



23/EXE/10

Exemption from the Requirement in Civil Aviation Rule

CAR 139.103(b)(3)

PURSUANT TO Section 37(2)(c) of the Civil Aviation Act 1990,

I, **Dean Winter**, Acting Director of Civil Aviation, being satisfied that—

- (a) prior to a Civil Aviation Rule (CAR) Part 139 amendment being finalised and the development of systems to support dissemination of the runway condition report, it is clearly unreasonable and inappropriate for any Part 139 Aerodrome Operator Certificate holder to meet the requirement of CAR 139.103(b)(3); and
- (b) the risk to safety will not be significantly increased by the granting of this exemption,

HEREBY EXEMPT—

Any holder of a Part 139 Aerodrome Operator Certificate

FROM—

the requirement in CAR 139.103(b)(3) that the maintenance programme must, after 31 July 2018, provide for the measurement and provision of real-time surface condition reporting when a runway is contaminated using standardised reporting methods,

PROVIDED THAT—

- a) The Part 139 Aerodrome Operator Certificate holder continues to engage with the Civil Aviation Authority, other aerodrome operator(s) and the Air Navigation Service Provider in an industry wide change management plan enabling the phased introduction of CAR 139.103(b)(3) requirements; and
- b) In the case that aircraft equipped to enable performance efficiencies utilises the aerodrome, the Part 139 Aerodrome Operator Certificate holder must engage with airline operator(s) as required to determine an appropriate provision of runway condition reporting aligned with the change management plan enabling the phased introduction of CAR 139.103(b)(3) requirements; and
- c) This general exemption is referenced in the Part 139 Aerodrome Operator Certificate holder's Exposition and will subsequently be removed when the runway condition reporting is implemented in accordance with ICAO Circular 355, Assessment, Measurement and Reporting of Runway Condition or in an equivalent format acceptable to the Director.



This exemption shall remain in effect until 05 November 2024, unless withdrawn earlier in writing by the Director.

SIGNED at Wellington

This 3rd day of November 2022)
)
by **Dean Winter**)
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Acting Director of Civil Aviation)
