



**PURSUANT** to Section 28 of the Civil Aviation Act 1990

**I, HARRY JAMES DUYNHOVEN**, Minister for Transport Safety,

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This *16<sup>th</sup>* day of *May* 2006

by **HARRY JAMES DUYNHOVEN**

A handwritten signature in black ink, appearing to read 'Harry James Duynhoven', is written over a large, stylized, abstract graphic element that resembles a signature or a stylized letter 'H'.

Minister for Transport Safety

**Civil Aviation Rules**

**Part 175, Amendment 3**

**Aeronautical Information Service Organisations  
– Certification**

*Docket 3/CAR/4*

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**Rule objective**

The objective of Amendment 3 to Part 175 is to make editorial and minor technical changes as part of a general rule fix up project.

**Extent of consultation**

A Notice of Proposed Rulemaking, NPRM 05-07, containing the proposed changes to Part 175 was issued for public consultation under Docket 3/CAR/4 on 23 June 2005.

The publication of this NPRM was notified in the *Gazette* on 23 June 2005 and advertised in the daily newspapers in the five main provincial centres on 25 June 2005. 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 37 days was allowed for comment on the proposed rule.

**New Zealand Transport Strategy**

The development of the NPRM and the proposed rule changes takes into account the objectives of the New Zealand Transport Strategy (NZTS) and the provisions of the Civil Aviation Amendment Act (No 2) 2004.

**Summary of submissions**

Nine written submissions were received on the NPRM. No submissions were received on the proposed amendments to Part 175.

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

**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 the existing rule and the substitution of the new rule.

### **Effective date of rule**

Amendment 3 to Part 175 comes into force on 22 June 2006.

### **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 175            Aeronautical Information Services Organisations – Certification**

### **Subpart A – General**

*Rule 175.1 is revoked and the following new rule is substituted:*

#### **175.1    Applicability**

This Part prescribes—

- (1) rules governing the certification and operation of organisations providing an aeronautical information service for New Zealand on behalf of the Authority; and
- (2) the requirements for the Aeronautical Information Publication New Zealand, Aeronautical Information Circulars and NOTAM.

### **Subpart B – Certification Requirements**

*Rule 175.61 is revoked and the following new rule is substituted:*

#### **175.61    Publication of aeronautical information**

- (a) An applicant for the grant of an aeronautical information service certificate must establish procedures to check, co-ordinate, edit, publish and disseminate aeronautical information for the services listed in the applicant's exposition.
- (b) The applicant must ensure that the procedures established under paragraph (a) require—
  - (1) the information received under rule 175.59 to be checked against available information to verify its accuracy prior to publication; and
  - (2) the information received under rule 175.59 to be edited, accurately published, and disseminated—
    - (i) in the format applicable to the operational significance of the information; and

- (ii) if applicable, in accordance with subparts D, E, or F; and
  - (iii) is in a format that takes account of the circumstances under which the information is to be used; and
- (3) except for paragraph (b)(4), permanent publications and long-term temporary publications to be clearly identified as being published under the authority of the applicant's aeronautical information service certificate; and
- (4) if aeronautical information obtained from the aeronautical information services of other States under rule 175.59(b)(2) is disseminated, that information to be clearly identified as having the authority of the originating State; and
- (5) if information that has not been certified as required under rule 175.59(b)(4) is disseminated, that information to be clearly identified as being unverified; and
- (6) any permanent change to published information to be coordinated with other applicable information originators before the change is published; and
- (7) temporary information that is published without a defined expiry date to be reviewed at an appropriate time to ensure that the originator takes the required action to cancel or reissue the information; and
- (8) the aeronautical information to be published in the English language; and
- (9) place names to be spelt according to local usage, transliterated when necessary into the Latin alphabet; and
- (10) units of measurement to be consistent with those prescribed in rule 19.3; and
- (11) abbreviations, consistent with those prescribed in Part 1, to be used in the published aeronautical information if—
  - (i) their use is appropriate; and

- (ii) their use facilitates the dissemination of the information; and
- (12) any of the aeronautical information published to be promptly made available to the aeronautical information services of other States, upon request by those States; and
- (13) the aeronautical information to be made available in a form that is suitable for the operational requirements of—
  - (i) flight operations personnel, including flight crew members and the services responsible for pre-flight briefing; and
  - (ii) the air traffic service units responsible for flight information services.
- (c) The applicant must ensure that the procedures for the AIP service, in addition to paragraph (b), require—
  - (1) aeronautical charts, and operationally significant information published in AIP Amendments and AIP Supplements, to be published in accordance with the AIRAC system; and
  - (2) the information published under the AIRAC system to be clearly identified with the acronym *AIRAC*; and
  - (3) the information published under the AIRAC system to be distributed so that recipients receive the information at least 28 days before its effective date; and
  - (4) the information published under the AIRAC system to not change for at least 28 days after the effective date, unless the circumstance notified is of a temporary nature and would not persist for the full period; and
  - (5) if an AIP Supplement is published to replace a NOTAM, the supplement to include a reference to the serial number of the NOTAM; and
  - (6) if an AIP Amendment or AIP Supplement is published under the AIRAC system, a NOTAM to be originated giving a brief

description of the operationally significant contents, the effective date and the reference number of each amendment or supplement. The NOTAM must—

- (i) come into force on the same effective date as the amendment or supplement; and
  - (ii) remain in force for a period of 14 days; and
- (7) if there is no applicable information to be published by the AIRAC date, a *NIL* notification to be issued; and
- (8) a NOTAM to be originated if information to be published as an AIP Amendment or AIP Supplement takes effect prior to the effective date of the amendment or supplement.

## Subpart C – Operating Requirements

*Rule 175.103 is revoked and the following new rule is substituted:*

### **175.103 AIP service**

- (a) The holder of the aeronautical information service certificate for the AIP service must publish—
- (1) the AIPNZ in accordance with Subpart D; and
  - (2) AIP Amendments in accordance with rule 175.155; and
  - (3) AIP Supplements in accordance with rule 175.157 for notification of—
    - (i) temporary changes that are effective for 3 months or longer; and
    - (ii) information of less than 3 months duration which contains extensive text or graphics; and
  - (4) the AIC in accordance with subpart E.
- (b) The certificate holder must, in addition to paragraph (a)—



- (1) designate an office as New Zealand's point of contact with the aeronautical information services of other States for the interchange of the Integrated Aeronautical Information Package, except NOTAM; and
- (2) make the AIPNZ, AIP Amendments, AIP Supplements and AIC available to any person upon payment of a charge that may apply to the supply of the publications; and
- (3) establish a system to disseminate the AIPNZ, AIP Amendments, AIP Supplements, aeronautical charts, and AIC in accordance with rule 175.61(c)(3); and
- (4) ensure that every aeronautical chart published as part of the AIPNZ conforms to the applicable standards for the charts; and
- (5) coordinate the input of all aeronautical information from the originators prescribed in rule 175.59(b)(1), except—
  - (i) information which is of immediate operational significance necessitating the immediate issue of a NOTAM; and
  - (ii) temporary information of a duration of less than 3 months, that only requires the issue of a NOTAM.

***Rule 175.107 is revoked and the following new rule is substituted:***

**175.107 Pre-flight Information Service**

- (a) A holder of an aeronautical information service certificate for a pre-flight information service must make available to flight operations personnel and flight crew members, aeronautical information that —
- (1) is essential for the safety, regularity and efficiency of air navigation; and
  - (2) relates to the geographic area, aerodromes and air routes listed in the certificate holder's exposition.

(b) The aeronautical information provided under paragraph (a) must include, where applicable —

- (1) a summary of current NOTAM and other information of an urgent character, in a plain text PIB; and
- (2) relevant elements of the Integrated Aeronautical Information Package; and
- (3) relevant maps and charts; and
- (4) current information relating to the aerodrome of departure concerning any of the following:
  - (i) construction or maintenance work on or immediately next to the manoeuvring area:
  - (ii) rough portions of any part of the manoeuvring area, whether marked or not, including broken parts of the surface of runways and taxiways:
  - (iii) presence and depth of snow, ice, or water on runways and taxiways, including their effect on surface friction:
  - (iv) snow, drifted or piled on or next to runways or taxiways:
  - (v) parked aircraft or other objects on or immediately next to taxiways:
  - (vi) the presence of other temporary hazards including those created by birds:
  - (vii) failure or irregular operation of part or all of the aerodrome lighting system including approach, threshold, runway, taxiway, and obstruction lights, and manoeuvring area unserviceability lights, and aerodrome power supply:
  - (viii) failure, irregular operation or changes in the operational status of air navigation facilities including

ILS and markers, PSR, SSR, VOR, NDB, VHF aeromobile channels, RVR observing system, and secondary power supply.

(c) The holder of an aeronautical information service certificate for a pre-flight information service must make provision for flight crew members to report post-flight information at those aerodromes listed in the holder's exposition.

(d) The holder of an aeronautical information service certificate for a pre-flight information service must forward any post-flight information reported by flight crew members under paragraph (c) concerning the state and operation of air navigation facilities, to the operator of the navigation facility.

***Subpart heading - Subpart D — New Zealand Aeronautical Information Publications - is revoked and the following new subpart heading is substituted:***

## **Subpart D — Aeronautical Information Publication New Zealand**

***Rule 175.151 is revoked and the following new rule is substituted:***

### **175.151 Contents of AIPNZ**

(a) The AIPNZ must contain current information, data and aeronautical charts relating to—

- (1) the regulatory and airspace requirements for air navigation in the New Zealand FIR and the areas of the Auckland Oceanic FIR in which New Zealand is responsible for air traffic services; and
- (2) the New Zealand services and facilities that support international air navigation to and from New Zealand; and
- (3) the services and facilities that support air navigation within the New Zealand flight information region; and
- (4) aerodromes operating under an aerodrome operating certificate issued in accordance with Part 139.

(b) The AIPNZ may contain current information, data, and aeronautical charts relating to aerodromes not operating under an aerodrome operating certificate, if—

- (1) the aerodrome operator provides the holder of the aeronautical information service certificate for the AIP service with the required data and information relating to the aerodrome; and
- (2) the aerodrome operator accepts responsibility for the accuracy and currency of that data and information.

(c) The AIPNZ must include at an appropriate location—

- (1) a statement to advise which certificated organisations are responsible for the air navigation facilities, services and procedures covered by the AIPNZ; and
- (2) the general conditions under which those services and facilities are available for use; and
- (3) a list of the differences with the ICAO Standards, Recommended Practices and Procedures that the Director has filed under Article 38 of the Convention; and
- (4) a summary of any significant standards, practices and procedures followed by New Zealand, where the ICAO Standards, Recommended Practices and Procedures allow alternative courses of action.

***Rule 175.153 is revoked and the following new rule is substituted:***

**175.153 Specifications for AIPNZ**

- (a) Each publication that forms part of the AIPNZ must—
- (1) specify the purpose of the publication, the geographic area covered and that the publication is part of the AIPNZ ; and
  - (2) be self-contained, include a table of contents with page numbers, and be paginated clearly; and

- (3) specify that it is published—
    - (i) by the holder of the aeronautical information service certificate for the AIP service; and
    - (ii) under the authority of the holder's certificate issued by the Director; and
  - (4) not duplicate information unnecessarily and if duplication is necessary, there must be no difference in the duplicated information in respect of the same facility, service or procedure; and
  - (5) be dated, or if the publication is in loose-leaf form, each page must be dated. The date must consist of the day, month by name, and the year when the aeronautical information becomes effective; and
  - (6) be updated by means of AIP Amendments or by reissue at regular intervals; and
  - (7) show clearly the degree of reliability of any unverified information.
- (b) A publication published in loose-leaf form must—
- (1) specify on each page, which publication the page belongs to and that the page is part of the AIPNZ ; and
  - (2) contain a checklist that—
    - (i) gives the current date, and page number or chart title of each page or chart in the publication; and
    - (ii) is issued with each AIP Amendment; and
    - (iii) specifies which publication it belongs to; and
    - (iv) is printed with a page number and the date as prescribed in paragraph (a)(5).

***Rule 175.157 is revoked and the following new rule is substituted:***

**175.157 Specifications for AIP supplements**

- (a) Each AIP Supplement must be allocated a serial number which must be consecutive and based on the calendar year.
- (b) The AIP Supplement pages must remain part of the AIPNZ while any part of their contents remain valid.
- (c) A checklist of AIP Supplements currently in force must be issued with each AIP Supplement or at intervals of not more than one month. The checklist must be given the same distribution as the supplement.

**Subpart F — NOTAM**

***Rule 175.251 is revoked and the following new rule is substituted:***

**175.251 Specifications for NOTAM**

- (a) Each NOTAM must be allocated a serial number by the NOTAM Office in either an **A** series or a **B** series. The serial number within each series must be consecutive and based on the calendar year.
- (b) The **A** series of NOTAM must only contain aeronautical information that —
  - (1) is operationally significant to operators operating within the New Zealand FIR; and
  - (2) is not published in the **B** series of NOTAM.
- (c) The **B** series of NOTAM must contain aeronautical information that is operationally significant to international operators operating in —
  - (1) the New Zealand FIR; and
  - (2) the areas of the Auckland Oceanic FIR in which New Zealand is responsible for air traffic services.
- (d) Each NOTAM must be brief, deal with only 1 subject, and be compiled so that its meaning is clear without reference to another document.

- (e) If a NOTAM contains information that requires an amendment to the AIPNZ or an AIP Supplement, the NOTAM must contain a cross-reference to the affected AIPNZ text or AIP Supplement.
- (f) If a NOTAM is issued which cancels or supersedes a previous NOTAM, the serial number of the previous NOTAM must be specified.
- (g) If an error is detected in a NOTAM, a replacement NOTAM which cancels the original must be issued.
- (h) Location indicators included in the text of a NOTAM must conform to those approved by ICAO.
- (i) A curtailed form of location indicator must not be used.
- (j) If no location indicator is assigned to the location, the name of the place, spelt in accordance with rule 175.61(b)(9), must be entered in the text of the NOTAM.
- (k) The NOTAM checklist required under rule 175.105(6) must —
- (1) refer to the latest AIP Amendments, AIP Supplements and the internationally distributed AIC; and
  - (2) have the same distribution as the actual NOTAM series to which the checklist refers and must be clearly identified as a checklist.
- (l) Each NOTAM in the **B** series must be prepared and composed in a manner suitable for international distribution.

***Appendix A - Transitional Arrangements - is revoked.***

## Consultation Details

(This statement does not form part of the rules contained in Part 175. It provides details of the consultation undertaken in making the rules.)

### **Comments arising from the NPRM**

The rule amendment was developed under Docket 3/CAR/4 and published as NPRM 05-07. The consultation details relating to Docket 3/CAR/4 are detailed in each affected rule.

Nine written submissions were received on the NPRM and none commented on the proposed amendments to Part 175.

The comments and all background material used in developing these rules are held on the docket. The docket is available for public inspection at Aviation House, 10 Hutt Road. Persons wishing to view the docket should contact the Docket Clerk on Phone 64-4-560-9603 and ask for docket 3/CAR/4.