

MEDIA RELEASE

PNG AIC CHIEF COMMISSIONER ISSUES RESPONSE TO PNG AIR SERVICES LIMITED STATEMENT ON RESCUE COORDINATION CENTRE

The Chief Commissioner of the PNG Accident Investigation Commission (AIC), Mr. Hubert Namani announced on Friday 18th October 2019 that the AIC's investigations into three recent accidents have found that, contrary to assertions by PNG Air Services Limited, the post-accident search and rescue activities are not being performed to the minimum *International Standards* as required by the International Civil Aviation Organization (ICAO), and do not meet the *PNG Civil Aviation Rule Part 176* requirements, which provide rules for the certification and operation of Search and Rescue Service Organisations.

ICAO Annex 12, Chapter 1 defines a Rescue Coordination Centre (RCC) as:

A unit responsible for promoting efficient organization of search and rescue services and for coordinating the conduct of search and rescue operations within a search and rescue region.

Annex 12, Section 2.3 Rescue Coordination Centres and rescue subcentres states:

2.3.1 Contracting States shall establish a rescue coordination centre in each search and rescue region.

2.3.3 Each Rescue Coordination Centre and, as appropriate, rescue subcentre, shall be staffed 24 hours a day by trained personnel proficient in the use of the language used for radiotelephony communications.

Mr. Namani said "In the PNGASL's *Press Release* today the Managing Director stated: *PNGASL has a fully functional and modern Rescue Coordination Centre (RCC) manned by properly trained and professional staff.* The evidence before the PNG AIC is that the claimed dedicated RCC is only manned between 08:00 and 16:06 daily by an officer who has no aviation background, and has not been approved by CASA PNG to perform the functions of Coordinator.

"For one of the recent accidents, the PNGASL Log shows that the RCC was "standing down for the days operation" at 09:00 UTC (7pm Local) "To be resumed the next day at 06:00 LMT". Clearly this was not a 24/7 *ICAO Annex 12* compliant RCC.

"To date PNGASL has not applied for a *CAR Part 176 Search and Rescue Certificate* from the Civil Aviation Safety Authority of PNG because it has not met the vast majority of the requirements of *CAR Part 176*. CASA PNG has informed the AIC that because PNGASL does not hold a *Search and Rescue Certificate* in accordance with *CAR Part 176*, CASA PNG has not conducted an audit with respect to *CAR Part 176*. Therefore, the State does not have a *CAR Part 176* and *ICAO Annex 12* compliant Aviation Search and Rescue Organisation."

The *Search and Rescue Manual* provided to the AIC investigation by PNGASL during a 2018 investigation was dated 5th October 2000. It pre-dated the establishment of PNGASL. Since the promulgation of the *SAR Manual* in 2000 there had been amendments to the *Civil Aviation Act 2000*, in 2010 and 2016, both of which directly related to SAR responsibilities. There had also been two amendments to *ICAO Annex 12*. The first in *July 2001 (Seventh Edition)* and the second in *July 2004 (Eighth Edition)*. A subsequent amendment to the Eighth Edition became effective on 16 July 2007 and covered Rescue Coordination Centre responsibilities.

The *SAR Manual* has not been amended since its promulgation on 5th October 2000. The *SAR Plan* has not been amended since 13th June 2003.

That RCC Coordinator was appointed on the 30th of July 2018 from within PNGASL from a non-aviation background of qualification and experience. The officer did not meet any of the requirements of *ICAO Annex 12 (Search and Rescue)* to the *Convention on International Civil Aviation* and the *International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual* at the time of the appointment.

The officer subsequently completed an *Introduction to Search and Rescue* course with SAR Training Australia on the 21st of February 2019, and an *Aeronautical Search and Rescue Operations* training course with the Singapore Aviation Academy between 17th June and 2nd August 2019. On November 2018, *Civil Aviation Rule Part 176* was promulgated and specifies the minimum requirements for an RCC Coordinator. Both training courses covered the operational aspects of the RCC. The RCC Coordinator is yet to attend an *Administrative RCC Course* that includes the requirements for the establishment of the RCC. He does not hold an aeronautical radiotelephony licence. To this date the appointed RCC Coordinator does not meet the requirements of *CAR Part 176*.

Mr Namani said “I want to be quite clear that the AIC has never stated that Search and Rescue functions are the responsibility of the PNGASL RCC, rather that the RCC is required to coordinate the provision of such search and rescue services from industry.”

In the *Press Release* PNG ASL cites the Australian experience. The statement only tells part of the story. In Australia, industry operators are co-opted by the Australian Maritime Safety Authority (AMSA) RCC, and are paid from Government funding to conduct search and rescue that is coordinated by the AMSA RCC.

Each of the AIC’s recent investigations have found a common significant deficiency in the ability for the State to provide effective and efficient search and rescue support to the aviation industry and the travelling public as required by the *Civil Aviation Act 2000 (as Amended)*, *Civil Aviation Rule Part 176*, and *Annex 12* to the *Convention on International Civil Aviation*. The significant delays in commencing the RCC activities are well documented.

Mr Namani said, “The statements by the Minister for Civil Aviation and in the Press Release by PNGASL have sought to convey messages to the Parliament and the Nation that are misleading, by stating that the PNGASL has a *fully functional and modern* RCC. I note that the Managing Director of PNGASL states that PNGASL is providing RCC as a community service.

“At no time has the PNGAIC stated or inferred that the lack of an ICAO Annex 12 and CAR Part 176 RCC caused any accident. However, the delays in coordinating search and rescue responders may have contributed to loss of life. It is an *Annex 13* requirement for survivability aspects to be investigated and reported. Survivability includes impact and post-impact.

“What our investigation reports have consistently stated is that PNG does not have a *Civil Aviation Act*, *Civil Aviation Rule Part 176*, and *ICAO Annex 12* compliant RCC, despite the former Minister’s *Delegation and Directive* to PNGASL more than 15 months ago. It therefore cannot be stated that the PNGASL RCC meets the minimum *International Standards*. The minimum global *Standards* are set by the International Civil Aviation Organization in *Annex 12* to the *Convention on International Civil Aviation*, and domestically through *Civil Aviation Rule Part 176*, which addresses those minimum global *Standards*.

“The PNG AIC has an International obligation to investigate post-accident survivability. Furthermore, in his 11th July 2018 letter to the Acting Chairman of the PNG ASL Board, and copied to the AIC Chief Commissioner, the former Minister for Civil Aviation instructed:

The PNG RCC established under the Minister’s Directive dated 9th July 2018 must be equipped and manned as a dedicated stand-alone unit that is separate from all other Air Traffic Services facilities in order that it cannot be rendered ineffective. It is to be staffed 24/7 by a dedicated team of trained and qualified personnel to coordinate and conduct aviation search and rescue operations in PNG.

I have today instructed the PNG Accident Investigation Commission (AIC) to ensure that in any future investigations involving a requirement for Search and Rescue, the AIC is to assess the effectiveness of the operation of the PNG Air Services Limited RCC and its compliance with ICAO Annex 12.

You are to inform me, the Chief Commissioner of the PNG AIC, and the Director CASA when the RCC has been established and is operational in accordance with ICAO Annex 12.

“To date the Board of PNGASL has not informed the Chief Commissioner of the PNGAIC that the PNGASL RCC has been established and is operational in Accordance with ICAO Annex 12 as instructed by the former Minister.”



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Mr. Namani added “The ongoing investigations into the recent accidents have found that *The Appropriation (General Public Services Expenditure 2019) Act 2018* does not contain any funding appropriation for search and rescue operations. Under *Section 8A (2) of the Civil Aviation Act*, funding provisions exist for the purpose of establishing, maintaining and operating an RCC, which the Minister is given the power to authorise when it may be necessary. The investigation also found no evidence of a submission to the NEC, nor is there any evidence of consultation.

‘In the interest of aviation safety, I call on the Minister for Civil Aviation and the Board and Management of PNG ASL to cease using commentary and arguments that obfuscate the main issue; the lack of a *CAR Part 176* and *ICAO Annex 12* compliant 24/7 RCC for the State of PNG.’

Hubert Namani, LLB
Chief Commissioner