



# **Summaries of Changes to Rules under the Civil Aviation Act 2023**

## Summary of changes

This document provides a summary of the changes that were made to the rules. There are two main types of changes— **standard** and **non-standard**.

### Standard changes made to all Civil Aviation Rules

Across the entire rule-set similar changes have been made to realign the rules. We call these ‘standard changes’. The below list explains what these changes are and provides some examples.

#### *Changing ‘revoked’ to reserved’*

Rules which were labelled as ‘revoked’ were either removed entirely where it did not impact on the numbering of the rules, or changed to ‘reserved’ to preserve numbering.

For example:

- Subpart A — General 17
  - 91.1 Purpose ..... 17
  - 91.3 ~~Revoked~~ Reserved ..... 20
  - 91.5 Compliance with crew instructions and commands ..... 20
- (d) A pilot-in-command of an aircraft must not operate Mode S transponder equipment unless the aircraft is transmitting a unique Mode S code assigned by the State of registry.
- (e) ~~Revoked~~ Reserved
- (f) A pilot-in-command of an aircraft operating in transponder mandatory controlled airspace must immediately advise the ATC unit having jurisdiction over the relevant airspace of any failure or partial failure of the transponder equipment.

#### *Act references updated to 2023 Act*

Rules are updated to refer to the appropriate part of the 2023 Act instead of the 1990 Act. Please refer to the [1990-2023 Civil Aviation Act comparison guide](#) to view equivalent 1990 and 2023 Act sections.

#### *Modernising language – use of ‘shall’ and gendered terms*

Language is updated and modernised to improve ease of use, particularly for people who are not legally trained.

For example, the outdated term ‘forthwith’ is replaced with ‘as soon as possible’. This may require changes to word order to make the result sound natural:

- The holder of an air operator certificate that expires or is revoked ~~must~~ ~~shall~~ ~~forthwith~~ surrender the certificate to the Director **as soon as possible**.

The word ‘shall’ is replaced by one of ‘must’, ‘may’, ‘is’, ‘will’, ‘does’, ‘do’, or ‘are’ so the intent is clear, definite, and commonly understood.

- The word “must” is used where the word “shall” indicates a mandatory requirement (which will frequently be linked to an offence provision).

- The word “may” is used where the word “shall” relates to a discretion or an authorisation.
- The word “is”, is used where the words “shall be” relate to the creation of liability or an entitlement.
- The word “will” is used where the word “shall” relates to a direction.
- The word “does” or “do” is used where the word “shall” relates to an application.
- The word “is” or “are” is used where the words “shall be” relates to a deeming provision.

Gendered language such as “his or hers”/ “he or she” is replaced with ‘them’, ‘they’ or ‘theirs’. The exact change depends on sentence tense. Subsequent edits to the rule may be required e.g. ‘is’ to ‘are’. For example:

- A person must not act as a flight crew member on an adventure aviation operation if the person knows or suspects that ~~he or she is~~ they are suffering from, or, having regard to the circumstances of the flight to be undertaken, ~~is~~ are likely to suffer from...

### ***Definitions refer to Act or moved to Part 1***

Definitions are referenced back to the 2023 Act. Some definitions have been moved to Part 1 as they are applicable across more than one rule part.

For example, the definition of ‘accident’ now reads:

- **Accident** has the meaning given to it in section 6 of the Act

### ***Acronyms are defined in the rules***

To improve ease of use, acronyms are defined in the rules. These are either added to Part 1 (where a word is used in more than one rule part) or to the rule part to ensure the reader understands the term. There are some instances where what was originally an acronym has become a term in its own right, e.g. when an organisation has stated that the acronym is now its preferred name (like the RTCA). This may also apply to some acronyms originating in other languages. In these cases, the acronyms are not defined.

### ***Numbered CAA forms replaced with generic term***

References to specific CAA forms are replaced with ‘the approved CAA form’ to future proof the rules against changes to forms and as CAA transitions to a new platform (EMPIC/My Aviation) which will not use form numbers. Release certificates are not changed as they are not considered a numbered CAA form.

### ***Removal of expired transitional rules***

Expired transitional rules have been removed. In some instances this has required slight rewording of a sentence.

## **Non-standard changes or exceptions**

Non-Standard changes or exceptions to the above list are those which are applicable only to one or a handful of rules. Other changes to the rules are to align them with 2023 Act provisions, such as changes to aviation security, terminology, and technology.

These types of changes are set out in the rule change summaries below. The changes are shown as highlighted text and an explanation for the change is provided.

### ***Rule numbering***

While the current rule numbering is retained in both rule parts and sub-parts, there are some exceptions to this - where expired transitional rules have been removed, a rule has been redrafted for ease of reading, and where rules which were previously in Part 19 have been relocated.

## **Other rule changes not included**

Due to the timing requirements of other aspects of the implementation of the Act or other Rule consultations, some edits were required prior to the rules being sent to the Minister. Any changes to the policy from the rules shared here will have been consulted on separately. These include:

- [Rules made for drug and alcohol management](#)
- Any rules made as a result of the [Assorted Issues consultation](#).

There were also some minor changes that were made post engagement that are not reflected in summaries of rule change below.

## Part 1 Definitions and Abbreviations: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### 1.1 General Definitions

To ensure consistency across the rule set, terms that appear more than once (whether within a single rule part or across multiple), have been defined in full in Part 1. As a result, the following definitions have been moved from other Parts into Part 1:

**GPNS database** means an electronic memory containing information on airports, navigation aids reporting points, Standard Instrument Departures, Standard Instrument Arrivals, instrument approaches, special use airspace and other items of value to the pilot:

**RAIM** means a function whereby the airborne ~~GPS~~ GNSS receiver/processor detects a position error that exceeds the ~~GPS~~ GNSS position integrity performance requirements of the TSO for that phase of flight. It gives a visual and/or aural warning when appropriate:

**RAIM Warning (RAIM not available message)** means a warning that the integrity of the navigation position solution from ~~GPS~~ GNSS satellites may be unreliable:

For the purposes of clarity, the words “ATC unit” have been added to the definition of “Air traffic control unit”:

**Air traffic control unit and ATC unit** means a unit for providing any air traffic control service, and includes either an area control centre, an approach control office, or an aerodrome control tower:

To align with language changes in the 2023 Act, the definition of screening has been changed to searching:

~~Screening~~ **Searching** means the application of technical or any other means to detect a weapon, explosive, or other dangerous device, article or substance, that may be used to commit an act of unlawful interference:

A number of Part 1 definitions are now defined in the interpretation provisions of the 2023 Act. To account for this, the following definitions have been added or changed, with a line added to show what section of the legislation they can be found in:

Accident  
Accredited medical conclusion  
Aerodrome  
Aerodrome control service  
Aerodrome flight information service  
Aerodrome traffic  
Aerodrome traffic circuit  
Aeronautical product  
Airside security area  
Air traffic  
Air traffic control service|  
Air traffic service  
Alerting service  
Approach control service  
Area control service  
Aviation Security Service

AvSec  
 Controlled flight  
 Convention  
 Dangerous goods  
 Director  
 Flight information service  
 Incident  
 Manoeuvring area  
 Minister  
 New Zealand AOC with ANZA privileges  
 New Zealand registered aircraft  
 New Zealand Register of Aircraft  
 Operate  
 Passenger  
 Pilot-in-command  
 Security area  
 Security designated aerodrome  
 Security designated navigation installation  
 Security enhanced area  
 Tier 1 security designated aerodrome

To ensure compliance remains current, the definition of ‘ZFT simulator’ has been updated to reflect international standards:

**ZFT simulator** means a synthetic flight trainer which—

- (1) meets the standard of Type VII as described in ICAO doc 9625, 4<sup>th</sup> edition 2015, volume 1, ISBN 978-92-9249-761-3 level 5 as described in New Zealand Civil Aviation Publication CAP 37 dated 1 March 1986; or
- (2) meets the standard of Level D as described in European Aviation Safety Agency Certification Specification CS-FSTD(A) Issue 2 of 3 May 2018; or
- (3) meets the standard of level D/phase III as described in Title 14 Part 60 of the Code of United States Federal Regulations Appendix H (dated 30 July 1980) to Part 121 of the United States Federal Aviation Regulations; or
- (4) meets an equivalent standard acceptable to the Director.

### 1.3 Abbreviations

To ensure consistency across the rule set, abbreviations that appear more than once (whether within a single rule part or across multiple), have been written in full in Part 1. As a result, the following abbreviations have been added:

AFCS means automatic flight control system  
 ARINC means Aeronautical Radio Incorporated  
 CVR means cockpit voice recorder  
 DFDAU means digital flight data acquisition unit  
 DFDR means digital flight data recorder  
 EFIS means electronic flight instrument system  
 EGT means exhaust gas temperature  
 EPR means engine pressure ratio  
 FDAU means flight data acquisition unit  
 GPS GNSS means global navigation satellite system  
 HUD means head up display  
 IATA means the International Air Transport Association

## Part 12 – Accidents, Incidents, and Statistics: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### 12.1 Purpose

To clarify the types of operations this rule part does not apply to, rules 12.1(b) and (c) have been rewritten:

(b) **Subject to paragraph (c) †** this Part does not apply to: ~~an incident that is associated with any of the following operations that are not conducted under the authority of an adventure aviation operator certificate issued by the Director under the Act and Part 115:~~

- (1) **an incident or accident that is associated with a** gyrogliders, ~~and~~ parasails, unmanned aircraft, kites, ~~or~~ **and** rockets operated under Parts 101 and 102.
- (2) **an incident that is associated with a** microlight aircraft operated under Part 103:
- (3) **an incident that is associated with a** gliders operated under Part 104:
- (4) **an incident that is associated with a** parachutes operated under Part 105:
- (5) **an incident that is associated with a** hang gliders operated under Part 106.

(c) **This Part does apply if the operation mentioned in paragraph (b) is conducted under the authority of an adventure aviation operator certificate issued by the Director under the Act and Part 115.**

### 12.51 Initial notification of accident

To improve sentence clarity and readability, rule 12.51(a) has been reworded and a new 12.51(b) added:

(a) **In accordance with section 49 of the Act the** ~~Each~~ pilot-in-command of an aircraft that is involved in an accident **must** ~~or, if that person is fatally or seriously injured, or if the aircraft is missing, the operator, shall~~ notify the Authority of the accident as soon as practicable.

(b) **If the pilot-in-command cannot notify the Authority because they are injured or dead, or because the aircraft is missing, the operator must notify the Authority.**

...

### 12.53 Full notification of accident details

To improve sentence clarity and readability, rule 12.53(a) has been reworded:

(a) **In addition to the initial notification requirements in rule 12.51, †** the pilot-in-command of an aircraft that is involved in an accident or, if that person is fatally or seriously injured, the operator, **must** ~~shall~~ provide the ~~occurrence~~ details **required** ~~requested on~~ **by the approved CAA** form CA005 to the Authority within 10 days of the accident—

- (5) on the approved CAA form; or
- (6) by a means acceptable to the Authority.

### **12.55 Notification of incident**

To improve sentence clarity and readability, rule 12.55(a) has been reworded:

- (a) If the A holder of a certificate issued by the Director under the Act and the following Parts is involved in an incident that is a serious incident or an immediate hazard to the safety of an aircraft operation, they must notify the incident to the Authority as soon as practicable of any associated incident if the certificate holder is involved in the incident and the incident is a serious incident or is an immediate hazard to the safety of an aircraft operation:

### **12.57 Details of incident**

To improve sentence clarity and readability, rule 12.57(a) has been reworded:

- (a) In addition to Notwithstanding the initial incident notification requirements in notification of a serious incident or an immediate hazard to the safety of an aircraft operation under rule 12.55, the following persons who were involved in the incident must provide the Authority with the applicable details required of the incident in accordance with information requested by on the applicable forms specified in paragraph (b)(1) or (b)(2):

### **12.61 Confidentiality of person submitting information**

To avoid inconsistencies with the Act, rule 12.61 has been removed. New section 465 of the Act provides for consideration of confidentiality in alignment with the Privacy Act 2020 and Official Information Act 1982.

### **12.63 Non-prosecution**

To avoid inconsistencies with the Act, rule 12.63 has been removed. The protections provided in 12.63 have been elevated to the primary legislation (sections 339 – 341 of the Act).

### **12.153 Confidentiality of statistical reports**

To avoid inconsistencies with the Act, rule 12.153 has been removed. New section 465 of the Act provides for consideration of confidentiality in alignment with the Privacy Act 2020 and Official Information Act 1982.



## Part 19 Transition Rules: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

Part 19 – Transition Rules has been identified as no longer being fit for purpose as it contains rules that are not transitional but have instead become permanent parts of the Civil Aviation Rules. Many of these rules have been transferred to rule parts to which their content better applies. This will ensure these rules are not overlooked by participants and are easily recognisable as standards which apply to them. Please refer to the relevant Rule Part Summary for rules which have been relocated.

Part 19 also contains rules that may unnecessarily duplicate requirements from other Rules or the new Civil Aviation Act 2023.

### Part 19 Transition Rules

As Part 19 no longer contains transition rules, the name of the part is changing to “Miscellaneous”. This will provide clarity that these rules are enduring and are not only transitional ones.

Part 19 – ~~Transition~~ **Miscellaneous** Rules

#### ***19.7 Reserved (formerly Intoxicating liquor and drugs)***

Rule 19.7 has become the new rule 91.118.

#### ***19.9 Reserved (formerly Control of access)***

This rule has been removed as its content has been overtaken by provisions in the 2023 Act: Part 9, s 284(1) and/or s 302(1).

#### ***19.15 Operation within New Zealand of foreign aircraft***

Rule 19.15 has become the new rule 91.757.

#### ***Subpart D – Reserved (Formerly IFR Operations: GNSS)***

Subpart D is being removed or relocated as the applicability of these rules is captured under PBN Notices and Part 91.

#### ***19.201 Applicability (Subpart D)***

This rule has been removed as the applicability of the retained rules is captured under relevant PBN Notices and Part 91.

#### ***19.203 Glossary***

To ensure consistency across the rule set, acronyms that appear more than once (whether within a single rule part or across multiple), have been defined in full in Part 1. The relevant acronyms from rule 19.203 have therefore been moved to rule 1.3.

#### ***19.213 GPS derived distance information***

Rule 19.213 has become the new rule 91.414.

### **19.215 Minimum flight altitudes**

This rule has been removed as it duplicates requirements already in place for IFR flights in Part 91.

### **19.217 Flight on unevaluated routes**

Rule 19.217 has become the new rule 91.426.

### **19.219 Flight plans**

This rule has been removed as it duplicates requirements already in place in Part 91.

### **19.329 Changes to certificate holder's exposition**

To improve sentence clarity and readability, rule 19.329(d) has been reworded:

(d) Where the A certificate holder proposes to make a change to any of the following, the certificate holder must obtain prior notification the approval to, and acceptance by, of the Director before changing any of the following: ...

- (1) the Chief Executive;
- (2) the listed senior persons: or
- (3) the locations at which work is carried out.

### **19.333 Safety audit and inspection**

This rule has been removed as its content has been overtaken by section 291 in the 2023 Act.

### **19.355 Prohibitions**

Rule 19.355 has become the new rule 139.207 (and been renamed 'Prohibited actions affecting security').

### **19.357 Airport identity cards**

Rule 19.357 has become the new rule 139.209.

### **19.403 Air traffic controller's duty time limitation**

Rule 19.403 has become the new rule 172.55.

### **19.409 Glider personnel**

### **19.411 Hang glider and paraglider personnel**

### **19.413 Microlight personnel**

Rules 19.409, 19.411, 19.413 have been added to a new Table in rule 149.59 ('Personnel certification') which sets out the eligibility and currency requirements for personnel certification issued by aviation recreation organisations.

## Part 21 Certification of Products and Parts: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **21.99 Eligibility**

To improve sentence clarity and readability, rule 21.99 has been reworded:

~~The~~ **An application for a change to type certificate must be made by the certificate holder.** ~~applicant~~  
~~for a change to a type certificate shall be the certificate holder.~~

## **Part 26 Additional Airworthiness Requirements: Summary of Changes**

Only standard changes as described in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document apply to this Part.

## **Part 39 Airworthiness Directives: Summary of Changes**

Only standard changes as described in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document apply to this Part.

## Part 43 General Maintenance Rules: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### ***43.51 Persons to perform maintenance***

For the purpose of clarity and consistency, Part 115 is added to 43.51(b) and 43.51(c)(2) as this Rule Part is referred to in Appendix A.1.

(b) Subject to paragraph (c), a person who does not meet the requirements of paragraph (a) but holds any of the following licences may perform the maintenance specified in Appendix A.1 on an aircraft that is used to perform air operations under the authority of an air operator certificate issued in accordance with Part 115 or 119, or may perform the maintenance specified in Appendices A.1 and A.2 on an aircraft that is not used to perform air operations:

...

(c) The person referred to in paragraph (b) must—

...

- (2) for an aircraft that is required by this Part or Parts 115, 121, 125, or 135, to be maintained under the authority of a maintenance organisation certificate issued in accordance with Part 145, be appropriately trained and hold an appropriate authorisation, issued by the holder of the maintenance organisation certificate, to perform the maintenance on the aircraft type.

## **Part 47 Aircraft Registration and Marking: Summary of Changes**

Only standard changes as described in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document apply to this Part.

## Part 61 Pilot Licences and Ratings: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **61.29 Pilot logbooks – general requirements**

To allow for modern technology, provisions for electronic logbooks have been added to rule 61.29(c) and a new rule 61.29(h) added:

(c) Unless the pilot maintains an electronic logbook using software approved under paragraph (h) below, the logbook required in paragraph (a) must – ...

(h) The Director may approve the use of software for an electronic logbook rather than a bound book provided they are satisfied that the software and user instructions contained within it provide assurance equivalent to paragraphs (c) to (g) above as to:

- (1) the format of entries
- (2) how entries are certified
- (3) how records are retained
- (4) how computer-generated flights records are entered
- (5) how entries may be altered
- (6) how a logbook is submitted to the Director, and
- (7) when records are entered.

### **61.35D Changes in medical condition of private pilot licence holder**

To align with the 2023 Act, 61.35D has been removed. The DL9 is considered a medical certificate under Schedule 2 Medical Certificates of the 2023 Act, however rule 61.35D provides a lower standard than should be applied for a medical certificate. To remove this inconsistency, we have deleted 61.35D.



## Part 63 Flight Engineer Licences and Ratings: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **63.19 Flight engineer logbooks – general**

To allow for modern technology, provisions for electronic logbooks have been added to rule 63.19(a) and a new rule 63.19(f) added:

(a) Each holder of a cadet flight engineer licence or flight engineer licence ~~must~~ ~~shall~~, unless they maintain an electronic logbook using software approved under paragraph (f) below, maintain a record in ink of their flight time in a logbook acceptable to the Director. Flight time entered in a logbook that has been lost or destroyed ~~may~~ ~~shall~~ only be recognised by the Director if it can be substantiated by means acceptable to the Director.

...

(f) The Director may approve the use of software for an electronic logbook rather than a paper logbook provided the Director is satisfied that the software and user instructions contained within it provide assurance as to:

- (1) the format of entries
- (2) how entries are certified
- (3) how records are retained
- (4) how a logbook is submitted to the Director, and
- (5) when records are entered

### **63.29 Offences involving alcohol or drugs**

Rule 63.29 has been removed as the provisions in sections 77(1), 75 and 80 of the 2023 Act (relating to the 'fit and proper person test') cover what is outlined in this rule.

## **Part 65 Air Traffic Service Personnel Licences and Ratings: Summary of Changes**

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

## **Part 66 Aircraft Maintenance Personnel Licensing: Summary of Changes**

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### ***66.14 Re-examination of licences***

To improve sentence clarity and readability, rule 66.14(b) has been reworded:

- (b) Before **requiring the holder to undergo any examination** ~~taking action~~ under paragraph (a), the Director must inform the holder in writing of the grounds for the re-examination.

### ***66.17 Offences involving alcohol or drugs***

Rule 66.17 has been removed as the provisions in sections 77(1), 75 and 80 of the 2023 Act (relating to the 'fit and proper person test') cover what is outlined in this rule.

## Part 67 Medical Standards and Certification: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **67.55 Applications for medical certificates**

To improve sentence clarity and readability, rule 67.55(4) has been reworded:

An applicant for a medical certificate must—

- ...
- (4) disclose or authorise the disclosure to the Director and the medical examiner (or authorise the disclosure to them of) of any information relating to the applicant's medical condition or history, including information concerning any conviction for an offence involving the possession or use of drugs or alcohol that the Director may reasonably require under schedule 2, clause 3(2) section 27D(2) of the Act to determine whether the applicant satisfies the standards for a medical certificate.

### **67.61(f) Effective date and duration of medical certificates**

To ensure clarity of requirements and consistency with calculating expiry dates, rule 67.61(f) has been added:

- (f) Where paragraph (c) applies and the Director intends to issue a certificate or certificates with differing periods of duration, all of those periods may have the same starting date (namely the expiry date of the current medical certificate referred to in paragraph (c)).

### **67.103 Class 1 medical certificate – Respiratory system**

To recognise emerging preventative treatments and to 'future proof' this rule, 67.103(e)(2) has been rewritten:

- (2) without limiting paragraph (c)(1), have no history or diagnosis of asthma, to an extent that is of aeromedical significance, unless adequate control is obtained with preventative treatment that does not interfere with the safe exercise of the privileges or safe performance of the duties to which a class 1 medical certificate relates, the use of prophylactic inhaled corticosteroid therapy alone.

### **67.105 Class 2 medical certificate – Respiratory system**

To recognise emerging preventative treatments and to 'future proof' this rule, 67.105(e)(2) has been rewritten:

- (2) without limiting paragraph (e)(1), have no history or diagnosis of asthma, to an extent that is of aeromedical significance, unless adequate control is obtained with preventative treatment that does not interfere with the safe exercise of the privileges or safe performance of the duties to which a class 2 medical certificate relates, adequate and reliable control is obtained.

### **67.107 Class 3 medical certificate – Respiratory system**

To recognise emerging preventative treatments and to 'future proof' this rule, 67.107(e)(2) has been rewritten:

(2) without limiting paragraph (e)(1), have no history or diagnosis of asthma, to an extent that is of aeromedical significance, unless adequate control is obtained with preventative treatment that does not interfere with the safe exercise of the privileges or safe performance of the duties to which a class 3 medical certificate relates. ~~adequate control is obtained with the use of prophylactic inhaled corticosteroid therapy alone.~~

### **67.203 Continued compliance**

To account for changes in technology, rule 67.203(a)(7) has been amended to allow a medical examiner the ability to access a digital version of the medical manual:

- (a) A person who holds a medical examiner certificate must—
  - ...
  - (7) hold an up-to-date copy of the medical manual or be able to access the manual online; and
  - ...

To account for changes in technology, rule 67.203(a)(9) has removed references to facsimile number.

- (a) A person who holds a medical examiner certificate must—
  - ...
  - (1) notify the Director of any change of address for service or telephone number, ~~or facsimile number~~ within 28 days of the change.

## **Part 71 Designation and Classification of Airspace: Summary of Changes**

Only standard changes as described in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document apply to this Part.

## Part 77 Objects and Activities Affecting Navigable Airspace: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### 77.1 Purpose

To confirm that this part does not apply to a constable or response officer acting in accordance with section 316 of the 2023 Act, a new rule, 77.1(b)(3), has been written:

(a) This Part does not apply to—

...

(2) activities to which Part 101 applies; or

(3) a constable or response officer acting in accordance with s 316 of the Act.

### 77.3 Definitions

To reflect an upgrade in standard for laser use, the new Standard has been added to this rule:

**AS/NZS IEC 60825.14:2011** means the New Zealand standards for laser safety approved by the Standards Authority under the Standards and Accreditation Act 2015 ~~1988~~

This updated Standard is now also reflected in rule parts 77.7(b)(2) and 77.19(e).

### 77.9 Notice of use of weapons

To avoid superfluous language, the reference to 'organisation' in this rule has been removed (the term 'organisation' is unnecessary as the term 'person' includes a corporation sole, a body corporate, and an unincorporated body):

A person, ~~or a person representing an organisation~~, must notify the Director in accordance with rule 77.13 if the person ~~or organisation~~ proposes to use a weapon that fires or launches a projectile that has a trajectory higher than—

- (1) 45 m if within 4 km of an aerodrome boundary; or
- (2) 120 m if more than 4 km from an aerodrome boundary.

## Part 91 General Operating and Flight Rules: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### 91.9 Carriage and discharge of firearms

To be consistent with the 2023 Act, and other legislation dealing with police personnel, rule 91.9 has been edited to refer to “constable(s)” rather than “police officers”. There are therefore two references updated - 91.9(e)(2) and 91.9(f)(1). Also, as a clarification, the existing reference to “military personnel” is suggested for amendment to “members of the NZ Defence Force or a visiting force”:

- (e) A firearm may be carried in an aircraft by a person employed by the police, another law enforcement agency, or a military service if—
  - (2) the aircraft is being operated solely for the carriage of constables police officers (see ss4 and 117 of the Policing Act 2008), law enforcement officers, members of the New Zealand Defence Force, members of a visiting force (as defined in s4 of the Visiting Forces Act 2004) military personnel, and persons under the care of such officers or personnel, and the firearm is unloaded; or
- (f) Upon application from the Commissioner of Police, the head of any other law enforcement agency, or the Chief of the Defence Force, the Director—
  - (1) may approve a constable police officer, a law enforcement officer, or a military service person to carry a firearm in an aircraft that is being operated on an air transport or commercial transport operation, carrying fare paying passengers, if the Commissioner of Police and the operator concerned consent to the carriage of a firearm in the aircraft; and ...

### 91.15 Fuelling of aircraft

To reflect an update in legislation from the *Hazardous Substances and New Organisms Act 1996* to the *Health and Safety at Work Act 2015*, rule 91.15(1) has been rewritten:

A person refuelling or defuelling an aircraft must ensure that—

- (1) fuelling or defuelling of the aircraft is performed in compliance with the applicable requirements of the regulations made under the Health and Safety at Work Act 2015 ~~Hazardous Substances and New Organisms Act 1996~~; and...

### 91.118 Intoxicating liquor and drugs

Rule 19.7 has been moved to a new rule 91.118. As Part 19 contains rules that have become permanent parts of the Civil Aviation Rules, certain Part 19 rules have been transferred to rule parts to which their content better applies. This will ensure these rules are not overlooked by participants and are easily recognisable as standards which apply to them:

No crew member while acting in their official capacity shall be in a state of intoxication or in a state of health in which their capacity so to act would be impaired by reason of them having consumed or used any intoxicant, sedative, narcotic, or stimulant drug or preparation.



### **91.119 Aircraft taxiing**

To improve sentence clarity and readability, rule 91.119 has been rewritten:

No person ~~A person must not other than a flight crew member shall~~ taxi an aircraft on the movement area of an aerodrome unless ~~they are a flight crew member or they have~~ ~~at person has~~ been duly authorised by the operator or by a maintenance organisation, and ~~in either case they~~—

- (1) ~~are~~ is competent to taxi the aircraft; and
- (2) ~~are~~ is competent to use the radiotelephone if radio communications are required; and
- (3) ~~are~~ is familiar with the aerodrome layout and any procedures applicable to ground movements at that aerodrome.

### **91.414 GPS derived distance information**

Rule 19.213 has been moved to a new rule 91.414. As Part 19 contains rules that have become permanent parts of the Civil Aviation Rules, certain Part 19 rules have been transferred to rule parts to which their content better applies. This will ensure these rules are not overlooked by participants and are easily recognisable as standards which apply to them.

To reflect proper, modern terminology, GPS has also been replaced by GNSS in 91.414:

#### **91.414 ~~GPS~~ GNSS derived distance information**

- (a) A pilot-in-command of an aircraft operating under IFR using ~~GPS~~ GNSS equipment must not use ~~GPS~~ GNSS derived distance information if RAIM is unavailable and has been unavailable for the preceding 10 minutes.
- (b) The pilot-in-command must, when using ~~GPS~~ GNSS derived distance information in a position report, state the distance as a ~~GPS~~ GNSS distance relative to a specified reference point that is contained in the ~~GPS~~ GNSS database.
- (c) The pilot-in-command must, when using ~~GPS~~ GNSS derived distance information on an ILS/DME or LOC/DME instrument approach procedure, ensure —
  - (1) that the ~~GPS~~ GNSS distance information is based on the co-ordinates of the DME that is associated with the current published instrument approach procedure; and
  - (2) that current data for the DME co-ordinates is permanently stored in the ~~GPS~~ GNSS database.

### **91.425 IFR cruising altitude or flight level**

The official reference to Mount Cook has been changed to Aoraki/Mount Cook. This has been updated in rule 91.425(b)(3):

- (b) Except as provided in paragraph (c), a pilot-in-command of an aircraft within the New Zealand FIR operating under IFR must not maintain level cruising flight—

...

- (3) below flight level 160 when operating in IMC within a 20 NM radius encompassing ~~Aoraki~~ Mount Cook centred on S 43.36.00.0, E 170.09.00.0. ...

### **91.426 Flight on unevaluated routes**

Rule 19.217 has been moved to a new rule 91.426. As Part 19 contains rules that have become permanent parts of the Civil Aviation Rules, certain Part 19 rules have been transferred to rule parts to which their content better applies. This will ensure these rules

are not overlooked by participants and are easily recognisable as standards which apply to them.

The official reference to Mount Cook has been changed to Aoraki/Mount Cook in 91.426(a)(1).

To reflect proper, modern terminology, GPS has also been replaced by GNSS in 91.426:

(a) Subject to paragraph (b), a pilot-in-command of an aircraft operating within the New Zealand flight information region under IFR using ~~GPS~~ GNSS equipment as a primary means navigation system is permitted random flight routing if operating—

(1) within the area of a circle 20 NM radius centred on 43°36'S 170° 09'E (~~Aoraki~~ Mount Cook), at or above flight level 160; or

(2) in any other airspace, at or above flight level 150.

(b) A pilot-in-command of an aircraft is only permitted random flight routing within controlled airspace if authorised by ATC.

(c) A pilot-in-command of an aircraft operating under IFR using ~~GPS~~ GNSS equipment as a primary means navigation system is permitted random flight routing below flight level 150 if—

(1) authorised by ATC; and

(2) ATC continuously radar monitor the flight for adequate terrain clearance.

#### **91.509 Minimum instruments and equipment**

As the 2023 Act no longer refers to a “notice in the Gazette”, rule 91.509(c) has been amended to reflect this change:

(c) Paragraph (b) comes into force on a date to be appointed by the Minister by notice ~~in the Gazette~~; and 1 or more notices may be made bringing different provisions of paragraph (b) into force on different dates.

#### **91.757 Operation within New Zealand of foreign aircraft**

Rule 19.15 has been moved to a new rule 91.757. As Part 19 contains rules that have become permanent parts of the Civil Aviation Rules, certain Part 19 rules have been transferred to rule parts to which their content better applies. This will ensure these rules are not overlooked by participants and are easily recognisable as standards which apply to them:

(a) Subject to the provisions of paragraph (b), a foreign registered aircraft must not be operated within New Zealand for hire or reward, other than on an air transport operation, except with the approval of the Director who may impose such conditions and limitations on the operation of the aircraft as the Director considers necessary in the interests of aviation safety.

(b) The holder of an approval issued under paragraph (a) must comply with any conditions or limitations imposed on the approval.

(c) Nothing in this rule applies to an aircraft engaged in an international scheduled or international non-scheduled flight.

(d) Nothing in paragraph (a) or paragraph (b) applies to aircraft engaged in air operations conducted in New Zealand under an Australian AOC with ANZA privileges.

## Part 92 Carriage of Dangerous Goods: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### 92.3 Definitions

To reflect changes in legislation, the definition of 'Approved handler' has been replaced by 'Certified handler', linking it to the definition in the Health and Safety at Work (Hazardous Substances) Regulations 2017, and references to approved handler are changed to certified handler throughout this rule part:

**Certified handler** has the same meaning as in the Health and Safety at Work (Hazardous Substances) Regulations 2017:

As the Testing Laboratory Registration Council (Telarc) no longer provides accreditation for testing, the definition of 'Telarc' has been replaced by a definition for the new entity International Accreditation New Zealand (IANZ) and references to Telarc are changed to IANZ throughout this rule part:

**International Accreditation New Zealand (IANZ)** means the trading entity of the Accreditation Council, established by the Standards and Accreditation Act 2015

### 92.9 Forbidden dangerous goods

To reflect an update in the relevant columns of the Dangerous Goods List in the Technical Instructions, rule 92.9(b) has been updated:

- (b) A person may offer or accept for carriage by air an article or substance identified as being forbidden in columns **10 and 11** ~~9 and 10~~, or **12 and 13** ~~11 and 12~~, of the Dangerous Goods List in the Technical Instructions, including that article or substance described as *not otherwise specified*, if the Director approves the carriage of the article or substance.

### 92.51 Packaging requirements

To reflect the name change for the National Radiation Laboratory of the Ministry of Health to the Office of Radiation Safety (as the agency that approves class 7 dangerous goods), rule 92.51(a)(3)(iii) has been updated:

- (a) A person **must** ~~shall~~ not mark, label, certify, or offer a packaging as meeting the requirements of this Part unless the packaging is—

...

- (3) for a New Zealand manufactured packaging—

...

- (iii) for class 7 dangerous goods, approved by the **Office of Radiation Safety** ~~National Radiation Laboratory~~ of the Ministry of Health;

### 92.203 Dangerous goods training programmes

To reflect the name change for the International Air Transport Association dangerous goods training programme to the IATA authorised training centre, rules 92.203(b)(3) and 92.203(c)(3)(iii) have been updated:

(b) A person, other than the holder of an air operator certificate or the certificate holder's handling agent, must ensure that personnel assigned duties involving dangerous goods that are intended for carriage by air have satisfactorily completed a dangerous goods training programme, including recurrent training under rule 92.205 if applicable, in accordance with Appendix A conducted by ~~the holder of~~—

...

(3) **an IATA authorised training centre** ~~International Air Transport Association dangerous goods training programme Certificate of Accreditation.~~

(c) An operator of a New Zealand registered aircraft in a foreign State is not required to comply with paragraph (a) if the loading and unloading of aircraft is performed by personnel of that State who—

...

(3) Have satisfactorily completed a dangerous good training programme conducted by—

...

(iii) **a training centre authorised by IATA**

To reflect that AvSec are no longer required to hold an aviation document but are required to comply with the prescribed requirements in the rules as if they did (under section 136 of the Act), rule 92.203(b)(4) has been edited to clarify that AvSec may deliver training in accordance with the requirements of Part 92, but only to AvSec personnel:

(b) A person, other than the holder of an air operator certificate or the certificate holder's handling agent, must ensure that personnel assigned duties involving dangerous goods that are intended for carriage by air have satisfactorily completed a dangerous goods training programme, including recurrent training under rule 92.205 if applicable, in accordance with Appendix A conducted by ~~the holder of~~—

...

(4) **if the personnel are AvSec personnel, AvSec.**

### **92.205 Recurrent training**

All other relevant rule parts have a grace period of 60 days built into the rule for recurrent training, except for Part 92. To improve consistency across the rules, 92.203(b) is added:

(b) If a person completes a training programme within 60 days before the date on which it is required, the person is deemed to have completed the training programme on the date that it is required.

## **Part 93 Special Aerodrome Traffic Rules and Noise Abatement Procedures**

Only standard changes as described in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document apply to this Part.

## **Part 95 Instrument Flight Procedures – Registration: Summary of Changes**

Only standard changes as outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, apply to this Part.

## **Part 100 Safety Management: Summary of Changes**

There are no changes to this rule part.

## Part 101 Gyrogliders and Parasails, Unmanned Aircraft (including Balloons), Kites, and Rockets – Operating Rules: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### ***101.15 Dropping of articles***

To improve sentence clarity and readability, rule 101.15 has been re-worded and now consists of 101.15(a) and 101.15(b):

- (a) **This rule applies to any** A person **while they are** operating: ~~any of the following must not allow any object to be dropped in flight if such action creates a hazard to other persons or property~~
  - (1) an unmanned aircraft:
  - (2) a kite:
  - (3) a rocket:
  - (4) a gyroglider: or
  - (5) a parasail.
- (b) **The person must not allow any object to be dropped in flight if this creates a hazard to other persons or property.**
  - ~~(1) an unmanned aircraft:~~
  - ~~(2) a kite:~~
  - ~~(3) a rocket:~~
  - ~~(4) a gyroglider:~~
  - ~~(5) a parasail.~~

### ***101.202 Approved person or organisation***

To clarify the intent and application of rule 101.202, "but not more than 25kg" has been added after each reference to 15kg in rules 101.202(4), (5), and (6). Aircraft of this type over 25kg are subject to other regulations, such as CAR Part 102:

In this Subpart, an approved person or organisation means a person or organisation having appropriate expertise in the design, construction or operation of remotely piloted aircraft, or appropriate knowledge of airspace designations and restrictions, and who has been approved by the Director to perform one or more of the following specified functions:

- (4) authorising the construction or modification of remotely piloted aircraft greater than 15kg **(but not greater than 25kg);** or
- (5) inspecting and approving the construction of a remotely piloted aircraft greater than 15kg **(but not greater than 25kg);** or
- (6) authorising the operation of a remotely piloted aircraft greater than 15kg **(but not greater than 25kg).**



### **101.205 Aerodromes**

To clarify the distance that a remotely piloted aircraft or a free flight model aircraft can operate from an aerodrome, and to align with rule 101.55, the words "from the boundary of" have been added to rule 101.205(a):

- (a) A person must not operate a remotely piloted aircraft or a free flight model aircraft on or within 4 km **from the boundary of**—

To ensure a consistent approach and clarity on who can perform specified activities, as an “approved person or organisation”, a cross reference to rule 101.202 Approved Person or organisation has been added to 101.205(a)(3)(A) and (B).

- (3) any aerodrome, unless the person—
  - (A) is the holder of, or is under the direct supervision of the holder of, a pilot qualification issued by an approved person or organisation **(see rule 101.202)**;  
or
  - (B) is under the direct supervision of a person appointed to give instruction in the operation of remotely piloted aircraft by an approved person or organisation **(see rule 101.202)**; or...

### **101.207 Airspace**

The wording of 101.207(c) has reverted to the wording of Amendment 6 as it was changed in error resulting in unintended prohibitions on operations. The change now aligns with the intent and previous wording which was consulted on allowing operators to either operate in a danger area (which would be able to be used in all classes of airspace) OR ensure the operation remains outside of class C, D and E airspace.

To ensure a consistent approach and clarity on who can perform specified activities, as an “approved person or organisation”, a cross reference to rule 101.202 Approved Person or organisation has been added to rule 101.207(c)(2):

- (c) A person operating a remotely piloted aircraft more than 4 km from an aerodrome boundary and above 400 feet above ground level must ~~ensure that the operation remains within Class G airspace and must~~ —
  - (1) operate in a danger area designated for that purpose under Part 71; or
  - (2) ensure that **the operation remains within Class G airspace and that** at least 24 hours before the operation, a person authorised by an approved person or organisation **(see rule 101.202)**, notifies the aeronautical information service provider, for the issue of a NOTAM, of the following information:

### **101.215 Aircraft mass limits**

To ensure a consistent approach and clarity on who can perform specified activities as an “approved person or organisation”, the cross reference to rule 101.202 (*Approved person or organisation*) in rule 101.215(b)(2) has been reworded:

- (b) A person must not operate a remotely piloted aircraft with a gross mass of between 15 kg and 25 kg unless the aircraft, and any modification made to it, is—
  - ...
  - (2) operated under the authority of an approved person or organisation **(see rule 101.202)**.

## Part 102 Unmanned Aircraft Operator Certification: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### ***102.11 Unmanned aircraft operator exposition***

As there are currently no aviation standards for unmanned aircraft, rule 102.11(b)(12) has been rewritten for clarity:

(b) The exposition must address the following matters, having regard to the nature, degree and risk of the intended operation—

...

- (12) **procedures to establish** initial airworthiness, **and any** standards **applied** ~~that must be met~~; and

### ***102.21 Conditions of operation of unmanned aircraft***

To improve sentence clarity and readability, rule 102.21(a)(1) has been rewritten to avoid the negative:

(a) A holder of an unmanned aircraft operator certificate must comply with—

- (1) Part 101, to the extent the requirements of Part 101 are ~~not inconsistent~~ with the operations specified in the operations specification; ...

### ***102.23 Changes to exposition***

To improve sentence clarity and readability; rule 103.23(b) has been rewritten:

(a) ~~If a holder of an unmanned aircraft operator certificate proposes to change any of the following, prior acceptance by the Director is required.~~ **A holder of an unmanned aircraft operator certificate must obtain the approval of the Director before changing any of the following:**

- (1) the identification of any person who is to have or is likely to have control over the exercise of the privileges under the certificate;
- (2) the identification of locations from which the certificate holder conducts unmanned aircraft operations.

## Part 103 Microlight Aircraft – Operating Rules: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **103.155 Flight Criteria**

Rules 103.155(b)(ii) and (c) have been rewritten for clarity:

- (b) A pilot of a microlight aircraft **must** ~~shall~~ not operate—
  - (1) over any congested area of a city, town, or settlement; or
  - (2) in controlled airspace or within 3 nautical miles (5.5 km) of an aerodrome certificated under Part 139 unless—
    - (i) the pilot has gained a pass in the air law examination required by 61.153(a)(6)(i) or an equivalent examination; or
    - (ii) the pilot is under the direct supervision of the holder of a microlight pilot instructor certificate who meets the requirement of paragraph (b)(2)(i), **and the requirements of paragraph (c) are met.**
- (c) **The requirements are that** ~~A pilot shall not operate in accordance with paragraph (b)(2)(ii), and the supervising instructor shall not permit such an operation, unless —~~

...

### **103.217 Maintenance and inspection requirements**

To correct incorrect numbering in rule 103.217(d), the reference to 103.217(d)(iv) has been restored to the original numbering of 103.217(d)(2):

- (d) The annual condition inspection required by paragraph (c)(1) must be—
  - (1) performed by—
    - (i) a person authorised by a microlight organisation to perform annual condition inspections; or
    - (ii) the Director; or
    - (iii) a person who holds a current aircraft maintenance engineer licence with appropriate aircraft and engine group ratings issued under Part 66; and
  - (iv) (2)** acceptable to the Director with regard to the items and components inspected.

## **Part 104 Gliders - Operating Rules: Summary of Changes**

Only standard changes as described in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document apply to this Part.

## **Part 105 Parachuting - Operating Rules: Summary of Changes**

Only standard changes as described in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document apply to this Part.

## **Part 106 Hang Gliders - Operating Rules: Summary of Changes**

Only standard changes as described in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document apply to this Part.

## **Part 108 Air Operator Security Programme: Summary of changes**

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### *Airside security area*

To align with changes in the 2023 Act relating to the types of security areas at aerodromes, references to “security areas” has been changed to “airside security areas” in the following rules:

- 108.53(b)(4) and
- 108.55(b)(4).

### *Searching*

To align with language changes in the 2023 Act, references to “screening”, “screened”, or “screen” have been changed to “searching”, “searched”, or “search” in the following rules:

- 108.53(b)(8);
- 108.53(b)(9);
- 108.55(b)(9)(i);
- 108.55(d)(3); and
- 108.63.

## Part 109 Regulated Air Cargo Agent – Certification: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### ***109.61 Procedures and register for a known customer***

To account for changes in technology, the reference to facsimile number in rule 109.61(c)(3) has been removed:

(c) An applicant for the grant of a regulated air cargo agent certificate who intends to accept consignments of cargo or mail for carriage by air from a known customer in accordance with the procedures required by paragraph (a) must establish a register of known customers and record for each known customer:

- (1) the customer's current name (and/or business name if appropriate):
- (2) the current name and details of the principal contact person:
- (3) the customer's current address, ~~and applicable facsimile~~, email **address** and telephone numbers.

### ***109.101 Continued compliance***

To account for changes in technology, the reference to facsimile number in rule 109.101(7) has been removed:

The holder of a regulated air cargo agent certificate must—

...

- (7) notify the Director in writing of any change of address for service **or**, telephone number ~~, or facsimile number~~ within 28 days of the change; and...



## Part 115 Adventure Aviation – Certification and Operations: Summary of changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **115.65 Records – personnel**

To require applicants to have procedures to maintain records in respect of individuals employed or engaged by the applicant (and not merely employees), rule 115.65 has been rewritten:

An applicant for the grant of an adventure aviation operator certificate must establish procedures for ensuring that—

- (1) an accurate record is maintained of **each person employed or engaged by the applicant who**—
  - (i) ~~each employee who~~, in the performance of ~~his or her~~ **their** duties, is required to be the holder of a licence, rating or certificate; **or and**
  - (ii) ~~each employee who~~ is exercising any delegation of the Director's functions or powers; **or and**
  - (iii) ~~each employee who~~ is exercising any authorisation granted by the certificate holder; and
- (2) the record includes details of—
  - (i) the relevant experience, qualifications, and training of each **person** ~~employee~~ referred to in paragraph (1); and
  - (ii) the scope, validity, and currency of any licence, rating, or certificate referred to in paragraph (1)(i); and
  - (iii) the delegations referred to in paragraph (1)(ii); and
  - (iv) the authorisations referred to in paragraph (1)(iii); and
- (3) the record is retained for 6 years from the date that the **person** ~~employee~~—
  - (i) ceases to perform duties requiring a licence, rating, or certificate; or
  - (ii) ceases to exercise any delegation or authorisation.

### **115.79 Adventure aviation operator exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 115.79(a)(1A) has been rewritten:

(a) An applicant for the grant of an adventure aviation operator certificate must provide the Director with an exposition that contains—

...

- (1A) ~~in relation to the system for safety management required by rule 115.77~~, all of the documentation required by rule 100.3(b) **to establish and maintain the system for safety management**; and
- (i) ~~for an applicant that is not applying for a renewal of an adventure aviation operator certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### ***115.109 Changes to certificate holder's organisation***

To improve sentence clarity and readability, rule 115.109(b) has been reworded:

(a) Before a holder of an adventure aviation operator certificate changes any of the following, prior acceptance by the Director is required: **A certificate holder must obtain the approval of the Director before changing any of the following:**

## Part 119 Air Operator – Certification: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **119.21 Renewal of certificate**

To improve sentence clarity and readability, rule 119.21 has been reworded:

- (a) ~~The holder of the air operator certificate shall make an application for the renewal of an air operator certificate on form CAA 24119/01. If the holder of an air operator certificate wishes to apply for renewal of their certificate, they must use the approved CAA form.~~
- (b) ~~An~~ The application ~~under~~ required by paragraph (a) ~~must~~ ~~shall~~ be submitted to the Director before the application renewal date specified in the certificate or, if no such date is specified, not less than 60 days before the certificate expires.

### **119.81 Airline air operator exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 119.81(a)(1A) has been rewritten:

- (a) An applicant for the grant of an airline air operator certificate must provide the Director with an exposition that contains—
- (1A) ~~in relation to the system for safety management required by rule 119.79,—~~
- (i) ~~all of the documentation required by rule 100.3(b)~~ to establish and maintain the system for safety management
- (ii) ~~for an applicant that is not applying for a renewal of an airline air operator certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### **119.125 General aviation air operator exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 119.125(a)(1A) has been rewritten:

- (a) An applicant for the grant of a general aviation air operator certificate must provide the Director with an exposition, that contains—
- (1A) ~~in relation to the system for safety management required by rule 119.124,—~~
- (i) ~~all of the documentation required by rule 100.3(b)~~ to establish and maintain the system for safety management
- (ii) ~~for an applicant that is not applying for a renewal of a general aviation air operator certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### **119.165 Changes to certificate holder's organisation**

To improve sentence clarity and readability, rule 119.165(b) has been reworded:

- (b) ~~Before a holder of an air operator certificate changes any of the following, prior acceptance by the Director is required:~~ A certificate holder must obtain the approval of the Director before changing any of the following:
- (1) the chief executive:

- (2) the listed senior persons:
- (3) the locations detailed in the exposition under rules 119.81(a)(7) or 119.125(a)(5), as appropriate, from which the certificate holder conducts air operations:
- (4) the scope of the certificate holder's certificate:
- (5) the system for safety management, if the change is a material change:
- (6) *Reserved*
- (7) the maintenance programme:
- (8) any contractor carrying out the certificate holder's maintenance or training:
- (9) the flight and duty scheme:
- (10) where required, the air operator security programme.

## Part 121 Air Operations – Large Aeroplanes: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### 121.3 Definitions

To ensure the rules remain easy to understand by a lay (i.e. non-legally trained) reader, acronyms have been defined in full:

**Evaluator** means a qualified flight examiner or person who has completed training and evaluation that qualifies the person to evaluate the performance of crew members, instructors, other evaluators, and other operations personnel, in an **Advanced Qualification Programme**:

### 121.165 Route distance limitations

Due to expired transitional provisions, rules 121.165(c) and (d) have been rewritten:

(c) **A** Subject to paragraph (d), a holder of an air operator certificate must not operate an aeroplane with more than 2 turbine powered engines on an air operation on a route that requires the aeroplane to be more than 180 minutes flight time (calculated at a one engine inoperative cruise speed in still air and ISA conditions) from an adequate aerodrome unless the certificate holder is authorised in accordance with Subpart N to conduct EDTO and the aeroplane is operated in accordance with applicable EDTO requirements prescribed in this Part.

(d) ~~Paragraph (c) does not apply to a holder of an air operator certificate until 1 November 2018.~~

### 121.221 Landing distance – runways

To improve clarity of requirements and ensure consistency across the rules, 121.221 (b) and (c) have been rewritten:

(b) A holder of an air operator certificate must, ~~use the following procedures for calculating~~ the landing distance for an aeroplane on a runway **using either –** :

- (1) **procedures** that have been approved under paragraph (c); or
- (2) **the procedures** as provided in Appendix D.

(c) The Director may, ~~after taking account of the following matters~~, approve an application by a holder of an air operator certificate for procedures **referred to in paragraph (b)(1)** if satisfied **of the following matters** —

- (1) ~~that whether or not~~ the aeroplane proposed has performance data issued by the manufacturer **that** supporting the procedures ~~that~~ **and** is available for use by the pilot or flight crew members; and
- (2) ~~that whether~~ the operator has reliable access to either –
  - (i) accurate reporting on runway conditions that is appropriate for the procedures to be used; or
  - (ii) data that enables the operator to identify equivalent conditions; and
- (3) ~~that the margin of error that should be applied when calculating landing distance using the~~ **permitted** procedures ~~which must take~~ into account **the following** –
  - (i) the implications of pilot technique on landing distance;
  - (ii) the implications of unexpected environmental conditions at the destination aerodrome;
  - (iii) whether the calculation is being undertaken at the dispatch stage or en-route;
  - (iv) whether the margin of error is supported by the reporting of the runway conditions; and

- (4) ~~that whether~~ all personnel involved in the reporting of runway conditions, calculation of data and operation of the flight have had appropriate training in the use of the procedures.

***121.225 Steep approach and short landing techniques***

To reflect an overall change in the rules from GPS to GNSS, rule 121.225(4)(ii) has been rewritten:

A holder of an air operator certificate may perform steep approach procedures using approach slope angles of 4.5°, or more, and with screen heights of less than 50 feet but not less than 35 feet, if—

- (4) for air operations performed under IFR, consideration is given to—
  - (i) obstacles; and
  - (ii) the type of approach slope indicator reference and runway guidance such as visual aids, MLS, GNSS, ILS, LOC, VOR, or NDB; and ...

## Part 125 Air Operations – Medium Aeroplanes: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### ***125.227 Steep approach and short landing techniques***

To ensure clarity, GPS has been replaced by GNSS in rule 125.227(4)(ii):

(4) for air operations performed under IFR, consideration is given to—

- (ii) the type of approach slope indicator reference and runway guidance such as visual aids, MLS, GNSSPS, ILS, LOC, VOR, or NDB; and

### ***125.381 Airborne collision avoidance system (ACAS II)***

Due to expired transitional provisions, rules 125.381(a) and (b) have been amended:

- (a) **A** ~~Notwithstanding paragraph (b),~~ a holder of an air operator certificate must ensure that each turbine powered aeroplane being operated under that certificate is equipped with ACAS II ~~by 1 January 2005 if—~~
- ...
- (b) A holder of an air operator certificate must ensure that each turbine powered aeroplane with a MCTOW greater than 5700 kg or a passenger seating configuration of 20 to 30 seats being operated under that certificate remains equipped with ACAS or ACAS II if that aeroplane **was** is already equipped with ACAS or ACAS II

~~1. ——— (1) on 25 March 2004; or~~

~~(1) — when that aeroplane commences operations under an air operator certificate after 25 March 2004.~~

## Part 129 Foreign Air Transport Operator – Certification: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### ***129.103 Changes to certificate holder's organisation***

To improve sentence clarity and readability, rule 129.103(b) has been reworded:

(a) If ~~the holder of a foreign air operator certificate must~~ **obtain approval from the Director before changing:** ~~proposes to make a change to any of the following, prior application to and acceptance by the Director is required:~~

- (1) the senior person or persons nominated in accordance with rule 129.63(a)(1);
- (2) the base locations in New Zealand from which the certificate holder performs air transport operations;
- (3) the scope of operations under the certificate, relative to operations to, from, or within New Zealand;
- (4) the air operator security programme required by rule 129.61.

### ***129.107 Use of aerodromes***

Due to expired transitional provisions, rule 129.107(2) has been rewritten:

A holder of a foreign air operator certificate must ensure that an aeroplane conducting a foreign air transport operation under the authority of the certificate ~~after 12 July 2007~~ does not use an aerodrome within New Zealand for landing or taking-off unless—

- (1) the runway to be used at the aerodrome is provided with a RESA at each end of the runway in accordance with the requirements of Part 139 Appendix A.1; or
- (2) if the runway does not have a RESA as required in paragraph (1), the certificate holder ~~must~~ **ensures** that ~~for an operation conducted after 12 October 2011~~ the take-off and landing performance calculations for the aeroplane are based on a reduction of the appropriate declared distances for the runway to provide the equivalent of a 90 metre RESA at the overrun end of the runway strip.



## **Part 133 Helicopter External Load Operations: Summary of Changes**

Only standard changes as described in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document apply to this Part.

## Part 135 Air Operations – Helicopters and Small Aeroplanes: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### 135.3 Definitions

As the abbreviations AFCS and SAS appear on several occasions in this rule part, they have been defined in full for clarity:

In this Part—**AFCS means automatic flight control system;**

**SAS means stability augmentation system;**

### 135.77 Use of aerodromes

Due to expired transitional provisions, rules 135.77(2) and 135.77(2)(ii) have been amended:

- (2) if the operation is a regular air transport service operating to, from, or outside of New Zealand ~~after 12 July 2007,~~—
- (i) each runway at an aerodrome within New Zealand that is used for the operation is provided with a RESA at each end of the runway in accordance with the requirements of Part 139 Appendix A.1; or
  - (ii) if the runway does not have a RESA as required in paragraph (a)(2)(i), the certificate holder ~~must ensure~~ **s** that ~~for operations conducted after 12 October 2011~~ the take-off and landing performance calculations for the aeroplane are based on a reduction of the appropriate declared distances for the runway to provide the equivalent of a 90m RESA at the overrun end of the runway strip; and
  - (iii) each runway at an aerodrome outside of New Zealand that is used for the operation has a RESA that extends to at least 150m from the overrun end of the runway, or an engineered equivalent that is acceptable to the Director; or
  - (iv) if the runway does not have a RESA or an engineered equivalent as required in paragraph (a)(2)(iii), the certificate holder ~~must ensure~~ **s** that the take-off and landing performance calculations for the aeroplane are based on a reduction of the appropriate declared distances for the runway to provide the equivalent of the RESA required in paragraph (a)(2)(iii) at the overrun end of the runway.

### 135.233 Landing distance – runways

To improve sentence clarity and readability, rules 135.233(b) and 135.233(c) have been rewritten:

(b) A holder of an air operator certificate ~~must, use the following procedures for calculating~~ **using either** the landing distance for an aeroplane on a runway **using either** –

- (1) **procedures** that have been approved under paragraph (c); or
- (2) **the procedures** as provided in Appendix D.

(c) The Director may approve an application by a holder of an air operator certificate for procedures referred to in paragraph (b)(1) if satisfied of the following matters –

- (1) ~~that whether or not~~ the aeroplane proposed has performance data issued by the manufacturer **that** supporting the procedures **and that** is available for use by the pilot or flight crew members; and

- (2) ~~that whether~~ the operator has reliable access to either –
- (i) accurate reporting on runway conditions that is appropriate for the permitted procedures to be used; or
  - (ii) data that enables the operator to identify equivalent conditions; and
- (3) ~~that the margin of error that should be applied when calculating landing distance using the permitted procedures which must takes~~ into account the following –
- (i) the implications of pilot technique on landing distance;
  - (ii) the implications of unexpected environmental conditions at the destination aerodrome;
  - (iii) whether the calculation is being undertaken at the dispatch stage or en-route;
  - (iv) whether the margin of error is supported by the reporting of the runway conditions; and
- (4) ~~that whether~~ all personnel involved in the reporting of runway conditions, calculation of data and operation of the flight have had appropriate training in the use of the procedures.

### ***135.303 Goods, passengers, and baggage weights***

To improve sentence clarity and readability, rule 135.303(d)(2) has been rewritten:

- (d) The total weight of goods and baggage must be determined by using—
- (1) the actual weight of the goods and baggage; or
  - (2) for commercial transport operations operating from a remote aerodrome where it is not practicable to establish the actual weight of the goods and baggage, ~~the certificate holder must establish~~ **procedures established by the certificate holder** to enable the pilot-in-command to assess the weight of the goods and baggage.

## Part 137 Agricultural Aircraft Operations: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **137.159 Renewal of certificate**

To improve sentence clarity and readability, rule 137.159(a) has been rewritten:

- (a) ~~If the holder of an application for the renewal of an agricultural aircraft operator certificate wishes to apply for renewal of their certificate, they must use~~ must be made on the approved CAA form.

### **137.160 Agricultural aircraft operator safety management documentation**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 137.160(a)(1) has been rewritten:

- (a) An applicant for an agricultural aircraft operator certificate must provide the Director with a document containing—
- (1) all of the documentation required by rule 100.3(b) **to establish and maintain the system for safety management** ~~the following information relating to the system for safety management required by rule 137.155:~~
    - (i) ~~all of the documentation required by rule 100.3(b);~~
    - (ii) ~~for an applicant that is not applying for a renewal of an agricultural aircraft operator certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### **137.209 Changes to operations**

To improve sentence clarity and readability, rule 137.209(2) has been rewritten:

- (2) obtain **the approval of the Director before changing any of the following** ~~prior acceptance from the Director before changing —~~
  - (i) the chief executive or any person referred to in rule 137.153(2);
  - (ii) the system for safety management, if the change is a material change.

## Part 139 Aerodromes – Certification, Operation and Use: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### 139.3 Definitions

The *Land Transfer Act 1952* has been replaced by the *Land Transfer Act 2017*. To account for a change in terminology (the new legislation does not define a ‘registered proprietor’), the definitions for ‘aerodrome operator’ and ‘registered proprietor’ have been amended:

**Aerodrome operator** means—

- (1) a person who operates an aerodrome; or
- (2) if no person is identified in paragraph (1), a person who is responsible for the management of that aerodrome; or
- (3) if no person is identified in paragraphs (1) or (2), a person who is occupying the land forming that aerodrome; or
- (4) if no person is identified in paragraphs (1), (2), or (3), the registered **owner proprietor** of the land forming that aerodrome.

**Registered owner proprietor** means ~~a registered proprietor as defined in section 35 of the Land Transfer Act 1952.~~ **the registered owner identified on the register as defined in the Land Transfer Act 2017.**

### 139.77 Aerodrome certification exposition

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 171.77(a)(1A) has been rewritten:

- (i) (1A) ~~in relation to the system for safety management required by rule 139.75, all of the documentation required by rule 100.3(b)~~ **to establish and maintain the system for safety management**; and ...

### 139.107 Assessment of runway condition and provision of runway condition report

To accurately reflect the part of ICAO Circular 355 to be complied with, the word ‘section’ has been replaced by the word ‘chapter’ in rule 139.107(a)(1(i):

(a) A holder of an aerodrome operator certificate must ensure that the assessment of the runway condition and the provision of a runway condition report –

(1) is in accordance with –

- (i) **chapter** 4 of the ICAO Circular 355 Assessment, Measurement and Reporting of Runway Conditions; and ...

### **139.119 Ground vehicles**

To improve readability and clarify the intent that any person operating a ground vehicle with access to the operational part of the aerodrome is aware of and complies with the requirements, the words “employee, tenant or contractor”, are replaced with the word “person”.

(e) The procedures required by paragraph (a) must ensure that each **person** ~~employee, tenant or contractor~~ who operates a ground vehicle on any portion of the aerodrome which has access to the operational area of the aerodrome is familiar with, and complies with, the procedures established by the certificate holder for the operation of ground vehicles on the aerodrome.

### **139.127 Changes to certificate holder’s organisation**

To improve sentence clarity and readability, rule 139.127(d) has been reworded:

**(d) Before a certificate holder changes any of the following, prior acceptance by the Director is required: A certificate holder must obtain the approval of the Director before changing any of the following:**

### **Subpart D — Aerodrome Security**

Part 19 contains rules that have become permanent parts of the Civil Aviation Rules and certain Part 19 rules have been transferred to rule parts to which their content better applies. Various security requirements which were previously in Part 19 have been relocated to Part 19 and this includes rules which are applicable to navigation installations (with appropriate cross references added in Parts 171 and 172). As a result, the title of this subpart has been changed:

Subpart D — Aerodrome **and Navigation Installation** Security

### **139.203 Requirements for Tier 1 security designated aerodromes**

#### ***Tier 1 Security Designated Aerodromes***

To align with language changes in the 2023 Act relating to security designated aerodromes, the term Tier 1 has been added in the following rules:

- 139.203(a)
- 139.203(d)

#### ***Airside***

To align with language changes in the 2023 Act relating to the types of security areas at aerodromes, references to “security areas” have been changed to “airside security areas” in the following rules:

- 139.203(a)
- 139.203(b)(1)
- 139.203(b)(2)
- 139.203(c)

- 139.203(d)(11)
- 139.203(d)(12)(i) and (ii)

### *Screening point*

To align with language changes in the 2023 Act relating to the security screening at aerodromes, references to “screening areas” have been changed to “screening points” in the following rules:

- 139.203(d)(4)
- 139.203(d)(4A)
- 139.203(d)(5)

### *Searching*

To align with language changes in the 2023 Act, references to “screening”, “screened”, or “screen” have been changed to “searching”, “searched”, or “search” in the following rules:

- 139.203(d)(4)
- 139.203(d)(4)(i), (ii) and (iii)
- 139.203(d)(4A)
- 139.203(d)(5)

To ensure that the rules in Part 139.203(d)(4), (4A) and (5) are consistent with the 2023 Act in terms of providing space requirements, references to section 218 of the Act have been added:

- (4) provide (see paragraph (d) in the definition of 'space requirement' in section 218 of the Act) the following areas at the aerodrome for the searching of passengers, crew and baggage:  
...
- (4A) when considered necessary by the Minister or the Director, provide (see paragraph (d) in the definition of 'space requirement' in section 218 of the Act) screening points areas at the aerodrome for the ~~screening~~ and searching of persons, items, substances, and vehicles entering and within security enhanced areas; and
- (5) when considered necessary by the Minister, or the Director in any case to respond to a security threat, provide (see paragraph (d) in the definition of 'space requirement' in section 218 of the Act) screening points areas at the aerodrome of the kind required by paragraph (d)(4) (for the searching screening of international passengers, crew and their baggage) for the searching screening of domestic passengers, crew and their baggage; and...

### ***139.207 Prohibited actions affecting security (previously Prohibitions)***

Rule 19.355 has been moved to a new rule 139.207. As Part 19 contains rules that have become permanent parts of the Civil Aviation Rules, certain Part 19 rules have been transferred to rule parts to which their content better applies. This will ensure these rules are not overlooked by participants and are easily recognisable as standards which apply to them.

For the purpose of clarity, the title of 139.207 has changed from “*Prohibitions*” to “*Prohibited items affecting security*”:

A person must not, without lawful authority–

- (1) leave open or insecure or otherwise uncontrolled any door, gate, or other barrier provided at any aerodrome to control access to any security area, security enhanced area, or operational area; or
- (2) deposit, park, or leave adjacent to or on any fence, barrier, or other thing being used to prevent unauthorised access to any security area, security enhanced area, or operational area any article that is capable of facilitating the evasion of control measures.

### **139.209 Airport Identity Cards**

Rule 19.357 has been moved to a new rule 139.209. As Part 19 contains rules that have become permanent parts of the Civil Aviation Rules, certain Part 19 rules have been transferred to rule parts to which their content better applies. This will ensure these rules are not overlooked by participants and are easily recognisable as standards which apply to them:

- (a) The Director may issue or approve an airport identity card or other identity document in accordance with this rule if—
  - (3) the Director has, in accordance with the Act, made a favourable security check determination of the person who has applied for the card or document; or
  - (4) the Director has decided that the person has undergone an alternative security check that is acceptable to the Director.
- (b) Subject to paragraphs (c) and (g), a person must not enter or remain in any security area or security enhanced area of any designated aerodrome or designated installation, unless that person—
  - (1) wears an airport identity card on the front of his or her outer garment; or
  - (2) has in his or her possession another identity document or other identity documents for the time being authorised under paragraph (a).
- (c) Where the Director considers it desirable that the name of the holder of an airport identity card be not disclosed, the Director may approve the wearing of an identity card from which the holder's name has been deleted.
- (d) A person who is authorised by this rule to enter a security area or security enhanced area must remain in that area only for the purposes of his or her duties.
- (e) If required to do so by an authorised person, any person entering or in a security area or security enhanced area must produce for inspection his or her airport identity card or other identity documents for the time being authorised under paragraph (a).
- (f) If the holder of an airport identity card ceases to be employed in a position for which the card is required, or for any other reason ceases to be entitled to hold the card, the holder must return the card to the issuing authority as soon as possible.
- (g) Nothing in paragraph (b) applies to—
  - (3) any member of the crew of an aircraft engaged in an international service who wears on his or her outer garment an official identity card issued by his or her employer or the government of the state in which he or she permanently resides; or
  - (4) any official of a New Zealand government agency who is required, by reason of his or her official duties, to remain incognito; or
  - (5) any passenger who enters or leaves a security area or security enhanced area for the purpose of joining or leaving a flight, if he or she is in possession of a valid boarding pass for that flight or is being escorted by a crew member or a representative of the operator; or



- (6) any pilot-in-command of an aircraft on private operations who enters or is within a security area or security enhanced area for the purpose of embarking, disembarking, or servicing the aircraft, if the pilot has in his or her possession a valid pilot licence, or any person being escorted by the pilot.
- (h) The security checks referred to in rule 139.209(a)(1) and (2) are not required if the person making an application for an identity card is issued with a temporary identity card approved by the Director that entitles the person to enter and remain in a security area or security enhanced area when escorted by a person issued with an airport identity card in accordance with the security check process referred to in rule 139.209(a)(1) and (2).

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

To account for changes in technology, the references to facsimile number in rule 139.357(6)(i) and (ii) have been removed:

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

...

(6) administrative details including—

- (i) the name of the service provider, including postal address and, where available, email, and telephone, and facsimile number; and
- (ii) the name, telephone number, postal address and, where available, email, and facsimile numbers, of a person who is responsible for providing updates to the published information and for requesting NOTAM action as may be required.

### **139.417 Qualifying aerodrome operator exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 139.417(a)(1A) has been rewritten:

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

...

(1A) ~~in relation to the system for safety management required by rule 139.409, (i) all of the documentation required by rule 100.3(b)~~ to establish and maintain the system for safety management; and

~~—(ii) for an applicant that is not applying for a renewal of a qualifying aerodrome operator certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### **139.455 Changes to certificate holder's organisation**

To improve sentence clarity and readability, rule 139.127(d) has been reworded:

- (d) ~~Before a certificate holder changes any of the following, prior acceptance by the Director is required:~~ A certificate holder must obtain the approval of the Director before changing any of the following:
- (1) the chief executive;
  - (2) the listed senior persons;
  - (3) the system for safety management, if the change is a material change.

## **Part 140 Providers of Aviation Security Services**

### **140.1 Applicability**

To reflect new language in the 2023 Act, the words 'Tier 1' have been added to accurately designate a security designated aerodrome or security designated navigation installation:

This Part prescribes rules governing **the provision of** ~~the certification and operation of organisations that provide~~ aviation security services at a **Tier 1** security designated aerodrome or security designated navigation installation.

### **140.3 Definitions**

#### **140.5 Requirement for certificate**

For clarity, new rule 140.5(b) has been added to confirm that 140.5(a) does not apply to AvSec:

(a) No person **may** ~~shall~~ provide aviation security services at a security designated aerodrome or security designated navigation installation except under the authority of, and in accordance with the provisions of, an aviation security service certificate issued under this Part.

(b) This rule does not apply to AvSec (see section 136 of the Act).

### **140.9**

### **140.11**

#### **140.15 Renewal of certificate**

To improve sentence clarity and readability, rule 140.15(a) has been rewritten:

(a) ~~An application for the renewal of an aviation security service certificate shall be made by the certificate holder on form CAA 24140/01. If the holder of an aviation security service certificate wishes to apply for renewal of their certificate, they must use the approved CAA form.~~

### **140.51**

#### **140.53 Establishment of operations procedures**

Given the new objective of Part 140, rule 140.53 has been updated to reflect new language about aviation security service providers:

(a) **An authorised aviation security services provider must** ~~Where the applicant for an aviation security service certificate is the Aviation Security Service or the operator of a security designated aerodrome, it shall~~ establish procedures necessary to enable the requirements in Appendix A to be complied with.

(b) **A** ~~Where the applicant for an~~ **authorised** aviation security service **provider which** ~~certificate~~ is the operator of a security designated navigation installation **must** ~~it shall~~ establish procedures necessary to enable the requirements in A.12(d) to be complied with.

#### **140.55 Documentation**

To reflect new language about aviation security service providers and to clarify what must be included in the documentation necessary to support the aviation security services that it provides, rule 140.55 has been updated:

- (a) ~~A~~ Each applicant for an authorised aviation security service ~~provider~~ certificate shall ~~must~~ establish a procedure to ensure all documentation that is necessary to support the aviation security services that it provides is available to all personnel who need access to the documentation to carry out their duties.
- (b) The documentation referred to in paragraph (a) ~~must~~ shall include—
- (1) all relevant legislation; and
  - (2) all relevant international technical manuals or notices on aviation security; and
  - (3) documentation issued to ~~the provider~~ the certificate holder by the Director; and
  - ~~(4) the provider's exposition or equivalent documentation under rule 140.61~~ certificate holder's exposition.
- (c) The ~~provider~~ applicant shall ~~must~~ establish a procedure to control all documents referred to in paragraph (a) to ensure that—
- (1) the documents are reviewed and approved by appropriate personnel prior to issue; and
  - (2) current issues of relevant documents are available to personnel at all locations where they need access to such documents; and
  - (3) outdated documents are promptly removed from all points of issue or use; and
  - (4) changes to documents are reviewed and approved by appropriate personnel; and
  - (5) the current issue of each document can be identified; and
  - (6) its exposition ~~or equivalent documentation under rule 140.61~~ is amended so as to remain a current description of the service provider, its services, procedures, and facilities.
- (d) The ~~provider~~ applicant shall ~~must~~ establish a procedure to provide and maintain a copy of its exposition ~~or equivalent documentation under rule 140.61~~ at each location specified under ~~rule~~ 140.61(a)(5).

#### **140.57 Records**

#### **140.59 Internal quality assurance**

#### **140.60**

#### **Appendix A cross references A.13/A.14/A.23**

For the purposes of clarity, a cross reference to rule 139.209 has been added to Appendix A.13(1)(i) to ensure aviation security officers comply with these security requirements found in Part 139, Subpart D.

An authorised aviation security service provider must ensure that its aviation security officers—

- (1) on duty at any security check point—
  - (i) allow access beyond the check point only to persons with current and valid identity cards or documentation, in accordance with rule ~~139.209~~ 139.209; and

## Part 141 Aviation Training Organisations – Certification: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **141.63 Standard aviation training organisation exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 119.125(a)(1A) has been rewritten:

(1A) ~~in relation to the system for safety management required by rule 141.61,—~~

- (i) ~~all of the documentation required by rule 100.3(b)~~ to establish and maintain the system for safety management; and
- (ii) ~~for an applicant that is not applying for a renewal of a standard aviation training organisation certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### **141.101 Continued compliance**

To account for changes in technology, the reference to facsimile number in rule 141.101(5) has been removed:

Each holder of a standard aviation training organisation certificate ~~must~~ **shall** — ...

- (5) ~~forthwith~~ notify the Director **as soon as possible** of any change of address for service, **or** telephone number ~~or facsimile number~~ required by **the approved CAA** form CAA 24141/01.

### **141.103 Changes to certificate holder's organisation**

To improve sentence clarity and readability, rule 141.103(d) has been reworded:

(a) **A** ~~Before a~~ certificate holder **must obtain the approval of the Director before changing:** ~~changes any of the following, prior acceptance by the Director is required:~~

- (1) the chief executive;
- (2) the listed senior persons;
- (3) the locations at which training courses or assessments may be carried out;
- (4) the training courses or assessments for which the certificate is granted: **or**
- (5) the system for safety management, if the change is a material change.

## Part 145 Aircraft Maintenance Organisations – Certification: Summary of changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### 145.17 Renewal of certificate

To improve sentence clarity and readability, rule 145.17(a) has been reworded:

- (a) ~~An application for the renewal of a maintenance organisation certificate shall be made by the holder of a maintenance organisation certificate on form CAA 24145/01.~~ If the holder of a maintenance organisation certificate wishes to apply for renewal of their certificate, they must use the approved CAA form.

### 145.67 Maintenance organisation exposition

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 145.67(a)(1A) has been rewritten:

~~(1A) in relation to the system for safety management required by rule 145.65,—~~

~~(i) all of the documentation required by rule 100.3(b)~~ to establish and maintain the system for safety management; and

~~(ii) for an applicant that is not applying for a renewal of a maintenance organisation certificate, an implementation plan that describes how the system for safety management will be implemented; and ...~~

### 145.105 Changes to certificate holder's organisation

To improve sentence clarity and readability, rule 145.105(d) has been reworded:

(d) ~~Before a certificate holder changes any of the following, prior acceptance of the Director is required.~~ The certificate holder must obtain the approval of the Director before changing any of the following:

- (1) the chief executive;
- (2) the listed senior persons;
- (3) the maintenance ratings;
- (4) the procedures for changing the scope within a rating;
- (5) the locations at which maintenance is carried out;
- (6) the procedure for authorising persons to certify maintenance: **or**
- (7) the system for safety management, if the change is a material change.

## Part 146 Aircraft Design Organisations – Certification: Summary of changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **146.17 Renewal of certificate**

To improve sentence clarity and readability, rule 146.17(a) has been reworded:

- (a) ~~An application for the renewal of a design organisation certificate shall be made by the holder of a design organisation certificate on form CAA 24146/01.~~ **If a holder of a design organisation certificate wishes to apply to renew their certificate, they must use the approved CAA form.**

### **146.67 Design organisation exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 146.67(a)(1A) has been rewritten:

~~(1A) in relation to the system for safety management required by rule 146.65, —~~

- ~~(i) all of the documentation required by rule 100.3(b)~~ **to establish and maintain the system for safety management;**  
and

- ~~(ii) for an applicant that is not applying for a renewal of a design organisation certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### **146.105 Changes to certificate holder's organisation**

To improve sentence clarity and readability, rule 146.105(d) has been reworded:

- (d) ~~Before a certificate holder changes any of the following, prior acceptance by, the Director is required.~~ **The certificate holder must obtain the approval of the Director before changing any of the following:**

- (1) chief executive
- (2) the listed senior persons:
- (3) the scope of the design activities the certificate holder undertakes:
- (4) the location at which work is carried out:
- (5) the system for safety management, if the change is a material change.

## Part 147 Maintenance Training Organisations – Certification: Summary of changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **147.23 Organisation's exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 147.23(a)(2) has been rewritten:

- (a) An organisation referred to in rule 147.3(a) must provide the Director with an exposition that includes—
- ...
- (2) ~~in relation to the system of safety management required by rule 147.17, —~~
- ~~(i) all of the documentation required by rule 100.3(b)~~ to establish and maintain the system for safety management; and
- ~~(ii) for an organisation that is not applying for a renewal of a maintenance training organisation certificate, an implementation plan that describes how the system for safety management will be implemented;~~

### **147.25 Changes to certificate holder's exposition**

To improve sentence clarity and readability, rule 147.25(b) has been reworded:

- (b) ~~Before changing any of the following, an organisation referred to in rule 147.3(a) must obtain approval by the Director to make the change:~~ An organisation referred to in rule 147.3(a) must obtain the approval of the Director before changing any of the following:

- (1) its chief executive as specified in the organisation's exposition required under rule 147.23:
- (2) the title of a senior person specified in the exposition required by rule 147.23:
- (3) the name of a senior person specified in the exposition required by rule 147.23:
- (4) the locations at which an organisation has its principal place of operation:
- (5) the scope of—
  - (i) each training course; or
  - (ii) each knowledge examination; or
  - (iii) each practical assessment:
- (6) the system for safety management, if the change is a material change.

## Part 148 Aircraft Manufacturing Organisations – Certification: Summary of changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **148.17 Renewal of certificate**

To improve sentence clarity and readability, rule 148.17(a) has been reworded:

- (a) ~~An application for the renewal of a manufacturing organisation certificate shall be made by the holder of a manufacturing organisation certificate on form CAA 24148/01. If the holder of a manufacturing organisation certificate wishes to apply for renewal of their certificate, they must use the approved CAA form.~~

### **148.67 Manufacturing organisation exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 148.67(a)(1A) has been rewritten:

- (a) An applicant for the grant of a manufacturing organisation certificate must provide the Director with an exposition that contains—

(1A) ~~in relation to the system for safety management required by rule 148.65,—~~

~~all of the documentation required by rule 100.3(b) to establish and maintain the system for safety management; and~~

~~for an applicant that is not applying for a renewal of a manufacturing organisation certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### **148.105 Changes to certificate holder's organisation**

To improve sentence clarity and readability, rule 148.105(d) has been reworded:

- (d) ~~Before a certificate holder changes any of the following, prior acceptance by the Director is required~~ A certificate holder must obtain the approval of the Director before changing any of the following:

- (1) the chief executive;
- (2) the listed senior persons;
- (3) the manufacturing ratings;
- (4) the supply arrangements for priority parts;
- (5) the procedures for changing the scope within a rating;
- (6) the final testing activities for which the holder utilises a special flight permit with a continuing authorisation;
- (7) the locations at which the manufacturing activities are carried out;
- (8) the system for safety management, if the change is a material change.



## Part 149 Aviation Recreation Organisations - Certification: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **149.13 *Renewal of certificate***

To improve sentence clarity and readability, rule 149.13 has been reworded:

(a) ~~An application for the renewal of an aviation recreation organisation certificate shall be made on form CAA 24149/01.~~ If the holder of an aviation recreation organisation certificate wishes to apply for renewal of their certificate, they must use the approved CAA form.

### **149.59 *Personnel certification***

Rules 19.409, 19.411, 19.413 have been relocated to a new Table in rule 149.59 ('Personnel certification') which sets out the eligibility and currency requirements for personnel certification issued by aviation recreation organisations. This is because those Part 19 rules which have become permanent parts of the Civil Aviation Rules have been transferred to rule parts to which their content better applies. This will ensure these rules are not overlooked by participants and are easily recognisable as standards which apply to them.

Table 1 Eligibility and currency requirements for personnel certification issued by aviation recreation organisations

Personnel	Qualification	Eligibility and currency requirements, privileges and limitations
Glider personnel (pilot)	<ul style="list-style-type: none"><li>(a) student glider:</li><li>(b) qualified glider pilot:</li><li>(c) additional launch endorsements:</li><li>(d) authority to carry passengers:</li><li>(e) category C glider instructor:</li><li>(f) category B glider instructor:</li><li>(g) category A glider instructor:</li><li>(h) Additional launch instructions endorsements</li><li>(i) authority to give instruments flight instruction</li><li>(j) authority to fly IFR.</li></ul>	Civil Aviation Safety Order 17, Part 4, sections 2 and 4, and Appendices I to VII inclusive, that were in force on 31 March 1997:

Glider Personnel (engineer)	<ul style="list-style-type: none"> <li>(a) class 2 approval:</li> <li>(b) class 3 approval, with subdivisions W, M, and P:</li> <li>(c) class 4 approval, with subdivisions W, M, and P:</li> <li>(d) C rating:</li> <li>(e) S rating:</li> <li>(f) R rating:</li> <li>(g) E rating, with subdivisions E2, E3, and E4.</li> </ul>	New Zealand Civil Airworthiness Requirements, section J, J.4 that were in force on 31 March 1997:
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Hang Glider Personnel	<ul style="list-style-type: none"> <li>(a) beginner rating:</li> <li>(b) novice rating:</li> <li>(c) intermediate rating:</li> <li>(d) advanced rating:</li> <li>(e) paraglider 1 rating:</li> <li>(f) paraglider 2 rating:</li> <li>(g) paraglider 3 rating:</li> <li>(h) paraglider instructor rating:</li> <li>(i) paraglider passenger rating:</li> <li>(j) hang glider instructor rating class 1:</li> <li>(k) hang glider instructor rating class 2:</li> <li>(l) special skills clearances.</li> </ul>	Civil Aviation Safety Order 18, Part 4, section 2 and Appendix I, that were in force on 31 March 1997:
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Microlight personnel	<ul style="list-style-type: none"> <li>(a) novice pilot certificate:</li> <li>(b) novice pilot ratings, group A, B, C:</li> <li>(c) intermediate pilot certificate:</li> <li>(d) intermediate pilot ratings group A, B, C:</li> <li>(e) advanced pilot certificate:</li> <li>(f) advanced pilot ratings group A, B, C:</li> <li>(g) microlight flying instructor certificate (provisional):</li> <li>(h) microlight flying instructor:</li> <li>(i) microlight flying instructor ratings group A, B, C:</li> <li>(j) authorised testing officer.</li> </ul>	Civil Aviation Safety Order 19, Part 2, 2.4.1, Part 4, section 2, and Appendices I to VII inclusive, that were in force on 31 March 1997
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#### **149.101 Continued compliance**

To allow for modern technology, rule 149.101(5) has been updated to remove references to facsimile, and be neutral as to the type of contact information.

- (5) ~~forthwith~~ notify the Director **as soon as practicable** of any change ~~of address for service, telephone number, or to the contact details supplied~~ **facsimile number required by form CAA 24149/01** ~~with the original application.~~

#### **149.103 Changes to certificate holder's organisation**

To improve sentence clarity and readability, rule 149.103(d) has been rewritten:

- (d) Subject to paragraph (e), ~~where a certificate holder proposes to make a change to any of the following, prior notification to and acceptance by the Director is required~~ **a certificate holder must obtain the approval of the Director before changing any of the following:**

- (1) the Chief Executive:
- (2) the listed senior persons:
- (3) the holder or holders of any delegation made by the Director:
- (4) the activities authorised by the certificate:
- (5) the principal locations at which the activities may be carried out:
- (6) the procedures for personnel assessment and certification:
- (7) the procedures for organising aviation events.

## Part 157 Notice of Construction, Alteration, Activation, and Deactivation of Aerodromes: Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### ***157.11 Aerodrome determination***

To improve sentence clarity and readability, rules 157.11(a)(1) and (3) have been reorganised:

(a) On completion of the aeronautical study, the Director **must** ~~shall~~ issue to the proponent, appropriate local authorities, and other interested persons an aerodrome determination which shall be one of the following:

- (1) **Unobjectionable:** ~~An unobjectionable~~ determination **that the proposed action is unobjectionable must** ~~shall~~ be made when the Director is satisfied that the proposed action will not adversely affect the safe and efficient use of the airspace by aircraft nor the safety of persons or property on the ground:
- (2) **Conditional:** A conditional determination **must** ~~shall~~ be made when the Director identifies objectionable aspects of a proposed action but specifies conditions which, if complied with, satisfy the Director that the proposed action will not adversely affect the safe and efficient use of the airspace by aircraft nor the safety of persons or property on the ground:
- (3) **Objectionable:** ~~An objectionable~~ determination **that the proposed action is objectionable must** ~~shall~~ be made when the Director identifies objectionable aspects of a proposed action and **must** ~~shall~~ specify the Director's reasons for finding the proposed action objectionable.

## Part 171 Aeronautical Telecommunication Services – Operations and Certification – Summary of Changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **171.5 Requirement for certificate**

To reflect the name change for the Ministry of Economic Development to the Ministry of Business, Innovation and Employment, rules 171.5(b)(4) and (c)(4) have been rewritten:

(b) Paragraph (a) does not apply if a person operates an aeronautical facility on an aeronautical radio frequency and—...

(4) a radio apparatus licence has been granted by the Chief Executive of the Ministry of **Business, Innovation and Employment** ~~Economic Development~~ for the aeronautical facility; and

(c) Paragraph (a) does not apply if a person operates a ground mobile radio on an aeronautical radio frequency and—

...

(4) a radio apparatus licence has been granted by the Chief Executive of the Ministry of **Business, Innovation and Employment** ~~Economic Development~~ for the radio.

### **171.15 Renewal for certificate**

To improve sentence clarity and readability, rule 171.15(a) has been reworded:

(a) ~~An application for the renewal of an aeronautical telecommunication service certificate must be made on form CAA 24171/01. If the holder of an aeronautical telecommunication service certificate wishes to apply for renewal of their certificate, they must use the approved CAA form.~~

### **171.55 Security Programme**

For the purposes of clarity, a cross reference to rules 139.207(2) and 139.209(b) has been added to rule 171.55 (c)(1), to ensure an applicant for the grant of an aeronautical telecommunication service certificate complies with these security requirements now found in Part 139 subpart D (the requirements were previously located in Part 19).

(c) The security programme required under paragraph (a) must include such physical security requirements, practices, and procedures as may be necessary—

(1) to ensure that each aeronautical facility is subject to positive access control **(including, but not limited to, compliance with rules 139.207(2) and 139.209(b))** at all times to prevent unauthorised entry; and...

### **171.77 Aeronautical telecommunication service organisation exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 171.77(a)(1A) has been rewritten:

(d) An applicant for an aeronautical telecommunication service certificate must provide the Director with an exposition that contains—

...

(1A) ~~in relation to the system for safety management required by rule 171.73,—~~

(i) ~~all of the documentation required by rule 100.3(b) to establish and maintain the system for safety management; and~~

- (ii) ~~for an applicant that is not applying for a renewal of an aeronautical telecommunication service certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### **171.101 Continued compliance**

To account for changes in technology, the reference to facsimile number in rule 171.101(5) has been removed:

The holder of an aeronautical telecommunication service certificate must—

...

- (2) notify the Director on **the approved CAA** form **CAA-24171/01** of any change of address for service, telephone number, or **email address** ~~facsimile number~~ within 28 days of the change.

### **171.113 Limitations on certificate holder**

To reflect the name change for the Ministry of Economic Development to the Ministry of Business, Innovation and Employment, rules 171.113(b) been rewritten:

- (b) The holder of an aeronautical telecommunication service certificate may not operate a radio transmitting aeronautical facility on an aeronautical radio frequency except under a radio apparatus licence granted by the Chief Executive of the Ministry of **Business, Innovation and Employment** ~~Economic Development~~ for the facility

### **171.115 Changes to certificate holder's organisation**

To improve sentence clarity and readability, rule 171.115(b) has been reworded:

- (b) ~~Before a holder of an aeronautical telecommunication service certificate changes any of the following, prior acceptance by the Director is required:~~ **A certificate holder must obtain the approval of the Director before changing any of the following:**

- (1) the chief executive
- (2) the listed senior persons:
- (3) the security programme:
- (4) the types of aeronautical facility operated under the authority of the certificate:
- (5) the system for safety management, if the change is a material change.

## Part 172 Air Traffic Service Organisations – Certification : Summary of changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### 172.3 Definitions

To reflect updated document names and terminology, the definitions for *ATS messages* and *Essential traffic* have been rewritten:

**ATS messages** means emergency messages, movement and control messages, and flight information messages as described in ~~Part IX of ICAO Document 4444~~ ICAO Document 4444 (Chapter 11 - Air Traffic Service Messages):

**Essential traffic** means any controlled traffic that is not, ~~or will not be~~, separated by the prescribed minima in relation to other controlled flights where separation is required:

### 172.15 Renewal of Certificate

To improve sentence clarity and readability, rule 172.15(a) has been reworded:

- (a) ~~An application for the renewal of an air traffic service certificate shall be made on form CAA 24172/01.~~ If the holder of an air traffic service certificate wishes to apply for renewal of their certificate, they must use the approved CAA form.

### 172.55 Air traffic controller's duty time limitation

Rule 19.403 has been moved to rule 172.55. As Part 19 contains rules that have become permanent parts of the Civil Aviation Rules, certain Part 19 rules have been transferred to rule parts to which their content better applies. This will ensure these rules are not overlooked by participants and are easily recognisable as standards which apply to them:

The Director may prescribe duty time limitations in respect of the length of time which may be spent on duty by air traffic controllers having regard to:

- (1) The type of operating position; and
- (2) The time of day in which the duty is carried out; and
- (3) The location, usual density of air traffic, or other factors affecting the degree of mental concentration required by the controller.

### 172.57 Facility requirements

To account for the accuracy provided by GNSS time, the word “clocks” in rules 172.57(b)(5)(v) and 172.57(c)(2)(iv) have been replaced with the following words:

(b) Except as provided in paragraph (h), an applicant for an aerodrome control service, or an aerodrome flight information service, must establish procedures for ensuring that any aerodrome control tower or aerodrome flight information office, including any temporary tower or office, listed in the applicant's exposition, is—

...  
(5) provided with the following minimum equipment:

...  
(v) a method for accurate time keeping clocks:

...  
(c) The applicant must establish procedures for ensuring that an area control centre, a flight information centre, and an approach control office is—

...

- (2) provided with the following minimum equipment:

...  
(iv) a method for accurate time keeping clocks;

### **172.99 Flight plans**

To account for changes in technology, the reference to facsimile number in rule 172.99(d)(1) has been removed:

(d) Each applicant for the grant of an air traffic service certificate intending to operate a centralised flight planning office must ensure the office is equipped with—

- (1) AFTN, facsimile and computer data-link connection facilities, for the acceptance of flight plans from aircraft operators and any other ATS unit; and ...

### **172.101 Time**

To account for the accuracy provided by GNSS time, rule 172.101(a) has been rewritten:

(a) An applicant for the grant of an air traffic service certificate must establish a procedure for ensuring that ATS unit clocks and other time recording devices—

- (1) use Coordinated Universal Time and express that time in hours and minutes of the 24-hour day beginning at 0000 UTC; and  
(2) are correct to within 5 seconds of UTC as determined by reference to a standard time station or GNSS time standard;

and a procedure for ensuring that non-GNSS clocks are correct to within 5 seconds of UTC as determined by reference to a standard time station or GNSS time standard.

### **172.107 ATS Surveillance Service**

To ensure the rules remain easy to understand by a lay (i.e. non-legally trained) reader, acronyms have been defined in full. Rule 172.107(4)(iii) has been rewritten:

An applicant for the grant of an air traffic service certificate must establish procedures for ensuring that, where an ATS surveillance system is used to support the provision of an air traffic service—

- (4) full information is made available to inform pilots and aircraft operators on—

...  
(iii) all areas where PSR, SSR, ADS-B and Multilateration MLAT systems or other ATS surveillance systems are in use; and...

### **172.115 Records**

To account for the accuracy provided by GNSS time, rule 172.115(d)(1) has been rewritten:

(d) The applicant must establish systems and procedures for ensuring that electronic records referred to in paragraph (c)—

- (1) include time recording, correct to within 5 seconds of UTC, as determined by reference to a standard time station or GNSS time standard; and ...



### **172.119 Security**

For the purposes of clarity, a cross reference to rules 139.207(2) and 139.209(b) has been added to rule 172.119 (c)(1), to ensure an applicant for the grant of an air traffic service certificate complies with these security requirements found in Part 139 subpart D (the requirements were previously located in Part 19).

(c) Without limiting the generality of paragraph (b), the security programme must specify such physical security requirements, practices, and procedures as may be necessary—

- (1) to ensure that entrances to permanent ATS facilities operated by the applicant are subject to positive access control (including, but not limited to, compliance with rules 139.207(2) and 139.209(b)) at all times, so as to prevent unauthorised entry; and

### **172.125 Air traffic service organisation exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 172.125(a)(1A) has been rewritten:

(a) An applicant for the grant of an air traffic service certificate must provide the Director with an exposition containing—

(1A) ~~in relation to the system for safety management required by rule 172.123, all of the documentation required by rule 100.3(b)~~ to establish and maintain the system for safety management; and—

- ~~(i) all of the documentation required by rule 100.3(b); and~~
- ~~(ii) for an applicant that is not applying for a renewal of an air traffic service certificate, an implementation plan that describes how the system for safety management will be implemented and~~

### **172.125 Air traffic service organisation exposition**

To account for terminology changes in radar services, rule 172.125(a)(35) has been rewritten:

(a) An applicant for the grant of an air traffic service certificate must provide the Director with an exposition containing—

...

(35) details of the procedures required by rule 172.107 regarding the provision of surveillance radar services;

### **172.151 Continued compliance**

To account for changes in technology, the reference to facsimile number in rule 172.151(5) has been removed:

Each holder of an air traffic service certificate ~~must~~ shall—

...

- (2) promptly notify the Director of any change of address for service, telephone number, or email address ~~facsimile number~~, required by the approved CAA form CAA-24172/01.

### **172.161 Changes to certificate holder's organisation**

To improve sentence clarity and readability, rule 172.161(d) has been reworded:

~~(d) Before a holder of an air traffic service certificate changes any of the following, prior acceptance by the Director is required.~~ A certificate holder must obtain the approval of the Director before changing any of the following:

- (1) the chief executive;
- (2) the listed senior person or persons;
- (3) any aspect of air traffic management that may have an adverse impact on air traffic services provided by a State responsible for adjacent airspace;
- (4) the system for safety management, if the change is a material change.

### **172.261 Lateral separation**

To reflect proper, modern terminology, GPS has been replaced by GNSS in 172.261 (a) and (a)(2).

- (a) ~~GPS~~ GNSS distance may be used, instead of DME distance, in the provision of lateral separation when—
  - (1) both aircraft are flying tracks based on the same navigation aid; and
  - (2) the ~~GPS~~ GNSS distance reported is from the same navigation aid on which the lateral separation is based.

## Part 173 Instrument Flight Procedure Service Organisation – Certification and Operation: Summary of changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **173.15 Renewal of certificate**

To improve sentence clarity and readability, rule 173.15 has been reworded:

~~An application for the renewal of an instrument flight procedure service certificate must be made using form CAA24173/01 and~~ If the holder of an instrument flight procedure service certificate wishes to apply for renewal of their certificate, they must use the approved CAA form, and the form must be submitted to the Director not less than 90 days before the certificate expires.

### **173.71 Air traffic service organisation exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 173.71(a)(1A) has been rewritten:

(a) An applicant for the grant of an instrument flight procedure service certificate must provide the Director with an exposition that contains—

...

(1A) ~~in relation to the system for safety management required by rule 173.69,~~ all of the documentation required by rule 100.3(b) to establish and maintain the system for safety management; and

(i) ~~all of the documentation required by rule 100.3(b); and~~

(ii) ~~for an applicant that is not applying for a renewal of an instrument flight procedure service certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### **173.101 Continued compliance**

To account for changes in technology, the reference to facsimile number in rule 173.101(5) has been removed and email address added:

The holder of an instrument flight procedure service certificate must—

...

(5) notify the Director of any change of the certificate holder's postal address, address for service, telephone number, or email address ~~facsimile number~~ within 28 days of the change.

### **173.103 Changes to certificate holder's organisation**

To improve sentence clarity and readability, rule 173.103(b) has been reworded:

(b) ~~Before a holder of an instrument flight procedure service certificate changes any of the following, prior acceptance by the Director is required:~~ A certificate holder must obtain the approval of the Director before changing any of the following:

- (1) the person identified as the chief executive;
- (2) the title or name of any senior person specified in the exposition required by rule 173.71(a)(2);
- (3) the types of instrument flight procedure specified on the holder's certificate: or
- (4) the system for safety management, if the change is a material change.

## Part 174 Aviation Meteorological Service Organisations – Certification: Summary of changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### 174.3 Definitions

To reflect updated document terminology, the definition for *Meteorological briefing service* has been rewritten:

"**Meteorological service**" means any of the following services that provide meteorological information in support of aviation:

- (4) *Meteorological briefing service*: a service for the supply of written, ~~and~~ oral, **and graphical** meteorological information on existing and expected meteorological conditions:

### 174.15 Renewal of certificate

To improve sentence clarity and readability, rule 174.15(a) has been reworded:

- (a) ~~An application for the renewal of a meteorological service certificate shall be made on form CAA 24174/01. If the holder of a meteorological service certificate wishes to apply for renewal of their certificate, they must use the approved CAA form.~~

### 174.79 Meteorological service organisation exposition

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 174.79(a)(1A) has been rewritten:

- (a) An applicant for the grant of a meteorological service certificate must provide the Director with an exposition that contains—
  - ...
  - (1A) ~~in relation to the system for safety management required by rule 174.77, all of the documentation required by rule 100.3(b)~~ **to establish and maintain the system for safety management**; and
  - ~~(i) for an applicant that is not applying for a renewal of a meteorological service certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### 174.109 Changes to certificate holder's organisation

To improve sentence clarity and readability, rule 174.109(d) has been reworded:

- (d) ~~Before a~~ **A certificate holder must obtain the approval of the Director before changing any of the following:** ~~changes any of the following, prior acceptance by the Director is required:~~
  - (1) the chief executive;
  - (2) the listed senior persons;
  - (3) the meteorological services the holder provides;
  - (4) the locations and airspace covered by each of the meteorological services the holder provides;
  - (5) the system for safety management, if the change is a material change.

## Part 175 Aeronautical Information Service Organisations – Certification: Summary of changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **175.69 Aeronautical information service organisation exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 175.69(a)(1A) has been rewritten:

(a) An applicant for the grant of an aeronautical information service certificate must provide the Director with an exposition that contains—

...

(1A) ~~in relation to the system for safety management required by rule 175.67,~~

(i) all of the documentation required by rule 100.3(b) **to establish and maintain the system for safety management**; and

(ii) ~~for an applicant that is not applying for a renewal of an information aeronautical service certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### **175.101 Continued compliance**

To account for changes in technology, the reference to facsimile number in rule 175.101(5) has been removed and email address added:

A holder of an aeronautical information service certificate must —

...

(5) notify the Director of any change of address for service, telephone number, **or** ~~or facsimile number~~ **email address** required by **the approved CAA** form ~~CAA-24175/01~~ within 28 days of the change.

### **175.107 Pre-flight information service**

To ensure accuracy in the list of air navigation facilities, rule 175.107(b)(4)(viii) has been rewritten:

(b) The aeronautical information provided under paragraph (a) must include, where applicable —

...

(4) current information relating to the aerodrome of departure concerning any of the following:

...

(viii) failure, irregular operation or changes in the operational status of air navigation facilities including **ADS-B system, Multilateration Systems**, ILS and markers, PSR, SSR, VOR, NDB, VHF aeromobile channels, RVR observing system, and secondary power supply.

### **175.109 Changes to certificate holder's organisation**

To improve sentence clarity and readability, rule 175.109(d) has been reworded:

(d) ~~Before a~~ A certificate holder **must obtain the approval of the Director before changing any of the following**, ~~prior acceptance by the Director is required:~~

(1) the chief executive:

(2) the listed senior persons:

(3) the aeronautical information services provided by the holder:

- (4) the format and standards for the aeronautical information published under the authority of their certificate:
- (5) the system for safety management, if the change is a material change: