



PURSUANT to Sections 28 and 30 of the Civil Aviation Act 1990

I, GERRY BROWNLEE, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *26th* day of *November* 2012

by **Hon GERRY BROWNLEE**

A handwritten signature in blue ink, appearing to read 'Gerry Brownlee', is written over the printed name.

Minister of Transport

Civil Aviation Rules

Part 140, Amendment 6

Aviation Security Service Organisations - Certification

. Docket 7/CAR/1

Contents

| | |
|--|----------|
| Rule objective..... | 3 |
| Extent of consultation..... | 3 |
| Summary of submissions..... | 3 |
| Examination of submissions..... | 4 |
| Insertion of Amendments | 4 |
| Effective date of rule..... | 4 |
| Availability of rules..... | 4 |
| Part 140 Aviation Security Services Organisations – Certification | 5 |
| Appendix A — Security Operational Standards | 5 |
| A.21 Liaison with other organisations..... | 5 |
| Consultation Details | 6 |

Rule objective

The objective of amendment 6 to Part 140 is to improve protection from aviation security threats affecting the travelling public. The proposal addresses the establishment of security committees at security designated aerodromes.

Extent of consultation

Development of the rule amendment proposal included informal discussions, meetings and emails with Air New Zealand, Air Nelson, Mount Cook Airline, Air Chathams, Vincent Aviation, Air Freight, Auckland International Airport, Rotorua Airport, Christchurch International Airport, Dunedin Airport, Qantas, LAN Chile, and Avsec. Prior to the publication of the notice of proposed rulemaking (NPRM), the Security Rules Update amendment project was undertaken in consultation with a project working group (PWG) that consisted of representatives from the aviation industry. The PWG also had support from the New Zealand Air Line Pilots Association.

A Notice of Proposed Rulemaking, NPRM 12-01, containing the proposed amendment to Part 140 was issued for public consultation under Docket 7/CAR/1 on 9 February 2012.

The publication of this NPRM was notified in the Gazette on 9 February 2012 and advertised on 10 February 2012 in the following metropolitan and regional newspapers: The New Zealand Herald, The Dominion Post, The Press, the Otago Daily Times, The Waikato Times, The Daily Post, the Manawatu Standard, and the Southland Times. The NPRM was published on the CAA web site and mailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 28 days was allowed for comment on the proposed rule.

Summary of submissions

Seven written submissions and two emailed comments were received on the NPRM. One submission related to the proposed amendment, but accepted the proposal without change; consequently, no changes were made in the final rule.

The rule was then referred to Parliament's Regulations Review Committee before being signed by the Minister of Transport.

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 amending existing Appendix A21 rule Part 140.

Effective date of rule

Amendment 6 to Part 140 comes into force on 16 January 2013.

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 140 Aviation Security Services Organisations – Certification

Appendix A — Security Operational Standards

Paragraph A.21 is revoked and replaced by the following paragraph:

A.21 Liaison with other organisations

(a) A holder of an aviation security service certificate must, for each location referred to in rule 140.61(a)(5)—

- (1) consult and liaise with all other organisations involved in contingency planning affecting the security of operations at that location; and
- (2) establish a security committee to ensure that sufficient information is given to other organisations at that location to motivate security awareness on the part of all personnel.

(b) The holder of an aviation security service certificate must, for each security committee established under paragraph (a)(2), convene, chair, and minute security committee meetings at regular intervals not exceeding 12 months.

Consultation Details

(This statement does not form part of the rules contained in Part 108. It provides details of the consultation undertaken in making the rules.)

A Notice of Proposed Rulemaking, NPRM 12-01 Security Rules Update, containing the proposed rules was issued for public consultation under Docket 7/CAR/1 on 9 February 2012.

Submissions were received from Airways, Avsec, Chatham Islands Enterprise Trust, Christchurch International Airport, Federation of Air New Zealand Pilots, New Zealand Airports Association, and Qantas.

In addition to the seven formal submissions two organisations commented informally. Only one of the submissions and comments related to Part 140, and that submitter accepted the proposal without change.