



PURSUANT to Sections 28, 29 and 30 of the Civil Aviation Act 1990

I, Hon Julie Anne Genter, Associate Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT

This 7 day of April 2019

by Hon

Associate Minister of Transport

A handwritten signature in black ink, appearing to read 'Julie Anne Genter', is written over the printed name. The signature is fluid and cursive, with a large loop at the beginning and a long horizontal stroke at the end.

Civil Aviation Rules

Part 129, Amendment 9

Foreign Air Transport Operator — Certification

Docket 17/CAR/2

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Rule objective

The objective of amendment 9 to Part 129 is to address one of the findings of the 2006 ICAO audit of the civil aviation rules so that this Part is better aligned with the ICAO recommended standards.

The finding addressed in this amendment to Part 129 is the lack of a requirement on an operator to establish aerodrome operating minima for each aerodrome to be used in its air operations.

Amendment 9 to Part 129 is associated with the following amendments to other rule Parts –

- amendment 31 to Part 91
- amendment 31 to Part 121
- amendment 23 to Part 125
- amendment 24 to Part 135.

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 19-01, containing the proposed changes to Parts 91, 121, 125, 129 and 135 was issued for public consultation under Docket 17/CAR/2 on 21 September 2018.

The NPRM was published on the CAA web site on 21 September 2018 and mailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 29 days was allowed for comment on the proposed rule.

Summary of submissions

There was one written submission on the NPRM regarding draft rule 91.413A. There was no oral comment received.

The submission has been considered and as a result draft rule 91.413A is renumbered as rule 91.411A. The heading of the draft rule is revised to

read - *‘Pilot-in-command and operator to inform ATS unit of carriage of dangerous goods’*, to better reflect the intent of the rule.

There is no amendment to this Part as a result of the submission.

The submission is available on the CAA website.

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 amendment to this Part is reflected by inserting new rule 129.107A.

Effective date of rule

Amendment 9 to Part 129 comes into force on 10 May 2019.

Availability of rules

Civil Aviation Rules are available from–

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

Freephone: 0800 GET RULES (0800 438 785)

Part 129 Foreign Air Transport Operator — Certification

Rule 129.107A is inserted after rule 129.107.

129.107A Aerodrome operating minima to be used for each aerodrome

- (a) A holder of a foreign air operator certificate must ensure that a pilot-in-command performing a foreign air transport operation in New Zealand complies with the aerodrome operating minima that applies to the aerodrome, as published in the AIPNZ.
- (b) The holder of a foreign air operator certificate may increase the aerodrome operating minima by including the increased aerodrome operating minima in the certificate holder's exposition.
- (c) A pilot-in-command who operates under an increased aerodrome operating minima in accordance with paragraph (b) must comply with any requirements specified in the certificate holder's exposition in relation to the increased aerodrome operating minima.