



Republic of the Philippines
CIVIL AVIATION AUTHORITY OF THE PHILIPPINES

MEMORANDUM CIRCULAR NO.: 36-2020

TO : ALL CONCERNED

FROM : DIRECTOR GENERAL

SUBJECT : AMENDMENT TO PHILIPPINE CIVIL AVIATION REGULATIONS

RE: SAFETY MANAGEMENT SYSTEM REQUIREMENT FOR INTERNATIONAL - GENERAL AVIATION OPERATORS

REFERENCES:

1. ICAO Annex 19 (2nd Edition)
2. Philippine Civil Aviation Regulations Parts 1 and 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 Parts 1 and 8.

AMENDED REGULATIONS:

PHILIPPINE CIVIL AVIATION REGULATIONS PART 1

1.5 SAFETY MANAGEMENT

The AOC, ATO and AMO and International - General Aviation Operators shall implement a safety management system acceptable to the Authority that as a minimum:

I.S. 1.5 SAFETY MANAGEMENT

The following specifies the framework for the implementation and maintenance of a safety management system (SMS) by an AOC, ATO or , AMO or International – General Aviation Operators:

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(1)(i)(A) The AOC, ATO or , AMO or International – General Aviation Operators shall define the organization's safety policy which shall be:

XXX

(1)(ii)(A) The AOC, ATO or , AMO or International – General Aviation Operators shall identify, with respect to the safety performance of the SMS:

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(1)(ii)(A)(aa) the accountable executive who, irrespective of other functions, shall have ultimate responsibility and accountability, on behalf of the AOC, ATO or , AMO or International – General Aviation Operators for the implementation and maintenance of the SMS;

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(1)(ii)(B) The AOC, ATO or , AMO or International – General Aviation Operators shall;

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(1)(iii)(A) The AOC, ATO or , AMO or International – General Aviation Operators shall identify a safety manager to be the responsible individual and focal point or the implementation and maintenance of an effective SMS.

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(1)(iv)(A) The AOC, ATO or , AMO or International – General Aviation Operators shall ensure that an emergency response plan that provides for the orderly and efficient transition from normal to emergency operations and the return to normal operations is properly coordinated with the emergency response plans of those organizations it must interface with during the provision of its services.

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(1)(v)(A) The AOC, ATO or , AMO or International – General Aviation Operators shall develop and maintain:

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(2)(i)(A) The AOC, ATO or , AMO or International – General Aviation Operators shall develop and maintain a formal process that ensures that hazards in operations are identified.

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(2)(i)(B) The AOC, ATO or , AMO or International – General Aviation Operators shall base its hazard identification on a combination of reactive, proactive and predictive methods of safety data collection.

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(2)(ii)(A) The AOC, ATO or , AMO or International – General Aviation Operators shall develop and maintain a formal process that ensures analysis, assessment and control of the safety risks in training operations.

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(3)(i)(A) The AOC, ATO or , AMO or International – General Aviation Operators shall develop and maintain the means to:

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(3)(i)(B) The AOC, ATO or , AMO or International – General Aviation Operators shall verify the safety performance of the organization in reference to the safety performance indicators and safety performance targets of the SMS.

XXX

(3)(ii)(A) The AOC, ATO or , AMO or International – General Aviation Operators shall develop and maintain a formal process to:

XXX

(3)(iii)(A) The AOC, ATO or , AMO or International – General Aviation Operators shall develop and maintain a formal process to:

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(4)(i)(A) The AOC, ATO or , AMO or International – General Aviation Operators shall develop and maintain a safety training program that:

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(4)(ii)(A) The AOC, ATO or , AMO or International – General Aviation Operators shall develop and maintain formal means for safety communication that:

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PHILIPPINE CIVIL AVIATION REGULATIONS PART 8

8.13 SAFETY MANAGEMENT SYSTEM – INTERNATIONAL GENERAL AVIATION OPERATORS

- (a) International general aviation operators shall implement an SMS that meets the criteria established by the State of Registry when conducting operations with:
- (1) An airplane with a maximum certificated take-off mass exceeding 5 700 kg;
 - (2) An airplane equipped with one or more turbojet engines; or
 - (3) An airplane with a seating configuration of more than nine passenger seats.
- (b) The SMS shall be acceptable to the Authority and shall:
- (1) Meet the criteria established by the State of Registry;
 - (2) Address the SMS framework and elements prescribed in PCAR Part 1; I.S. 1.5; and
 - (3) Be commensurate with the size and complexity of the operation.

Note 1: Guidance on the implementation of an SMS for international general aviation is contained in ICAO Doc 9859, Safety Management Manual (SMM), and in industry codes of practice.

Editorial Note.—Adjust numbering.

“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 2020.

Signed this 22 day of DECEMBER 2020, CAAP, Pasay City


CAPTAIN JIM C. SYDIONGCO
Director General