



**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

A handwritten signature in black ink, appearing to read 'Harry James Duynhoven', written over a circular stamp or seal.

**Civil Aviation Rules**

**Part 139, Amendment 4**

**Aerodromes – Certification, Operation and Use**

*Docket 3/CAR/4*

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**Rule objective**

The objective of Amendment 4 to Part 139 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 139 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 139.

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 4 to Part 139 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 139 – Aerodromes – Certification, Operation and Use**

### **Subpart B – Certification Requirements**

*Rule 139.77 is revoked and the following new rule is substituted:*

#### **139.77 Aerodrome certification exposition**

(a) An applicant for the grant of an aerodrome operating certificate must provide the Director with an exposition which must contain—

- (1) a statement signed by the Chief Executive, on behalf of the applicant's organisation, confirming that the exposition and any included manuals—
  - (i) define the organisation and demonstrate its means and methods for ensuring ongoing compliance with this Part; and
  - (ii) is to be complied with at all times; and
- (2) the titles and names of the senior person or persons required by rule 139.55(a)(1) and (2); and
- (3) the duties and responsibilities of the senior person or persons specified in paragraph (a)(2) including matters for which they have responsibility to deal directly with the Director or the Authority on behalf of the organisation; and
- (4) an organisation chart showing lines of responsibility of the senior person or persons specified in paragraph (a)(2); and
- (5) any limitations established under rule 139.53; and
- (6) each current exemption granted to the applicant from the requirements of Subparts A, B, C, or D; and
- (7) the aerodrome emergency plan required by rule 139.57; and
- (8) a statement of the rescue and firefighting category determined under rule 139.59 with a description of the

- extinguishing agents and vehicles required by rules 139.61 and 139.63, the procedure and personnel required by rule 139.65 and the procedures required by rule 139.111(d)(1) and (2); and
- (9) a description of the safeguards for public protection required by rule 139.69; and
  - (10) the environmental management programme when required by rule 139.71; and
  - (11) the procedures required by rule 139.73 for the notification of aerodrome data and information; and
  - (12) the internal quality assurance procedures required by rule 139.75; and
  - (13) the aerodrome maintenance programme required by rule 139.103(a); and
  - (14) the procedures required by rule 139.105 for the preventive maintenance and checking of the aerodrome visual aids for navigation; and
  - (15) the procedures and precautions required by rule 139.107 for any works on the aerodrome; and
  - (16) the procedures required by rule 139.109 for the maintenance of the aerodrome emergency plan; and
  - (17) the aerodrome inspection programme, procedures and reporting system required by rule 130.117; and
  - (18) the procedures required by rule 139.119 for the control of ground vehicles; and
  - (19) the procedures required by rule 139.125 for limiting aircraft operations if an unsafe aerodrome condition occurs; and
  - (20) a description of measures taken to comply with the security requirements in Subpart D, including the programme and procedures required by rule 139.203(d)(8) and (9); and

- (21) the procedures to control, amend and distribute the exposition.
- (b) The applicant's exposition must be acceptable to the Director.

## **Subpart F – UNICOM and AWIB Services**

*Rule 139.357 is revoked and the following new rule is substituted:*

### **139.357 Notification of UNICOM or AWIB service information**

A person intending to provide a UNICOM or AWIB service must, at least 90 days before commencing services, provide the following information to the NZ AIS for publication in the AIPNZ:

- (1) location, call sign, and radio frequency:
- (2) identification of the aerodromes that the service is intended to serve:
- (3) operational hours:
- (4) services provided:
- (5) any other relevant operational information:
- (6) administrative details including—
  - (i) the name of the service provider, including postal address and, where available, email, telephone, and facsimile numbers; and
  - (ii) the name, telephone number, postal address and, where available, email, and facsimile numbers, of a responsible person who updates the published information and request NOTAM action as may be required.

## **Consultation Details**

(This statement does not form part of the rules contained in Part 139. 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 139.

The comments and all background material used in developing these rules 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.