



PURSUANT to Section 30 of the Civil Aviation Act 1990

I, STEVEN JOYCE, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This 17th day of February 2010

by **STEVEN JOYCE**

A handwritten signature in black ink, appearing to be 'S. Joyce', is written over the printed name 'STEVEN JOYCE'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Minister of Transport

Civil Aviation Rules

Part 139, Amendment 8

Aerodromes - Certification, Operation and Use

Docket 9/CAR/1

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Rule objective

The objective of amendment 8 to Part 139 is to make minor editorial and minor technical changes to facilitate clearer interpretation of the rule.

Amendment 8 to Part 139 is constituent to NPRM 09-03 which contains amendments to the following Parts:

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|---------|----------|----------|
| Part 1 | Part 95 | Part 140 |
| Part 12 | Part 105 | Part 145 |
| Part 19 | Part 106 | Part 148 |
| Part 26 | Part 119 | Part 172 |
| Part 43 | Part 121 | Part 173 |
| Part 65 | Part 125 | Part 175 |
| Part 77 | Part 129 | |
| Part 91 | Part 135 | |
| Part 93 | Part 139 | |

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 09-03, containing the proposed changes to Part 139 and changes to other rules was issued for public consultation under Docket 9/CAR/1 on 30 July 2009.

The publication of this NPRM was notified in the Gazette on 31 July 2009 and advertised in the daily newspapers in the five main provincial centres on 31 July 2009. The NPRM was published on the CAA web site on 30 July 2009.

A period of 37 days was allowed for comment on the proposed rule.

Summary of submissions

A total of 3 written submissions were received on NPRM 09-03 (1 submission related to Part 1, and 2 submissions related to Part 91). However, no submissions were received relating to Part 139, and consequently no changes were made to the proposed amendments.

The rule was then referred to the Minister of Transport for signing.

Examination of submissions

Submissions may be examined by application to the Docket Clerk at the Civil Aviation Authority between 8:30 am and 4:30 pm on weekdays, except statutory holidays.

Insertion of Amendments

The amendments to the rules in this Part are reflected by the revocation of an existing rule, the revocation of a complete rule subpart, and the insertion of new rules.

Effective date of rule

Amendment 8 to Part 139 comes into force on 25 March 2010.

Availability of rules

Civil Aviation Rules are available from–

CAA web site: <http://www.caa.govt.nz/>

Freephone: 0800 GET RULES (0800 438 785)

Part 139 Amendments

Subpart B — Certification Requirements

Rule 139.77 is revoked and replaced by the following rule:

139.77 Aerodrome certification exposition

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

- (1) a statement signed by the Chief Executive, on behalf of the applicant's organisation, confirming that the exposition and any included manuals—
 - (i) define the organisation and demonstrate its means and methods for ensuring ongoing compliance with this Part; and
 - (ii) is to be complied with at all times; and
- (2) the titles and names of the senior person or persons required by rule 139.55(a)(1) and (2); and
- (3) the duties and responsibilities of the senior person or persons specified in paragraph (a)(2) including matters for which they have responsibility to deal directly with the Director or the Authority on behalf of the organisation; and
- (4) an organisation chart showing lines of responsibility of the senior person or persons specified in paragraph (a)(2); and
- (5) any limitations established under rule 139.53; and
- (6) each current exemption granted to the applicant from the requirements of Subparts A, B, C, or D; and
- (7) the aerodrome emergency plan required by rule 139.57; and
- (8) a statement of the rescue and firefighting category determined under rule 139.59 with a description of the extinguishing agents and vehicles required by rules 139.61

and 139.63, the procedure and personnel required by rule 139.65 and the procedures required by rule 139.111(d)(1) and (2); and

- (9) a description of the safeguards for public protection required by rule 139.69; and
- (10) the environmental management programme when required by rule 139.71; and
- (11) the procedures required by rule 139.73 for the notification of aerodrome data and information; and
- (12) the internal quality assurance procedures required by rule 139.75; and
- (13) the aerodrome maintenance programme required by rule 139.103(a); and
- (14) the procedures required by rule 139.105 for the preventive maintenance and checking of the aerodrome visual aids for navigation; and
- (15) the procedures and precautions required by rule 139.107 for any works on the aerodrome; and
- (16) the procedures required by rule 139.109 for the maintenance of the aerodrome emergency plan; and
- (17) the aerodrome inspection programme, procedures and reporting system required by rule 139.117; and
- (18) the procedures required by rule 139.119 for the control of ground vehicles; and
- (19) the procedures required by rule 139.125 for limiting aircraft operations if an unsafe aerodrome condition occurs; and
- (20) a description of measures taken to comply with the security requirements in Subpart D, including the programme and procedures required by rule 139.203(d)(8) and (9); and

- (21) the procedures for controlling, amending and distributing the exposition.
- (b) The applicant's exposition must remain acceptable to the Director.

Subpart E is revoked and the Subpart reference is reserved:

Subpart E — Reserved

Consultation Details

(This statement does not form part of the rules contained in Part 139. It provides details of the consultation undertaken in making the rules.)

A Notice of Proposed Rulemaking, NPRM 09-03 Omnibus 2009, containing the proposed rule amendments for Part 139, and other proposed rule amendments in various Parts, was issued for public consultation under Docket 9/CAR/1 on 30 July 2009.

A period of 37 days was allowed for comment on the proposed rule.

A total of 3 written submissions were received on NPRM 09-03 (1 submission related to Part 1, and 2 submissions related to Part 91). However, no submissions were received relating to Part 139.

The purpose of NPRM 09-03 was to make minor editorial and minor technical amendments to various Parts of the Civil Aviation Rules (CAR). The proposed amendments included the correction of spelling and grammatical errors, the updating of various rules in accordance with current International Civil Aviation Organization (ICAO) standards, definitions and abbreviations, and the revocation of specific transitional arrangements.