



WELLINGTON NEW ZEALAND

PURSUANT to Section 30 of the Civil Aviation Act 1990

I, WILLIAM ROBSON STOREY, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

this *11th* day of *May* 1993

by WILLIAM ROBSON STOREY

Minister of Transport

A handwritten signature in black ink, appearing to read 'W. R. Storey', written over a large, stylized flourish.

Civil Aviation Rules

Part 1

DEFINITIONS AND ABBREVIATIONS

Docket Nr. 1021

**Civil Aviation Rules
Part 1**

DEFINITIONS AND ABBREVIATIONS

RULE OBJECTIVE, EXTENT OF CONSULTATION, AND COMMENCEMENT

The objective of Part 1 is to avoid uncertainty and ambiguity in the interpretation of rules made under the Civil Aviation Act 1990 and to avoid repetition in those rules.

In May 1990 the Air Transport Division of the Ministry of Transport published a notice of intention to carry out a complete review of the aviation regulatory system. This notice, in Civil Aviation Information Circular Air 3, listed the areas in which rules would be made and invited interested parties to register their wish to be part of the consultative process. This register was identified as the Regulatory Review Consultative Group. Some seventy five organisations and individuals registered their wish to be consulted in the development of definitions and abbreviations.

Part 1 is necessarily being developed on a gradual basis. At any particular time it will only contain definitions and abbreviations of those terms requiring definition or abbreviation that appear in civil aviation rules currently in force or that are soon to be in force. Accordingly, this first final version of Part 1 contains those definitions and abbreviations necessary for the following rule Parts: 11, 61, 67, 103, 121K, 123K, 139, 145, 157 and 171.

Consultation on the contents of Part 1 has occurred as part of the consultation process for the rule Parts just mentioned. Each draft Part when distributed for comment has contained all proposed definitions and abbreviations necessary for that Part (including those that are common to other Parts) in order to maximise consultation.

Each draft Part was mailed to all members of the Regulatory Review Consultative Group and to other parties, including overseas Aviation Authorities and organisations, who were considered likely to have an interest in the proposal. In addition, an early draft of Part 1 was issued as a Notice of Proposed Rule Making (NPRM) under Docket number 1021 NR on 10 July 1991 along with other draft rule Parts that were ready for formal NPRM consultation on that date. The publication of that notice was advertised in the daily newspapers in the five main provincial centres on 11 July 1991. That notice consolidated the definitions and abbreviations notified in the other draft rule Parts published as NPRM at that time (Parts 21B, 47A, 121Q, 145 and 171). The period allowed for submissions ran up until 15 October 1991. Since that time a number of other NPRM have been notified, affording interested persons the opportunity to comment on further definitions considered necessary for those Parts.

Both oral and written submissions were received. Details of the submissions and the Authority's response are attached to the relevant final rule Parts. Where appropriate the proposed definitions and abbreviations were amended or deleted to take account of the concerns raised and in some cases the need for new definitions was identified and these were added.

Part 1 as amended was then referred to and signed by the Minister of Transport.

Part 1 comes into force on the 28th day after the date of its notification in the New Zealand Gazette.

Part 1 Definitions and Abbreviations

List of Rules

- 1.1 General definitions
- 1.3 Abbreviations

1.1 General Definitions

In rules made under the Act, unless the context otherwise requires —

Accident means an occurrence that is associated with the operation of an aircraft and takes place between the time any person boards the aircraft with the intention of flight and such time as all such persons have disembarked and the engine or any propellers or rotors come to rest, being an occurrence in which —

- (1) a person is fatally or seriously injured as a result of —
 - (i) being in the aircraft; or
 - (ii) direct contact with any part of the aircraft, including any part that has become detached from the aircraft; or
 - (iii) direct exposure to jet blast —

except when the injuries are self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to passengers and crew; or

- (2) the aircraft sustains damage or structural failure that —
 - (i) adversely affects the structural strength, performance, or flight characteristics of the aircraft; and
 - (ii) would normally require major repair or replacement of the affected component —

except engine failure or damage that is limited to the engine, its cowlings, or accessories, or damage limited to propellers, wing tips, rotors, antennas, tyres, brakes, fairings, small dents, or puncture holes in the aircraft skin; or

- (3) the aircraft is missing or is completely inaccessible:

Accredited Medical Conclusion means the conclusion reached, regarding the medical fitness of an applicant for a medical certificate, by one or more medical experts acceptable to the Director for the purposes of the case concerned:

Act means the Civil Aviation Act 1990:

Aerial work operations has the same meaning as in regulation 131(1)(b) of the Civil Aviation Regulations 1953:

Aerodrome —

- (1) means any defined area of land or water intended or designed to be used either wholly or partly for the landing, departure, and surface movement of aircraft; and
- (2) includes any buildings, installations, and equipment on or adjacent to any such area used in connection with the aerodrome or its administration:

Aerodrome control service means an air traffic control service provided for the control of aerodrome traffic:

Aerodrome flight information service means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights in the vicinity of an aerodrome:

Aerodrome operational area means —

- (1) the movement area at an aerodrome and its associated strips and safety areas; and
- (2) any ground installation or facility provided at an aerodrome for the safety of aircraft operations:

Aerodrome traffic means —

- (1) all traffic in the manoeuvring area of an aerodrome; and
- (2) all aircraft flying in the vicinity of an aerodrome:

Aerodrome traffic circuit means the pattern flown by aircraft operating in the vicinity of an aerodrome:

Aeroplane means a power-driven heavier-than-air aircraft deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight:

Part 1 Definitions and Abbreviations

Aeroplane movement means an aeroplane take-off or landing:

Agricultural operations means operations in which the aircraft is used to provide a work service to those persons engaged in agriculture or farming; and includes —

- (1) topdressing, seed sowing, dusting, spraying, dropping of poison baits, and laying of poison; and
- (2) supply dropping on farms and forests, farm and forest inspection, stock feeding and stock location, inspection, and mustering, carried out by an agricultural operator:

Aircraft means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth:

Aircraft category and category of aircraft means any one of the following classes of aircraft: aeroplane, helicopter, glider, and balloon:

Aircraft component means any component part of an aircraft up to and including a complete airframe or power plant, and includes any operational or emergency equipment fitted to or provided in an aircraft:

Aircraft of the same type means all aircraft of the same basic design including all modifications thereto except those modifications which result in a significant change in handling or flight characteristics:

Air traffic means all aircraft in flight or operating on any manoeuvring area of an aerodrome:

Air traffic control service means a service provided for the purposes of —

- (1) preventing collisions —
 - (i) between aircraft; and
 - (ii) between aircraft and obstructions on any manoeuvring area; and
- (2) expediting and maintaining a safe and efficient flow of air traffic:

Air traffic control unit means a unit for providing any air traffic control service, and includes either an area control centre, an approach control office, or an aerodrome control tower:

Air traffic service includes —

- (1) any aerodrome control service:
- (2) any area control service:
- (3) any approach control service:
- (4) any flight information service:
- (5) any aerodrome flight information service:
- (6) any alerting service:
- (7) any other air traffic service considered by the Director to be necessary or desirable for the safe and efficient operation of the civil aviation system:

Air transport operations has the same meaning as in regulation 131(1)(c) of the Civil Aviation Regulations 1953:

Airworthiness data means any information necessary to ensure that an aircraft or aircraft component can be maintained in an airworthy condition:

Alerting service means an air traffic service provided to notify appropriate organisations regarding aircraft in need of search and rescue aid, and to assist such organisations as required:

Approach control service means an air traffic control service for arriving or departing controlled flights:

Approved, unless used with reference to another person, means approved in writing by the Director:

Apron means a defined area on a land aerodrome intended to accommodate aircraft for the purpose of loading or unloading passengers or cargo, refuelling, parking, or maintenance:

Area control service means an air traffic control service provided for controlled flights in controlled airspace:

Authority means the Civil Aviation Authority of New Zealand established by section 72A of the Act:

Aviation Medical Assessor means a medical practitioner appointed as an Aviation Medical Assessor under 67.05.

Balloon means a non-power-driven lighter-than-air aircraft:

Part 1 Definitions and Abbreviations

Certificated for single pilot operation, in relation to an aircraft, means determined by the State of Registry, during the certification process, to be a type of aircraft that can be operated safely with a minimum crew of one pilot:

Command practice means the performance by a co-pilot of the duties and functions of a pilot-in-command during a flight under the supervision of a pilot-in-command designated for the purpose by the operator:

Control zone means a controlled airspace extending upwards from the surface of the earth to a specified limit:

Convention —

(1) means the Convention on International Civil Aviation signed on behalf of the Government of New Zealand in Chicago on the 7th day of December 1944; and

(2) includes —

(i) any amendment to the Convention which has entered into force under Article 94(a) of the Convention and has been ratified by New Zealand; and

(ii) any Annex or amendment thereto accepted under Article 90 of the Convention; and

(iii) the international standards and recommended practices from time to time accepted and amended by the International Civil Aviation Organisation pursuant to Article 37 of the Convention:

Conversion instruction means instruction for the purposes of familiarisation in the operation of aircraft for which a type rating is required; but does not include instruction or supervision of student pilots nor instruction for the purposes of familiarisation in respect of conversion from fixed-wing to rotary-wing aircraft or from rotary-wing to fixed-wing aircraft:

Co-pilot means a licensed pilot, serving in any piloting capacity other than as pilot-in-command; but does not include a pilot receiving flight instruction from a pilot on board the aircraft:

Crew member means any person assigned by an operator for duty as a member of the crew of an aircraft:

Cross-country flight means a flight which extends more than 25 nautical miles in a straight line distance from the centre of the aerodrome of departure:

Designated medical examiner means a medical practitioner appointed as a Designated Medical Examiner under 67.05.

Director means the person who is for the time being the Director of Civil Aviation under section 721 of the Act:

Domestic aerodrome means any aerodrome other than an international aerodrome:

Dual flight time means flight time during which a person is receiving flight instruction from an appropriately licensed and rated pilot on board a dual control aircraft:

Fit and proper person means a person who satisfies the fit and proper person test specified in the Act:

Flexibility, in relation to the issue of a medical certificate under Part 67, means the discretion to issue a medical certificate where an applicant fails to meet the medical standards prescribed for the medical certificate but use of the medical certificate does not jeopardise flight safety:

Flight crew member means a licensed crew member charged by the operator of an aircraft with duties essential to the operation of the aircraft:

Flight examiner means a person approved by the Director or authorised under these rules to conduct specified flight tests or ZFT simulator tests for flight crew licences or ratings:

Flight information service means an air traffic service provided for the purpose of giving advice and information intended for the safe and efficient conduct of flights:

Flight instruction means instruction in the control of aircraft in basic and advanced flight manoeuvres; and includes instruction in respect of conversion from fixed-wing to rotary-wing aircraft or from rotary-wing to fixed-wing aircraft:

Flight time means the total time from the moment the aircraft first moves under its own power for the purpose of taking off until the moment it comes to rest at the end of the flight:

Foreign aircraft means any aircraft other than a New Zealand registered aircraft:

Part 1 Definitions and Abbreviations

Glider means a non-power-driven heavier-than-air aircraft which derives its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight:

Goods means all kinds of moveable property, including animals and mail:

Helicopter means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes:

Heliport means any defined area of land or water, and any defined area on a structure, intended or designed to be used either wholly or partly for the landing, departure, and surface movement of helicopters:

IFR flight means a flight conducted in accordance with the instrument flight rules:

Incident means any occurrence, other than an accident, that is associated with the operation of an aircraft and affects or could affect the safety of operation:

Instrument approach procedure means a series of predetermined manoeuvres by reference to flight instruments with specified protection from obstacles from the initial approach fix, or where applicable, from the beginning of a defined arrival route, to a point from which a landing can be completed and thereafter, if a landing is not completed, to a position at which holding or en-route obstacle clearance criteria apply:

Instrument flight means flight during which an aircraft is piloted solely by reference to instruments and without external reference points:

Instrument flight time means time during which an aircraft is piloted solely by reference to instruments and without external reference points:

Instrument meteorological conditions means meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling less than the minima specified for visual meteorological conditions:

Instrument time includes instrument flight time and time during which a pilot is practising simulated instrument flight on an approved mechanical device:

International aerodrome means an international airport:

International airport means any airport designated as an airport of entry and departure for international air traffic where the formalities incident to customs, immigration, public health, animal and plant quarantine, and similar procedures are carried out:

Maintenance, in relation to an aircraft or aircraft component, means all work and inspections performed to ensure the continued airworthiness of the aircraft or aircraft component; and includes minor maintenance and major maintenance:

Major maintenance means the overhaul, major repair, or major modification of aircraft and aircraft components; and includes any work involving the extensive dismantling and reassembly of aircraft or aircraft components and the fabrication of replacement parts in accordance with approved data:

Manoeuvring area —

- (1) means that part of an aerodrome to be used for the take-off and landing of aircraft and for the surface movement of aircraft associated with take-off and landing; but
- (2) does not include areas set aside for loading, unloading, or maintenance of aircraft:

Maximum certificated take-off weight, in relation to an aircraft, means the weight specified as the maximum take-off weight of the aircraft in a flight manual or certificate of airworthiness relating to the aircraft:

Microlight aircraft means a basic low performance aircraft designed to carry not more than 2 persons which meets low momentum parameters that are acceptable to the Director:

Minister means the Minister of Transport:

Minor maintenance means all work relating to the maintenance of aircraft other than major maintenance:

Movement area means that part of an aerodrome intended to be used for the take-off and landing of aircraft and for the surface movement of aircraft, and includes the manoeuvring area, maintenance areas, and aprons:

New Zealand registered aircraft means any aircraft that is for the time being registered by the Director under section 6(1)(a) of the Act:

Night means the hours between the end of evening civil twilight and the beginning of morning civil twilight:

Part 1 Definitions and Abbreviations

NOTAM means a notice distributed by means of telecommunication containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations:

Operate, in relation to an aircraft, means to fly or use the aircraft, or to cause or permit the aircraft to fly, be used, or be in any place, whether or not the person is present with the aircraft; and "operator" has a corresponding meaning:

Owner, in relation to any aircraft, includes any person lawfully entitled to the possession of the aircraft for 28 days or longer:

Passenger, in relation to an aircraft, means any person carried in the aircraft, other than —

- (1) a crew member; or
- (2) an 'authorised person' as that term is defined in regulation 4 of the Civil Aviation Regulations 1953; or
- (3) a person exercising a function which that person is duly authorised in writing by the Director under the Act or rules made under the Act to exercise; or
- (4) a person carried for the sole purpose of receiving or giving instruction in the control or navigation of the aircraft:

Performance-class 1 helicopter means a helicopter with performance characteristics such that, in case of critical power-unit failure, it is able to land on the rejected take-off area or safely continue the flight to an appropriate landing area:

Pilot-in-command, in relation to any aircraft, means the pilot responsible for the operation and safety of the aircraft:

Powered glider means an aircraft equipped with one or more engines which has, with the engine or engines not operating, the performance characteristics of a glider:

Private operations has the same meaning as in regulation 131(1)(a) of the Civil Aviation Regulations 1953:

Rating means an authorisation entered on or associated with a licence or certificate and forming part of it, stating special conditions, privileges or limitations relating to the licence or certificate:

Rotorcraft means any heavier-than-air aircraft which derives its lift in flight from the reaction of the air on one or more rotors on substantially vertical axes:

Runway means a defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft:

Screening means the application of technical or other means which are intended to detect weapons, explosives or other dangerous devices which may be used to commit an act of unlawful interference:

Security means a combination of measures and human and material resources intended to safeguard civil aviation against acts of unlawful interference:

Security area means an area that the Director has declared to be a security area under section 84 of the Act:

Security designated aerodrome means an aerodrome for the time being designated as a security aerodrome under section 82 of the Act:

Special operations has the same meaning as in regulation 131(1)(d) of the Civil Aviation Regulations 1953:

Sterile area means that area at an aerodrome between the passenger inspection and screening station and the aircraft into which access is strictly controlled:

Synthetic flight trainer means equipment in which flight conditions are simulated on the ground; and includes —

- (1) a flight simulator, being an apparatus which provides an accurate representation of the flight deck of a particular aircraft type to the extent that the normal environment of flight crew members, the systems, and the performance and flight characteristics of that type are realistically simulated;
- (2) a flight procedure trainer, being an apparatus that provides a representation of aircraft to the extent that realistic flight deck environment, instrument responses, simple systems, and the performance and flight characteristics of aircraft of a particular class or type are simulated;
- (3) a basic instrument flight trainer, being an apparatus equipped with appropriate instruments, simulating the flight deck environment of an aircraft in flight in instrument flight conditions, in which a pilot may be instructed or tested in basic instrument flight manoeuvres and procedures:

Part 1 Definitions and Abbreviations

VFR flight means a flight conducted in accordance with the visual flight rules:

Visual meteorological conditions means meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling equal to or better than specified minima:

ZFT simulator means a synthetic flight trainer which —

- (1) meets the standard of level 5 as described in New Zealand Civil Aviation Publication CAP 37 dated 1 March 1986; or
- (2) meets the standard of level D/phase III as described in Appendix H (dated 30 July 1980) to Part 121 of the United States Federal Aviation Regulations; or
- (3) meets an equivalent standard acceptable to the Director.

1.3 Abbreviations

In rules made under the Act —

ADF means automatic direction-finder:

AFS means aeronautical fixed service:

AFTN means aeronautical fixed telecommunication network:

AIS means aeronautical information services:

ATIS means automatic terminal information service:

ATS means air traffic services:

DME means distance measuring equipment:

FDPS means flight data processing system:

HF means high frequency:

ICAO means the International Civil Aviation Organisation established under the Convention; and includes any successor to the Organisation:

IFR means instrument flight rules:

ILS means instrument landing system:

IMC means instrument meteorological conditions:

LLZ means localiser:

MCTOW means maximum certificated take-off weight:

MLS means microwave landing system:

NDB means non-directional radio beacon:

PAR means precision approach radar:

PRA means precision radar approach

PSR means primary surveillance radar:

RDPS means radar data processing system:

RFDPS radar and flight data processing system:

SELCAL means selective calling system:

SSR means secondary surveillance radar:

UHF means ultra high frequency:

VFR means visual flight rules:

VHF means very high frequency:

VMC means visual meteorological conditions:

VOLMET means meteorological information for aircraft in flight:

VOR means VHF omnidirectional radio range:

ZFT means zero flight time.