



PURSUANT to Sections 28 and 30 of the Civil Aviation Act 1990

I, Hon Kiri Allan, Associate Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT

This 1 day of May 2023

A handwritten signature in black ink, appearing to read 'Kiri Allan', is placed over a horizontal line. Below the line, the name 'by Hon Kiri Allan' is printed in a standard font.

Associate Minister of Transport

Civil Aviation Rules

Part 121, Amendment 33

Air Operations – Large Aeroplanes

Docket 21 /CAR/2

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Rule objective

The objective of amendment 33 to Part 121 is to update Part 121 to give full effect to the Part 139 Runway Condition Reporting proposal.

The term ‘real time’ as currently used in the reference ‘real-time reporting’ in rule 121.221 is removed, for being problematic. For instance, the rule is difficult to interpret due to a lack of clear policy intent and the cost of technology required to undertake ‘real-time’ assessments of runway surface condition is prohibitive. Reference to ‘TALPA procedures’ is also removed, as the use of the term is redundant.

Extent of consultation

A Notice of Proposed Rulemaking NPRM 22-01, containing the Part 139 Runway Conditions Reporting was issued for public consultation under Docket 21/CAR/2 on 29 September 2022.

The NPRM was published on the CAA website and mailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 62 days was allowed for comment on the proposed rule.

Summary of submissions

Four (4) written submissions were received on the NPRM. There were no oral comments. A summary of submissions for this NPRM will be available on the CAA website. These submissions and comments have been considered and as a result no amendments were made.

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 revoking and replacing rule 121.221, and revoking appendix D.3 (TALPA procedures).

Effective date of rule

Amendment 33 to Part 121 comes into force on 30 November 2023

Availability of rules

Civil Aviation Rules are available from–

CAA website: <http://www.aviation.govt.nz/>
Freephone: 0800 GET RULES (0800 438 785)

Part 121 Air Operations — Large Aeroplanes

Subpart D — Performance

Rule 121.221 is revoked and replaced with the following rule:

121.221 Landing distance - runways

- (a) A holder of an air operator certificate must ensure that, for each aeroplane it operates, the landing weight for the estimated time of landing will not exceed the landing weight specified in the aeroplane flight manual.
- (b) A holder of an air operator certificate must use the following procedures for calculating the landing distance for an aeroplane on a runway:
- (1) that have been approved under paragraph (c); or
 - (2) as provided in Appendix D.
- (c) The Director may, after taking account of the following matters, approve an application by a holder of an air operator certificate for procedures if satisfied—
- (1) whether or not the aeroplane proposed has performance data issued by the manufacturer supporting the procedures that is available for use by the pilot or flight crew members; and
 - (2) whether the operator has reliable access to either—
 - (i) accurate reporting on runway conditions that is appropriate for the procedures to be used; or
 - (ii) data that enables the operator to identify equivalent conditions; and
 - (3) the margin of error that should be applied when calculating landing distance using the procedures which must take into account:
 - (i) the implications of pilot technique on landing distance;

- (ii) the implications of unexpected environmental conditions at the destination aerodrome;
 - (iii) whether the calculation is being undertaken at the dispatch stage or en-route;
 - (iv) whether the margin of error is supported by the reporting of the runway conditions; and
- (4) whether all personnel involved in the reporting of runway conditions, calculation of data and operation of the flight have had appropriate training in the use of the procedures.

Appendix D — Landing Distance Assessments for Runways

Appendix D.3 is revoked:

D.3 TALPA procedures - Revoked