

STATUTORY INSTRUMENT.

No. **07** of 2022.

Civil Aviation (Certified Airways Services and Airspace)(Offences) Regulation 2022.



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- 162. Notification of meteorological office and facility status (Rule Part 174.69).
- 163. Meteorological information check after accident or incident (Rule Part 174.71).
- 164. Malfunction and erroneous information (Rule Part 174.73).
- 165. Records (Rule Part 174.75).
- 166. Safety management system (Rule Part 174.77).
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- 168. Routine observations and reports (Rule Part 174.81).
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Division 3. - Subpart C - Operating Requirements.

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Division 2. - Subpart B - Certification Requirements.

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- 198. Security programme (Rule Part 175.55).
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- 200. Scope of pre-flight information service (Rule Part 175.57).
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- 209. Aeronautical information management (Rule Part 175.72).
- 210. Organisation exposition (Rule Part 175.73).

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- 215. Pre-flight information service and post flight information service (Rule Part 175.107).
- 216. Changes to certificate holder's organisation (Rule Part 175.109).

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- 221. Duration of certificate (Rule Part 176.13).

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- 231. Training and exercises (Rule Part 176.69).
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- 233. Quality management system (Rule Part 176.73).
- 234. Organisation exposition (Rule Part 176.75).

Division 3. - Subpart C - Operating Requirement.

- 235. Continued compliance (Rule Part 176.101).
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STATUTORY INSTRUMENT.

No. **07** of 2022.

Civil Aviation (Certified Airways Services and Airspace)(Offences) Regulation 2022.

Being a Regulation to provide for offences and penalties pursuant to Section 322 of the *Civil Aviation Act 2000* in relation to Civil Aviation Rule Part 71, 77, 171, 172, 173, 174, 175 and 176, and for related purposes,

MADE by the Head of State, acting with, and in accordance with, the advice of the National Executive Council under the *Civil Aviation Act 2000*.

PART I. - CIVIL AVIATION RULE PART 71 - DESIGNATION OF AIRSPACE.

Division 1. - Subpart A - General.

1. APPLICATION FOR DESIGNATION AND CLASSIFICATION OF AIRSPACE (RULE PART 71.7).

A person who applies for an airspace designation or classification without complying with the requirements of Rule Part 71.1 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

Division 2. - Subpart D - Special Use Airspace.

2. RESTRICTED AREAS (RULE PART 71.153).

A person who operates an aircraft in a restricted area without authority as required under Rule Part 71.153 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

3. DANGER AREAS (RULE PART 71.155).

A person who operates an aircraft in a danger area as described under Rule Part 71.155 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

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4. PROHIBITED AREAS (RULE PART 71.157).

A person who operates an aircraft in a prohibited area as described under Rule Part 71.157 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

5. LOW FLYING ZONES (RULE PART 71.159).

A person who operates an aircraft in a low flying zone without complying with the requirements of Rule Part 71.159 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

6. TEMPORARY AIRSPACE (RULE PART 71.163).

A person who operates an aircraft in a temporary airspace as described in Rule Part 71.163 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

Division 3. - Subpart E - Transponder Mandatory Airspace.

7. TRANSPONDER MANDATORY AIRSPACE WITHIN CONTROLLED AIRSPACE (RULE PART 71.201).

A person who operates an aircraft in an airspace as described in Rule Part 71.201 without complying with this Rule is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

8. TRANSPONDER MANDATORY AIRSPACE WITHIN SPECIAL USE AIRSPACE (RULE PART 71.203).

A person who operates an aircraft in an airspace as described in Rule Part 71.203 without complying with this Rule is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

PART II. - CIVIL AVIATION RULE PART 77 - OBJECTS AND ACTIVITIES AFFECTING NAVIGABLE AIRSPACE.

Division 1. - Subpart A - General.

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9. NOTICE OF CONSTRUCTION OR ALTERATION OF STRUCTURE (RULE PART 77.5).

A person who proposed to construct or alter a structure as described in Rule Part 77.5 without complying with this Rule is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

10. NOTICE OF USE OF A STRUCTURE DISCHARGING EFFLUX, A LIGHT OR A LASER (RULE PART 77.7).

A person who proposed to use a structure discharge efflux, a light or a laser without complying with the requirements of Rule Part 77.7 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

11. NOTICE OF USE OF WEAPONS (RULE PART 77.9).

A person who proposed to use a weapon without complying with the requirements of Rule Part 77.9 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

12. NOTICE OF USE OF PYROTECHNICS (RULE PART 77.11).

A person who proposed to use pyrotechnics without complying with the requirements of Rule Part 77.11 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

13. NOTICE REQUIREMENTS (RULE PART 77.13).

A person who fails to comply with the requirements of Rule Part 77.13 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

14. ADDITIONAL NOTICE REQUIREMENTS (RULE PART 77.15).

A person who fails to comply with the requirements of Rule Part 77.15 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

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15. COMPLIANCE (RULE PART 77.23).

A person who fails to comply with the requirements of Rule Part 77.23 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

16. DETERMINATION EFFECTIVE DATES AND PERIODS (RULE PART 77.25).

A person who fails to comply with the requirements of Rule Part 77.25 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

17. PETITIONS FOR REVIEW OF DETERMINATIONS OF HAZARD (RULE PART 77.27).

A person who fails to comply with the requirements of Rule Part 77.27 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

**PART III. - CIVIL AVIATION RULE PART 171 - AERONAUTICAL
TELECOMMUNICATIONS SERVICES
ORGANISATIONS - CERTIFICATION.**

Division 1. - Subpart A - General.

18. REQUIREMENT FOR CERTIFICATE (RULE PART 171.5).

A person who provides an aeronautical telecommunication service without a certificate issued under this Rule or who fails to comply with the requirements of Rule Part 171.5 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

19. PRIVILEGES OF CERTIFICATE HOLDER (RULE PART 171.11).

A certificate holder who fails to comply with the requirements of Rule Part 171.11 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

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20. DURATION OF CERTIFICATE (RULE PART 171.13).

A certificate holder who fails to comply with the requirements of Rule Part 171.13 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

21. IDENTIFICATION OF CODES AND CALL SIGN (RULE PART 171.17).

A person who fails to comply with the requirements of Rule Part 171.17 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

22. NOTIFICATION OF AERONAUTICAL FACILITY INFORMATION (RULE PART 171.19).

A person who fails to comply with the requirements of Rule Part 171.19 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

23. INFORMATION PROVIDED BY AN AERONAUTICAL FACILITY (RULE PART 171.21).

A person who fails to comply with the requirements of Rule Part 171.21 is guilty of an offence.

Penalty: For a company, a fine of K5,000.00.

Division 2. - Subpart B - Certification Requirements.

24. PERSONNEL REQUIREMENTS (RULE PART 171.51).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.51 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

25. FACILITY REQUIREMENTS (RULE PART 171.53).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.53 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

26. SECURITY PROGRAMME (RULE PART 171.55).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.55 is guilty of an offence.

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Penalty: For a company, a fine of K5,000.00.

27. DOCUMENTATION (RULE PART 171.57).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.57 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

28. PERIODIC INSPECTION AND TESTING (RULE PART 171.59).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.59 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

29. CERTIFICATION OF FACILITY PERFORMANCE (RULE PART 171.61).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.61 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

30. INSPECTION MEASURING AND TESTING EQUIPMENT (RULE PART 171.63).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.63 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

31. NOTIFICATION OF FACILITY INFORMATION (RULE PART 171.65).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.65 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

32. FACILITY CHECK AFTER ACCIDENT OR INCIDENT (RULE PART 171.67).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.67 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

33. FACILITY MALFUNCTIONS (RULE PART 171.69).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.69 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

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34. RECORDS (RULE PART 171.71).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.71 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

35. SAFETY MANAGEMENT SYSTEM (RULE PART 171.73).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.73 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

36. QUALITY MANAGEMENT SYSTEM (RULE PART 171.75).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.75 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Division 3. - Subpart C - Operating Requirements.

37. CONTINUED COMPLIANCE (RULE PART 171.101).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.101 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

38. IDENTIFICATION CODES AND CALL SIGNS (RULE PART 171.103).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.103 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

39. OPERATING AND MAINTENANCE INSTRUCTIONS (RULE PART 171.107).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.107 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

40. DEVIATIONS (RULE PART 171.109).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.109 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

41. LIMITATIONS ON CERTIFICATE HOLDER (RULE PART 171.111).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.111 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

42. CHANGES TO CERTIFICATE HOLDER'S ORGANISATION (RULE PART 171.113).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.113 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

43. SAFETY ASSESSMENTS (RULE PART 171.115).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.115 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Division 4. - Subpart D - Facility Specifications and Requirements.

44. ADDITIONAL SPECIFICATIONS AND REQUIREMENTS (RULE PART 171.202).

A holder of a telecommunication service certificate who fails to comply with the requirements of Rule Part 171.201 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

**PART IV. - CIVIL AVIATION RULE PART 172 - AIR TRAFFIC
SERVICE ORGANISATIONS - CERTIFICATION AND
OPERATION.**

Division 1. - Subpart A - General.

45. REQUIREMENT FOR CERTIFICATE (RULE PART 172.5).

A person who provides an air traffic service without a certificate issued under this Rule or who fails to comply with the requirements of Rule Part 172.5 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

46. PRIVILEGES OF CERTIFICATE (RULE PART 172.11).

A certificate holder who fails to comply with the requirements of Rule Part 172.11 is guilty of an offence.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

Penalty: For a company, a fine of K3,000.00.

47. DURATION OF CERTIFICATE (RULE PART 172.13).

A certificate holder who fails to comply with the requirements of Rule Part 172.13 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Division 2. - Subpart B - Certification Requirements.

48. PERSONNEL REQUIREMENTS (RULE PART 172.51).

A certificate holder who fails to comply with the requirements of Rule Part 172.51 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

49. ATS TRAINING (RULE PART 172.53).

A certificate holder who fails to comply with the requirements of Rule Part 172.53 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

50. PREVENTION OF FATIGUE (RULE PART 172.55).

A certificate holder who fails to comply with the requirements of Rule Part 172.55 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

51. FACILITY REQUIREMENTS (RULE PART 172.57).

A certificate holder who fails to comply with the requirements of Rule Part 172.57 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

52. ESTABLISHMENT AND TRANSFER OF SERVICE (RULE PART 172.59).

A certificate holder who fails to comply with the requirements of Rule Part 172.59 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

53. SHIFT ADMINISTRATION (RULE PART 172.61).

A certificate holder who fails to comply with the requirements of Rule Part 172.61 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

54. DOCUMENTATION (RULE PART 172.63).

A certificate holder who fails to comply with the requirements of Rule Part 172.63 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

55. CONTINGENCY PLAN (RULE PART 172.65).

A certificate holder who fails to comply with the requirements of Rule Part 172.65 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

56. COORDINATION REQUIREMENTS (RULE PART 172.67).

A certificate holder who fails to comply with the requirements of Rule Part 172.67 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

57. NOTIFICATION OF FACILITY STATUS (RULE PART 172.69).

A certificate holder who fails to comply with the requirements of Rule Part 172.69 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

58. GENERAL INFORMATION REQUIREMENTS (RULE PART 172.71).

A certificate holder who fails to comply with the requirements of Rule Part 172.71 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

59. METEOROLOGICAL INFORMATION AND REPORTING (RULE PART 172.73).

A certificate holder who fails to comply with the requirements of Rule Part 172.73 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

60. AREA AND APPROACH CONTROL SERVICES (RULE PART 172.75).

A certificate holder who fails to comply with the requirements of Rule Part 172.75 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

61. AERODROME CONTROL SERVICE (RULE PART 172.77).

A certificate holder who fails to comply with the requirements of Rule Part 172.77 is guilty of an offence.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

Penalty: For a company, a fine of K3,000.00.

62. SPECIAL USE AIRSPACE (RULE PART 172.79).

A certificate holder who fails to comply with the requirements of Rule Part 172.79 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

63. RESPONSIBILITY FOR CONTROL (RULE PART 172.81).

A certificate holder who fails to comply with the requirements of Rule Part 172.81 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

64. PRIORITIES (RULE PART 172.83).

A certificate holder who fails to comply with the requirements of Rule Part 172.83 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

65. FLOW CONTROL (RULE PART 172.85).

A certificate holder who fails to comply with the requirements of Rule Part 172.85 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

66. ATC CLEARANCE (RULE PART 172.87).

A certificate holder who fails to comply with the requirements of Rule Part 172.87 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

67. CRUISING LEVELS (RULE PART 172.89).

A certificate holder who fails to comply with the requirements of Rule Part 172.89 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

68. DIVIATION FROM AN ATC CLEARANCE (RULE PART 172.91).

A certificate holder who fails to comply with the requirements of Rule Part 172.91 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

69. FLIGHT INFORMATION SERVICE (RULE PART 172.93).

A certificate holder who fails to comply with the requirements of Rule Part 172.93 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

70. AERODROME FLIGHT INFORMATION SERVICE (RULE PART 172.95).

A certificate holder who fails to comply with the requirements of Rule Part 172.95 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

71. ALERTING SERVICE (RULE PART 172.97).

A certificate holder who fails to comply with the requirements of Rule Part 172.97 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

72. FLIGHT PLANS (RULE PART 172.99).

A certificate holder who fails to comply with the requirements of Rule Part 172.99 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

73. TIME (RULE PART 172.101).

A certificate holder who fails to comply with the requirements of Rule Part 172.101 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

74. ALTIMETER SETTING PROCEDURES (RULE PART 172.103).

A certificate holder who fails to comply with the requirements of Rule Part 172.103 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

75. RADIO AND TELEPHONE PROCEDURES (RULE PART 172.105).

A certificate holder who fails to comply with the requirements of Rule Part 172.105 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

76. ATS SURVEILLANCE SERVICES (RULE PART 172.107).

A certificate holder who fails to comply with the requirements of Rule Part 172.107 is guilty of an offence.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

Penalty: For a company, a fine of K3,000.00.

77. AIRCRAFT EMERGENCIES AND IRREGULAR OPERATION (RULE PART 172.109).

A certificate holder who fails to comply with the requirements of Rule Part 172.109 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

78. ACTION AFTER SERIOUS INCIDENT OR ACCIDENT (RULE PART 172.111).

A certificate holder who fails to comply with the requirements of Rule Part 172.111 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

79. INCIDENTS (RULE PART 172.113).

A certificate holder who fails to comply with the requirements of Rule Part 172.113 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

80. RECORDS (RULE PART 172.115).

A certificate holder who fails to comply with the requirements of Rule Part 172.115 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

81. LOGBOOKS AND POSITION LOGS (RULE PART 172.117).

A certificate holder who fails to comply with the requirements of Rule Part 172.117 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

82. SECURITY (RULE PART 172.119).

A certificate holder who fails to comply with the requirements of Rule Part 172.119 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

83. SERVICE DISRUPTIONS (RULE PART 172.121).

A certificate holder who fails to comply with the requirements of Rule Part 172.121 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

84. SAFETY MANAGEMENT SYSTEM (RULE PART 172.123).

A certificate holder who fails to comply with the requirements of Rule Part 172.123 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

85. QUALITY MANAGEMENT SYSTEM (RULE PART 172.125).

A certificate holder who fails to comply with the requirements of Rule Part 172.125 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

86. AERONAUTICAL DATA (RULE PART 172.126).

A certificate holder who fails to comply with the requirements of Rule Part 172.126 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Division 3. - Subpart C - Operating Requirements.

87. CONTINUED COMPLIANCE (RULE PART 172.151).

A certificate holder who fails to comply with the requirements of Rule Part 172.151 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

88. OPERATIONS MANUALS (RULE PART 172.153).

A certificate holder who fails to comply with the requirements of Rule Part 172.153 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

89. SAFETY ASSESSMENT (RULE PART 172.155).

A certificate holder who fails to comply with the requirements of Rule Part 172.155 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

90. DENIAL OF ATC CLEARANCE (RULE PART 172.159).

A certificate holder or its agent or servant who fails to comply with the requirements of Rule Part 172.159 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

91. SUSPENSION OF VFR OPERATIONS (RULE PART 172.161).

A certificate holder who fails to comply with the requirements of Rule Part 172.161 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

92. CHANGES TO CERTIFICATE HOLDER'S ORGANISATION (RULE PART 172.163).

A certificate holder who fails to comply with the requirements of Rule Part 172.163 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

93. PERFORMANCE-BASED NAVIGATION (PBN) OPERATIONS (RULE PART 172.167).

A certificate holder who fails to comply with the requirements of Rule Part 172.167 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

94. PERFORMANCE-BASED COMMUNICATION (PBC) OPERATIONS (RULE PART 172.169).

A certificate holder who fails to comply with the requirements of Rule Part 172.169 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

95. PERFORMANCE-BASED SURVEILLANCE (PBS) OPERATIONS (RULE PART 172.171).

A certificate holder who fails to comply with the requirements of Rule Part 172.171 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

96. ESTABLISHMENT AND IDENTIFICATION OF ATS ROUTES (RULE PART 172.173).

A certificate holder who fails to comply with the requirements of Rule Part 172.173 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

97. ESTABLISHMENT AND IDENTIFICATION OF SIGNIFICANT POINTS (RULE PART 172.175).

A certificate holder who fails to comply with the requirements of Rule Part 172.175 is guilty of an offence.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

Penalty: For a company, a fine of K2,000.00.

98. VOICE-AUTOMATIC TERMINAL INFORMATION SERVICE (VOICE - ATIS) (RULE PART 172.177).

A certificate holder who fails to comply with the requirements of Rule Part 172.177 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

Division 4. - Subpart D - Other Air Traffic Services.

99. REQUIREMENT (RULE PART 172.203).

A person who provides a service, which the Minister determines to be an air traffic service, without a certificate issued under this Subpart is guilty of an offence.

Penalty: For a company, a fine of K5,000.00.

Division 5. - Subpart E - Separation Criteria.

100. COMPOSITE VISUAL SEPARATION (RULE PART 172.251).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.251 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

101. VISUAL SEPARATION BEYOND THE VICINITY OF AN AERODROME (RULE PART 172.253).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.253 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

102. LONGITUDINAL SEPARATION BY TIME (RULE PART 172.255).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.255 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

103. LONGITUDINAL SEPARATION BY DISTANCE (RULE PART 172.257).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.257 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

104. LATERAL SEPARATION (RULE PART 172.259).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.259 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

105. SEPARATION BETWEEN AIRCRAFT ON AN INSTRUMENT APPROACH (RULE PART 172.261).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.261 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

106. RADAR SEPARATION FROM AN UNIDENTIFIED CONTROLLED FLIGHT (RULE PART 172.265).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.265 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

107. RADAR SEPARATION FROM HOLDING AIRCRAFT (RULE PART 172.267).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.267 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

108. FORMATION FLIGHTS (RULE PART 172.269).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.269 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

109. REDUCED RUNWAY SEPARATION (RULE PART 172.271).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.271 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

110. REDUCED RUNWAY SEPARATION - GENERAL (RULE PART 172.271).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.271 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

111. REDUCED RUNWAY SEPARATION - DEPARTING AIRCRAFT (RULE PART 172.273).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.273 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

112. REDUCED RUNWAY SEPARATION - ARRIVING VERSUS DEPARTING AIRCRAFT (RULE PART 172.275).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.275 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

113. OPERATIONS ON PARALLEL RUNWAYS (RULE PART 172.277).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.27 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

114. SEPARATION FROM AN AIRCRAFT DUMPING FUEL (RULE PART 172.279).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.29 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

115. SEPARATION INVOLVING MILITARY AIRCRAFT (RULE PART 172.281).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.281 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

116. SEPARATION OF SUCCESSIVE IFR DEPARTURES (RULE PART 172.283).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.283 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

117. HELICOPTERS AND UNPOWERED AIRCRAFT (RULE PART 172.285).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.285 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

118. WAKE TURBULENCE SEPARATION (RULE PART 172.287).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.287 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

119. SEPARATION FROM ACTIVE SPECIAL USE AIRSPACE (RULE PART 172.289).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.289 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

Division 6. - Subpart G - Radar Procedures.

120. VERIFICATION OF SSR TRANSPONDER MODE C LEVEL INFORMATION (RULE PART 172.401).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.401 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

121. SPEED CONTROL (RULE PART 172.402).

An aerodrome controller who fails to comply with the requirements of Rule Part 172.402 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

**PART V. - CIVIL AVIATION RULE PART 173 - INSTRUMENT
FLIGHT PROCEDURE SERVICE ORGANISATION -
CERTIFICATION AND OPERATION.**

Division 1. - Subpart A - General.

122. REQUIREMENT FOR CERTIFICATE (RULE PART 173.5).

A person who provides an instrument flight procedure service for Port Moresby FIR without a certificate issued under this Rule or who fails to comply with the requirements of Rule Part 173.5 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

123. PRIVILEGES OF CERTIFICATE HOLDER (RULE PART 173.11).

A person who exercises the privileges under Rule Part 173.11 without a valid or current certificate is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

124. DURATION OF CERTIFICATE (RULE PART 173.13).

A holder of a certificate who fails to comply with the requirements of Rule Part 173.13 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

125. NOTIFICATION OF TERMINATION OF SERVICE (RULE PART 173.15).

A holder of a certificate who fails to comply with the requirements of Rule Part 173.15 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

Division 2. - Subpart B - Certification Requirements.

126. PERSONNEL REQUIREMENTS (RULE PART 173.51).

A certificate holder who fails to comply with the requirements of Rule Part 173.51 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

127. TRAINING PROGRAMME (RULE PART 173.52).

A certificate holder who fails to comply with the requirements of Rule Part 173.52 is guilty of an offence.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

Penalty: For a company, a fine of K3,000.00.

128. RESOURCE REQUIREMENT (RULE PART 173.53).

A certificate holder who fails to comply with the requirements of Rule Part 173.53 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

129. DESIGN OF INSTRUMENT FLIGHT PROCEDURES (RULE PART 173.55).

A certificate holder who fails to comply with the requirements of Rule Part 173.55 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

130. AUTHORISATION OF PERSONS TO CERTIFY INSTRUMENT FLIGHT PROCEDURES (RULE PART 173.56).

A certificate holder who fails to comply with the requirements of Rule Part 173.56 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

131. CERTIFICATION OF INSTRUMENT FLIGHT PROCEDURES (RULE PART 173.57).

A certificate holder who fails to comply with the requirements of Rule Part 173.57 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

132. PROMULGATION OF INSTRUMENT FLIGHT PROCEDURES (RULE PART 173.59).

A certificate holder who fails to comply with the requirements of Rule Part 173.59 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

133. MAINTENANCE OF INSTRUMENT FLIGHT PROCEDURES (RULE PART 173.61).

A certificate holder who fails to comply with the requirements of Rule Part 173.61 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

134. ERROR CORRECTION IN PROMULGATED PROCEDURES (RULE PART 173.63).

A certificate holder who fails to comply with the requirements of Rule Part 173.63 is guilty of an offence.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

Penalty: For a company, a fine of K3,000.00.

135. CANCELLATION OR WITHDRAWAL OF AN INSTRUMENT FLIGHT PROCEDURE (RULE PART 173.65).

A certificate holder who fails to comply with the requirements of Rule Part 173.65 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

136. MANAGEMENT OF RECORDS (RULE PART 173.67).

A certificate holder who fails to comply with the requirements of Rule Part 173.67 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

137. SAFETY MANAGEMENT SYSTEM (RULE PART 173.69).

A certificate holder who fails to comply with the requirements of Rule Part 173.69 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

138. QUALITY MANAGEMENT SYSTEM (RULE PART 173.71).

A certificate holder who fails to comply with the requirements of Rule Part 173.71 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

139. ORGANISATION EXPOSITION REQUIREMENTS (RULE PART 173.73).

A certificate holder who fails to comply with the requirements of Rule Part 173.73 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Division 3. - Subpart C - Operating Requirements.

140. CONTINUED COMPLIANCE (RULE PART 173.101).

A certificate holder who fails to comply with the requirements of Rule Part 173.101 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

141. CHANGES TO CERTIFICATE HOLDER'S ORGANISATION (RULE PART 173.103).

A certificate holder who fails to comply with the requirements of Rule Part 173.103 is guilty of an offence.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

Penalty: For a company, a fine of K3,000.00.

142. CESSATION OF MAINTENANCE OF AN INSTRUMENT FLIGHT PROCEDURE (RULE PART 173.105).

A certificate holder who fails to comply with the requirements of Rule Part 173.105 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Division 4. - Subpart D - Design Criteria - Instrument Flight Procedure.

143. DESIGN (RULE PART 173.201).

A certificate holder who fails to comply with the requirements of Rule Part 173.201 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

144. USE OF DESIGN AUTOMATION TOOLS (RULE PART 173.203).

A certificate holder who fails to comply with the requirements of Rule Part 173.203 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

145. VALIDATION OF INSTRUMENT FLIGHT PROCEDURES (RULE PART 173.205).

A certificate holder who fails to comply with the requirements of Rule Part 173.205 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

PART VI. - CIVIL AVIATION RULE PART 174 - AVIATION METEOROLOGICAL SERVICE ORGANISATION - CERTIFICATION AND OPERATION.

Division 1. - Subpart A - General.

146. REQUIREMENT FOR CERTIFICATE (RULE PART 174.5).

A person who provides a meteorological service without a certificate issued under this Rule or who fails to comply with the requirements of Rule Part 174.5 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

147. BASIC WEATHER REPORTING (RULE PART 174.6).

A person who provides a meteorological service without complying with the requirements of Rule Part 174.6 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

148. PRIVILEGES OF CERTIFICATE HOLDER (RULE PART 174.11).

A certificate holder who fails to comply with the requirements of Rule Part 174.11 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

149. DURATION OF CERTIFICATE (RULE PART 174.13).

A holder of a certificate who fails to comply with the requirements of Rule Part 174.13 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

150. NOTIFICATION OF TERMINATION OF SERVICE (RULE PART 174.15).

A holder of a certificate who fails to comply with the requirements of Rule Part 174.15 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

151. RENEWAL OF CERTIFICATE (RULE PART 174.17).

A holder of a certificate who fails to comply with the requirements of Rule Part 174.17 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

Division 2. - Subpart B - Certification Requirements.

152. PERSONNEL REQUIREMENTS (RULE PART 174.51).

A certificate holder who fails to comply with the requirements of Rule Part 174.51 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

153. PERSONNEL QUALIFICATION AND COMPETENCY, EDUCATION AND TRAINING REQUIREMENTS (RULE PART 174.52).

A certificate holder who fails to comply with the requirements of Rule Part 174.52 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

154. SITE REQUIREMENTS AND METEOROLOGICAL OFFICE REQUIREMENTS (RULE PART 174.53).

A certificate holder who fails to comply with the requirements of Rule Part 174.53 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

155. COMMUNICATION REQUIREMENTS (RULE PART 174.55).

A certificate holder who fails to comply with the requirements of Rule Part 174.55 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

156. INPUT REQUIREMENTS (RULE PART 174.57).

A certificate holder who fails to comply with the requirements of Rule Part 174.57 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

157. OUTPUT REQUIREMENTS (RULE PART 174.59).

A certificate holder who fails to comply with the requirements of Rule Part 174.59 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

158. FACILITY REQUIREMENTS (RULE PART 174.61).

A certificate holder who fails to comply with the requirements of Rule Part 174.61 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

159. DOCUMENTATION (RULE PART 174.63).

A certificate holder who fails to comply with the requirements of Rule Part 174.63 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

160. VERIFICATION PERIODIC INSPECTION, TESTING AND CALIBRATION (RULE PART 174.65).

A certificate holder who fails to comply with the requirements of Rule Part 174.65 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

161. RELEASE OF METEOROLOGICAL INFORMATION (RULE PART 174.67).

A certificate holder who fails to comply with the requirements of Rule Part 174.67 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

162. NOTIFICATION OF METEOROLOGICAL OFFICE AND FACILITY STATUS (RULE PART 174.69).

A certificate holder who fails to comply with the requirements of Rule Part 174.69 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

163. METEOROLOGICAL INFORMATION CHECK AFTER ACCIDENT OR INCIDENT (RULE PART 174.71).

A certificate holder who fails to comply with the requirements of Rule Part 174.71 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

164. MALFUNCTION AND ERRONEOUS INFORMATION (RULE PART 174.73).

A certificate holder who fails to comply with the requirements of Rule Part 174.73 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

165. RECORDS (RULE PART 174.75).

A certificate holder who fails to comply with the requirements of Rule Part 174.75 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

166. SAFETY MANAGEMENT SYSTEM (RULE PART 174.77).

A certificate holder who fails to comply with the requirements of Rule Part 174.77 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

167. QUALITY MANAGEMENT SYSTEM (RULE PART 174.79).

A certificate holder who fails to comply with the requirements of Rule Part 174.79 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

168. ROUTINE OBSERVATIONS AND REPORTS (RULE PART 174.81).

A certificate holder or a person who fails to comply with the requirements of Rule Part 174.81 is guilty of an offence.

Penalty: For an individual, a fine of K2,000.00, and for a company, a fine of K3,000.00.

169. COORDINATION REQUIREMENTS (RULE PART 174.83).

A certificate holder who fails to comply with the requirements of Rule Part 174.83 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

170. SERVICE FOR OPERATORS AND FLIGHT CREW MEMBERS (RULE PART 174.85).

A certificate holder who fails to comply with the requirements of Rule Part 174.85 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

171. ORGANISATION EXPOSITION (RULE PART 174.87).

A certificate holder who fails to comply with the requirements of Rule Part 174.87 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Division 3. - Subpart C - Operating Requirements.

172. CONTINUED COMPLIANCE (RULE PART 174.101).

A certificate holder who fails to comply with the requirements of Rule Part 174.101 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

173. OPERATIONS MANUAL (RULE PART 174.103).

A certificate holder who fails to comply with the requirements of Rule Part 174.103 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

174. SAFETY ASSESSMENT (RULE PART 174.104).

A certificate holder who fails to comply with the requirements of Rule Part 174.104 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

175. LIMITATIONS ON CERTIFICATE HOLDER (RULE PART 174.105).

A certificate holder who fails to comply with the requirements of Rule Part 174.105 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

176. CHANGES TO CERTIFICATE HOLDER'S ORGANISATION (RULE PART 174.107).

A certificate holder who fails to comply with the requirements of Rule Part 174.107 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Division 4. - Subpart D - Meteorological Observations, Reports and Forecast.

177. AERONAUTICAL METEOROLOGICAL STATIONS AND OBSERVATIONS (RULE PART 174.203).

A certificate holder who fails to comply with the requirements of Rule Part 174.203 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

178. SPECIAL OBSERVATIONS AND REPORTS (RULE PART 174.205).

A certificate holder who fails to comply with the requirements of Rule Part 174.205 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

179. CONTENTS OF REPORTS (RULE PART 174.207).

A certificate holder who fails to comply with the requirements of Rule Part 174.207 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

180. OBSERVING AND REPORTING METEOROLOGICAL ELEMENTS (RULE PART 174.209).

A certificate holder who fails to comply with the requirements of Rule Part 174.209 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

181. DISSEMINATION OF METEOROLOGICAL REPORTS (RULE PART 174.211).

A certificate holder who fails to comply with the requirements of Rule Part 174.211 is guilty of an offence.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

Penalty: For a company, a fine of K3,000.00.

182. REPORTING METEOROLOGICAL INFORMATION FROM AUTOMATIC OBSERVING SYSTEMS (RULE PART 174.213).

A certificate holder who fails to comply with the requirements of Rule Part 174.213 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

183. FORECASTS (RULE PART 174.215).

A certificate holder who fails to comply with the requirements of Rule Part 174.215 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

184. AERODROME FORECASTS (RULE PART 174.217).

A certificate holder who fails to comply with the requirements of Rule Part 174.217 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

185. LANDING FORECASTS (RULE PART 174.219).

A certificate holder who fails to comply with the requirements of Rule Part 174.219 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

186. FORECASTS FOR TAKE-OFF (RULE PART 174.221).

A certificate holder who fails to comply with the requirements of Rule Part 174.221 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

187. AREA FORECASTS FOR LOW-LEVEL FLIGHTS (RULE PART 174.223).

A certificate holder who fails to comply with the requirements of Rule Part 174.223 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Division 5. - Subpart E - SIGMET, AIRMET and Weather Information, Aerodrome Warnings and Wind Shear Warnings and Alerts.

188. SIGMET INFORMATION (RULE PART 174.301).

A certificate holder who fails to comply with the requirements of Rule Part 174.301 is guilty of an offence.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

Penalty: For a company, a fine of K3,000.00.

189. AIRMET INFORMATION (RULE PART 174.303).

A certificate holder who fails to comply with the requirements of Rule Part 174.303 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

190. SPACE WEATHER INFORMATION (RULE PART 174.305).

A certificate holder who fails to comply with the requirements of Rule Part 174.305 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

191. AERODROME WARNINGS (RULE PART 174.307).

A certificate holder who fails to comply with the requirements of Rule Part 174.307 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

192. WIND SHEAR WARNINGS AND ALERTS (RULE PART 174.309).

A certificate holder who fails to comply with the requirements of Rule Part 174.309 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Division 6. - Subpart F – Aeronautical Climatological Information.

193. GENERAL (RULE PART 174.401).

A certificate holder who fails to comply with the requirements of Rule Part 174.401 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

194. METEOROLOGICAL OBSERVATIONAL DATA (RULE PART 174.403).

A certificate holder who fails to comply with the requirements of Rule Part 174.403 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

**PART VII. - CIVIL AVIATION RULE PART 175 - AERONAUTICAL
INFORMATION SERVICE ORGANISATIONS -
CERTIFICATION AND OPERATION.**

Division 1. - Subpart A - General.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

195. REQUIREMENT FOR CERTIFICATE (RULE PART 175.3).

A person who provides an aeronautical information service for the Port Moresby FIR without a certificate issued under this Rule or who fails to comply with the requirements of Rule Part 175.3 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

196. DURATION OF CERTIFICATE (RULE PART 175.11).

A holder of an aeronautical information service certificate who fails to comply with the requirements of Rule Part 175.11 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

Division 2. - Subpart B - Certification Requirements.

197. PERSONNEL REQUIREMENTS (RULE PART 175.51).

A certificate holder who fails to comply with the requirements of Rule Part 175.51 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

198. SECURITY PROGRAMME (RULE PART 175.55).

A certificate holder who fails to comply with the requirements of Rule Part 175.55 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

199. DATA ERROR DETECTION (RULE PART 175.56).

A certificate holder who fails to comply with the requirements of Rule Part 175.56 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

200. SCOPE OF PRE-FLIGHT INFORMATION SERVICE (RULE PART 175.57).

A certificate holder who fails to comply with the requirements of Rule Part 175.57 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

201. SCOPE OF AERONAUTICAL DATA AND AERONAUTICAL INFORMATION (RULE PART 175.58).

A certificate holder who fails to comply with the requirements of Rule Part 175.58 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

202. DOCUMENTATION (RULE PART 175.59).

A certificate holder who fails to comply with the requirements of Rule Part 175.59 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

203. COLLECTION OF INFORMATION (RULE PART 175.61).

A certificate holder who fails to comply with the requirements of Rule Part 175.61 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

204. PUBLICATION OF AERONAUTICAL INFORMATION (RULE PART 175.63).

A certificate holder who fails to comply with the requirements of Rule Part 175.63 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

205. ERROR CORRECTION IN PUBLISHED INFORMATION (RULE PART 175.65).

A certificate holder who fails to comply with the requirements of Rule Part 175.65 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

206. RECORDS (RULE PART 175.67).

A certificate holder who fails to comply with the requirements of Rule Part 175.67 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

207. SAFETY MANAGEMENT SYSTEM (RULE PART 175.69).

A certificate holder who fails to comply with the requirements of Rule Part 175.69 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

208. QUALITY MANAGEMENT SYSTEM (RULE PART 175.71).

A certificate holder who fails to comply with the requirements of Rule Part 175.71 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

209. AERONAUTICAL INFORMATION MANAGEMENT (RULE PART 175.72).

A certificate holder who fails to comply with the requirements of Rule Part 175.72 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

210. ORGANISATION EXPOSITION (RULE PART 175.73).

A certificate holder who fails to comply with the requirements of Rule Part 175.73 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

Division 3. - Subpart C - Operating Requirements.

211. CONTINUED COMPLIANCE (RULE PART 175.101).

A certificate holder who fails to comply with the requirements of Rule Part 175.101 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

212. AERONAUTICAL INFORMATION PRODUCTS AND SERVICES (RULE PART 175.102).

A certificate holder who fails to comply with the requirements of Rule Part 175.102 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

213. AIP SERVICE (RULE PART 175.103).

A certificate holder who fails to comply with the requirements of Rule Part 175.103 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

214. NOTAM SERVICE (RULE PART 175.105).

A certificate holder who fails to comply with the requirements of Rule Part 175.105 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

215. PRE-FLIGHT INFORMATION SERVICE AND POST FLIGHT INFORMATION SERVICE (RULE PART 175.107).

A certificate holder who fails to comply with the requirements of Rule Part 175.107 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

216. CHANGES TO CERTIFICATE HOLDER'S ORGANISATION (RULE PART 175.109).

A certificate holder who fails to comply with the requirements of Rule Part 175.109 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

Division 4. - Subpart G - Aeronautical Charts.

217. AERONAUTICAL DATA (RULE PART 175.313).

A certificate holder who fails to comply with the requirements of Rule Part 175.313 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

218. AERONAUTICAL DATA INTEGRITY (RULE PART 175.315).

A certificate holder who fails to comply with the requirements of Rule Part 175.315 is guilty of an offence.

Penalty: For a company, a fine of K2,000.00.

**PART VIII. - CIVIL AVIATION RULE PART 176 - SEARCH AND
RESCUE SERVICE ORGANISATIONS -
CERTIFICATION AND OPERATION.**

Division 1. - Subpart A - General.

219. REQUIREMENT FOR CERTIFICATE (RULE PART 176.5).

A person who provides a search and rescue service without a certificate issued under this Rule or who fails to comply with the requirements of Rule Part 176.5 is guilty of an offence.

Penalty: For an individual, a fine of K5,000.00, and for a company, a fine of K10,000.00.

220. PRIVILEGES OF CERTIFICATE (RULE PART 176.11).

A certificate holder who fails to comply with the requirements of Rule Part 176.11 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

221. DURATION OF CERTIFICATE (RULE PART 176.13).

A holder of an aeronautical information service certificate who fails to comply with the requirements of Rule Part 176.13 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

Division 2. - Subpart B - Certification Requirement.

222. PERSONNEL REQUIREMENTS (RULE PART 176.51).

A certificate holder who fails to comply with the requirements of Rule Part 176.51 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

223. FACILITY REQUIREMENTS (RULE PART 176.53).

A certificate holder who fails to comply with the requirements of Rule Part 176.53 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

224. SECURITY PROGRAMME (RULE PART 176.55).

A certificate holder who fails to comply with the requirements of Rule Part 176.55 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

225. SCOPE OF SEARCH AND RESCUE SERVICE (RULE PART 176.57).

A certificate holder who fails to comply with the requirements of Rule Part 176.57 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

226. DOCUMENTATION (RULE PART 176.59).

A certificate holder who fails to comply with the requirements of Rule Part 176.59 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

227. PREPARATORY OF INFORMATION (RULE PART 176.61).

A certificate holder who fails to comply with the requirements of Rule Part 176.61 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

228. PLANS OF OPERATION (RULE PART 176.63).

A certificate holder who fails to comply with the requirements of Rule Part 176.63 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

229. SEARCH AND RESCUE SIGNALS (RULE PART 176.65).

A certificate holder who fails to comply with the requirements of Rule Part 176.65 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

230. RECORDS (RULE PART 176.67).

A certificate holder who fails to comply with the requirements of Rule Part 176.67 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

231. TRAINING AND EXERCISES (RULE PART 176.69).

A certificate holder who fails to comply with the requirements of Rule Part 176.69 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

232. SAFETY MANAGEMENT SYSTEM (RULE PART 176.71).

A certificate holder who fails to comply with the requirements of Rule Part 176.71 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

233. QUALITY MANAGEMENT SYSTEM (RULE PART 176.73).

A certificate holder who fails to comply with the requirements of Rule Part 176.73 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

234. ORGANISATION EXPOSITION (RULE PART 176.75).

A certificate holder who fails to comply with the requirements of Rule Part 176.75 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Division 3. - Subpart C - Operating Requirement.

235. CONTINUED COMPLIANCE (RULE PART 176.101).

A certificate holder who fails to comply with the requirements of Rule Part 176.101 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

236. SEARCH AND RESCUE SERVICES (RULE PART 176.105).

A certificate holder who fails to comply with the requirements of Rule Part 176.105 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

237. CHANGES TO CERTIFICATE HOLDER'S ORGANISATION (RULE PART 176.107).

A certificate holder who fails to comply with the requirements of Rule Part 176.107 is guilty of an offence.

Penalty: For a company, a fine of K3,000.00.

PART IX. - MISCELLANEOUS.

238. APPLICATION OF OTHER ACTS.

For the purposes of prosecution under this Regulation, the following provisions of the *Criminal Code Act 1974* shall apply:

- (a) Section 7 of that Act relating to offences committed in prosecution of common purposes; and
- (b) Section 8 of that Act relating to offences committed in prosecution of common purposes; and
- (c) Section 9 of that Act relating to mode of execution immaterial; and
- (d) the provisions of Subsection 10(1) only, of that Act relating to accessories after the fact.

239. PRESERVATION OF RIGHTS AND LIABILITIES UNDER OTHER LAWS, ETC.

Except where the contrary intention appear, nothing in this Regulation takes away from any persons any defence, right or liability, whether civil or criminal that -

- (a) is or has been available, acquired or incurred; or
- (b) will or may be available, acquired or incurred,

to or by him under any other law, but nothing in this section shall be deemed to show a contrary intention within the meaning of the *Interpretation Act* (Chapter 2) or to affect Section 16 of the Criminal Code, or any other similar law.

240. STANDARD OF PROOF.

The standard of proof to be applied in proceedings under this regulation shall be that applied in civil proceedings, namely, proof on the balance of probabilities.

241. INFRINGEMENT FINES.

The fines prescribed under this Regulation, shall be payable to the Authority.

242. ON-THE-SPOT INFRINGEMENT FINES.

(1) Where it appears to a member of the Authority or a prescribed officer that a person has committed a prescribed offence against this Regulation, the member of the Authority or prescribed officer may serve on the person a notice in the prescribed form to the effect that if he does not desire to have the matter determined by a court he may pay to an officer specified in the notice, within the time specified in the notice, the amount of the penalty prescribed for the offence if dealt with under this section.

- (2) A notice under Subsection (1) may be served -
- (a) personally; or
 - (b) by post; or
 - (c) by electronic means; or
 - (d) by leaving it on or in the premises of the person.

(3) It is sufficient for the notice to be addressed in a letter format, containing the charge and the facts on which an offence has been committed and the appropriate fine.

(4) A person alleged to have committed an offence to which Subsection (1) applies has the right to decline to be dealt with under this section.

(5) For the purposes of Subsection (3), a person who fails to pay, within the time specified in the notice or such further time as is allowed in any particular case, the penalty to which a notice under Subsection (1) relates shall be deemed to have declined to be dealt with under this section.

(6) Where the amount of the prescribed penalty for an alleged offence is paid in accordance with this section, no person is liable to any further proceedings for the offence.

- (7) Payment, in accordance with this section, of a penalty in respect of an alleged offence -
- (a) shall not be regarded as an admission of liability for the purposes of this Regulation; and
 - (b) does not affect or prejudice, any criminal proceedings, other than proceedings for the alleged offence or any civil claim, action or proceeding arising out of the same occurrence.

(8) A penalty prescribed for the purposes of this section for a prescribed offence shall not exceed the maximum amount of penalty that could be imposed for the offence by a court.

(9) Subject to Subsection (5) and (6), this section is supplementary to, and not in derogation of, any other provision of the Act, this Regulation or any other law in relation to proceedings that may be taken in respect of prescribed offences.

Civil Aviation (Certified Airways Services and Airspace)(Offences)

(10) Notwithstanding the Constitutional provisions relating to the imposition of a fine without a Court hearing, it is in the National interest for the benefit of public safety for an 'On The Spot' infringement fine to be imposed as a form of penalty according to the offender's desire.

243. POWERS OF ARREST.

(1) Notwithstanding any other law but subject to the provisions of the *Arrest Act* (Chapter 339), this section applies to and in relation to an arrest for an offence made by or under this Regulation.

(2) A policeman, an authorised office or agent of the Authority may, without warrant, arrest a person whom they believe on reasonable grounds:

(a) is committing; or

(b) has committed an offence,

under this Regulation.

(3) For the purposes of this section a "policeman" means a member of the Police Force and includes Reserve Constabulary.

MADE this *Thursday, 10th* day of *November*, 2022.


GOVERNOR-GENERAL.