



PURSUANT to Section 30 of the Civil Aviation Act 1990, and having had regard to the matters specified in section 33 of the Act,

I, GERRY BROWNLEE, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *31st* day of *January* 2014

by **GERRY BROWNLEE**

Minister of Transport

A large, handwritten signature in black ink, which appears to read 'Gerry Brownlee', is written over the printed name and extends upwards into the date line.

Civil Aviation Rules

Part 1, Amendment 47

Definitions and Abbreviations

Docket 13/CAR/1

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Rule objective

The objective of amendment 47 to Part 1 is to align existing definitions with the definitions currently published by the International Civil Aviation Organization (ICAO), and to extend the definition of ‘air operation’ to include an adventure aviation operation.

Amendment 47 to Part 1 is constituent to NPRM 13-02 which contains amendments to the following Parts:

Part 1	Part 106
Part 19	Part 108
Part 43	Part 121
Part 65	Part 141
Part 66	Part 145
Part 77	Part 146
Part 91	Part 172
Part 93	Part 175
Part 101	

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 13-02, containing the proposed changes to Part 1 and changes to other rules was issued for public consultation under Docket 13/CAR/1 on 30 May 2013.

The publication of this NPRM was notified in the Gazette, and published on the CAA web site, on 30 May 2013.

A period of 30 days was allowed for comments on the proposed rule.

Summary of submissions

A total of 4 written submissions were received on NPRM 13-02 (2 submissions related to Part 1, one related to Part 66, and one related to Part 103).

A detailed summary of the submission and the resulting CAA comments are provided in the “Consultation Details” section of this document.

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.

Description of Amendments

The amendments to this Part are reflected by the revocation and replacement of existing definitions.

Effective date of rule

Amendment 47 to Part 1 comes into force on 01 April 2014.

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 definition of **air operation** is revoked and replaced by the following definition:*

Air operation means an air transport operation, a commercial transport operation, or an adventure aviation operation:

*The definition of **category II precision approach procedure** is revoked and replaced by the following definition:*

Category II precision approach procedure means a precision instrument approach and landing with a decision height lower than 200 feet, but not lower than 100 feet, and a runway visual range from not less than 300 m:

*The definition of **category III precision approach procedure** is revoked and replaced by the following definition:*

Category III precision approach procedure means one of the following precision instrument approaches and landings:

- (1) **Category IIIA:** A precision instrument approach and landing with—
 - (i) a decision height lower than 100 feet or no decision height; and
 - (ii) a runway visual range not less than 175 m:
- (2) **Category IIIB:** A precision instrument approach and landing with—
 - (i) a decision height lower than 50 feet or no decision height; and
 - (ii) a runway visual range less than 175 m but not less than 50 m:

- (3) **Category IIIC:** A precision instrument approach and landing with no decision height and no runway visual range limitations:

*The definition of **International standard atmosphere** is revoked and inserted after the definition of **International NOTAM office**:*

International standard atmosphere means the atmospheric standard as described in ICAO Document 7488 – Manual of the ICAO Standard Atmosphere:

*The definition of **Light sport aircraft** is revoked and replaced by the following definition:*

Light Sport Aircraft means an aircraft, other than a helicopter, having:

- (1) a maximum take-off weight of—
 - (i) 600 kg or less;
 - (ii) 650 kg for an operation on water;
- (2) a maximum gross weight of 600 kg or less for a lighter-than-air-aircraft;
- (3) if powered, a single, non-turbine engine driving a propeller;
- (4) a maximum stall speed of 45 knots;
- (5) if a glider, a maximum never exceed speed of 135 knots;
- (6) if applicable, an unpressurised cabin;
- (7) a maximum seating capacity of 2 seats including the pilot seat;

*The definition of **Reporting point** is revoked and replaced by the following definition:*

Reporting point means a specified (named) geographical location in relation to which the position of an aircraft can be reported:

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.)

A Notice of Proposed Rulemaking, NPRM 13-02 Omnibus 2013, containing the proposed rule amendments for Part 1, and other proposed rule amendments in various Parts, was issued for public consultation under Docket 13/CAR/1 on 30 May 2013.

A period of 30 days was allowed for comment on the proposed rule. A total of 4 responses to the NPRM were received; 1 related to Part 1.

The purpose of NPRM 13-02 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 that have expired.

Details of Public Submissions and CAA Response

Rule 1.1 General definitions

The submitter stated:

Reference is made to aligning the (CAR) Part 1 definition with the corresponding definition in Annex 6, which is fine.

However, on the next page, reference is made to Category III precision approach procedure, and aligning the RVR ranges for Category IIIA and IIIB with Annex 6. Here is the relevant extract;

Category III precision approach procedure

Similarly, a submission was made to update the following runway visual ranges to align with the corresponding definition found in ICAO Annex 6:

(a) Category IIIA – Amend runway visual range from “not less than 200 m” to “not less than 175 m”.

(b) Category IIIB – Amend runway visual range from “not less than 200 m” to “not less than 175 m”.

The CAA agreed to amend the definitions.

But note that figures for Cat IIIA and IIIB are identical. From my RVR work, and from Annex 6, I believe the range for Cat IIIB is in fact "less than 175 m but not less than 50m" (see extract from Annex 6 below, and item b) in particular);

"Category IIIB (CAT IIIB) operation. A precision instrument approach and landing with:

- a) a decision height lower than 15 m (50 ft), or no decision height; and
- b) a runway visual range less than 175 m but not less than 50 m."

CAA Response

The CAA noted the typographical error and amended the runway visual range for Category IIIB from “less than 200 m but not less than 175 m” to “less than 175 m but not less than 50 m” to align with ICAO Annex 6 Chapter 1 Definitions.