



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

I, Hon Julie Anne Genter, Associate Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This **24** day of **August** 2020

A handwritten signature in black ink, appearing to read 'Julie Anne Genter', is written over a faint, larger version of the same signature.

by Hon Julie Anne Genter,

Associate Minister of Transport

Civil Aviation Rules

Part 175, Amendment 9

**Aeronautical Information Service Organisations
Certification**

Docket 17/CAR/1

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Rule objective

The objective of amendment 9 to Part 175 is to make editorial amendments to align with modern drafting style.

Extent of consultation

A Notice of Proposed Rule Making NPRM 19-03, containing the proposed amendments to Part 175 and 13 other rule Parts was issued for public consultation under Docket 17/CAR/1 on 17 May 2019.

The NPRM was published on the CAA web site on 17 May 2019 and emailed to subscribers of the automatic alert service provided by the CAA.

A period of 21 days was allowed for comment on the proposed rule.

Summary of submissions

Three written submissions were received on the NPRM, none relating to Part 175. These submissions have been considered. No changes were made to Part 175 as a result of the submissions.

A summary of submissions for this NPRM is available on the CAA website.

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 –

- revoking and replacing rules 175.3, 175.5, 175.7, 175.9, 175.11, 175.13, 175.51, 175.53, 175.55, 175.59, 175.63, 175.101, 175.107 and 175.157.

Effective date of rule

Amendment 9 to Part 175 comes into force on 1 December 2020

Availability of rules

Civil Aviation Rules are available from–

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

Freephone: 0800 GET RULES (0800 438 785)

Subpart A — General

Rule 175.3 is revoked and replaced with the following rule:

175.3 Requirement for certificate

A person must not provide an aeronautical information service for —

- (1) the New Zealand FIR; or
- (2) the areas of the Auckland Oceanic FIR in which New Zealand is responsible for air traffic services —

except under the authority of an aeronautical information service certificate issued under the Act and this Part.

Rule 175.5 is revoked and replaced with the following rule:

175.5 Application for certificate

An applicant for the grant of an aeronautical information service certificate must complete form CAA 24175/01 and submit it to the Director with —

- (1) the exposition required by rule 175.69; and
- (2) a payment of the appropriate application fee prescribed by regulations made under the Act.

Rule 175.7 is revoked and replaced with the following rule:

175.7 Issue of certificate

An aeronautical information service certificate may be issued by the Director under the Act and this Part if the Director is satisfied that —

- (1) the applicant meets the requirements of Subpart B; and
- (2) the applicant, and the applicant's senior person or persons required by rules 175.51(a)(1) and (2) are fit and proper persons; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.

Rule 175.9 is revoked and replaced with the following rule:

175.9 Privileges of certificate

The aeronautical information service certificate specifies the aeronautical information services that the certificate holder is authorised to provide.

Rule 175.11 is revoked and replaced with the following rule:

175.11 Duration of certificate

- (a) An aeronautical information service certificate may be granted or renewed for a period of up to 5 years.
- (b) An aeronautical information service certificate remains in force until it expires or is suspended or revoked.
- (c) The holder of an aeronautical information service certificate that expires or is revoked must surrender the certificate to the Director.
- (d) The holder of an aeronautical information service certificate that is suspended, must produce the certificate to the Director for appropriate endorsement.

Rule 175.13 is revoked and replaced with the following rule:

175.13 Renewal of certificate

- (a) An application for the renewal of an aeronautical information service certificate must be made on form CAA 24175/01.
- (b) The application must be submitted to the Director before the application renewal date specified on the certificate or, if no such date is specified, not less than 30 days before the certificate expires.

Subpart B — Certification Requirements

Rule 175.51 is revoked and replaced with the following rule:

175.51 Personnel requirements

- (a) An applicant for the grant of an aeronautical information service certificate must employ, contract, or otherwise engage —

- (1) a senior person identified as the chief executive who has the authority within the organisation to ensure that every aeronautical information service listed in the applicant's exposition —
 - (i) can be financed and is provided to meet operational requirements; and
 - (ii) is provided as prescribed by this Part; and
 - (2) a senior person or persons ultimately responsible to the chief executive who are responsible for—
 - (i) ensuring that the organisation complies with its exposition; and
 - (ii) the system for safety management required by rule 175.67; and
 - (3) sufficient personnel to collect, collate, check, coordinate, edit, and publish aeronautical information for the aeronautical information services listed in the applicant's exposition.
- (aa) The senior person required by paragraph (a)(2)(ii) must be able to demonstrate competency and experience relevant to the management of safety systems and the activities of the certificate holder.
- (b) The applicant must —
- (1) establish a procedure for initially assessing the competence of personnel authorised by the applicant to check, edit, and publish aeronautical information for the aeronautical information services listed in the exposition; and
 - (2) establish a procedure for maintaining the competence of those authorised personnel; and
 - (3) provide those authorised personnel with written evidence of the scope of their authorisation.

Rule 175.53 is revoked and replaced with the following rule:

175.53 Facility requirements

An applicant for the grant of an aeronautical information service certificate must establish offices and facilities that —

- (1) are appropriate for the aeronautical information service listed in the applicant's exposition; and
- (2) meet the applicable requirements of rules 175.103(b) and 175.105.

Rule 175.55 is revoked and replaced with the following rule:

175.55 Scope of pre-flight information service

An applicant for the grant of an aeronautical information service certificate for a pre-flight information service must, for the pre-flight services listed in the applicant's exposition, specify —

- (1) the geographic area; and
- (2) the aerodromes and the air routes originating from those aerodromes.

Rule 175.59 is revoked and replaced with the following rule:

175.59 Collection of information

(a) An applicant for the grant of an aeronautical information service certificate must establish procedures for collecting and collating the information required for the aeronautical services listed in the applicant's exposition.

(b) The applicant must ensure that the procedures provide for the following —

- (1) applicable information is obtained from organisations that provide services in support of the New Zealand air navigation system; and

- (2) applicable information is obtained from the aeronautical information services of other States relevant to the requirements of international aircraft operators operating —
 - (i) in the areas of the Auckland Oceanic FIR in which New Zealand is responsible for air traffic services; and
 - (ii) on international air routes originating in New Zealand; and
 - (3) arrangements for the timely provision of information are made with the information originators prescribed in paragraphs (b)(1) and (2); and
 - (4) information received from the information originators prescribed in paragraph (b)(1) is certified as accurate by a person identified by the originator to be responsible for the accuracy of that information.
- (c) The applicant must ensure that the procedures for the NOTAM service must, in addition to paragraph (b), provide that the originator's request for the issue of a NOTAM does not require the NOTAM to be effective for more than 3 months.

Rule 175.63 is revoked and replaced with the following rule:

175.63 Error correction in published information

- (a) An applicant for the grant of an aeronautical information service certificate must establish procedures for recording, investigating, correcting, and reporting any errors that are detected in the aeronautical information published under the authority of the certificate.
- (b) The applicant must ensure that the procedures provide for the following —
 - (1) the error is corrected by the most appropriate means relative to the operational significance of the error; and
 - (2) the correction is clearly identified in the republished information; and

- (3) the source of the error is identified and, where possible, eliminated; and
- (4) the Director is notified of a promulgated information incident as required under Part 12.

Subpart C — Operating Requirements

Rule 175.101 is revoked and replaced with the following rule:

175.101 Continued compliance

A holder of an aeronautical information service certificate must—

- (1) hold at least one complete and current copy of the certificate holder's exposition at each office listed in the exposition; and
- (2) comply with all procedures and standards detailed in the exposition; and
- (3) make each applicable part of the exposition available to personnel who require those parts to carry out their duties; and
- (4) continue to meet the standards and comply with the requirements of Subpart B prescribed for certification under this Part; and
- (5) notify the Director of any change of address for service, telephone number, or facsimile number required by form CAA 24175/01 within 28 days of the change.

Rule 175.107 is revoked and replaced with the following rule:

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 provide for flight crew members to report post-flight information at those aerodromes listed in the certificate 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 D — Aeronautical Information Publication New Zealand

Rule 175.157 is revoked and replaced with the following rule:

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.
- (d) The checklist must be given the same distribution as the AIP Supplement.