



PURSUANT to Section 30 of the Civil Aviation Act 1990

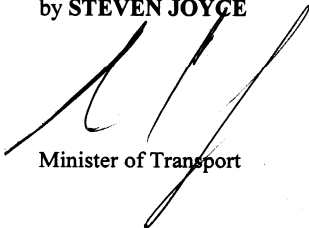
I, STEVEN JOYCE, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *17th* day of *February* 2010

by **STEVEN JOYCE**



Minister of Transport

Civil Aviation Rules

Part 173, Amendment 1

**Instrument Flight Procedure Service Organisation -
Certification and Operation**

Docket 9/CAR/1

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Rule objective

The objective of amendment 1 to Part 173 is to make a minor editorial change to facilitate clearer interpretation of the rule.

Amendment 1 to Part 173 is constituent to NPRM 09-03 which contains amendments to the following Parts:

| | | |
|---------|----------|----------|
| Part 1 | Part 95 | Part 140 |
| Part 12 | Part 105 | Part 145 |
| Part 19 | Part 106 | Part 148 |
| Part 26 | Part 119 | Part 172 |
| Part 43 | Part 121 | Part 173 |
| Part 65 | Part 125 | Part 175 |
| Part 77 | Part 129 | |
| Part 91 | Part 135 | |
| Part 93 | Part 139 | |

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 09-03, containing the proposed changes to Part 173 and changes to other rules was issued for public consultation under Docket 9/CAR/1 on 30 July 2009.

The publication of this NPRM was notified in the Gazette on 31 July 2009 and advertised in the daily newspapers in the five main provincial centres on 31 July 2009. The NPRM was published on the CAA web site on 30 July 2009.

A period of 37 days was allowed for comment on the proposed rule.

Summary of submissions

A total of 3 written submissions were received on NPRM 09-03 (1 submission related to Part 1, and 2 submissions related to Part 91). However, no submissions were received relating to Part 173, and consequently no changes were made to the proposed amendments.

The rule was then referred to the Minister of Transport for signing.

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 revocation of an existing rule and the insertion of a new rule.

Effective date of rule

Amendment 1 to Part 173 comes into force on 25 March 2010.

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 173 Amendments

Subpart B — Certification Requirements

Rule 173.53 is revoked and replaced by the following rule:

173.53 Resource requirements

- (a) An applicant for the grant of an instrument flight procedure service certificate must—
- (1) have available equipment that is appropriate for the design, design verification, certification, flight validation, and maintenance of the types of instrument flight procedure that are specified in the applicant's exposition; and
 - (2) have access to relevant and current data including, but not limited to, aeronautical data, land contour data, and obstacle data for the design, design verification, flight validation, and maintenance of the instrument flight procedures certified by, and maintained by, the applicant's organisation; and
 - (3) hold or have ready access to copies of relevant documentation comprising technical standards, practices, and instructions, and any other documentation that may be necessary for the design, design verification, certification, flight validation, and maintenance of the types of instrument flight procedure that are specified in the applicant's exposition.
- (b) An applicant for the grant of an instrument flight procedure service certificate must establish a procedure for ensuring that—
- (1) personnel have access to the data referred to in paragraph (a)(2) for the types of instrument flight procedure specified in the applicant's exposition; and
 - (2) the data referred to in paragraph (a)(2) is current, traceable, and meets the required level of verifiable accuracy for the design, design verification, flight validation, and maintenance of instrument flight procedures specified in the applicant's exposition.

(c) An applicant for the grant of an instrument flight procedure service certificate must establish a procedure for controlling all documentation required by paragraph (a)(3) to ensure that—

- (1) the documentation is reviewed and authorised by an appropriate person before issue and use; and
- (2) current issues of relevant documentation are available to personnel at every location if they need access to the documentation; and
- (3) every obsolete document is promptly removed from every point of issue and use; and
- (4) a change to documentation is reviewed and authorised by an appropriate person before issue and use; and
- (5) the current version of every item of documentation can be identified to prevent the use of superseded material.

Consultation Details

(This statement does not form part of the rules contained in Part 173. It provides details of the consultation undertaken in making the rules.)

A Notice of Proposed Rulemaking, NPRM 09-03 Omnibus 2009, containing the proposed rule amendments for Part 173, and other proposed rule amendments in various Parts, was issued for public consultation under Docket 9/CAR/1 on 30 July 2009.

A period of 37 days was allowed for comment on the proposed rule.

A total of 3 written submissions were received on NPRM 09-03 (1 submission related to Part 1, and 2 submissions related to Part 91). However, no submissions were received relating to Part 173.

The purpose of NPRM 09-03 was to make minor editorial and minor technical amendments to various Parts of the Civil Aviation Rules (CAR). The proposed amendments included the correction of spelling and grammatical errors, the updating of various rules in accordance with current International Civil Aviation Organization (ICAO) standards, definitions and abbreviations, and the revocation of specific transitional arrangements.