



22/EXE/51

Exemption from the Requirements in Civil Aviation Rules

92.11(b), 92.15(a), 92.51(a), 92.55, 92.55(1), 92.57, 92.59, 92.105(a), 92.153

92.173 and 133.65(b)(1)

PURSUANT TO Section 37(2)(c) of the Civil Aviation Act 1990,

I, **Keith Manch**, Director of Civil Aviation, being satisfied that—

(a) the prescribed requirements in relation to the carriage of Dangerous Goods by air including offering, documenting, packaging, packing, marking and labelling, accepting, carrying, and providing information to the pilot-in-command of a **helicopter when operating in remote areas** are inappropriate in this particular case; and

(b) the risk to safety will not be significantly increased by the granting of this exemption,



HEREBY EXEMPT—

Any Part 119/135 Air Operator Certificate (AOC) holder including any persons for whom the operator is responsible, and any persons, that offer an article or substance for carriage by air in
a helicopter operating in a remote area,

FROM—

the requirements in Civil Aviation Rule (CAR) 92.15(a) that each person who offers an article or substance for carriage by air shall: (1) if the article or substance is not a dangerous good, provide the operator with a signed document that

- (i) accurately describes the article or substance; or
- (ii) states that the article or substance is not a dangerous good,

PROVIDED THAT —

A Part 119/135 AOC holder:

- 1) creates an appropriate procedure that is an alternative to the rule; and
- 2) records these procedures in their exposition; and

this procedure applies to flights departing from a remote area but not from the AOC holder's normal operating base(s); and

All persons offering articles or substances for carriage by air that are not dangerous goods:

- 3) accurately describe the article or substance to the pilot-in-command and confirm that the article or substance is not a dangerous good.



HEREBY EXEMPT—

Any Part 119/135 Air Operator Certificate holder including any persons for whom the operator is responsible, and any persons, that offer an article or substance for carriage by air in a helicopter operating in a remote area,

FROM—

the requirements in CAR 92.51(a) that a person shall not mark, label, certify, or offer a packaging as meeting the requirements of this Part unless the packaging is

- (1) manufactured, fabricated, marked, maintained, reconditioned, and repaired, as applicable, in accordance with the Technical Instructions; and
- (2) tested in accordance with the Technical Instructions; and
- (3) for a New Zealand manufactured packaging
 - (i) tested by an organisation accredited by Telarc for testing; and
 - (ii) except for Class 7 dangerous goods, approved by the Director; and
 - (iii) for Class 7 dangerous goods, approved by the National Radiation Laboratory of the Ministry of Health; and
- (4) for a packaging not manufactured in New Zealand, manufactured and tested in an ICAO contracting State; and

the requirements in CAR 92.55(1) that each person who packs dangerous goods for carriage by air shall: (1) pack the goods in accordance with the Technical Instructions,

ONLY WITH RESPECT TO—

Dangerous goods of Classes 1.4, 4, 5, 6, 8, and 9

PROVIDED THAT —

A Part 119/135 AOC holder –

- 1) creates an appropriate procedure that is an alternative to the rule; and
- 2) records these procedures in their exposition; and

this procedure applies to flights departing from a remote area but not from the AOC holder's normal operating base(s); and

All persons offering articles or substances for carriage by air:

- 3) use packaging that is of a type allowed for in the ICAO Technical Instructions appropriate to the dangerous goods; and
- 4) inspect the packaging prior to use to ensure that it is in good condition; and
- 5) abide by the per-package quantity limits of the ICAO Technical Instructions



HEREBY EXEMPT—

Any Part 119/135 Air Operator Certificate holder including any persons for whom the operator is responsible, and any persons, that offer an article or substance for carriage by air in a helicopter operating in a remote area,

FROM—

the requirements in CAR 92.57 that each person who marks a package or overpack containing dangerous goods for carriage by air shall mark the package or overpack

- (1) in accordance with the Technical Instructions; and
- (2) with the following:

- (i) the proper shipping name of the dangerous goods, and, if appropriate, supplemented with the technical name;
- (ii) when assigned, the corresponding UN number, preceded by the letters UN;
- (iii) the name and address of the person who offers the dangerous goods for carriage by air and the consignee;
- (iv) such other markings as are specified in the Technical Instructions;

the requirements in CAR 92.59 that a person who labels a package or overpack containing dangerous goods for carriage by air must

- (1) label each package and overpack in accordance with the Technical Instructions; and
- (2) ensure that each hazard label indicates the true nature of the hazard in accordance with the Technical Instructions;

PROVIDED THAT —

A Part 119/135 AOC holder —

- 1) creates an appropriate procedure that is an alternative to the rule; and
- 2) records these procedures in their exposition or DG manual; and

this procedure applies to flights departing from a remote area but not from the AOC holder's normal operating base(s); and

All persons offering articles or substances for carriage by air:

- 3) mark and label all packages and overpacks containing dangerous goods:
 - i) with marking that clearly indicates that the package or overpack contains dangerous goods; and
 - ii) accurately indicates the dangerous goods classification and the proper shipping name or common name of the dangerous goods; and
 - iii) clearly labels the dangerous goods with any applicable hazards which would normally be required by the ICAO Technical Instructions.



HEREBY EXEMPT—

Any Part 119/135 Air Operator Certificate holder including any persons for whom the operator is responsible, and any persons, that offer an article or substance for carriage by air in a helicopter operating in a remote area,

FROM—

the requirements in CAR 92.105(a) that each person who offers dangerous goods for carriage by air shall, subject to CAR 92.103(4), provide the operator with 2 copies of a completed and signed dangerous goods transport document:

PROVIDED THAT —

Any person who offers a dangerous goods package or overpack for carriage by air in a remote area provides the pilot-in-command with information that accurately describes the dangerous goods including the classification, proper shipping name or common name, and all applicable hazards.

HEREBY EXEMPT—

Any Part 119/135 Air Operator Certificate holder including any persons for whom the operator is responsible, and any persons, accepting dangerous goods packages or overpacks for carriage
by air in a helicopter operating in a remote area,

FROM—

the requirements in CAR 92.153 that an operator shall not accept for carriage by air a package, overpack, or, where permitted by the Technical Instructions, a unit load device, containing dangerous goods, unless –

(1) it is accompanied by 2 copies of the dangerous goods transport document prescribed in CAR 92.105, except where the Technical Instructions state that such a document is not required; and

(2) the package, overpack, or unit load device has been

(ii) marked and labelled in accordance with CAR 92.57 and CAR 92.59;

PROVIDED THAT —

A Part 119/135 AOC holder –

1) creates an appropriate procedure that is an alternative to the rule; and

2) records these procedures in their exposition; and

All operators and/or persons accepting dangerous goods packages or overpacks for carriage by air in a remote area:

3) receive information from the person offering the dangerous goods that clearly describes the classification, proper shipping name or common name, and all applicable hazards; and

4) inspect the package or overpack in accordance with CAR 92.163.



HEREBY EXEMPT—

Each operator of a helicopter in which dangerous goods are to be carried operating in a remote area

FROM—

the requirements in CAR 92.173 (a) that each operator of an aircraft in which dangerous goods are to be carried shall, before the departure of the aircraft, provide the pilot-in-command of the aircraft with written information concerning those goods in accordance with the Technical Instructions; and

the requirements in CAR 92.173 (c) that each operator of an aircraft in which dangerous goods are being carried that require a dangerous goods transport document to be completed under CAR 92.105 shall, before the departure of the aircraft, provide the pilot-in-command of the aircraft with information for use in emergency response to accidents and incidents involving the dangerous goods being carried

PROVIDED THAT —

An operator who holds a Part 119/135 Air Operating Certificate:

- 1) creates an appropriate procedure that is an alternative to the rule; and
- 2) records these procedures in their exposition or DG manual; and

All operators:

- 3) require that, before the departure of a helicopter in which dangerous goods are to be carried, the pilot-in-command is provided with information that clearly describes the classification, proper shipping name or common name, and all applicable hazards; and
- 4) provide the pilot-in-command of any helicopter carrying dangerous goods with information for use in emergency response to accidents and incidents involving the dangerous goods being carried.

HEREBY EXEMPT—

Each operator of a helicopter carrying dangerous goods as or in an underslung load

FROM—

the requirements in CAR 133.65(b)(1) that (b) a pilot-in-command of a helicopter may accept Class 2 to Class 9 dangerous goods for carriage as an underslung load beneath a helicopter without complying with Part 92 if

(1) the carriage of the dangerous goods are not forbidden by the Technical Instructions

ONLY WITH RESPECT TO—

the carriage of UN 3373 Biological substance, category B (Human waste) in quantities that exceed the quantities allowed by Packing Instruction 650 of the ICAO Technical Instructions

PROVIDED THAT —

A Part 119/135 AOC holder:

- 1) creates an appropriate procedure that is an alternative to the rule; and
- 2) records these procedures in their exposition; and

All helicopter operators:

- 3) ensure that all other requirements of Part 133 are adhered to including that:
 - i) the flight path must be clear of any congested area of a city, town, or settlement;
- and
- ii) the flight path must be planned to avoid environmentally sensitive areas.



HEREBY EXEMPT—

Each operator of a helicopter carrying Class 1 dangerous goods

FROM—

the requirements in CAR 92.11 (b) that a person may offer or accept Class 1 dangerous goods for carriage by air without complying with this Part if –

(1) carriage is approved by an approved handler; and

(2) the dangerous goods are carried –

(i) under the supervision of an approved handler; or

(ii) in accordance with instructions given by an approved handler and that approved handler is readily contactable to provide assistance at all times whilst the dangerous goods are being carried; and

(3) safety and emergency procedures are established for the carriage of the goods; and

(4) the goods are –

(i) in a proper condition for carriage by air; and

(ii) stowed and secured for safe carriage;

ONLY WITH RESPECT TO—

the carriage of Class 1.4 ammunition carried for the purposes of shooting from the air

PROVIDED THAT —

A Part 119/135 AOC holder:

- 1) creates an appropriate procedure that is an alternative to the rule; and
- 2) records these procedures in their exposition; and

All helicopter operators ensure that:

- 3) the ammunition is only carried on the flight for which shooting is intended, or the immediately prior or immediately following flight if it is impractical to off-load the ammunition or to achieve the requirements of 92.11(b); and
- 4) the ammunition is carried under the supervision of the shooter; and
- 5) the ammunition is carried in magazines or other suitable containers so that loose ammunition does not create a hazard; and
- 6) the only persons carried on the aircraft are persons essential to the shooting operation.



HEREBY EXEMPT—

Each person packing Class 3 dangerous goods for carriage by air, and each operator of a
helicopter carrying Class 3 dangerous goods

FROM—

the requirements in CAR 92.55 that requires each person who packs dangerous goods for carriage
by air to (1) pack the goods in accordance with the Technical Instructions:

ONLY WITH RESPECT TO—

the carriage of Class 3 Flammable Liquids of Packing Group II (including UN 1203 Petrol and UN
1219 Isopropyl alcohol) on helicopters carrying passengers to be carried in per package quantities
not exceeding 5 L and not to be carried in single packaging

PROVIDED THAT —

A Part 119/135 AOC holder:

- 1) creates an appropriate procedure that is an alternative to the rule; and
- 2) records these procedures in their exposition; and

All helicopter operators ensure that:

- 3) the maximum per-package quantity does not exceed 20 L; and
- 4) in all other respects the packaging and packing conforms with the requirements of the ICAO

Technical Instructions, including:

- i) the use of UN certified jerricans or other containers listed in the ICAO Technical
Instructions; and



ii) the packages are inspected prior to loading; and

5) the only passengers carried are passengers who are associated with the dangerous goods.

This exemption applies automatically; there is no application required.

This exemption shall remain in effect until 21st October 2027, unless withdrawn earlier in writing by the Director.

SIGNED at Wellington

This 21st day of October 2022

by **Keith Manch**

Director of Civil Aviation

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A handwritten signature in black ink, appearing to be 'Keith Manch', is written above a horizontal line. The signature is stylized and cursive.