6 DECREASE OF MEDICAL FITNESS**

xxx

(b) The Authority shall ensure that licence holders are provided with clear guidelines on medical conditions that may be relevant to flight safety and when to seek clarification or guidance from a medical examiner or Licensing Authority.

*Note: Guidance on physical and mental conditions and treatments that are relevant to flight safety about which information may need to be forwarded to the Licensing Authority, is contained in the Handbook of Procedures of Aviation Medical Examination.*

### **2.10.1.8 MEDICAL CERTIFICATE**

xxx

#### **(d) *Renewal or re-issue of a medical certificate***

- (1) The level of medical fitness to be met for the renewal or re-issue of a medical certificate shall be same as that for the initial certificate except where otherwise specifically stated.

### **2.10.2.2.1 CERTIFICATE AND ISSUE RENEWAL**

xxx

- (d) In alternate years, for Class 1 applicants under 40 years of age, the Licensing Authority may allow medical examiners to omit certain routine examination items related to the assessment of physical fitness, whilst increasing the emphasis on health education and prevention of ill health.

### **2.10.2.2.2 PHYSICAL AND MENTAL REQUIREMENTS**

xxx

- (b) The applicant shall have no established medical history or clinical diagnosis of:
  - (6) a depression being treated with antidepressant medication, unless the medical assessor, having access to the details of the case concerned, considers the applicant's condition as unlikely to interfere with the safe exercise of the applicant's licence and rating privileges.

### **2.10.2.2.2 PHYSICAL AND MENTAL REQUIREMENTS**

xxx

- (aa) Applicants who are seropositive for human immunodeficiency virus (HIV) shall be assessed as unfit unless the applicant's condition has been investigated and evaluated in accordance with best medical practice and is assessed as not likely to interfere with the safe exercise of the applicant's licence or rating privileges.

### **2.10.2.3.2 PHYSICAL AND MENTAL REQUIREMENTS**

xxx

- (b) The applicant shall have no established medical history or clinical diagnosis of:
  - (1) a psychosis;
  - (2) alcoholism;
  - (3) drug dependence;
  - (4) any personality disorder, particularly if severe enough to have repeatedly resulted in overt acts;
  - (5) a mental abnormality, or neurosis of a significant degree;
  - (6) such as might render the applicant unable to safely exercise the privileges of the license applied for or held, unless accredited medical conclusion

indicates that in special circumstances, the applicant's failure to meet the requirement is such that exercise of the privileges of the license applied for is not likely to jeopardize flight safety; and

- (7) a depression being treated with antidepressant medication, unless the medical assessor, having access to the details of the case concerned, considers the applicant's condition as unlikely to interfere with the safe exercise of the applicant's licence and rating privileges.

#### 2.10.2.3.2 PHYSICAL AND MENTAL REQUIREMENTS

xxx

- (z) Those who are seropositive for human immunodeficiency virus (HIV) shall be assessed as unfit unless the applicant's condition has been investigated and evaluated in accordance with best medical practice and is assessed as not likely to interfere with the safe exercise of the applicant's license or rating privileges.

#### 2.10.2.4.2 PHYSICAL AND MENTAL REQUIREMENTS

xxx

- (x) Those who are seropositive for human immunodeficiency virus (HIV) shall be assessed as unfit unless the applicant's condition has been investigated and evaluated in accordance with best medical practice and is assessed as not likely to interfere with the safe exercise of the applicant's licence or rating privileges.


*Note: Early diagnosis and active management of HIV disease with antiretroviral therapy reduces morbidity and improves prognosis and thus increases the likelihood of a fit assessment.*

Section 2.10.2.2.2 paragraph (w) - DELETED

#### 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 Parts 1 and 2, series of 2015 and shall supersede any memoranda, regulations and directives in conflict herewith.

So Ordered. Signed this 28 day of JAN 2016, CAAP, Pasay City



**LT GEN WILLIAM K HOTCHKISS III AFP (RET)**  
Director General