



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 *26th* 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.

Associate Minister of Transport

Civil Aviation Rules

Part 172, Amendment 10

Air Traffic Service Organisations – Certification

Docket 14/CAR/3

Contents

Rule objective.....	3
Extent of consultation.....	3
Summary of submissions.....	3
Examination of submissions.....	3
Insertion of Amendments	3
Effective date of rule.....	4
Availability of rules.....	4
172.107 ATS Surveillance Service.....	5
172.295 <i>[Revoked]</i>	6

Rule objective

The objective of Amendment 10 to Part 172 is to update the reference to surveillance to be consistent with international convention.

This amendment forms part of the Omnibus 2014 rule project which also 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 139
Part 65	Part 115	Part 145
Part 91	Part 119	

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 15-01, containing the proposed changes to Part 172 and other rules was issued for public consultation under Docket 14/CAR/3 on 24 March 2015.

The publication of this NPRM was notified in the Gazette on 24 March 2015. The NPRM was published on the CAA web site and emailed to subscribers to the automatic alert service provided by the CAA.

A period of 24 days was allowed for comment on the proposed rule.

Summary of submissions

Two written submissions and no oral comments were received on the NPRM. No submissions related to the proposed amendment to Part 172.

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 replacing the existing rules with the amended rules.

Effective date of rule

Amendment 10 to Part 172 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 the existing rule 172.107 with the following rule 172.107:

172.107 ATS Surveillance Service

An applicant for the grant of an air traffic service certificate must establish procedures to ensure that, where an ATS surveillance system is used to support the provision of an air traffic service—

- (1) all ATS surveillance services are provided in accordance with procedures published in—
 - (i) Document 4444; or
 - (ii) Document 7030 (as applicable to the Middle East/Asia Region); or
 - (iii) Subpart G; and
- (2) SSR code allocation for international flights is in accordance with the code assignment system published in the applicable ICAO Air Navigation Plan; and
- (3) an SSR code management plan is in place for domestic flights that—
 - (i) conforms to the applicable principles contained in Document 4444; and
 - (ii) does not conflict with the SSR code allocation tables of 91.247(a); and
- (4) full information is made available to pilots and aircraft operators on—
 - (i) the nature and extent of the ATS surveillance services provided; and
 - (ii) any significant limitations regarding such ATS surveillance services; and
- (5) the information displayed at individual ATS surveillance service operating positions is that required for the air traffic services to be provided.

Revoke rule 172.295:

172.295 [Revoked]