



**WELLINGTON NEW ZEALAND**

**PURSUANT** to Section 28 of the Civil Aviation Act 1990

**I, HARRY JAMES DUYNHOVEN**, Minister for Transport Safety,

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This *2nd* day of *August* 2005

by **HARRY JAMES DUYNHOVEN**

Minister for Transport Safety

**Civil Aviation Rules**

**Part 1, Amendment 29**

**Definitions and Abbreviations**

*Docket 4/CAR/10*

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**Rule objective**

The objective of Amendment 29 to Part 1 is to insert new definitions relating to baggage as a consequence of amendment 4 to Part 108 - Air Operator Security Programme regarding the screening of hold baggage.

**Extent of consultation**

A Notice of Proposed Rulemaking, NPRM 05-03, containing the proposed changes to Part 108 including the insertion of new definitions in Part 1 was issued for public consultation under Docket 4/CAR/10 on 21 December 2004.

The publication of this NPRM was notified in the *Gazette* on 23 December 2004 and advertised in the daily newspapers in the five main provincial centres on 24 December 2004. The NPRM was published on the CAA web site and mailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A minimum period of 56 days was allowed for comment on the proposed rule.

**New Zealand Transport Strategy**

The development of the NPRM and the proposed rule changes takes into account the objectives of the New Zealand Transport Strategy (NZTS) and the provisions of the Civil Aviation Amendment Act (No 2) 2004.

**Summary of submissions**

Seven written submissions were received on the NPRM. No submissions were received on the proposed amendments to Part 1.

The rule as proposed was then referred to Parliament's Regulations Review Committee before being signed by the Minister for Transport Safety.

**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 insertion of three new definitions.

**Effective date of rule**

Amendment 29 to Part 1 comes into force on 1 January 2006.

**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 1 Definitions and Abbreviations

### 1.1 General definitions

*The following new definition of carry on baggage is inserted after the definition of cargo:*

**Carry on baggage** means baggage and any other item that—

- (1) is carried on to an aircraft by a passenger or crew member with the agreement of the operator; and
- (2) remains in the custody of the passenger or crew member:

*The following new definition of transfer baggage is inserted after the definition of traffic load:*

**Transfer baggage** means baggage that is transferred directly from one aircraft to another aircraft:

*The following new definition of transit baggage is inserted after the definition of traffic load and after the new definition of transfer baggage:*

**Transit baggage** means baggage that—

- (1) is on board an aircraft that arrives at an aerodrome; and
- (2) is still on board that aircraft when that aircraft leaves the aerodrome:

## 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.)

### **Comments arising from the NPRM**

Amendment 29 to Part 1 is consequential to amendment 4 to Part 108. The rule amendment was developed under docket 4/CAR/10 and published as NPRM 05-03. Seven written submissions were received on the NPRM and none commented on the proposed amendments to Part 1.

The full consultation details relating to docket 4/CAR/10 and this amendment to Part 1 are contained in the consultation details associated with the amendment 4 to Part 108.

The comments and all background material used in developing the rules are held on the docket and are available for public inspection. Persons wishing to view the docket should call at Aviation House, 10 Hutt Road, Petone and ask for docket 4/CAR/10.