

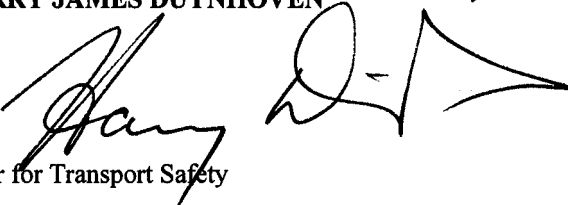


PURSUANT to Section 28 of the Civil Aviation Act 1990

**I, HARRY JAMES DUYNHOVEN**, Minister for Transport Safety,  
**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This *16<sup>th</sup>* day of *May* 2006  
by **HARRY JAMES DUYNHOVEN**

  
Minister for Transport Safety

**Civil Aviation Rules**

**Part 65, Amendment 2**

**Air Traffic Service Personnel Licences and Ratings**

*Docket 3/CAR/4*

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**Rule objective**

The objective of Amendment 2 to Part 65 is to make editorial and minor technical changes as part of a general rule fix up project.

**Extent of consultation**

A Notice of Proposed Rulemaking, NPRM 05-07, containing the proposed changes to Part 65 was issued for public consultation under Docket 3/CAR/4 on 23 June 2005.

The publication of this NPRM was notified in the *Gazette* on 23 June 2005 and advertised in the daily newspapers in the five main provincial centres on 25 June 2005. 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 period of 37 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**

Nine written submissions were received on the NPRM. No submissions were received on the proposed amendments to Part 65.

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 revocation of the existing rule and the substitution of the new rule.

**Effective date of rule**

Amendment 2 to Part 65 comes into force on 22 June 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 65 Air Traffic Service Personnel Licences and Ratings

### Subpart A — General

*Rule 65.5 is revoked and the following new rule is substituted:*

#### **65.5 Requirement for licence and ratings**

(a) A person who provides an air traffic service within the airspace specified in rule 172.1 may only provide that service within an organisation operating under the authority of an air traffic service certificate issued under Part 172 and must hold—

- (1) an appropriate current air traffic service licence issued under this Part; and
- (2) an appropriate current rating issued and validated under this Part.

(b) A person who exercises the privileges of an air traffic service instructor listed in rule 65.405, must hold a current air traffic service instructor rating issued under this Part.

(c) A person who exercises the privileges of an air traffic service examiner listed in rule 65.455, must hold a current air traffic service examiner rating issued under this Part.

## **Consultation Details**

(This statement does not form part of the rules contained in Part 65. It provides details of the consultation undertaken in making the rules.)

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

The rule amendment was developed under docket 3/CAR/4 and published as NPRM 05-07. The consultation details relating to docket 3/CAR/4 are detailed in each affected rule.

Nine written submissions were received on the NPRM and none commented on the proposed amendments to Part 65.

The comments and all background material used in developing this rule are held on the docket. The docket is available for public inspection at Aviation House, 10 Hutt Road. Persons wishing to view the docket should contact the Docket Clerk on Phone 64-4-560-9603 and ask for docket 3/CAR/4.