



**MEMORANDUM CIRCULAR NO.:** 36-18

**TO : ALL CONCERNED**  
**FROM : DIRECTOR GENERAL**  
**SUBJECT : AMENDMENT TO PCAR PART 8.2.2[AOC] AIRCRAFT TRACKING IN COMPLIANCE WITH AMENDMENT 42 OF ICAO ANNEX 6 PART I.**

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**REFERENCES:**

1. Philippine Civil Aviation Regulations Part 8
2. ICAO State Letter Reference No: AN 11/1.3.31-17/20
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 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.

**AMENDED REGULATION:**

**PCAR PART 8**

**8.2.2[AOC] AIRCRAFT TRACKING**

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(d) Notwithstanding the provisions in Part 8.2.2 (b) and (c), the Authority shall, based on the results of an approved risk assessment process implemented by the operator, allow for variations to automated reporting intervals. The process shall demonstrate how risks to the operation resulting from such variations can be managed and shall include at least the following:

- (1) capability of the operator's operational control systems and processes, including those for contacting ATS units;
- (2) overall capability of the aeroplane and its systems;



- (3) available means to determine the position of, and communicate with, the aeroplane;
- (4) frequency and duration of gaps in automated reporting;
- (5) human factors consequences resulting from changes to flight crew procedures; and
- (6) specific mitigation measures and contingency procedures.

*Note. — Guidance on development, implementation and approval of the risk assessment process which allows for variations to the need for automatic reporting and the required interval, including variation examples, is contained in the Aircraft Tracking Implementation Guidelines (Cir 347).*

- (e) An operator shall establish procedures approved by the Authority for the retention of aircraft tracking data to assist SAR in determining the last known position of the aircraft.

*Note – Refer to PCAR Part 9.1.1.4 for operator responsibilities when using third parties for the conduct of aircraft tracking under PCAR*

#### 8.8.2.7 POSITION REPORT

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- ~~(d) An operator shall establish procedures approved by the Authority for the retention of aircraft tracking data to assist SAR in determining the last known position of the aircraft.~~

~~*Note—Refer to PCAR Part 9.1.1.4 for operator responsibilities when using third parties for the conduct of aircraft tracking under PCAR—*~~

*“End of Amendments”*

**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:

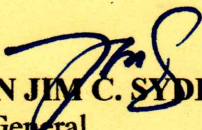
1. Text deleted: ~~Text to be deleted is shown with a line through it.~~
2. New text inserted: New text is highlighted with grey shading.



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 Civil Aviation Regulation, series of 2018.

Signed this 28<sup>th</sup> day of December 2018, CAAP, Pasay City

  
**CAPTAIN JIM C. SYDIONGCO**  
Director General