



Republic of the Philippines

CIVIL AVIATION REGULATIONS (CAR)

PART 10

**COMMERCIAL AIR TRANSPORT BY FOREIGN AIR
CARRIERS WITHIN REPUBLIC OF THE PHILIPPINES**

INTENTIONALLY BLANK PAGE



Republic of the Philippines
 Department of Transportation and Communications
CIVIL AVIATION AUTHORITY OF THE PHILIPPINES
 1300 MIA Road, Pasay City, Metro Manila
 www.caap.gov.ph

BOARD RESOLUTION NO. 2011-025

WHEREAS, the Civil Aviation Authority of the Philippines (CAAP) was created by virtue of Republic Act 9497 which took effect on 23 March 2008;

WHEREAS, under Section 23, paragraph (j) of the same law, the Board is empowered to promulgate rules and regulations as may be necessary in the interest of safety in air commerce pertaining to the issuance of the airman's certificate including the licensing of operating and mechanical personnel, type certificate for aircraft, aircraft engines, propellers and appliances, airworthiness certificates, air carrier operating certificates, air agency certificates, navigation facility and aerodrome certificates; air traffic routes; radio and aeronautical telecommunications and air navigation aids; aircraft accident inquiries; aerodromes, both public and private-owned; construction of obstructions to aerodromes; height of buildings, antennae and other edifices; registration of aircraft; search and rescue; facilitation of air transports; operations of aircraft, both for domestic and international, including scheduled and non-scheduled; meteorology in relation to civil aviation; rules of the air; air traffic services; rules for prevention of collision of aircraft, identification of aircraft; rules for safe altitudes of flight; and such other rules and regulations, standards, governing other practices, methods and/or procedures as the Director General may find necessary and appropriate to provide adequately for safety regularity and efficiency in air commerce and air navigation;

WHEREAS, in the October 2009 ICAO-USOAP and 2010 EASA Audits, it was noted that portion of the Philippine Civil Aviation Regulations (PCAR) of 2008 is outdated and requires amendments/revisions;

WHEREAS, the CAAP Board of Directors, in its 03 March 2011 Board Meeting, approved the request of the Director General to initiate amendments and or revision of the Philippine Civil Aviation Regulations of 2008, subject to public consultations/hearings;

WHEREAS, the proposed PCARs cover the following regulatory/oversight functions:

- Part I General Policies, Procedures, Definitions
- Part II Personnel Licensing
- Part III Approved Training Organizations
- Part IV Aircraft Registration and Markings

**CIVIL AVIATION AUTHORITY
 OF THE PHILIPPINES**
CERTIFIED XEROX COPY
 (NOT VALID WITH ERASURES/ALTERATION)

[Signature] 05-27-2011
AIDA S. ROMULO
 Chief, Central Records
 and Archives Division

CIVIL AVIATION AUTHORITY
OF THE PHILIPPINES
CERTIFIED XEROX COPY
(NOT VALID WITH ERASURES/ALTERATION)

[Signature] 05-27-2011

AIDA S. ROMULO
Chief, Central Records
and Archives Division

- Part V Airworthiness
- Part VI Approved Maintenance Organizations
- Part VII Instruments and Organization
- Part VIII Operations
- Part IX Air Operator Certification and Administration
- Part X Commercial Air Transport by Foreign Air Carriers within Republic of the Philippines
- Part XI Aerial Work and Non-certificated Aircraft: Operating Limitations

WHEREAS, the Board finds the 2011 Revised Philippine Civil Aviation Regulation (PCAR) sufficient in form and substance, and fully comply with the standards set forth by FAA/ICAO/EASA;

WHEREFORE, RESOLVE, as it is hereby **RESOLVED**, that the 2011 Revised Philippine Civil Aviation Regulations Parts I to XI be **APPROVED**, and shall be valid and effective upon completion of the requisite publication and a copy filed with the University of the Philippines Law Center-Office o the National Administrative Register (UP-ONAR);

RESOLVED further that the Director General shall fully implement the approved, 2011 Revised PCAR Parts I to XI with the accompanying information campaign to the Philippine civil aviation industry.

Adopted this 11th day of April 2011 at the Department of Transportation and Communications, Columbia Tower, Mandaluyong City.

HON. JOSE P. DE JESUS
Chairman/Secretary, DOTC

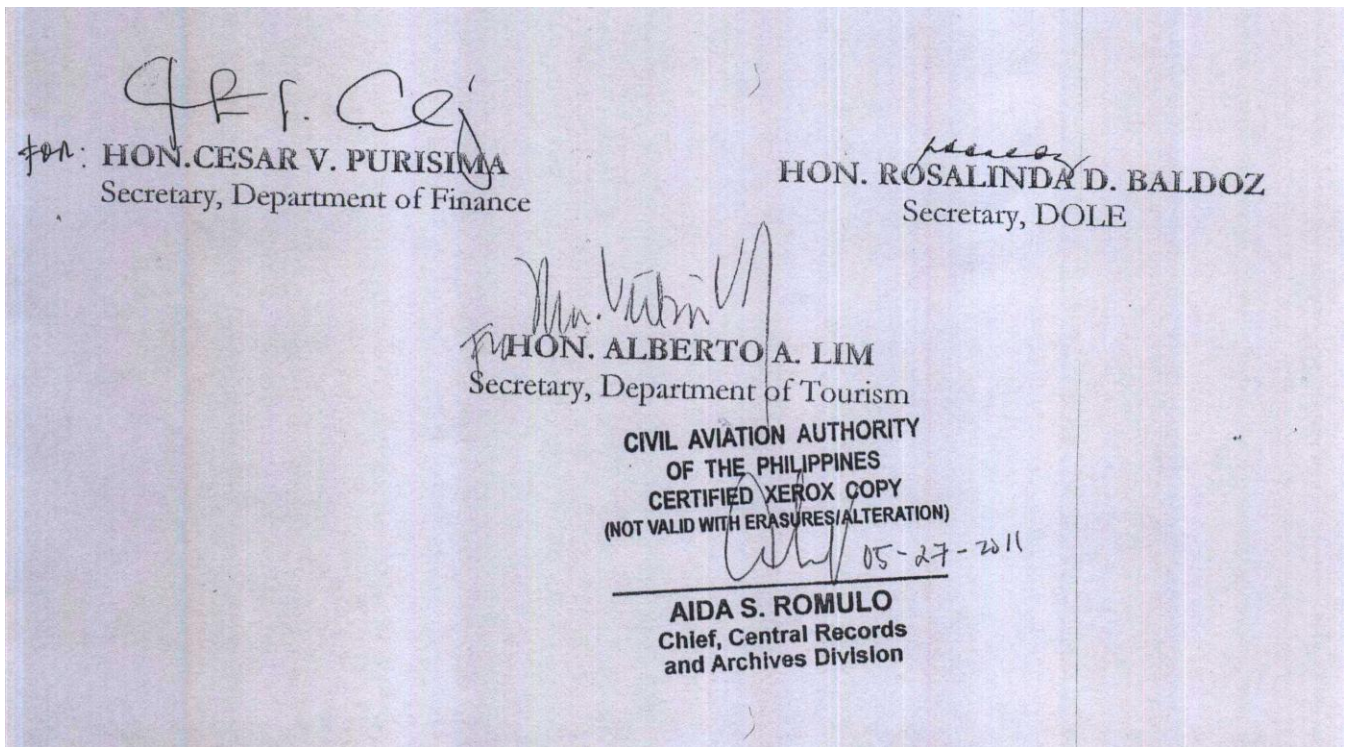
[Signature]

HON. RAMON S. GUTIERREZ
Vice-Chairman/Director General, CAAP

HON. LEILA M. DE LIMA
Secretary, Department of Justice

[Signature]
HON. ALBERT F. DEL ROSARIO
Secretary, Department of Foreign Affairs

HON. JESSE M. ROBREDO
Secretary, DILG



RECORD OF AMENDMENTS

Amendment No.	Date	Subject	Incorporated By
Initial Issue	23 June 2008		Ruben F. Ciron
First Amendment	21 March 2011		Ramon S. Gutierrez
Second Amendment	01 August 2013	Inclusion of vertical bars on the previous amendments.	LT GEN William K Hotchkiss III AFP (Ret)
Third Amendment	01 July 2016	10.1.1.2 Definitions <ul style="list-style-type: none"> • Authority 10.2 Validation of Air Operator Certificate <ul style="list-style-type: none"> 10.2.1.1 General requirement for validation of air operator certificate 10.2.1.2 Conditions for the issuance of validation of air operator certificate 10.2.1.3 Conditions and limitations for operations into, within, or from the Philippine territory 10.2.1.4 Duration and renewal of validation of air operator certificate 10.3.1.2 Air operator manuals documents and flight crew licenses to be carried <ul style="list-style-type: none"> • Paragraph (a) sub paragraph (2) 10.7.1.1 Offering dangerous goods for transport by air <ul style="list-style-type: none"> • Paragraph (c) IS: 10.2.1.1 Application for validation of air operator certificate	LT GEN William K Hotchkiss III AFP (Ret)

LIST OF EFFECTIVE PAGES

Part	Page	Amendment No.	Page Date
Part 10 Commercial Air Transport by Foreign Air Carriers within Republic of the Philippines			
Cover Page	i	Amendment 01	21 March 2011
Board Resolution	iii – v	Amendment 01	21 March 2011
Record of Amendments	vi	Amendment 03	01 July 2016
List of Effective Pages	vii – viii	Amendment 03	01 July 2016
Table of Contents	ix– x	Amendment 03	01 July 2016
Introduction			
Page			
	10.1-1	Amendment 03	01 July 2016
	10.1-2	Original Issue	23 June 2008
	10.1-3	Original Issue	23 June 2008
	10.1-4	Original Issue	23 June 2008
	10.2-1	Amendment 03	01 July 2016
	10.2-2	Amendment 03	01 July 2016
	10.2-3	Amendment 03	01 July 2016
	10.2-4	Original Issue	23 June 2008
	10.3-1	Amendment 03	01 July 2016
	10.3-2	Original Issue	23 June 2008
	10.4-1	Original Issue	23 June 2008
	10.4-2	Original Issue	23 June 2008
	10.5-1	Original Issue	23 June 2008
	10.5-2	Original Issue	23 June 2008
	10.6-1	Original Issue	23 June 2008
	10.6-2	Original Issue	23 June 2008
	10.7-1	Amendment 03	01 July 2016
	10.7-2	Original Issue	23 June 2008
	IS-1	Original Issue	23 June 2008
	IS-2	Amendment 03	01 July 2016
	IS-3	Amendment 03	01 July 2016

	IS-4	Original Issue	23 June 2008
--	------	----------------	--------------

CONTENTS

10.1	GENERAL	10.1-1
10.1.1.1	Applicability	10.1-1
10.1.1.2	Definitions.....	10.1-1
10.1.1.3	Abbreviations	10.1-2
10.1.1.4	Compliance.....	10.1-2
10.1.1.5	Authority to Inspect	10.1-3
10.1.1.6	Operational Requirements	10.1-3
10.2	VALIDATION OF OPERATION CERTIFICATION	10.2-1
10.2.1.1	General Requirements for Validation of Air Operator Certificate.....	10.2-1
10.2.1.2	Conditions for the Issuance of Validation of Air Operator Certificate.....	10.2-2
10.2.1.3	Conditions and Limitations for Operations into, within, or from the Philippine Territory.....	10.2-2
10.2.1.4	Duration and Renewal of Validation of air Operator Certificate.....	10.2-3
10.3	DOCUMENTS	10.3-1
10.3.1.1	Foreign air operator's Aircraft Technical Log	10.3-1
10.3.1.2	Air Operator Manuals, Documents and Flight Crew Licenses to be Carried..	10.3-1
10.3.1.3	Additional Information and Forms to be Carried	10.3-1
10.3.1.4	Production of Documentation, Manuals and Records	10.3-2
10.3.1.5	Preservation, Production and Use of Flight Recorder Recordings	10.3-2
10.4	OPERATIONS AND PERFORMANCE	10.4-1
10.4.1.1	Computation of Passenger and Baggage Weights	10.4-1
10.4.1.2	Single-engine Aircraft at Night or in IMC	10.4-1
10.4.1.3	Single-pilot Operations under IFR or at Night	10.4-1
10.4.1.4	Flight Rules within Republic of the Philippines	10.4-2
10.5	FLIGHT CREW MEMBER QUALIFICATIONS	10.5-1
10.5.1.1	General	10.5-1
10.5.1.2	Age Limitations	10.5-1
10.5.1.3	Language Proficiency	10.5-1
10.6	SECURITY	10.6-1
10.6.1.1	Aircraft Security	10.6-1
10.6.1.2	Unauthorized Carriage	10.6-1
10.7	DANGEROUS GOODS	10.7-1

	10.7.1.1	Offering Dangerous Goods for Transport by Air	10.7-1
	10.7.1.2	Carriage of Weapons of War and Munitions of War	10.7-1
	10.7.1.3	Carriage of Sporting Weapons and Ammunition	10.7-1
	IS 10.2.1.1	Application for Validation of Air Operator Certificate.....	IS-2

10.1 GENERAL**10.1.1.1 APPLICABILITY**

- (a) This regulation prescribes requirements applicable to the operation of any civil aircraft, including airplane or helicopter, for –
 - (1) The purpose of commercial air transportation operations by any air carrier whose Air Operator Certificate is issued and;
 - (2) Controlled by a civil aviation authority other than the Republic of the Philippines.
- (b) Part 10 does not apply to aircraft when used by military, customs, and police services, which are not used for compensation or hire.
- (c) Each foreign air operator operating within the territories of Republic of the Philippines is required to be a part of the Philippines operational safety surveillance program and follow the procedures established by this Part to preserve aviation safety.
- (d) Part 10 prescribes the regulations governing the operations within Republic of the Philippines of aircraft of each foreign air carrier holding a permit issued by the Civil Aeronautics Boards under the provisions of Republic Act 776 and/or Republic Act 9497.

10.1.1.2 DEFINITIONS

- (a) For general definitions, see Part 1. For the purpose of Part 10, the following definitions shall apply:
 - (1) **Aircraft (airplane) flight manual.** A manual, associated with the certificate of airworthiness, containing limitations within which the aircraft is to be considered airworthy, and instructions and information necessary to the flight crew members for the safe operation of the aircraft.
 - (2) **Air operator certificate (AOC).** A certificate authorizing an operator to carry out specified commercial air transport operations.
 - (3) **Aircraft Operating manual.** A manual acceptable to the State of the Operator, containing normal, abnormal and emergency procedures, checklists, limitations, performance information, details of the aircraft systems and other material relevant to the operation of the aircraft.
 - (4) **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 2008. (Per Memorandum Circular No. 08-15, Series of 2015)
 - (5) **Foreign air operator.** Any operator, not being an air operator holding an Air Operator Certificate issued by the Republic of the Philippines under the provisions of ICAO Annex 6, Part I or Part III, which undertakes, whether directly or indirectly or by lease or any other arrangement, to engage in commercial air transport operations within borders or airspace of the Republic of the Philippines, whether on a scheduled or charter basis.
 - (6) **Foreign Authority.** The civil aviation authority that issues and oversees the Air Operator Certificate of the foreign operator.
 - (7) **Minimum equipment list (MEL).** A list provides for the operation of aircraft, subject to specified conditions, with particular equipment inoperative, prepared by an operator in conformity with, or more restrictive than, the MMEL established for the aircraft type.

- (8) **Operations manual.** A manual containing procedures, instructions and guidance for use by operational personnel in the execution of their duties.
- (9) **Rotorcraft flight manual.** A manual, associated with the certificate of airworthiness, containing limitations within which the rotorcraft is to be considered airworthy, and instructions and information necessary to the flight crew members for the safe operation of the rotorcraft.

10.1.1.3 ABBREVIATIONS

- (a) The following abbreviations are used in Part 10:
 - (1) AFM – Airplane Flight Manual.
 - (2) AOC – Air Operator Certificate.
 - (3) AOM – Airplane Operating Manual.
 - (4) MEL – Minimum Equipment List.
 - (5) RFM – Rotorcraft Flight Manual.

10.1.1.4 COMPLIANCE

- (a) A foreign air operator may not operate an aircraft in commercial air transportation operations in Republic of the Philippines contrary to the requirements of:
 - (1) Part 10;
 - (2) Applicable paragraphs of Parts 7, 8 and 9; and
 - (3) Applicable standards contained in the Annexes to the Convention on International Civil Aviation (Chicago, 1944).
- (b) Paragraph (a) above applies also to any person who engages in an operation governed by this Part of CAR without the appropriate certificate and operations specification or similar document required as part of the certification.
- (c) Any other requirements that the Authority may specify.
- (d) When the Authority identifies a case of non-compliance or suspected non-compliance by a foreign air operator with laws, regulations and procedures applicable within the territory of Republic of the Philippines, or a similar serious safety issue with that operator, The Authority shall immediately notify the operator and , if the issue warrants it, the State of the Operator. When the State of the Operator and the State of Registry are different, such notification shall also be made to the State of Registry, if the issue falls within the responsibilities of that State and warrants a notification.
- (e) In the case of notification to States specified in paragraph (d) above, if the issue and its resolution warrant it, the State in which the operation is conducted (the Authority) shall engage in consultations with the State of the Operator and the State of Registry, as applicable, concerning the safety standards maintained by the operator.

Note: The Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (ICAO Doc 8335) provides guidance on the consultations and related activities, as specified in paragraph (e) above, including the ICAO model clause on aviation safety, which, if included in a bilateral or multilateral agreement, provides for consultations among the States, when safety issues are identified by any of the parties to a bilateral or multilateral agreement of air services.

10.1.1.5 AUTHORITY TO INSPECT

- (a) A foreign air operator shall ensure that any person authorized by the Authority, will be permitted at any time, without prior notice, to board any aircraft operated for commercial air transportation to Republic of the Philippines to:
- (1) Inspect the documents and manuals required by this Part.
 - (2) Conduct an inspection of the aircraft.

10.1.1.6 OPERATIONAL REQUIREMENTS

- (a) Subject to the applicable laws and regulations governing ownership and operations of radio equipment, each foreign air operator shall equip its aircraft with such radio equipment, as is necessary to properly use the air navigation facilities, and to maintain communications with ground stations, along and adjacent to their routes in the Philippines.
- (b) Each flight crew member shall be familiar with the applicable rules, the navigational and communication facilities, and the air traffic control and other procedures, of the areas to be traversed by him/her within Republic of the Philippines.
- (c) Each foreign air carrier shall establish procedures to ensure that each of the flight crew members has the knowledge required by paragraph (a) above, and shall check the ability of each of its flight crew member to operate safely in accordance with the applicable rules and procedures.
- (d) Each foreign air carrier shall conform to the practices, procedures and other requirements prescribed by the Authority for the Philippines air operators for the areas to be operate in.
- (e) Subject to applicable immigration laws and regulations, each foreign air operator shall furnish the ground personnel necessary to provide for two way voice communication between its aircraft and ground stations, at places where the Authority finds that voice communication is necessary and that communications can not be maintained in a language familiar with which ground station operators are familiar.
- (f) Each person furnished by a foreign air operator under paragraph (e) above, must be able to speak English and the language necessary to maintain communications with the aircraft concerned, and shall assist ground personnel in directing air traffic.

INTENTIONALLY LEFT BLANK

10.2 VALIDATION OF 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;
 - (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 (per Memorandum Circular No. 08-15, series of 2015)

INTENTIONALLY LEFT BLANK

10.3 DOCUMENTS**10.3.1.1 FOREIGN AIR OPERATOR'S AIRCRAFT TECHNICAL LOG**

- (a) A foreign air operator shall use an aircraft technical log system containing the following information for each aircraft:
- (1) Information about each flight necessary to ensure continued flight safety;
 - (2) The current aircraft certificate of release to service;
 - (3) The current maintenance statement giving the aircraft maintenance status of what scheduled and out of phase maintenance is next due, unless the Authority agrees to the maintenance statement being kept elsewhere;
 - (4) All outstanding deferred defects that affect the operation of the aircraft; and
 - (5) Any necessary guidance instructions on maintenance support.

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 Republic of the Philippines:
- (1) A certified true copy of the AOC and a copy of the authorizations, conditions and limitations relevant to the aircraft type, issued in conjunction with the certificate – all of which be in English language;
 - (2) Copy of the Validation of Air Operator Certificate and the Conditions and Limitations required under this Part; (per Memorandum Circular No. 08-15, series of 2015)
 - (3) The current parts of the Operations Manual relevant to the duties of the crew are carried on each flight;
 - (4) Those parts of the Operations Manual which are required for the conduct of a flight are easily accessible to the crew on board the aircraft on each flight, such as the MEL;
 - (5) The current approved AFM or RFM approved by the State of Registry, or AOM approved by the State of Operator is carried on the aircraft on each flight. The AFM or RFM shall be updated by implementing changes made mandatory by the State of Registry received from the State of Design.
 - (6) The current certificate of registration, and airworthiness certificate in force in respect of that aircraft;
 - (7) The appropriate licenses of the members of the flight crew; and
 - (8) Appropriate approval/license of crewmembers for aircraft radio operation.

10.3.1.3 ADDITIONAL INFORMATION AND FORMS TO BE CARRIED

- (a) A foreign air operator shall ensure that, in addition to the documents and manuals prescribed Subparts 10.3.1.1 and 10.3.1.2, the following information and forms, relevant to the type and area of operation, are carried on each flight:
- (1) Operational Flight Plan;
 - (2) Aircraft Technical Log containing at least the information required in Subpart 10.3.1.1 (a);

- (3) Appropriate NOTAM/AIS briefing documentation;
 - (4) Appropriate meteorological information;
 - (5) Passenger and Cargo manifests as appropriate for the intended flight;
 - (6) Mass and balance document for the aircraft certifying that the load carried is properly distributed and safely secured;
 - (7) Notification of special loads including any dangerous goods; and
 - (8) Current maps and charts for the area of operation.
- (b) The Authority may authorize the information detailed in subparagraph (a) above, or parts thereof, to be presented in a form other than on printed paper provided the information is accessible for inspection.

10.3.1.4 PRODUCTION OF DOCUMENTATION, MANUALS AND RECORDS

- (a) A foreign air operator shall:
- (1) Give any person authorized by the Authority access to any documents, manuals and records which are related to flight operations and maintenance; and
 - (2) Produce all such documents, manuals and records, when requested to do so by the Authority, within a reasonable period of time.
- (b) The pilot in command shall, within a reasonable time of being requested to do so by a person authorized by the Authority, produce to that person the documentation, manuals and records required to be carried on board.

10.3.1.5 PRESERVATION, PRODUCTION AND USE OF FLIGHT RECORDER RECORDINGS

- (a) Following an accident, incident, in the Republic of the Philippines involving an aircraft of a foreign operator, or when the Authority so directs, the foreign operator of an aircraft on which a flight recorder is carried shall preserve the original recorded data for a period of not less than 60 days unless otherwise directed by the Authority.

10.4 OPERATIONS AND PERFORMANCE**10.4.1.1 COMPUTATION OF PASSENGER AND BAGGAGE WEIGHTS**

- (a) A foreign air operator shall compute the weights of passengers and checked baggage using:
 - (1) The actual weighed weight of each person and the actual weighed weight of baggage; or
 - (2) The standard weight values specified by the foreign Authority.
- (b) The Authority may require a foreign air operator conducting operations in the Republic of Philippines to produce evidence validating any standard weight values used.

10.4.1.2 SINGLE-ENGINE AIRCRAFT AT NIGHT OR IN IMC

- (a) A foreign air operator may not operate a single-engine, non-turbine aircraft:
 - (1) At night; or
 - (2) In Instrument Meteorological Conditions except under Special Visual Flight Rules.
- (b) A foreign air operator may operate a single-engine turbine aircraft at night and in IMC conditions provided the State of the Operator has ensured:
 - (1) The reliability of the turbine engine;
 - (2) The operator's maintenance procedures, operating practices, flight dispatch procedures and crew training programs are adequate;
 - (3) The airplane is appropriately equipped for flight at night and in IMC;
 - (4) For airplanes issued a certificate of airworthiness before 1 January 2005—an engine trend monitoring system; and
 - (5) For airplanes issued a certificate of airworthiness after 1 January 2005—an automatic trend monitoring system.

10.4.1.3 SINGLE PILOT OPERATION UNDER IFR OR AT NIGHT

- (a) A foreign air operator shall not operate an airplane under IFR or at night by a single pilot unless approved by the State of the Operator and the airplane meets the following conditions:
 - (1) The flight manual does not require a flight crew of more than one pilot;
 - (2) The airplane is propeller-driven;
 - (3) The maximum approved passenger seating configuration is not more than nine;
 - (4) The maximum certificated take-off mass does not exceed 5,700 kg;
 - (5) The airplane is equipped with:
 - (i) A serviceable autopilot that has at least altitude hold and heading select modes;
 - (ii) A headset with a boom microphone or equivalent; and
 - (iii) Means of displaying charts that enables them to be readable in all ambient light conditions.

- (6) The PIC has satisfied the requirements of experience, training, checking and recent experience.

10.4.1.4 FLIGHT RULES WITHIN REPUBLIC OF THE PHILIPPINES

- (a) Within the territorial boundaries of Republic of the Philippines, foreign air operator shall comply with the flight rules and limitations contained in CAR Part 8.
- (b) Foreign air operators shall ensure that their flight crew have available and have become familiar with the flight rules in CAR Part 8.

Note: The flight rules are contained in CAR Part 8: 8.8.

10.5 FLIGHT CREW MEMBER QUALIFICATIONS**10.5.1.1 GENERAL**

- (a) Foreign air operators shall ensure that their flight crew have the appropriate licenses and ratings for the operations to be conducted in Republic of the Philippines.

10.5.1.2 AGE LIMITATIONS

- (a) Foreign air operators shall ensure that the required PIC engaged in single pilot operations on aircraft operating in Republic of the Philippines shall be less than 60 years of age.
- (b) Foreign air operators shall ensure, for aircraft engaged in operations in Republic of the Philippines requiring more than one pilot as flight crew members, that if one pilot is between the age of 60 and up to age 65, the other pilot shall be less than age 60.

10.5.1.3 LANGUAGE PROFICIENCY

- (a) As of 05 March 2008, foreign air operators shall ensure that flight crew operating aircraft in Republic of the Philippines meet the language proficiency requirement of least the operational Level 4 as contained in Part 2 of these Regulations for the English language and that such proficiency is endorsed on the license.

INTENTIONALLY LEFT BLANK

10.6 SECURITY**10.6.1.1 AIRCRAFT SECURITY**

(a) A foreign air operator shall:

- (1) Ensure that all appropriate personnel are familiar, and comply, with the relevant requirements of the national security programs of the State of the operator;
- (2) Establish, maintain and conduct approved training programs which enable the operator's personnel to take appropriate action to prevent acts of unlawful interference such as sabotage or unlawful seizure of aircraft and to minimize the consequences of such events should they occur;
- (3) Following an act of unlawful interference on board an aircraft the commander or, in their absence the operator, shall submit, without delay, a report of such an act to the designated local authority and the Authority in the State of the Operator;
- (4) Ensure that all aircraft carry a checklist of the procedures to be followed for that type in searching for concealed weapons, explosives or other dangerous devices; and
- (5) If installed, the flight crew compartment door on all aircraft operated for the purpose of carrying passengers shall be capable of being locked from within the compartment in order to prevent unauthorized access.

10.6.1.2 UNAUTHORIZED CARRIAGE

(a) A foreign air operator shall take measures to ensure that no persons conceal themselves or cargo on board an aircraft.

INTENTIONALLY LEFT BLANK PAGE

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

- (a) No foreign air operator may accept dangerous goods for transport by air in the Republic of the Philippines unless the foreign air operator:
 - (1) Has been authorized to do so by the foreign Authority; and
 - (2) Has conducted the required personnel training.
- (b) The foreign air operator shall properly classify, document, certify, describe, package, mark, label and put in a fit condition for transport, dangerous goods as required by the operator's dangerous goods program as approved by the foreign Authority.
- (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. (per Memorandum Circular No. 08-15, series if 2015)
- (d) Where the foreign operator has been granted authority to accept dangerous goods, and has an approved dangerous goods program authorized by the foreign Authority, the foreign operator shall file a copy of its dangerous goods program with the Authority.

10.7.1.2 CARRIAGE OF WEAPONS OF WAR AND MUNITIONS OF WAR

- (a) A foreign air operator conducting commercial air transportation operations to Republic of the Philippines shall:
 - (1) Not transport weapons of war and munitions of war by air unless an approval to do so has been granted by all States concerned.
 - (2) Ensure that weapons of war and munitions of war are:
 - (i) Stowed in the aircraft in a place which is inaccessible to passengers during flight; and
 - (ii) In the case of firearms, unloaded, unless, before the commencement of the flight, an approval has been granted by all States concerned that such weapons of war and munitions of war may be carried in circumstances that differ in part or in total from those indicated in this subparagraph.
 - (3) Ensure that the pilot in command is notified before the flight begins of the details and location on board the aircraft of any weapons of war and munitions of war that are intended to be carried.

10.7.1.3 CARRIAGE OF SPORTING WEAPONS AND AMMUNITION

- (a) A foreign air operator conducting commercial air transportation operations to the Republic of the Philippines shall take all measures necessary to ensure that any sporting weapons intended to be carried by air are reported.
- (b) A foreign air operator accepting the carriage of sporting weapons shall ensure that they are:
 - (1) Stowed in a place on the aircraft which is inaccessible to passengers during flight unless the Authority has determined that compliance is impracticable and has approved other procedures, and
 - (2) In the case of firearms or other weapons that can contain ammunition, unloaded.

- (c) A foreign air operator may allow a passenger to carry ammunition for sporting weapons in passenger's checked baggage, as approved by the Authority.

CIVIL AVIATION REGULATIONS (CAR)**PART 10: IS****COMMERCIAL AIR TRANSPORT BY FOREIGN
AIR OPERATORS WITHIN REPUBLIC OF THE
PHILIPPINES: IMPLEMENTING STANDARDS**

23 June 2008

For ease of reference, the number assigned to each implementing standard corresponds to its associated regulation. For example, IS: 10.1.1.6 would reflect a standard required in CAR: 10.1.1.6.

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.

 <p style="margin: 0;">APPLICATION FOR VALIDATION OF AIR OPERATOR CERTIFICATE</p>		
Application for Air Transport Operations by a Foreign Operator (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: (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 flights to and from aerodromes in the Philippines.		
7. Air Operator proposed types of operation:	8. Geographic areas of intended operations and proposed route structure:	
<input type="checkbox"/> Passenger and cargo <input type="checkbox"/> Cargo only <input type="checkbox"/> Scheduled Operations <input type="checkbox"/> Charter Flight Operations <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 <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)	RVSM-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: Air Operator Certificate and associated operations Specifications, Insurance certificate; 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 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				

(per Memorandum Circular No. 08-15, series of 2015)

INTENTIONALLY LEFT BLANK