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Safety recommendation: *AIC 20-R36/20-1005*

Addressed to: Civil Aviation Safety Authority of PNG

Date issued: 02 October 2020

Investigation link: AIC 20-1005

Action status: **Issued**

Introduction

At around 18:00 Local (08:00 UTC) on 26 July 2020, the Papua New Guinea Accident Investigation Commission (AIC) became aware of an alleged aircraft occurrence near Papa-Lealea, Central Province.

The AIC subsequently contacted Papua New Guinea Air Services Limited (ASL) and was informed by ASL that all aircraft in PNG airspace were accounted for. However, ASL advised AIC that they received an Emergency Locator Transmitter (ELT) distress signal and provided the ELT distress coordinates to the AIC. The AIC determined that the location of the alleged aircraft occurrence site was about 16 nm North West of Port Moresby.

Occurrence

On 26 July 2020, at 12:46 local time, a Cessna 402C aircraft, registered VH-TSI collided with trees during an aborted take-off at an uncommissioned field near Papa-Lealea, about 16 nm north west of Port Moresby, Papua New Guinea.

During the approach to land, the aircraft's outboard section of the left wing was initially clipped by a tree and separated from the aircraft.

The Pilot in Command, was the sole occupant of the aircraft and suffered minor injuries.

Safety deficiency description

Effective regulatory oversight enables service providers to perform its functions and duties effectively.

The investigation found that NiuSky Limited (formerly known as PNG Air Services Limited) does not have a search and rescue operation (SARO) Part 176 Certification to effectively coordinate and manage search and rescue (SAR) operations.

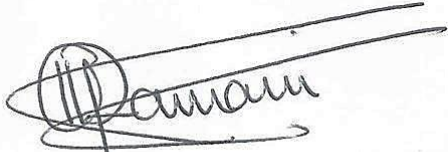
The investigation also found that NiuSky Ltd staff are not adequately trained to a standard that is required by *ICAO Annex 12* to effectively interpret distress signals emitted by aircraft in distress. Although not directly related to an occurrence, interpretation of a distress signal can ensure timely coordination or SAR operations and are managed effectively.

Recommendation number AIC 20-R36/20-1005 to CASA PNG.

The PNG Accident Investigation Commission (AIC) recommends that the Civil Aviation Authority of PNG (CASA PNG) should ensure effective oversight to the aviation service providers performing functions of Search and Rescue coordination and operation.

Action requested

The Accident Investigation Commission requests that CASA PNG note recommendation *AIC 20-R36/20-1005*, and provide a response to the PNG AIC within 90 days, but no later than **23 December 2020**, and explain including with evidence how CASA PNG has addressed the safety deficiency identified in Safety Recommendation *AIC 20-R36/20-1005*.

A handwritten signature in black ink, appearing to read 'Hubert Namani', is written over a faint, circular official stamp. The signature is fluid and cursive.

HUBERT NAMANI, LLB
Chief Commissioner

Civil Aviation Safety Authority of PNG response to Safety Recommendation AIC AIC 20-R36/20-1005

On 18 May 2023, Civil Aviation Safety Authority of PNG (CASA PNG) provided a response to *Safety Recommendation AIC 20-R36/20-1005*. The response included a *CASA PNG Internal MEMO Ref: 122-1-2-5, NiuSky Pacific Ltd (NSPL) Part 176 SARSOC Subject: Entry Audit and Certification – Rescue Coordination Centre (RCC)*, dated 28 October 2022 and meeting *ANS/SAR-1-2023* details.

Both documents contained background information and the progressive status on the requirement to establish an aeronautical search and rescue organisation, including a RCC for Papua New Guinea.

- PNG had not established an aeronautical search and rescue (SAR) organisation including a RCC, as yet.
- The [previous] Minister had directed PNG Air Services Limited (PNGASL) – now NiuSky Pacific Limited (NSPL), to establish a RCC.
- On 3 December 2019, a letter of intent to operate a RCC was submitted to the Director, CASA PNG, by PNG ASL.
- Due to COVID-19 pandemic, the process of certification was delayed.
- A further delay by the change of name from PNG ASL to NSPL. The formal application for the SARSOC-RCC was submitted on 23 April 2021, and acknowledged on 28 May 2021.
- After going through the various phases of the certificate process, an inspection of the NSPL RCC facility was conducted in late August to early September 2022.
- Furthermore, it should be noted that the establishment of the RCC is only a part of the SAR organisation as required by *CAR Part 176 (Annex 12)*. The other part is the identification and appointment of the units/organisations capable of conducting the actual search and rescue of survivors.
- On 22 March 2023, it was concluded that CASA PNG cannot issue a full SAROC to NSPL, considering CAR Part 176 does not provide arrangements for partial SAROC.

With that, CASA PNG is in the process of seeking Legal advice on alternative avenues for RCC Aviation Document, which may include:

- i) Proposal to amend *CAR Part 176* through the NPRM process to enable provisions for the partial SAROC for the purpose of RCC only, and file a difference with ICAO.
- ii) Review of the CA Act to verify the Director's powers in decision making to this effect.

PNG Accident Investigation Commission assessment of CASA PNG response to Safety Recommendation AIC AIC 20-R36/20-1005

The AIC reviewed the CASA PNG response and notes that to date a PNG aviation SAROC-RCC has not been established in accordance with the Minister's directive dated 11 July 2018 to:

- Establish and perform the functions of the Rescue Coordination Centre (RCC) on behalf of the State in accordance with *ICAO Annex 12*.
- Promulgate, without delay, operational Search and Rescue Policies and Procedures.
- Ensure that the PNG RCC established under the Minister's Directive is equipped and manned as a dedicated stand-alone unit that is independent of all other Air Traffic Services facilities in order that it cannot be rendered ineffective.
- Ensure that the RCC is staffed 24/7 by a dedicated team of trained and qualified personnel to coordinate and conduct aviation search and rescue operations in PNG.

He stated that he requires that in any future AIC investigations involving a requirement for Search and Rescue that the AIC shall assess the effectiveness of the operation of the PNG Air Services Limited RCC and its compliance with *ICAO Annex 12*.

The State of PNG has no aviation Search and Rescue Coordination structure, or operations and oversight in accordance with the *Standards and Recommended Practices of ICAO Annex 12*.

Since 18 July 2018 (4 years and 10 months), when the Minister issued the Directive, PNG Air Services Limited (now NiuSky Pacific Limited) has not complied with the directive.

From the CASA response to the AIC Safety Recommendation dated 18 May 2023, the AIC notes that CASA PNG is proposing an amendment to *CAR Part 176* to provide for a partial SAROC for the purpose of RCC only, and if implemented will file a *Difference* with ICAO.

The AIC has reviewed the proposed CASA action and has determined that it will not address the safety deficiency as stated in AIC *Safety Recommendation AIC 20-R36/20-1005*, therefore the safety deficiency and resultant lack of provision of aviation RCC services in PNG in accordance with *ICAO Annex 12* remains.

The AIC assigned this response as *unsatisfactory* rating.

The AIC recorded the **Status of the AIC Recommendation: CLOSED**



Captain Aria Bouraga, MBE
Acting Chief Commissioner

18 May 2023