

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 shall 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 19
Miscellaneous Rules

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Subpart A — General

19.1 Definitions

In this Part, unless the context otherwise requires—

Airport identity card means an airport identity card issued or approved under this Part:

Operational area means any area at an aerodrome where aircraft move or are manoeuvred; and includes any area where operational facilities are located or that is designated by signs as an operational area:

Release note means a document that provides evidence that aeronautical products supplied conform to airworthiness standards acceptable to the Director by enabling the products to be traced back through stages of manufacture, distribution, and maintenance.

19.3 Units of measurement

(a) Subject to paragraph (b), the units of measurement used for aeronautical purposes in New Zealand are those specified in the International System of Units as adopted in Annex 5 to the Convention.

(b) Non International System Units adopted by Annex 5 are used in accordance with the following table in New Zealand:

distance	nautical mile	NM
altitude, elevation, and height (when associated with the operation of aircraft)	Foot	ft
speed, including wind speed	Knot	kt
vertical speed	foot per minute	ft/min

19.5 Civil aviation ensign

- (a) The design and colours of the New Zealand Civil Air Ensign are those specified in Appendix A.
- (b) The New Zealand Civil Air Ensign may be flown—
- (1) by the Civil Aviation Authority of New Zealand on its buildings and aircraft; or
 - (2) on any New Zealand registered aircraft; or
 - (3) at any aerodrome; or
 - (4) by an airline owning a New Zealand registered aircraft upon or in proximity to any building occupied by the airline as its principal office or place of business; or
 - (5) by any person to whom permission in writing is granted for the purpose by the Director at such places and subject to such conditions as may be specified.
- (c) Except as provided in this rule, a person may not fly the New Zealand Civil Air Ensign on any aircraft or on any ship, or boat, or on any building, or elsewhere in New Zealand.

19.7 *Reserved*

19.9 *Reserved*

19.11 Transfer of aviation documents

- (a) An aviation document is not transferable.
- (b) An aviation document that has been transferred confers no privileges on the person to whom it is transferred.

Subpart B — Reserved

Subpart C — Reserved

Subpart D — Reserved

Subpart E — Reserved

Subpart F — Supply Organisation Approvals

19.301 Applicability

This Subpart prescribes rules governing the approval of supply organisations.

19.303 Requirement for certificate

A person must not issue a release note for—

- (1) an aeronautical product broken from a batch of aeronautical products conforming to airworthiness standards acceptable to the Director; or
- (2) an aeronautical product whose design requires it to be held under specially controlled storage conditions to ensure that the product continues to conform to airworthiness standards acceptable to the Director; or
- (3) an aeronautical product that, in the absence of documentation specified in rule 19.321(a)(3)(i), requires inspection or testing to determine its conformity to airworthiness standards acceptable to the Director—

unless that person is the holder of a certificate of approval for supply issued under this Subpart or a Part 145 certificate with an appropriate rating.

19.305 Application for approval

An applicant for the grant of a certificate of approval for supply must—

- (1) complete the approved CAA form which requires—
 - (i) the name and address for service in New Zealand of the applicant; and
 - (ii) further information about the applicant that the Director may require as specified on the form; and

- (2) submit the completed form to the Director with—
 - (i) the exposition required by rule 19.325; and
 - (ii) a payment of the appropriate application fee prescribed by regulations made under the Act.

19.307 Issue of approval

An applicant is entitled to a certificate of approval for supply if the Director is satisfied in accordance with section 75 of the Act that—

- (1) the applicant meets the applicable certification requirements in rules 19.317 to 19.325 inclusive; and
- (2) the applicant, and the applicant's senior person or persons required by rule 19.317 are fit and proper persons; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.

19.309 Privileges and limitations

(a) A certificate of approval for supply specifies one or more of the following supply ratings for which the certificate is issued:

- (1) S1 for the issue of release notes for aircraft parts;
- (2) S2 for the issue of release notes for materials;
- (3) S3 for the issue of release notes for fluids.

(b) The holder of a certificate of approval for supply may supply any aeronautical product authorised by the supply rating specified on the certificate.

19.311 Duration of certificate

(a) A certificate of approval for supply may be granted or renewed for a period of up to five years.

(b) A certificate of approval for supply remains in force until it expires or is suspended or revoked by the Director.

(c) The holder of a certificate of approval for supply that expires or is revoked must surrender the certificate as soon as possible to the Director.

(d) The holder of a certificate of approval for supply that is suspended, must produce the certificate as soon as possible to the Director for appropriate endorsement.

19.313 Renewal of certificate

(a) If the holder of a certificate of approval for supply wishes to apply for renewal of their certificate, they must use the approved CAA form.

(b) The application must be submitted to the Director by the application renewal date specified on the certificate or, if no such date is specified, not less than 30 days before the certificate expires.

19.315 Overseas application

An application for a certificate from a person located outside of New Zealand may only be considered for approval if the Director is satisfied that there is a need for the certificate.

19.317 Personnel requirements

(a) Each applicant for the grant of a certificate of approval for supply must engage, employ, or contract:

- (1) a senior person identified as the Chief Executive who has the authority within the applicant's organisation to ensure that all activities undertaken by the organisation can be financed and carried out in accordance with the requirements prescribed by this Subpart:
- (2) a senior person or group of senior persons who are responsible for ensuring that the applicant's organisation complies with the requirements of this Subpart. Such nominated person or persons must be ultimately responsible to the Chief Executive for the following functions:
 - (i) aeronautical product acceptance:
 - (ii) inspection and testing:

- (iii) dispatch of aeronautical products and issue of the associated release notes:
 - (iv) compliance with the terms and conditions of the certificate and the organisation's exposition; and
- (3) sufficient personnel to plan, perform, supervise, inspect, and certify the supply activities listed in the applicant's exposition.
- (b) The applicant must—
 - (1) establish a procedure to initially assess, and a procedure for maintaining, the competence of those personnel involved in planning, performing, supervising, inspecting, or certifying the supply activities performed by the applicant's organisation; and
 - (2) provide those personnel with written evidence of the scope of their authorisation.

19.319 Facility requirements

- (a) Each applicant for the grant of a certificate of approval for supply must provide facilities appropriate for all supply activities performed by the applicant's organisation including—
 - (1) office accommodation for the administration of its supply activities; and
 - (2) inspection and testing facilities; and
 - (3) acceptance and dispatch facilities; and
 - (4) storage facilities.
- (b) The applicant must ensure that the environment it provides is appropriate for the tasks to be performed and, in particular, meets any special requirements specified by applicable inspection, testing, or storage specifications.

19.321 Supply control procedures

(a) An applicant for the grant of a certificate of approval for supply must establish supply control procedures—

- (1) to inspect and, if applicable, test an aeronautical product to determine that it conforms to airworthiness standards acceptable to the Director, has no unsafe features, and is fit for use; and
- (2) for the identification of each aeronautical product by—
 - (i) determining the correct description of the aeronautical product; and
 - (ii) ensuring that the aeronautical product is identical to the description determined under paragraph (a)(2)(i); and
- (3) for determining that each aeronautical product other than a standard part, conforms with acceptable airworthiness standards that are identified from—
 - (i) the documentation accompanying the product if the documentation is acceptable to the Director; or
 - (ii) another means that is acceptable to the Director; and
- (4) to ensure that each aeronautical product or batch of aeronautical products consigned by the supply organisation is—
 - (i) issued with a release note; or
 - (ii) accompanied by the original documents specified in paragraph (a)(3)(i); and
- (5) to ensure that every aeronautical product dispatched by the supply organisation is in a good state of preservation and is free from apparent defect or malfunction; and
- (6) to prevent deterioration of, and damage to, stored items; and

- (7) to segregate items for which acceptance procedures have not been completed; and
 - (8) to segregate and dispose of items that do not conform to airworthiness standards acceptable to the Director; and
 - (9) for the notification, investigation, and reporting of defect incidents under Part 12.
- (b) The procedures for the issue of a release note must include a means to ensure that each release note—
- (1) is identified as such; and
 - (2) is uniquely numbered; and
 - (3) is accompanied by supporting evidence from the aeronautical product manufacturer if the aeronautical product is an authorised alternative to another aeronautical product; and
 - (4) contains the following information:
 - (i) the name and certificate of approval number of the supply organisation issuing it;
 - (ii) the date of issue;
 - (iii) an identification of the aeronautical product by description and, as applicable, part, drawing, specification, serial, and batch number;
 - (iv) the eligibility and any limitations relating to the use of the aeronautical product, including shelf life and finite life;
 - (v) the quantity involved;
 - (vi) details of any modifications incorporated during manufacture; and
 - (5) is certified by an appropriately authorised person listed in the supply organisation's exposition; and

- (6) is issued in the form of a separate document suitable for attachment to an aeronautical product or a batch of aeronautical products.

19.323 Records

(a) An applicant for the grant of a certificate of approval for supply must establish procedures to identify, collect, index, store, maintain, and dispose of the records that are necessary to ensure that each aeronautical product conforms to airworthiness standards acceptable to the Director.

(b) An applicant for the grant of a certificate of approval for supply must establish procedures for—

- (1) recording details of the experience, qualifications, training, and current authorisations of each person who exercises certification privileges on the organisation's behalf; and
- (2) recording every confirmation that each special storage facility is functioning within the appropriate specification; and
- (3) recording every defect associated with aeronautical products received; and
- (4) recording every aeronautical product that is supplied by the organisation; and
- (5) retaining copies of every release note issued by the organisation and copies of the documents required by rule 19.321(a)(3)(i); and
- (6) ensuring that every record is—
 - (i) accurate, legible, and of a permanent nature; and
 - (ii) retained for a period of 7 years from the date of entry.

19.325 Supply organisation exposition

(a) An applicant for the grant of a certificate of approval for supply must provide the Director with an exposition that contains—

- (1) a statement signed by the chief executive, on behalf of the applicant's organisation, confirming that the exposition and any included manuals—
 - (i) define the supply organisation and demonstrate its means and methods for ensuring ongoing compliance with this subpart; and
 - (ii) will be complied with; and
- (2) the titles and names of the senior person or persons required by rule 19.317; and
- (3) the duties and responsibilities of the person or persons specified in paragraph (a)(2), including matters for which they have the responsibility to deal directly with the Director on behalf of the supply organisation; and
- (4) an organisation chart showing lines of responsibility of the senior persons specified in paragraph (a)(2); and
- (5) the detailed description of the scope and limitations of the certificate of approval; and
- (6) details of every location where the applicant conducts supply activities, and the facilities at that location; and
- (7) details of the applicant's provision of satisfactory environmental conditions at each of the locations listed under paragraph (a)(6); and
- (8) details of the applicant's staffing structure at each of the locations listed under paragraph (a)(6); and
- (9) details of any authorisations made by the applicant to other persons for supply functions; and

- (10) details of the applicant's procedures required by—
- (i) rule 19.317(b) regarding assessing the competence of personnel; and
 - (ii) rule 19.317(b) regarding maintaining the competence of personnel; and
 - (iii) rule 19.321 regarding control of supply activities, including a copy of the proposed release note, if applicable; and
 - (iv) rule 19.323(a) regarding the identification, collection, indexing, storage, maintenance and disposal of records; and
 - (v) rule 19.323(b) regarding the content and retention of records; and
 - (vi) rule 19.321(a)(9) regarding the notification, investigation, and reporting of defect incidents; and
- (11) procedures for controlling, amending, and distributing the exposition.
- (b) The applicant's exposition must be acceptable to the Director.

19.327 Continued compliance

Each holder of a certificate of approval for supply must—

- (1) hold at least one complete and current copy of its exposition at each work location specified in its exposition; and
- (2) comply with all procedures and systems detailed in its exposition; and
- (3) make each applicable part of the exposition available to personnel who require those parts to carry out their duties; and
- (4) continue to meet the standards and comply with the requirements of rules 19.317 to 19.325 inclusive; and

- (5) determine that each aeronautical product complies with the applicable airworthiness requirements, has no unsafe features, and is fit for use.

19.329 Changes to certificate holder's exposition

- (a) Each holder of a certificate of approval for supply must ensure that its exposition is amended so as to remain a current description of the organisation.
- (b) The certificate holder must ensure any amendment to its exposition meets the applicable requirements of this Subpart and complies with the amendment procedures contained in its exposition.
- (c) The certificate holder must provide the Director with a copy of each amendment to its exposition as soon as practicable after the holder's incorporation of the amendment into the exposition.
- (d) 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: or
 - (3) the locations at which work is carried out.
- (e) The Director may prescribe conditions under which a certificate holder may operate during or following any of the changes specified in paragraph (d).
- (f) A certificate holder must comply with the conditions prescribed under paragraph (e).
- (g) Where any of the changes referred to in this rule requires an amendment to the certificate, the certificate holder must forward the certificate to the Director as soon as practicable.
- (h) The certificate holder must make such amendments to its exposition as the Director may consider necessary in the interests of aviation safety.

19.331 Notification of ceasing operation

(a) Each holder of a certificate of approval for supply must notify the Director in writing in accordance with paragraph (b) if the holder ceases operations.

(b) The notification must be made within 30 days of cessation and must include a request for revocation of the certificate of approval for supply.

Subpart G — Security**19.353 Restrictions relating to persons and aircraft subject to security control**

Except when authorised by the Director under rule 91.9 a person must not deliver any of the following items to a person who has been subject to security control, or place any of the following items in a location that is accessible to any person on board an aircraft that has been subject to security control:

- (1) a firearm:
- (2) a dangerous or offensive weapon or instrument of any kind whatsoever:
- (3) ammunition:
- (4) an explosive substance or device, or an injurious substance or device of any kind whatsoever that could be used to endanger the safety of the aircraft or of the persons on board:
- (5) an imitation of an item or substance specified in paragraphs (1) to (4).

19.355 *Reserved*

19.357 *Reserved*

19.359 Travel by passengers subject to judicial or administrative procedures

(a) Where a New Zealand government agency or a foreign government agency requires a person who is subject to judicial or

administrative procedures to travel on an aircraft performing an air operation, whether or not that person is to travel under escort, it must inform the operator of the circumstances of the proposed travel.

- (b) If the operator agrees to allow such travel to proceed it must—
 - (1) impose any conditions that it considers are necessary for the safety of the flight and that are authorised by the security programme approved under Part 119 or Part 129; and
 - (2) notify the pilot-in-command.
- (c) The agency concerned must comply with all such conditions.

Subpart I — Test pilots

19.401 *Reserved*

19.403 *Reserved*

19.405 **Test pilots**

A person must not act as a test pilot for the purpose of testing a prototype aircraft or carrying out experimental flying in an aircraft, unless—

- (1) the person holds a valid pilot licence or validation permit issued in accordance with Part 61 and is approved by the Director to act as a test pilot for the type of prototype testing or experimental flying that is being undertaken; or
- (2) the aircraft is a microlight, and the person is authorised by a microlight organisation for the purpose if the organisation's Part 149 certificate authorises the holder to approve a test pilot for the type of prototype testing or experimental flying that is being undertaken; or
- (3) the aircraft is a glider, and the person is authorised by a gliding organisation for the purpose if the organisation's Part 149 certificate authorises the holder to approve a test pilot for the type of prototype testing or experimental flying that is being undertaken.

Appendix A — Civil Air Ensign

The Ensign must comprise upon a field of light blue, a dark-blue latin cross, in breadth eight-sixtieths of the hoist of the ensign, bordered by a white band two-sixtieths of the hoist of the Ensign; in the first canton the Union Flag; and in the fourth canton the Southern Cross of four five-pointed stars coloured red.

The centres of the stars forming the long limb of the cross must be on a vertical line through the centre of the fourth canton and equidistant from its upper and lower edges, and the distance apart of the centres of the stars must be sixteen-sixtieths of the hoist of the Ensign.

The centres of the stars forming the short limb of the cross must be on a line intersecting the vertical limb at an angle of 82 degrees therewith and rising from near the lower inner corner of the canton towards the upper and outer corner, its point of intersection with the vertical line being distant from the centre of the uppermost star of the cross, five and one-half sixtieths of the hoist of the Ensign. The distance of the centre of the star nearest the outer edge of the canton from the point of intersection must be equal to five-sixtieths of the hoist of the Ensign, and the distance of the centre of the star nearest the inner edge of the canton from the point of intersection must be equal to five and one-half sixtieths of the hoist of the Ensign.

The star nearest the outer edge of the canton must measure three and one-half sixtieths, the stars at the top and bottom of the cross and that nearest the inner edge of the canton must each measure four-sixtieths of the hoist of the Ensign across their respective points.