



WELLINGTON NEW ZEALAND

PURSUANT to Section 28 of the Civil Aviation Act 1990

I, MAURICE WILLIAMSON, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *29* day of *March* 1999

by **MAURICE WILLIAMSON**

Minister of Transport

A handwritten signature in black ink, appearing to read 'Maurice Williamson', written over the printed name.

Civil Aviation Rules

Part 1 - Amendment 13

Definitions and Abbreviations

Docket 98/CAR/1303

Civil Aviation Rules

Part 1

Definitions and Abbreviations

**RULE OBJECTIVE, EXTENT OF CONSULTATION
AND COMMENCEMENT**

The objective of Part 1, amendment 13 is to bring into force the definitions and abbreviations that result from amendment 6 to Part 135 and consequential amendments to Parts 1, 12, 19, 61, 66, 93, 119, 121, and 125 of the Civil Aviation Rules. Consultation regarding the definitions and abbreviations was conducted as part of the consultation process for the amendment to Part 135.

Part 1, Amendment 13 comes into force 30 April 1999.

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Part 1 Amendments

1.1 *General definitions*

This rule is amended by adding the following definition after the definition of aircraft radio station:

“**Air operation** means an air transport operation or a commercial transport operation:”

This rule is amended by revoking the definition of air transport operation and inserting the following new definition:

“**Air transport operation** means an operation for the carriage of passengers or goods by air for hire or reward except—

- (1) a commercial transport operation; or
- (2) a sightseeing flight or joyride under VFR by day in—
 - (i) a hot air balloon in accordance with Part 91; or
 - (ii) a microlight aircraft in accordance with Part 103; or
 - (iii) a glider in accordance with Part 104; or
 - (iv) a hang glider or paraglider in accordance with Part 106;
or
- (3) a helicopter external load operation in accordance with Part 133;
or
- (4) an agricultural aircraft operation in accordance with Part 137; or
- (5) a parachute operation in accordance with Part 105:”

This rule is amended by adding the following definition after the definition of alerting service:

“**Alternate aerodrome** means an aerodrome to which an aircraft may proceed when it becomes either impossible or inadvisable to proceed to or land at the aerodrome of intended landing:”

This rule is amended by inserting the following definition after the definition of commercial agricultural aircraft operation:

“Commercial transport operation means an operation for the carriage of passengers or goods by air for hire or reward—

- (1) where—
 - (i) each passenger is performing, or undergoing training to perform, a task or duty on the operation; or
 - (ii) the passengers or goods are carried to or from a remote aerodrome—
- (2) except those operations in paragraph (1) that are—
 - (i) a sightseeing flight or joyride under VFR by day in—
 - a hot air balloon in accordance with Part 91; or
 - a microlight aircraft in accordance with Part 103; or
 - a glider in accordance with Part 104; or
 - a hang glider or paraglider in accordance with Part 106; or
 - (ii) a helicopter external load operation in accordance with Part 133; or
 - (iii) an agricultural operation in accordance with Part 137; or
 - (iv) a parachute operation in accordance with Part 105.”

This rule is amended by revoking the definition of cost sharing flight and inserting the following new definition:

“Cost sharing flight means any flight that is performed solely for the carriage of persons where—

- (1) the flight is not advertised to the public; and

- (2) the crew members receive no payment or other reward for their services; and
- (3) the persons carried by the aircraft, including the crew members, share equally in the cost of the flight; and
- (4) no payment or other reward is required of a person on the flight other than that specified in subparagraph (3)—

and, for the avoidance of doubt, a cost sharing flight is not an operation for hire or reward.”

This rule is amended by revoking the definition of crew member and inserting the following new definition:

“**Crew member** means a person carried by an aircraft who is—

- (1) employed, engaged, or contracted by the operator of the aircraft; or
- (2) carried for the sole purpose of undergoing or giving instruction in the control and navigation of the aircraft; 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 flight examiner.”

This rule is amended by inserting the following new definition after the definition of flight following flight plan:

“**Flight following service** means a service providing a flight watch over an aircraft, which initiates emergency action in the event of a missed report or non-arrival of the aircraft within a specific time-frame.”

This rule is amended by revoking the definition of flight plan and inserting the following new definition:

“**Flight plan** means specified information provided to an ATS unit or flight following service relative to an intended flight, or portion of a flight, of an aircraft.”

This rule is amended by inserting the following definition after the definition of hang glider organisation:

“Health and usage monitoring system means a system that acquires data from specialised sensors that measure various parameters related to the airworthy condition of the aircraft and its systems:”

This rule is amended by inserting the following definition after the definition of maintenance:

“Maintenance manual means an approved manual containing limitations within which the aircraft may be considered airworthy, and instructions and information necessary to ensure the aircraft is in an airworthy condition: ”

This rule is amended by revoking the definition of passenger and inserting the following new definition:

“Passenger in relation to an aircraft, means any person carried by the aircraft, other than a crew member:

This rule is amended by inserting the following definition after the definition of regular air transport service:

“Remote aerodrome means any structure or any area of land or water used for take-off or landing—

- (1) to which access by road or water is restricted, limited or obstructed by geographical conditions; and
- (2) that does not meet standards for aerodromes that are acceptable to the Director under Part 139:”

This rule is amended by inserting the following definition after the definition of traffic load:

“Translation circuit means a circuit in a helicopter that includes translation to forward flight:”

1.2 Abbreviations

This rule is amended by inserting the following abbreviations after the abbreviation AQP:

“**ARC** means aerodrome reference code:

ARFL means aeroplane reference field length.”

This rule is amended by inserting the following abbreviation after the abbreviation HF:

“**HUMS** means health and usage monitoring system”

This rule is amended by inserting the following abbreviation after the abbreviation NZTSO:

“**OGE** means out of ground effect.”

CONSULTATION DETAILS

(This statement does not form part of the rules contained in Part 1.
It provides details of the consultation undertaken in making the rules.)

The consultation details relating to the amendment 13 to Part 1 are contained with the associated amendment 6 to Part 135. The comments and all the background material used in developing the rules are held on the docket and are available for public scrutiny. Persons wishing to view the docket should call at Aviation House, 1 Market Grove, Lower Hutt and ask for docket 98/CAR/1303.