IMPLEMENTING STANDARDS OF PHILIPPINES CIVIL AVIATION REGULATIONS PART 8.5.1.26 – USE OF TRANSMITTING PORTABLE ELECTRONIC DEVICES (TPED) AND RELATED DEVICES ON BOARD COMMERCIAL A...

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REFERENCES:

1.

CAAP Board of Director Resolution No. 2011-025 dated 11 April 2011, giving authority to the Director General to fully implement the provision of Philippine Civil Aviation Regulations.

2.

CAAP Board of Directors Resolution No. 2011-038 dated 23 September 2011 granting the Director General the authority to promulgate order or issuance arising from the implementation and interpretation of technical guidance materials, circulars and related manuals.

3.

Section 35 of Republic Act Number 9497. xxx Powers and Functions of the Director General. - The Director General shall be the chief executive and operating officer of the Authority. He shall have the following powers, duties and responsibilities:

(a)

To carry out the purposes and policies established in this Act; to enforce the provisions of the rules and regulations issued in pursuance to said Act; and he shall primarily be vested with authority to take charge of the technical and operational phase of civil aviation matters. xxx

4.

Section 55 of Republic Act Number 9497. xxx General Powers and Functions. - (a) Promoting Safety - The Director General shall have the power and duty to promote safety of flight of civil aircraft in civil aviation by prescribing and revising from time to time as necessary:

(b)

Considerations in the Regulation of Air Operators - In prescribing standards, rules and regulations, and in issuing certificates under this Act, the Director General shall take into consideration the obligation of air operators to perform their services with the highest possible degree of safety pursuant to public interest. xxx

5.

Part 8.5.1.26 of the Philippine Civil Aviation Regulation Part 8 (Operations). xxx PORTABLE ELECTRONIC DEVICES

(a)

No PIC or SCC may permit any person to use, nor may any person use a portable electronic device, including cell-phone, on board an aircraft that may adversely affect the performance of aircraft systems and equipment unless:

(1)

For IFR operations other than commercial air transport, the PIC allows such a device prior to its use; or

(2)

For commercial air transport operations, the Operator makes a determination of acceptable devices and publishes that information in the Operations Manual for the crew members use; and

(3)

The PIC or SCC informs passengers of the permitted use. xxx

COVERAGE/APPLICABILITY:

The following CAAP Rules and Regulations cover the conditional use of transmitting portable electronic device (TPED), music player (MP3) and Global System for Mobile Communication On-Board Aircraft (GSMOBA) on all commercial aircraft operating within the territorial jurisdiction of the Republic of the Philippines.

IMPLEMENTING STANDARDS of PART 8.5.1.26: GUIDELINES/ PROCEDURES ON THE USE OF TRANSMITTING PORTABLE ELECTRONIC DEVICE ON BOARD THE AIRCRAFT

(a)

The Civil Aviation Authority of the Philippines allows the use of transmitting portable electronic devices specifically laptops and cellular phone including MP3 and GSMOBA, on a conditional basis, on all commercial aircraft operating within or en-route over the territorial jurisdiction of the Republic of the Philippines.

(b)

The conditions and limitations are:

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1.

When the aircraft doors are still open. Use of laptops and cellular phones may be used, internet or short-message-service (SMS) or voice communications, unless the Pilot-In-Command and or Senior Cabin Crew would specifically announce on the public address system (PAS) its prohibition. In no case shall laptop using broadband communications and cellular phone be allowed or used when the aircraft is re-fuelling. In this instance, all transmitting portable electronic devices must be turned-off.

2.

When the aircraft doors are closed. Transmitting portable electronics devices, on silent mode, may be used only for short-message-service (SMS) or internet. Voice communications are not allowed except the use of GSMOBA provided its use does not interfere with the orderly conduct of flight. Games on electronic devices on silent mode may be played.

3.

The use of MP3's should always be with earphones and not with additional or separate speaker and or amplifiers.

(c)

All Philippine registered commercial airlines/operator shall submit, within twenty (20)-days after publication of this Memorandum Circular, for CAAP approval the page or pages of the revised 'operation manual' containing the procedures and guidelines including restrictions in the implementation of this Memorandum Circular.

(d)

Notwithstanding, any person who uses PTED's, MP3's and GSMOBA that interfere with the orderly and safe conduct of air travel shall be proceeded with against under the provisions of Republic Act Number 9497 or related laws.

(e)

Transitory Provision. Pending CAAP approval of the amended 'operation manual' of Philippine' registered airline/operator incorporating the guidelines, procedures and restrictions for conditional use of transmitting portable electronic devices, MP3's, and GSMOBA, all persons shall observe the provisions of Paragraph (b) of the Implementing Standards of this Memorandum Circular.

ADMINISTRATIVE DIRECTIVES

The Chief, Air Traffic Service (ATS) and the Office of Management Information Service (MIS) are hereby directed to publish immediately this Memorandum Circular in the Philippine Aeronautical Information Publication (AIP) and CAAP Website, respectively.

All orders and/or circular in conflict herewith are hereby rescinded or modified accordingly. This Memorandum Circular shall take effect fifteen (15) days after compliance with the single publication in a newspaper of general circulation and a copy filed with the UP Law Center-Office of the Administrative Register (ONAR), UP Diliman, Quezon City.

(SGD) LT GEN WILLIAM HOTCHKISS III AFP (Ret)
Director General

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