



**PURSUANT** to Section 30 of the Civil Aviation Act 1990

**I, HARRY JAMES DUYNHOVEN**, Minister for Transport Safety,

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This *23rd* day of *October* 2007

by **HARRY JAMES DUYNHOVEN**

   
Minister for Transport Safety

**Civil Aviation Rules**

**Part 1, Amendment 36**

**Definitions and Abbreviations**

*Docket 4/CAR/8*

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### **Rule objective**

The objective of amendment 36 to Part 1 is to insert new definitions and abbreviations associated with 406 MHz emergency beacons. This amendment is consequential to amendment 18 to Part 91.

### **Extent of consultation**

Satellite monitoring of ELT signals is carried out by the international COSPAS-SARSAT system. This search and rescue satellite-aided distress alert and location system currently processes signals on the international civil and military distress frequencies of 121.5 MHz, 243 MHz and 406 MHz. Most of the current ELTs used in civil aviation operate on 121.5 MHz only.

Due to the limitations of the 121.5 and 243 MHz signal characteristics together with a high number of false alerts from 121.5 MHz ELTs, the international agencies involved in search and rescue – the International Maritime Organisation (IMO), International Civil Aviation Organisation (ICAO), and the providers of the COSPAS-SARSAT system – have agreed that satellite monitoring and processing of 121.5 MHz and 243 MHz signals will cease from 1 February 2009. The ICAO standard now requires ELTs to operate on 406 MHz and 121.5 MHz, with the 406 MHz signal providing the initial alert and location via the COSPAS-SARSAT system and the 121.5 MHz signal used for final homing by search aircraft.

In March 2005 the CAA issued a Rule Project Scope Statement to address the change to the carriage of the 406 MHz ELT. This Project Scope Statement identified the issues that would require amendments to various rules to reflect the technical characteristics, carriage requirements, coding and registration, and maintenance aspects associated with the change to the 406 MHz ELT.

Following the publication of the Rule Project Scope Statement considerable discussion took place between the CAA and a number of airline operators, aviation industry representatives, New Zealand distributors of ELT equipment, overseas regulatory authorities, and the Rescue Coordination Centre New Zealand (RCCNZ) regarding various matters associated with the change to the 406 MHz ELT. These informal discussions formed the basis for the development of the proposed rule amendments.

A Notice of Proposed Rulemaking, NPRM 06-03, containing the proposed amendments to Parts 1, 43, 91, 121 and 129 was issued for public consultation under Docket 4/CAR/8 on 22 June 2006.

The publication of this NPRM was notified in the Gazette on 22 June 2006 and advertised in the daily newspapers in the five main provincial centres on 24 June 2006. The NPRM was published on the CAA web site and mailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 39 days was allowed for comment on the proposed rule.

### **Summary of submissions**

Twenty-four written submissions were received on the NPRM. These submissions and comments have been considered and as a result no changes were made to the proposed amendment to Part 1.

The rule was then referred to Parliament's Regulations Review Committee before being signed by the Minister for Transport Safety.

### **Examination of submissions**

Submissions may be examined by application to the Docket Clerk at the Civil Aviation Authority between 8:30 am and 4:30 pm on weekdays, except statutory holidays.

### **Insertion of Amendments**

The amendments to the rules in this Part are reflected by the insertion of new definitions and new abbreviations.

### **Effective date of rule**

Amendment 36 to Part 1 comes into force on 22 November 2007.

### **Availability of rules**

Civil Aviation Rules are available from—

CAA web site: <http://www.caa.govt.nz/>

Freephone: 0800 GET RULES (0800 438 785)

## 1.1 General definitions

*The following new definitions are inserted after the definition of Emergency airworthiness directive*

**Emergency locator transmitter** means an equipment that broadcasts a distinctive signal on a designated radio frequency to facilitate a search and rescue operation:

**Emergency locator transmitter (automatic fixed)** means an emergency locator transmitter that is automatically activated and permanently attached to an aircraft:

**Emergency locator transmitter (survival)** means an emergency locator transmitter that is stowed in an aircraft in a manner which facilitates its ready use in an emergency, is removable from an aircraft, and is manually activated:

*The following new definition is inserted after the definition of Emergency parachute*

**Emergency position indicating radio beacon** means an equipment that broadcasts a distinctive signal on a designated radio frequency to facilitate a search and rescue operation, is designed to float upright, and is manually activated:

*The following new definition is inserted after the definition of Performance-class I helicopter*

**Personal locator beacon** means an equipment that broadcasts a distinctive signal on a designated radio frequency to facilitate a search and rescue operation, is designed to be carried on a person, and is manually activated:

## 1.3 Abbreviations

*The following new abbreviation is inserted after the abbreviation ELT*

**ELT(AF)** means emergency locator transmitter (automatic fixed):

*The following new abbreviation is inserted after the abbreviation PLA*

**PLB** means personal locator beacon:

## Consultation Details

*(This statement does not form part of the rules contained in Part 1. It provides details of the consultation undertaken in making the rules.)*

A Notice of Proposed Rulemaking, NPRM 06-03, containing the proposed rules was issued for public consultation under Docket 4/CAR/8 on 22 June 2006. A period of 39 days was allowed for comment on the proposed rule.

A total of 24 written submissions were received. Of these, 14 submissions were from organisations and 10 from individuals. The CAA has worked through these submissions and as a result has amended the rules where appropriate.

The consultation details relating to amendment 36 to Part 1 are contained in the consultation details of amendment 18 to Part 91. The submissions and all background material used in developing the rules are held on the docket file and are available for public inspection at Aviation House, 10 Hutt Road, Petone. Persons wishing to view the docket should contact the Docket Clerk on Phone (04) 560 9603 and ask for docket 4/CAR/8.