

# Legal and Operational Disconnect: A Case study on PD 1570 and its non-application in Philippine Civil Aviation Regulations

CARL JOMEL S. GARCIA<sup>1</sup>, MARVIN O. MALLARI<sup>2</sup>, MICHAEL JOHN M. VILLAR<sup>3</sup>  
<sup>1, 2, 3</sup>*Nueva Ecija University of Science and Technology*

*Abstract - This case study examines the alignment between Presidential Decree No. 1570, which governs the professional practice of Aeronautical Engineering in the Philippines, and the aviation regulation of the Civil Aviation Authority of the Philippines (CAAP) particularly the Philippine Civil Aviation Regulations (PCAR). Although PD 1570 clearly define the scope of Aeronautical Engineering Practice, the questions remain regarding its practical relevance within CAAP-regulated aviation operations. The study concludes that PD 1570, while legally valid, holds limited to no operational influence in civil aviation activities unless supported by explicit CAAP regulatory provisions. To address this gap. The study recommends the establishment of a conditional or supplementary CAAP licensing pathway for Aeronautical Engineers, and the issuance of joint PRC-CAAP clarification guidelines, and formal recognition of Aeronautical Engineers in airworthiness support functions.*

**Keywords:** *Aeronautical Engineering, PD 1570, Philippine Civil Aviation Regulations (PCAR), CAAP*

## I. THE PROBLEM AND ITS BACKGROUND

### 1.1 Background of the Study

PD 1570 (Presidential Decree No. 1570) is a key Philippine Law from 1978, which is known as the Philippine Aeronautical Engineering Decree which standardizes and regulates the practice of Engineering in the country including rules for licensing, exams, and Board of Aeronautical Engineering. The practice of aeronautical engineering shall constitute holding oneself out as skilled in the knowledge, science, and practice of aeronautical engineering, and as qualified to render professional services as an aeronautical engineer; or offering or rendering, on a fee basis or otherwise, services such as planning, designing, analyzing, constructing, assembling, installing, altering, or maintaining aircraft structures, power plants, or accessories through (PD 1570, 1978).

Civil Aviation Authority of the Philippines is established on March 04, 2008 under the Republic Act No. 9497 also known as Civil Aviation Authority Act of 2008. Its mandate is to provide safe and efficient air transport and regulatory services in the Philippines by establishing a civil aviation authority with jurisdiction over the restructuring of the civil aviation system, as well as the promotion, development, and regulation of the civil aviation authority's technical, operational, safety, and aviation security functions (RA 9497, 2008), with that CAAP made the Philippine Civil Aviation Regulation (PCAR) which established comprehensive rules for safe, secure, and efficient civil aviation in the Philippines which then control the operations of civil aviation.

PD 1570 regulates Aeronautical Engineers under the Professional Regulation Commission giving them the scope of work. However, it is not being regulated properly because CAAP regulates Aviation Operations but does not integrate PD 1570 into its licensing or regulatory structures. This creates a disconnect between professional regulation and operational regulation.

This creates confusion of roles for Aeronautical Engineers because of the lack of recognition of AE license in CAAP settings. Having implications for safety, governance, and career pathways of Aeronautical Engineering Graduates.

### 1.2 Objectives of the study

The General objectives of the study are:

1. To examine the legal relationship between PD 1570 and CAAP regulations.
2. To identify areas where PD 1570 is not integrated into CAAP's operational framework.
3. To analyze the implications of this non-integration for Aeronautical Engineers.

4. To propose possible actions or policy recommendations for harmonizations.

### 1.3. Significance of the Study

The significance of this study is it addresses the gaps in the current regulatory environment in aviation practice in the Philippines. Although Presidential Decree No. 1570 (the aeronautical engineering law) establishes legal framework for the professional licensure and practice of aeronautical engineers under the Professional Regulation Commission (PRC), its provisions are not integrated into the Civil Aviation Authority of the Philippines' (CAAP) operational regulations, particularly the Philippine Civil Aviation Regulations (PCAR). Understanding the gap between this two is important for several sectors in the Aviation Industry.

For Aeronautical Engineering students and licensed professionals, the study provides clarity on how professional qualifications relate or fail to relate to the regulations of CAAP regulated operations. This may help them understand the limits, opportunities, and scope of their practice.

For policy-makers and regulatory agencies, including CAAP and PRC, the study may serve as a basis for evaluating whether harmonization or coordination with each other are necessary. The findings may support future efforts to issue clarifying guidelines, and amend existing regulatory provisions to reduce ambiguity in professional roles

Finally, for academic institutions and training providers, the study may serve as a guideline for better curriculum development in order to prepare students for entering the aviation industry.

## II. METHODOLOGY

### 2.1 Research design

This study will use a qualitative case study design. Using document analysis of PD 1570, RA 9497, PCAR, and other relevant references. The researcher will perform an in-depth analysis, examine and compare these regulatory documents, through this approach the gaps between professional regulation and aviation operational regulation will be highlighted.

### 2.2 Research Instruments

Primary sources:

1. Presidential Decree No. 1570 (Philippine Aeronautical Engineering Law)
2. Republic Act No. 9497 (Civil Aviation Authority Act of 2008)
3. Philippine Civil Aviation Regulation (Part 2, and Part 05)
4. Official circulars, memorandums, and advisory orders from CAAP and PRC

Secondary sources:

1. Academic journal articles, policy reports, and technical studies concerning aviation personnel licensing, professional regulation, and the practice of aeronautical engineering in the Philippines.

Research instruments is consist of a document-log for tracking sources, a comparative analysis matrix to map PD 1570 provisions against PCAR/CAAP requirements), and a thematic coding framework for consolidating findings.

### 2.3 Data Collection Procedure

1. Source identification: Search and retrieval of legal and regulatory text from official websites (e.g., Lawphil/Judiciary, CAAP, PRC), including google scholar and university databases for academic literature
2. Inclusion criteria: Documents are automatically included if they (a) directly discuss PD 1570, RA 9497, PCAR provisions, or CAAP policy. (b) relevant to the regulatory relationship between professional licensure and aviation operational licensing. For secondary literature, priority is given to materials published within the last 15 years.

### 2.4 Data analysis

The study will use doctrinal legal analysis (statutory interpretation and purposive reading of regulatory texts) and thematic analysis of secondary literature. Findings from the comparative mapping and thematic analysis will be use to describe the regulatory relationship, analyze practical implications for aeronautical engineers in CAAP-regulated settings, and formulate a policy recommendations.

### III. RESULTS AND DISCUSSION

This portion of the study presents the findings gathered from different primary sources:

#### *3.1 Scope of Practice of Aeronautical Engineering under PD 1570*

##### Finding:

The practice of Aeronautical Engineering is clearly defined in Presidential Decree No. 1570, Section 17. Which holding oneself out as skilled in the knowledge, science, and practice of aeronautical engineering and as qualified to render professional services as an aeronautical engineer. As specified in this decree such activities include planning, designing, analyzing, constructing, assembling, installing, altering, or maintaining aircraft structures, powerplants, and accessories using scientific or accepted engineering practices, as well as teaching aeronautical engineering in duly recognized institutions.

##### Discussion:

The scope of practice established by PD 1570 clearly covers both technical and engineering activities that are directly related to aircraft design, maintenance, and modification. However, there is an overlap with areas that are operationally regulated by the Civil Aviation Authority of the Philippines (CAAP), particularly those concerning aircraft maintenance and airworthiness. Despite this overlap, PD 1570 functions primarily as a professional regulatory law under the Professional Regulation Commission (PRC), focusing on licensure, professional competence, and ethical practice rather than operational authorization within civil aviation activities.

#### *3.2 Recognition of Aeronautical Engineers under RA 9497 and PCAR part 1*

##### Finding:

The analysis shows that under the Republic Act No. 9497 and PCAR Part 1 (General Policies, Procedures, and Definitions), the term *Aeronautical Engineer* is mentioned and recognized the individual as an "airman". An airman Any individual who engages, as the person in command or as pilot, mechanic, aeronautical engineer, flight radio operator or member of the crew, in the navigation of aircraft while underway and any individual who is directly in

charge of inspection, maintenance, overhauling, or repair of aircraft, aircraft engine, propellers, or appliances; and individual who serves in the capacity of aircraft dispatcher or air traffic control operator. (PCAR Part 1, 2008). This signifies that the function of Aeronautical Engineers is recognized at a fundamental level.

##### Discussion:

Although Aeronautical Engineers is recognized and conceptually included within the aviation system govern by CAAP, this acknowledgment remains broad and does not translate into specific operational privileges or licensing authority. As such, while Aeronautical Engineers are recognized in principle, their functional role within CAAP-regulated operations is not clearly defined.

#### *3.3. Absence of Aeronautical Engineers in PCAR part 2 (Personnel Licensing) and PCAR Part 8 (Operations)*

##### Finding:

After a careful examination of PCAR Part 2 (Personnel Licensing) and PCAR Part 8 (Operations) the researcher found out that Aeronautical Engineers are not identified as a distinct category of licensed or authorized personnel. These regulations primarily govern the licensing and authorization of operational personnel like pilots, aircraft maintenance technicians, certifying staff, and operators, without explicit reference to licensed Aeronautical Engineers under the PD 1570.

##### Discussion:

The absence of Aeronautical Engineers from CAAP's personnel licensing and operational regulations suggests a structural separation between the Professional Regulation Commission Aeronautical Engineers Licensure and aviation operations. The licensure does not translate into operational authority under CAAP resulted in unclear professional standing within operational environments.

#### *3.4 Functional Recognition of Aeronautical Engineers in PCAR Part 5 (Airworthiness)*

##### Finding:

The analysis in PCAR Part 5 (Airworthiness) reveals the involvement of Aeronautical Engineers in a specific technical function, according to the regulatory document an Aeronautical Engineer is

required to supervise and sign papers related to aircraft weight and balance calculations.

#### Discussion:

This specific requirement demonstrates that Aeronautical Engineers play a critical role in ensuring technical compliance and aircraft safety in certain airworthiness-related activities. However, this recognition is limited, it does not provide Aeronautical Engineers with broader certification authority or inclusion within the personnel licensing framework of CAAP. This selective recognition creates an inconsistency in how professional expertise is utilized across different regulatory domains

## IV. SUMMARY, CONCLUSION, AND RECOMMENDATIONS

### 4.1 Summary of Findings

This case study examined the relationship between the Presidential Decree No. 1570, which regulates the practice of aeronautical engineering in the Philippines, and the Civil Aviation Authority of the Philippines (CAAP), particularly its Philippine Civil Aviation Regulations (PCAR). It is revealed that the PD 1570 clearly defines the scope of practice of Aeronautical Engineers, which comprises engineering activities related to aircraft structures, powerplants, and teaching of aeronautical engineering.

The study further found that Aeronautical Engineers are generally recognized under the Republic Act No. 9497 and PCAR part 1. However, the recognition remains largely definitional. Moreover, after reviewing the relevant Philippine Civil Aviation Regulations provisions it is found that Aeronautical Engineers has only one specific technical function, particularly in aircraft weight and balance, indicating limited functional recognition.

Overall, the findings highlighted a regulatory gap between professional licensure under PD 1570 and operational authorization under CAAP regulations, which makes the position of Aeronautical Engineers in the Philippine aviation industry unclear and disintegrated.

### 4.2 Conclusion

Based on the findings in this case study, it can be concluded that PD 1570 remains a valid and authoritative law governing the professional practice of aeronautical engineering in the Philippines. However, its provisions are not fully reflected or operationalized within CAAP's regulatory framework, particularly in the Philippine Civil Aviation Regulations provisions governing personnel licensing and all aviation operations.

While Aeronautical Engineers are acknowledged in principle under general aviation regulation and specific airworthiness related tasks, they are not comprehensively integrated into the Philippine Aviation Operations and its regulatory system. This misalignment suggests that PD 1570 does not automatically translate into operational authority within CAAP regulated aviation activities. Moreover, the professional scope defined by PD 1570 holds limited practical influence in aviation operations unless explicitly recognized by CAAP regulations.

The disconnect between these two regulatory bodies presents challenges in engineering management, professional role clarity, and regulatory coordination within the aviation sector, underscoring the need for clearer harmonization between professional and operation regulatory frameworks.

### 4.3 Recommendations

The recommendations on the study

1. In the absence of a full revision of the Philippine Civil Aviation Regulations, CAAP may consider establishing a conditional or supplementary licensing pathway for Professional Aeronautical Engineers who have passed the PRC board examination. Issuance of CAAP-recognized license will allow Aeronautical Engineers to be integrated to PCAR operations. This approach may provide a practical alternative to a comprehensive revision of existing regulations.
2. Civil Aviation Authority of the Philippines (CAAP) in coordination with the Professional Regulation Commission (PRC), may consider issuing joint clarifactory guidelines that will clearly define the professional scope and operational limitations of Aeronautical Engineers within CAAP-regulated environments. Th guidelines will define professional engineering

function from operational and certifying roles within the aviation industry.

#### REFERENCES

- [1] P.D. No. 1570. (n.d.). [https://lawphil.net/statutes/presdecs/pd1978/pd\\_1570\\_1978.html](https://lawphil.net/statutes/presdecs/pd1978/pd_1570_1978.html)
- [2] R.A. 9497. (n.d.). Lawphil.net. [https://lawphil.net/statutes/repacts/ra2008/ra\\_9497\\_2008.html](https://lawphil.net/statutes/repacts/ra2008/ra_9497_2008.html)
- [3] Ciron, R. F., Gutierrez, R. S., LT GEN William K Hotchkiss III AFP (Ret), & Captain Jim C. Sydiongco. (2008). Civil Aviation Regulations (CAR) Part 1: General Policies, Procedures, and Definitions. In Republic of the Philippines (July 2025 Edition, pp. i–xi). <https://www.caap.gov.ph/wp-content/uploads/2025/07/PART-1-General-Policies-Procedures-and-Definitions.pdf>
- [4] Ciron, R. F., Republic of the Philippines, Gutierrez, R. S., AFP (Ret) Hotchkiss III, L. G. W. K., & Sydiongco, Capt. J. C. (n.d.). Republic of the Philippines CIVIL AVIATION REGULATIONS (CAR) PART 2 PERSONNEL LICENSING. In PCAR PART 2 (July 2025 Edition).
- [5] Ciron, R. F., Gutierrez, R. S., LT GEN William K Hotchkiss III AFP (Ret), & Sydiongco, J. C. (n.d.). CIVIL AVIATION REGULATIONS (CAR) PART 5 AIRWORTHINESS. In PCAR PART 5 (July 2025 Edition)