



28 June 2010

MEMORANDUM CIRCULAR NO. 18-10

TO : ALL AIRSTRIP AND HELIPORT OPERATORS

SUBJECT : Requirements for all airstrip and heliport operators to secure Permit to Operate (PTO)

Effective immediately, all airstrip and heliport operators are hereby required to secure Permit to Operate from the Aerodrome and Air Navigation Safety Oversight Office (AANSOO), Civil Aviation Authority of the Philippines (CAAP). This Memorandum Circular shall apply to all aerodromes not covered by AO 139 requirement for Certification and Registration.

Purpose:

The intent of this Memorandum Circular (MC) is to supplant the regulatory requirements for all airstrip and heliport operators contained in A.O. No. 5 Series of 1967, A.O. No. AGA 14.02 and 1403 Series of 1973 which cover the issuance of Aerodrome Rating Certificate (ARC) but which were repealed by virtue of the promulgation of A.O. 139 and MOS. In lieu therefore of the ARC, the Permit to Operate (PTO) henceforth becomes the enabling regulatory requirement.

Nature of the Circular:

This policy Memorandum Circular is consistent with the balanced approach to control and supervision policy of the CAAP, in which both State and the aviation community share responsibility for the safe, regular and efficient conduct of aviation activities. This is likewise consistent with the powers and functions of the Director General as provided for by R.A 9497 "to promote safety in civil aviation by prescribing and revising from time to time as necessary reasonable rules and regulations, implementing, at a minimum all standards of the Annexes to the Chicago Convention and such other reasonable rules, regulations or minimum standards governing other practices, methods and procedures as the Director General may find necessary to provide adequately for safety in civil aviation."

This Memorandum Circular is not amendatory in nature and does not therefore seek to revise the provisions of A.O. 139 and the Manual of Standards for Aerodromes (MOS).


Effectivity:

This Memorandum Circular takes effect immediately.

Attachment:

The corresponding procedure is attached for your guidance.

Please be guided accordingly.


ALFONSO G. CUSI
Director General



Republic of the Philippines
Department of Transportation and Communications
CIVIL AVIATION AUTHORITY OF THE PHILIPPINES
www.caap.gov.ph

REQUIREMENTS FOR PERMIT TO OPERATE (PTO) FOR AERODROMES NOT REQUIRED TO BE CERTIFIED OR REGISTERED IN ACCORDANCE WITH ADMINISTRATIVE ORDER (AO) 139 (CIVIL AVIATION REGULATIONS GOVERNING AERODROMES) AND THE MANUAL OF STANDARDS (MOS) FOR AERODROMES.

Procedure for application for a Permit to Operate (PTO)

1. A person may apply for a PTO to operate an airstrip and/or heliport at the place specified in the application.
2. The application must be in the approved form.
3. The application form is available on request from the AANSOO.
4. Pay corresponding permit fee.

CAAP grants a PTO to an applicant if:

1. The aerodrome meets the standards specified in the MOS for non-certificated or registered aerodromes.
2. The airstrip or heliport operating procedures make satisfactory provision for the safety of aircraft;
3. The applicant would, if the PTO is issued, be able to properly operate and maintain the aerodrome.

Notice of refusal to grant PTO

- (1) If CAAP refuses to grant a PTO to an applicant, CAAP must give the applicant a written notice of the refusal, and reasons for such, no later than 14 days after CAAP refuses to grant the PTO.

Conditions on Permit to Operate:

- (1) An aerodrome shall only be operated by a person who holds a valid PTO issued by the CAAP for that aerodrome subject to the following conditions:
 - a. The aerodrome is operated in compliance with the applicable provisions of AO 139 and the Manual of Standards for Aerodromes (MOS).
 - b. The aerodrome is subject to Safety Inspections:
 - i. If the inspection is an Air Operator Certificate (AOC) requirement.
 - ii. When safety issues arise or when there is reason to believe that safety is compromised
 - iii. Upon aerodrome operator's request
 - c. The aerodrome operator shall notify CAAP/AANSOO when aerodrome operation will be permanently closed
 - d. If CAAP decides to issue a PTO subject to a condition, CAAP gives the applicant a written notice stating the reasons for the decision.
 - e. A condition must be set out on the PTO
 - f. An aerodrome operator must not contravene a condition of the operator's PTO

Duration of PTO

The PTO remains in force unless it is cancelled.

Suspension or cancellation of PTO by CAAP

- (1) The CAAP may, by written notice given to the holder of the PTO, suspend or cancel the PTO if there are reasonable grounds for believing that:
 - a. A condition on the issuance of PTO has been breached
 - b. The aerodrome facilities, operations or maintenance are not of standards necessary in the interest of safety of air navigation and that no alternative means to ensure safety are provided.
 - c. The holder had signified its intention to permanently close the operation of his/her aerodromes.

(2) Before cancelling a PTO, CAAP must;

- a. Give to the holder of a PTO a show cause notice in writing that:
 - i. Sets out the facts and circumstances that, in the opinion of the CAAP, would justify the cancellation; and
 - ii. Invite the holder of PTO to show cause in writing, within 30 days after the date of the notice why the PTO should not be cancelled; and
- b. Take into account any written submissions that the holder made to CAAP within the time allowed under subparagraph (a) (ii).

Cancellation of PTO by request of the Holder of PTO

- (1) If the holder of PTO wishes to surrender the PTO, the holder must give not less than 60 days' written notice to CAAP of the date on which the holder will surrender the PTO.
- (2) CAAP must cancel the PTO on the date specified by the PTO holder for surrender of the PTO.

Return of PTO if cancelled

- (1) If CAAP cancels a PTO, the holder of the PTO must return the PTO to CAAP immediately.

Temporary PTO

- (1) CAAP may issue a temporary PTO to an applicant if CAAP is satisfied that the applicant will be able to properly operate and maintain the aerodrome for the duration of the temporary PTO
- (2) A temporary PTO must not be issued for a period longer than 30 days.

For compliance.