



PURSUANT to Sections 28 and 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 *3rd* day of *February* 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 downwards into the title area.

Civil Aviation Rules

Part 172, Amendment 9

Air Traffic Service Organisations — Certification

Docket 13/CAR/1

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Rule objective

The objective of amendment 9 to Part 172 is to amend the definition of “Traffic avoidance advice” to reflect the definition in ICAO Annex 2, and to revoke rule 172.17 as the provision is redundant.

Amendment 9 to Part 172 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 172 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 was 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). No changes were made to Part 172 as a result of consultation.

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 the definition of **Traffic avoidance advice** in rule 172.3, and the revocation of rule 172.17 .

Effective date of rule

Amendment 9 to Part 172 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 172 Air Traffic Service Organisations – Certification

Rule 172.3 is amended by revoking the definition of traffic avoidance advice and replacing with the following definition:

172.3 Definitions

Traffic avoidance advice means advice provided by an ATS unit specifying manoeuvres to assist a pilot to avoid a collision:

Rule 172.17 is revoked and the rule number is reserved.

172.17 Reserved

Consultation Details

(This statement does not form part of the rules contained in Part 172. 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 172, 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; none related to Part 172.

The purpose of NPRM 13-02 was to make minor editorial and minor technical amendments to various Parts of the Civil Aviation Rules. The proposed amendments included the correction of spelling and grammatical errors, the updating of various rules in accordance with current International Civil Aviation Organization standards, definitions and abbreviations, and the revocation of specific transitional arrangements that have expired.