



**PURSUANT** to Section 28 of the Civil Aviation Act 1990 and having had regard to the matters specified in section 33 of the Act,

**I, CRAIG FOSS**, Associate Minister of Transport,

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This

26<sup>th</sup>

day of

August

2015

by **HON CRAIG FOSS**

A handwritten signature in black ink, appearing to read 'Craig Foss', is written over the printed name. The signature is fluid and cursive.

Associate Minister of Transport

**Civil Aviation Rules**

**Part 139, Amendment 11**

**Aerodromes – Certification, Operation and Use**

*Docket 14/CAR/3*

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**Rule objective**

The objective of Amendment 11 to Part 139 is to make editorial corrections that became apparent following the introduction of Amendment 10.

This amendment is constituent to NPRM 15-01 which contains amendments to the following Parts:

Part 1	Part 93	Part 121
Part 12	Part 101	Part 125
Part 19	Part 102	Part 135
Part 43	Part 108	Part 145
Part 65	Part 115	Part 172
Part 91	Part 119	

**Extent of consultation**

On 2 July 2015 Amendment 10 of Part 139 was notified in the New Zealand Gazette. Since Amendment 10 was made, the CAA has identified a number of changes that should be made at the same time as other changes contained in the Omnibus 2014 project.

These amendments are minor editorial changes that are not controversial.

For this reason consultation was not considered necessary in this case.

**Summary of submissions**

No submissions were sought or received on the changes included in this amendment.

**Insertion of Amendments**

The amendments to the rules in this Part are reflected by replacing the existing rules with the amended rules.

**Effective date of rule**

Amendment 10 to Part 139 comes into force on 24 September 2015.

### **Availability of rules**

Civil Aviation Rules are available from–

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

Freephone: 0800 GET RULES (0800 438 785)

***Replace existing rule 139.11 with amended rule 139.11:***

**139.11 Duration of certificate**

(a) The Director may not specify an expiry date in relation to an aerodrome operator certificate or a qualifying aerodrome operator certificate that is later than 5 years after the date on which the certificate is granted.

(b) *[Revoked]*

(c) *[Revoked]*

(d) *[Revoked]*

***Replace existing rule 139.51 with amended rule 139.51:***

**139.51 Aerodrome design requirements**

(a) An applicant for the grant of an aerodrome operator certificate must ensure that the physical characteristics of the aerodrome, the obstacle limitation surfaces, the visual aids for navigation and for denoting obstacles and restricted areas, and the equipment and installations for the aerodrome are commensurate with—

- (1) the characteristics of the aircraft that the aerodrome is intended to serve; and
- (2) the lowest meteorological minima intended for each runway; and
- (3) the ambient light conditions intended for the operation of aircraft on each runway.

(b) An applicant for the grant of an aerodrome operator certificate must ensure that a runway end safety area that complies with the physical characteristics prescribed in appendix A.1 is provided at each end of a runway at the aerodrome if—

- (1) the runway is used for regular air transport services operating to or from New Zealand; or

- (2) the aerodrome operator certificate is first issued after 12 October 2006 and the runway is used for regular air transport services by aeroplanes that have a seating configuration of more than 30 seats excluding any required crew member seat; or
  - (3) the runway is commissioned after 12 October 2006 to be used for regular air transport services by aeroplanes that have a seating configuration of more than 30 seats excluding any required crew member seat; or
  - (4) the runway is used for regular air transport services by aeroplanes that have a seating configuration of more than 30 seats excluding any required crew member seat and—
    - (i) either the landing distance available or the length of the runway strip is extended to a distance or length that is more than 15 metres greater than the respective distance or length that was published for the runway immediately before 12 October 2006; or
    - (ii) the runway is upgraded to an instrument runway after 12 October 2006.
- (c) The RESA provided at the aerodrome must be acceptable to the Director.
- (d) An applicant for the grant of an aerodrome operator certificate must ensure that the physical characteristics, obstacle limitation surfaces, visual aids, equipment and installations, provided at the aerodrome are—
- (1) compliant with—
    - (i) Appendix C; and
    - (ii) Appendix D; and
    - (iii) rules E.1, E.2, and E.3 of Appendix E; and
    - (iv) rule E.4 of Appendix E after 31 July 2018; and

- (v) Appendix F; and
  - (vi) Appendix G; and
  - (vii) Appendix H after 31 July 2018; and
- (2) acceptable to the Director.
- (e) Paragraph (d) applies only to areas on an aerodrome that are used by 1 or more aeroplanes—
- (1) engaged in regular air transport operations where—
    - (i) the aeroplane’s point of take-off that immediately precedes the aeroplane landing at the aerodrome, is an aerodrome outside New Zealand; or
    - (ii) the aeroplane’s point of landing that immediately follows the aeroplane taking-off from the aerodrome, is an aerodrome outside New Zealand;
  - (2) having a certificated seating capacity of more than 30 passengers that are engaged in regular air transport operations for the carriage of passengers.

***Replace existing rule 139.123 with amended rule 139.123:***

**139.123 Aerodrome condition notification**

A holder of an aerodrome operator certificate must, in accordance with the procedure required by rule 139.73, notify the aeronautical information service provider, as soon as practicable (for the issue of a NOTAM), of any aerodrome operational condition at the aerodrome that may affect the safe operation of aircraft.

*Replace existing rule 139.203 with amended rule 139.203:*

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

#### **Barrier requirements**

(a) A holder of an aerodrome operator certificate issued for a security designated aerodrome must, in addition to complying with the requirements in rule 139.69 (Public Protection), provide safeguards to prevent inadvertent unauthorised access and to deter intentional unauthorised access, to any security area or security enhanced area within the aerodrome.

(b) The safeguards required by paragraph (a) must—

- (1) consist of fences, gates, doors and other barriers between public and security areas or security enhanced areas with adequate locking or control systems; and
- (2) ensure control of any duct, drain or tunnel giving access to any security area or security enhanced area.

(c) The construction and height of each barrier required by paragraph (b)(1) must, considering the surrounding topography, provide an effective measure against penetration of any security area or security enhanced area and must in no case be less than 2440 millimetres in height.

#### **Other requirements**

(d) The holder of an aerodrome operator certificate issued for a security designated aerodrome must—

- (1) designate an isolated aircraft parking position at the aerodrome for the parking of an aircraft that is known or believed to be the subject of unlawful interference, or which for other security reasons needs isolation from normal aerodrome activities; and
- (2) provide and maintain lighting, and emergency lighting in the event of failure of the normal lighting system, on any parking areas at the aerodrome used at night by aeroplanes having a

certified seating capacity of 30 or more passengers that are engaged in air transport operations for the carriage of passengers; and

- (3) provide lighting, or have portable lighting available within 30 minutes, on any designated isolated aircraft parking area at the aerodrome intended to be used at night; and
- (4) provide the following areas at the aerodrome for the screening of passengers, crew and baggage:
  - (i) areas for the screening of international passengers, crew, and baggage, before aircraft boarding:
  - (ii) sterile areas where international passengers and crew subject to screening are prevented from having access to unauthorised articles or contact with unscreened persons:
  - (iii) areas for the separation of arriving passengers and crew from departing passengers and crew during international deplaning to prevent arriving, transit, and transfer passengers and crew having contact with any person who has been subject to screening; and
- (4A) when considered necessary by the Minister or the Director, provide 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 areas at the aerodrome of the kind required by paragraph (d)(4) (for the screening of international passengers, crew and their baggage) for the screening of domestic passengers, crew and their baggage; and
- (6) ensure that concession areas at the aerodrome that are situated in an area accessible to screened passengers are designed in such a way that they provide access control

measures sufficient to prevent delivery to any screened person of—

- (i) any firearm; or
  - (ii) any other dangerous or offensive weapon or instrument of any kind; or
  - (iii) any ammunition; or
  - (iv) any explosive substance or device, or any injurious substance or device of any kind that could be used to endanger the safety of an aircraft or of the persons in an aircraft; and
- (7) design all areas required by paragraphs (d)(4), (d)(4A), (d)(5), and (d)(6) in such a way that they provide access control measures sufficient to prevent any unauthorised persons from entering the area; and
- (8) establish a security training programme and procedures for ensuring that every person who is employed, engaged, or contracted by the certificate holder has the appropriate level of security awareness applicable to the person's function; and
- (9) establish procedures for identifying, reporting to the Director, and dealing with, breaches of and deficiencies in, any security procedures established by the holder and any enactment relating to security at the aerodrome; and
- (10) make provision for the security of services including, but not limited to, energy supplies, communications, sewerage and water supplies, in order to minimise the risk of such services being used to interfere unlawfully with aviation operations; and
- (11) when so required by the Director, affix signs at the perimeter of security areas or security enhanced areas within the aerodrome; and
- (12) establish procedures for ensuring that—

- (i) unauthorised vehicles do not enter security areas or security enhanced areas; and
  - (ii) unauthorised vehicles, or vehicles that appear suspicious, that are found within a security area or security enhanced area are appropriately dealt with.
- (e) The training programme required by paragraph (d)(8) must include—
- (1) applicable segments for initial training and recurrent training; and
  - (2) knowledge testing or competency assessment as appropriate for the training conducted.
- (f) The holder of an aerodrome operator certificate must ensure that each segment required by paragraph (e)(i)—
- (1) includes a syllabus that is acceptable to the Director; and
  - (2) is conducted in a structured and coordinated manner by a person authorised by the certificate holder.
- (g) The holder of an aerodrome operator certificate must ensure that every person who is required to be trained under paragraph (d)(8) undertakes the recurrent training segment of the training programme at an interval of not more than 3 years.
- (h) *[Revoked]*
- (i) *[Revoked]*

***Replace existing rule 139.455 with amended rule 139.455:***

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

- (a) Each holder of a qualifying aerodrome operator certificate must ensure that its exposition is amended to remain a current description of the aerodrome and its associated plans, programmes, services, systems, procedures, and facilities.

- (b) The certificate holder must ensure that any amendments made to the holder's exposition meet the applicable requirements of this Part and comply with the amendment procedures contained in the holder's exposition.
- (c) The certificate holder must provide the Director with a copy of each amendment to the holder's exposition as soon as practicable after its incorporation into the exposition.
- (d) Where a certificate holder proposes to make a change to any of the following, prior notification to and acceptance by the Director is required:
- (1) the chief executive;
  - (2) the listed senior persons.
- (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 any conditions prescribed under paragraph (e).
- (g) Where any of the changes referred to in this rule requires an amendment to the aerodrome operator certificate, the certificate holder must forward the certificate to the Director as soon as practicable.
- (h) The certificate holder must make such amendments to the holder's exposition as the Director may consider necessary in the interest of safety.

**Replace existing Table H-1 with amended Table H-1:**

**Table H-1. Secondary power supply requirements**

Runway	Lighting aids requiring power	Maximum switch-over time	Notes
Precision approach category I	Approach lighting system	15 seconds	
	Runway edge	15 seconds	c
	Visual approach slope indicators	15 seconds	a,c
	Runway threshold	15 seconds	c
	Runway end	15 seconds	
	Essential taxiway	15 seconds	a
Precision approach category II/III	Obstacle	15 seconds	
	Runway edge	15 seconds	a
	Runway threshold	1 second	
	Runway end	1 second	
	Runway centre line	1 second	
	Runway touchdown zone	1 second	
	All stop bars	1 second	
	Essential taxiway	15 seconds	
	Runway meant for take-off in runway visual range conditions less than a value of 550 m	Runway edge	15 seconds
Runway end		1 second	
Runway centre line		1 second	
All stop bars		1 second	a
Essential taxiway		15 seconds	a
Obstacle		15 seconds	

*Notes:*

*a. Supplied with secondary power when their operation is essential to the safety of flight operation.*

*b. 1 second where no runway centre line lights are provided.*

*c. 1 second where the approaches are over hazardous or precipitous terrain.*