



## **Civil Aviation (Offences) Amendment Regulations 2010**

Anand Satyanand, Governor-General

### **Order in Council**

At Wellington this 23rd day of August 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 100 of the Civil Aviation Act 1990, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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## **Regulations**

- 1 Title**

These regulations are the Civil Aviation (Offences) Amendment Regulations 2010.
- 2 Commencement**

These regulations come into force on 1 October 2010.
- 3 Principal regulations amended**

These regulations amend the Civil Aviation (Offences) Regulations 2006.
- 4 Schedule 1 amended**
  - (1) Schedule 1 is amended by—
    - (a) omitting the item relating to rule 21.179(b) and substituting the item set out in Part A of Schedule 1 of these regulations; and
    - (b) omitting the item relating to rule 21.179(c) and substituting the item set out in Part B of Schedule 1 of these regulations.
  - (2) Schedule 1 is amended by omitting the item relating to rule 39.53 and substituting the items set out in Schedule 2 of these regulations.
  - (3) Schedule 1 is amended by—
    - (a) omitting the items relating to rules 43.51(a) to 43.53(c) and substituting the items set out in Part A of Schedule 3 of these regulations; and

- (b) omitting the item relating to rule 43.57; and
  - (c) omitting the item relating to rule 43.101(a) and substituting the items set out in Part B of Schedule 3 of these regulations; and
  - (d) omitting the item relating to rule 43.103 and substituting the item set out in Part C of Schedule 3 of these regulations; and
  - (e) omitting the items relating to rules 43.109(1) to 43.109(3) and substituting the item set out in Part D of Schedule 3 of these regulations; and
  - (f) omitting the items relating to rules 43.113(a) and 43.113(b) and substituting the items set out in Part E of Schedule 3 of these regulations; and
  - (g) omitting the items relating to rules 43.115 to 43.119 and substituting the items set out in Part F of Schedule 3 of these regulations; and
  - (h) omitting the items relating to rules 43.151(a) to 43.155 and substituting the items set out in Part G of Schedule 3 of these regulations; and
  - (i) omitting the item relating to rule 43.205 and substituting the item set out in Part H of Schedule 3 of these regulations; and
  - (j) inserting the items relating to rules 43.303 and 43.307 set out in Part I of Schedule 3 of these regulations after the item relating to rule 43.207.
- (4) Schedule 1 is amended by omitting the item relating to rule 47.61(a) and substituting the item set out in Schedule 4 of these regulations.
- (5) Schedule 1 is amended by inserting the items relating to rules 61.357(b), 61.359, and 61.361 set out in Schedule 5 of these regulations after the item relating to rule 61.307(e).
- (6) Schedule 1 is amended by—
- (1) inserting the items relating to rules 91.15(1) to 91.15(3) set out in Part A of Schedule 6 of these regulations after the item relating to rule 91.11; and
  - (2) omitting the items relating to rules 91.101(a) and 91.101(b) and substituting the items set out in Part B of Schedule 6 of these regulations; and

- (3) omitting the items relating to rules 91.105(a) to 91.105(d) and substituting the items set out in Part C of Schedule 6 of these regulations; and
- (4) omitting the item relating to rule 91.107(a) and substituting the item set out in Part D of Schedule 6 of these regulations; and
- (5) omitting “No person may” from the item relating to rule 91.111 and substituting “Person must not”; and
- (6) inserting the item relating to rule 91.251 set out in Part E of Schedule 6 of these regulations after the item relating to rule 91.249(a); and
- (7) omitting the items relating to rules 91.429(a) and 91.429(b) and substituting the items set out in Part F of Schedule 6 of these regulations; and
- (8) inserting the items relating to rules 91.529(f) and 91.529(g) set out in Part G of Schedule 6 of these regulations after the item relating to rule 91.529(a); and
- (9) inserting the item relating to rule 91.602(a) set out in Part H of Schedule 6 of these regulations above the item relating to rule 91.603; and
- (10) omitting the item relating to rule 91.605(a) and substituting the items set out in Part I of Schedule 6 of these regulations after the item relating to rule 91.603; and
- (11) omitting the item relating to rule 91.607(a); and
- (12) omitting the item relating to rule 91.609 and substituting the item set out in Part J of Schedule 6 of these regulations; and
- (13) omitting the item relating to rule 91.611; and
- (14) omitting the item relating to rule 91.613 and substituting the item set out in Part K of Schedule 6 of these regulations; and
- (15) omitting the item relating to rule 91.615 and substituting the item set out in Part L of Schedule 6 of these regulations; and
- (16) inserting the item relating to rule 91.616 set out in Part M of Schedule 6 of these regulations after the item relating to rule 91.615; and

- (17) omitting the items relating to rules 91.617(a) and 91.617(b) and substituting the item set out in Part N of Schedule 6 of these regulations; and
  - (18) omitting the item relating to rule 91.619(a) and substituting the item set out in Part O of Schedule 6 of these regulations; and
  - (19) omitting the item relating to rule 91.621(a) and substituting the item set out in Part P of Schedule 6 of these regulations; and
  - (20) omitting the items relating to rules 91.625(a), 91.625(b)(1), and 91.625(b)(2); and
  - (21) omitting the item relating to rule 91.627(a); and
  - (22) omitting the item relating to rule 91.629; and
  - (23) omitting the item relating to rule 91.631; and
  - (24) inserting the item relating to rule 91.623 set out in Part Q of Schedule 6 of these regulations above rule 91.625(a); and
  - (25) omitting the item relating to rule 91.633; and
  - (26) omitting “No pilot may” from rule 91.701(b) and substituting “Pilot must not”; and
  - (27) omitting the item relating to rule 91.701(d) and substituting the item set out in Part R of Schedule 6 of these regulations; and
  - (28) inserting “is capable of” after “when aircraft” in the item relating to rule 91.805(b); and
  - (29) omitting the item relating to rule 91.805(c) and substituting the item set out in Part S of Schedule 6 of these regulations.
- (7) Schedule 1 is amended by—
    - (a) omitting the item relating to rule 93.303(c) and substituting the item set out in Schedule 7 of these regulations; and
    - (b) omitting “TALOs” from the item relating to rule 93.305 and substituting “TLOFs”.
  - (8) Schedule 1 is amended by inserting the heading and items relating to Part 95 set out in Schedule 8 of these regulations after the items relating to Part 93.
  - (9) The heading above the items relating to Part 103 in Schedule 1 is amended by omitting “**certification and**”.

- (10) Schedule 1 is amended by—
- (a) omitting “No person may” from the item relating to rule 103.203(b) and substituting “Person must not”; and
  - (b) omitting “unless a” from the item relating to rule 103.203(b) and substituting “unless prescribed”; and
  - (c) omitting the item relating to rule 103.207(c) and substituting the item set out in Part A of Schedule 9 of these regulations; and
  - (d) inserting the item relating to rule 103.213 set out in Part B of Schedule 9 of these regulations after the item relating to rule 103.209; and
  - (e) omitting the items relating to rules 103.215(a) and 103.215(b); and
  - (f) omitting the items relating to rules 103.217(a) to 103.217(g) and substituting the items set out in Part C of Schedule 9 of these regulations.
- (11) Schedule 1 is amended by inserting the heading and items relating to Part 109 set out in Schedule 10 of these regulations after the items relating to Part 106.
- (12) Schedule 1 is amended by—
- (a) omitting the item relating to rule 119.15(a); and
  - (b) inserting the item relating to rule 119.151(a) set out in Part A of Schedule 11 of these regulations after the item relating to rule 119.19; and
  - (c) omitting the items relating to rules 119.151(1), 119.151(2), and 119.151(3) and substituting the items set out in Part B of Schedule 11 of these regulations.
- (13) Schedule 1 is amended by—
- (a) omitting the items relating to rules 121.91(a), 121.91(d), and 121.93(a); and
  - (b) omitting “121.371(a)” from the item relating to rule 121.371(a) and substituting “121.371”; and
  - (c) omitting “121.373(a)” from the item relating to rule 121.373(a) and substituting “121.373”; and
  - (d) omitting the items relating to rules 121.403(b) and 121.403(d) and substituting the item set out in Part A of Schedule 12 of these regulations; and
  - (e) omitting the items relating to rules 121.407, 121.409, 121.411, 121.413, and 121.415; and

- (f) omitting the items relating to rules 121.417(a), 121.417(b), and 121.417(d) and substituting the items set out in Part B of Schedule 12 of these regulations.
- (14) Schedule 1 is amended by—
- (a) omitting the items relating to rules 125.53(b) and 125.53(c) and substituting the items set out in Part A of Schedule 13 of these regulations; and
  - (b) omitting the items relating to rules 125.72(a) and 125.72(b) and substituting the item set out in Part B of Schedule 13 of these regulations; and
  - (c) omitting the items relating to rules 125.73(a) and 125.73(d); and
  - (d) omitting the item relating to rule 125.75; and
  - (e) omitting the items relating to rules 125.93(a) and 125.93(b) and substituting the items set out in Part C of Schedule 13 of these regulations; and
  - (f) inserting the item relating to rule 125.364 set out in Part D of Schedule 13 of these regulations after the item relating to rule 125.363; and
  - (g) omitting “HUMS” from the item relating to rule 125.377 and substituting “AEDRS”; and
  - (h) omitting the items relating to rules 125.403(b) and 125.403(d) and substituting the item set out in Part E of Schedule 13 of these regulations; and
  - (i) omitting the item relating to rule 125.405 and substituting the item set out in Part F of Schedule 13 of these regulations; and
  - (j) omitting the items relating to rules 125.407, 125.409, 125.411, 125.413, 125.415(a), 125.415(b), and 125.415(d) and substituting the items set out in Part G of Schedule 13 of these regulations; and
  - (k) omitting the item relating to rule 125.861 and substituting the item set out in Part H of Schedule 13 of these regulations.
- (15) Schedule 1 is amended by—
- (a) omitting the item relating to rule 129.13; and
  - (b) omitting the item relating to rule 129.101 and substituting the items set out in Part A of Schedule 14 of these regulations; and



- (c) inserting the items relating to rules 129.107 and 129.109(b) set out in Part B of Schedule 14 of these regulations after the item relating to rule 129.105.
- (16) Schedule 1 is amended by—
- (a) omitting the items relating to rules 135.73(a), 135.73(b), 135.73(c), and 135.75; and
  - (b) omitting “aeroplane” from the item relating to rule 135.355 and substituting “aircraft operated under authority of certificate”; and
  - (c) omitting “crew seat” from the item relating to rule 135.355 and substituting “crew member seat”; and
  - (d) omitting the item relating to rule 135.402 and substituting the items set out in Part A of Schedule 15 of these regulations; and
  - (e) omitting the items relating to rules 135.403(b) and 135.403(d) and substituting the item set out in Part B of Schedule 15 of these regulations; and
  - (f) omitting the items relating to rules 135.405, 135.407, 135.409, 135.411, and 135.413 and substituting the item set out in Part C of Schedule 15 of these regulations; and
  - (g) omitting the items relating to rules 135.415(b) and 135.415(d) and substituting the items set out in Part D of Schedule 15 of these regulations; and
  - (h) inserting the item relating to rule 135.509 set out in Part E of Schedule 15 of these regulations after the item relating to rule 135.505(a); and
  - (i) omitting the item relating to rule 135.511 and substituting the items set out in Part F of Schedule 15 of these regulations; and
  - (j) inserting the item relating to rule 135.563 set out in Part G of Schedule 15 of these regulations after the item relating to rule 135.561.
- (17) Schedule 1 is amended by—
- (a) inserting “holder of” after “Responsibilities of” in the item relating to rule 137.205(a); and
  - (b) omitting “holder wishing” from the item relating to rule 137.205(a) and substituting “intending”; and

- (c) omitting the items relating to rules 137.205(b) and 137.205(c) and substituting the items set out in Schedule 16 of these regulations.
- (18) Schedule 1 is amended by inserting the heading and items relating to Part 173 set out in Schedule 17 of these regulations after the items relating to Part 172.

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**Schedule 1** r 4(1)  
**Amendments to Schedule 1: Items relating to Part 21 of rules**

**Part A**

Rule 21.179(d)	Holder of expired airworthiness certificate must surrender certificate.	1,250	7,500	500	3,000
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**Part B**

Rule 21.181	Holder of certificate of registration for aircraft must transfer airworthiness certificate with aircraft.	1,250	7,500	500	3,000
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**Schedule 2** r 4(2)  
**Amendments to Schedule 1: Items relating to Part 39 of rules**

Rule 39.51(a)	Operator of aircraft must not operate aircraft unless the operator complies with prescribed airworthiness directives or approved alternative means of compliance.	5,000	30,000
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Rule 39.51(b)	Person must notify Director regarding emergency airworthiness directive if not holding certificate of registration.	2,500	15,000
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**Schedule 3**  
**Amendments to Schedule 1: Items**  
**relating to Part 43 of rules**

r 4(3)

**Part A**

Rule 43.51(a)	Person must not perform maintenance on aircraft or component without appropriate licence and rating, certificate, supervision, or authorisation.	5,000				2,000
Rule 43.51(e)	Person must not perform maintenance on prescribed special category aircraft unless trained and authorised by named principal provider of prescribed maintenance service.	5,000				2,000
Rule 43.53(1)	Person performing maintenance on aircraft or component must be familiar with actions required for continued airworthiness of aircraft or component.	1,250	7,500	500	3,000	
Rule 43.53(2)	Person performing maintenance on aircraft or component must use adequate housing and facilities for prescribed purposes.	1,250	7,500	500	3,000	
Rule 43.53(3)	Person performing maintenance on aircraft or component must use prescribed or acceptable methods, techniques, and practices.	1,250	7,500	500	3,000	
Rule 43.53(4)	Person performing maintenance on aircraft or component must use specified materials, parts, and appliances.	1,250	7,500	500	3,000	
Rule 43.53(5)	Person performing maintenance on aircraft or component must use necessary tools and apparatus.	1,250	7,500	500	3,000	
Rule 43.53(6)	Person performing maintenance on aircraft or component must use recommended or equivalent test equipment.	1,250	7,500	500	3,000	

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Rule 43.53(7)	Person performing maintenance on aircraft or component must use recommended special test equipment or equivalent test equipment acceptable to the Director.	1,250	7,500	500	3,000
Rule 43.53(8)	Person performing maintenance on aircraft or component must ensure every applicable airworthiness requirement is met.	1,250	7,500	500	3,000
Rule 43.53(9)	Person performing maintenance on aircraft or component must ensure condition of aircraft or component satisfactory for release-to-service.	2,500	15,000	1,000	6,000
Rule 43.53(10)	Person performing maintenance on aircraft or component must ensure aircraft or component complies with applicable certification requirements for aircraft noise and engine emission.	1,250	7,500	500	3,000
Rule 43.53(11)	Person must not perform maintenance on aircraft or component unless relieved from performing maintenance for specified periods.	2,500	15,000	1,000	6,000
Rule 43.54(a)	Person must not perform maintenance on, or release-to-service, specified aircraft or components except under authority of maintenance organisation certificate.	2,500	15,000	1,000	6,000
Rule 43.54(b)	Person must not perform specified types of maintenance except under authority of maintenance organisation certificate.	2,500	15,000	1,000	6,000

**Part B**

Rule 43.101(a)	Person must not certify aircraft or component for release-to-service after maintenance without prescribed qualification.	5,000		2,000	
Rule 43.101(c)	Person must not certify aircraft or component for release-to-service after maintenance unless relieved from performing prescribed activities for specified periods.	2,500	15,000	1,000	6,000

**Part C**

Rule 43.103	Person must not certify aircraft or component for release-to-service after maintenance unless prescribed requirements are met.	5,000		2,000	
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**Part D**

Rule 43.109	Responsibilities of person who does not certify aircraft or component for release-to-service because of uncleared defect.	1,250		500	
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**Part E**

Rule 43.113(a)	Person must not certify aircraft or component for release-to-service unless requirements regarding duplicate safety inspection and rule 43.113(c) are met.	1,250		500	
Rule 43.113(c)	Person who carries out duplicate safety inspection must enter specified information in appropriate maintenance log-book.	1,250		500	

## Part F

Rule 43.115(a)	Person must not certify aircraft for release-to-service after prescribed maintenance activities unless engine performance check performed.	2,500	1,000
Rule 43.115(b)	Person who certifies aircraft for release-to-service after engine check to record specified information in appropriate maintenance logbook or worksheet.	1,250	500

## Part G

Rule 43.151(a)	Person must not perform review of airworthiness for aircraft unless person holds prescribed inspection authorisation.	1,250	500
Rule 43.153(a)	Person performing prescribed review of airworthiness must, within 30 days before certifying completed review, carry out prescribed activities.	2,500	1,000
Rule 43.153(c)	Person performing review of airworthiness must record defects in technical log and maintenance logbook.	1,250	500
Rule 43.155	Person who performs review of airworthiness must carry out prescribed tasks on completion of review.	5,000	2,000

## Part H

Rule 43.205	Person certifying conformity of aircraft or aircraft component after major modification or repair must ensure modification or repair conforms to applicable technical data.	1,250	500
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**Part I**

Rule 43.303	Person performing maintenance in accordance with maintenance programme on prescribed aircraft or component must perform prescribed tasks.	2,500	1,000
Rule 43.307	Person performing maintenance on prescribed aircraft must, on completion of maintenance, record prescribed information.	1,250	500

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**Schedule 4**

r 4(4)

**Amendment to Schedule 1: Item relating to Part 47 of rules**

47.61(a)	Holder of certificate of registration must notify Director of any change that affects currency of information contained in certificate or operator statement.	1,250	7,500	500	3,000
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**Schedule 5**

r 4(5)

**Amendments to Schedule 1: Items relating to Part 61 of rules**

Rule 61.357(b)	Holder of a recreational pilot licence may not act as pilot-in-command or co-pilot in prescribed circumstances.	5,000	1,000
Rule 61.359	Holder of recreational pilot licence must not exercise privileges of licence if licence	5,000	1,000

	holder is aware of or suspects change in medical condition.		
Rule 61.361	Responsibility of recreational pilot licence holder: complying with prescribed currency requirements.	5,000	1,000

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**Schedule 6**  
**Amendments to Schedule 1: Items relating to Part 91 of rules**

r 4(6)

**Part A**

Rule 91.15(1)	Person must ensure that fuelling or defuelling of aircraft complies with applicable requirements of prescribed regulations.	5,000	30,000	2,000	12,000
Rule 91.15(2)	Person must ensure aircraft is not refuelled or defuelled with Class 3.1A flammable liquid in prescribed circumstances.	5,000	30,000	2,000	12,000
Rule 91.15(3)	Person must ensure that aircraft is not refuelled or defuelled with Class 3.1C or Class 3.1D flammable liquid in prescribed circumstances.	5,000	30,000	2,000	12,000

**Part B**

Rule 91.101(a)	Person must not operate aircraft unless it has current airworthiness certificate and is airworthy, or operation is in accordance with prescribed special flight permit.	5,000	30,000
Rule 91.101(b)	Person operating aircraft must comply with prescribed operating limitations and markings and placards.	5,000	30,000



## Part C

Rule 91.105(a)	Person must not operate aircraft with special category airworthiness certificate for carriage of passengers or goods for hire or reward.	5,000	30,000		
Rule 91.105(c)	Person must not operate aircraft with special category airworthiness certificate over congested area of city or town unless authorised by Director in writing.	5,000	30,000		
Rule 91.105(d)	Person operating aircraft with special category airworthiness certificate must inform persons carried of prescribed placard warning.	2,500	15,000	1,000	6,000
Rule 91.105(e)	Person must not operate aircraft with special category experimental airworthiness certificate for purposes other than those prescribed.	5,000	30,000		
Rule 91.105(f)	Person must not operate aircraft with special category exhibition airworthiness certificate except in accordance with operator statement, or for any of the prescribed purposes.	5,000	30,000		
Rule 91.105(g)	Person must not operate aircraft with special category amateur-built airworthiness certificate for any of the prescribed purposes.	5,000	30,000		
Rule 91.105(h)	Person must not operate aircraft with special category primary airworthiness certificate for any of the prescribed purposes.	5,000	30,000		

Part C—*continued*

Rule 91.105(i)	Person must not operate aircraft with special category LSA airworthiness certificate for an agricultural aircraft operation.	5,000	30,000
Rule 91.105(j)	Person must not operate aircraft with special category limited airworthiness certificate except in accordance with operator statement, or for any of the prescribed purposes.	5,000	30,000

## Part D

Rule 91.107(a)	Person must not operate aircraft unless it is registered and displays identification markings as prescribed.	5,000	30,000
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## Part E

Rule 91.251	Person must not tamper with operation of prescribed time-in-service recorder.	2,500	15,000	1,000	6,000
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## Part F

Rule 91.429(a)	Responsibilities of pilot-in-command regarding radio communications failure when operating under IFR in VMC, or if VMC encountered after failure.	5,000	2,000
Rule 91.429(b)	Responsibilities of pilot-in-command regarding radio communications failure when operating under IFR in IMC or VMC.	5,000	2,000

### Part G

Rule 91.529(f)	Responsibility of holder of certificate of registration for New Zealand registered aircraft regarding coding and notifying details of ELT, EPIRB, and PLB.	10,000	50,000	2,000	12,000
Rule 91.529(g)	Responsibility of person operating a foreign aircraft in New Zealand regarding coding of ELT.	10,000	50,000	2,000	12,000

### Part H

Rule 91.602(a)	Person must not operate aircraft unless requirements of prescribed rules are met.	5,000	30,000	2,000	12,000
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### Part I

Rule 91.605(a)	Responsibility of aircraft operator to maintain aircraft in accordance with prescribed maintenance programme or manufacturer's maintenance schedule.	5,000	30,000		
Rule 91.605(e)	Responsibility of aircraft operator to test, inspect, and calibrate instruments and equipment, replace and recharge batteries, and weigh aircraft.	5,000	30,000	2,000	12,000

### Part J

Rule 91.609	Responsibilities of aircraft operator for changes to maintenance programme or maintenance schedule.	5,000	30,000		
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### Part K

Rule 91.613	Responsibilities of person performing operational flight check.	2,500	15,000	1,000	6,000
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**Part L**

Rule 91.615	Person must not operate aircraft unless prescribed requirements for annual review of airworthiness for aircraft are met.	5,000	30,000
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**Part M**

Rule 91.616	Responsibilities of aircraft operator regarding maintenance logbooks.	5,000	30,000	2,000	12,000
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**Part N**

Rule 91.617	Responsibilities of aircraft operator regarding compiling and keeping maintenance records.	5,000	30,000	2,000	12,000
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**Part O**

Rule 91.619	Responsibilities of aircraft operator providing technical log for aircraft for recording of prescribed information.	2,500	15,000	1,000	6,000
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**Part P**

Rule 91.621	Holder of New Zealand certificate of registration for aircraft who transfers possession of aircraft must also transfer prescribed maintenance records.	2,500	15,000	1,000	6,000
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**Part Q**

Rule 91.623	Responsibilities of aircraft operator for retention of maintenance records as prescribed.	5,000	30,000	2,000	12,000
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**Part R**

Rule 91.701(d)	Pilot must not operate aircraft in aerobatic flight carrying a passenger unless pilot holds prescribed rating and conducts flight above prescribed height.	5,000	
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**Part S**

Rule 91.805(c)	Responsibilities of pilot-in-command when aircraft is capable of operating over Mach 0.92.	5,000	2,000
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**Schedule 7**

r 4(7)

**Amendment to Schedule 1: Item relating to Part 93 of rules**

Rule 93.303(b)	Responsibilities of helicopter pilot-in-command regarding circuit requirements for landing at or taking off from TLOFs.	1,250	500
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**Schedule 8**

r 4(8)

**Amendments to Schedule 1: New heading and items relating to Part 95 of rules inserted**

<b>Part 95</b>	<b>Instrument flight procedure registration</b>				
Rule 95.51(a)(1)	Person must not promulgate instrument flight procedures unless details are entered in New Zealand Air Navigation Register in accordance with Part 95.	5,000	30,000	2,000	12,000
Rule 95.51(a)(2)	Person must not promulgate instrument flight procedures unless effective date has been	5,000	30,000	2,000	12,000

notified in *Gazette* in accordance with rule 95.55.

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**Schedule 9**  
**Amendments to Schedule 1: Items**  
**relating to Part 103 of rules**

r 4(10)

**Part A**

Rule 103.207(d)	Pilot of prescribed Class 2 microlight aircraft must comply with operating limitations contained in temporary microlight flight permit.	5,000	2,000
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**Part B**

Rule 103.213	Responsibilities of prescribed pilot-in-command of microlight aircraft to enter details of endurance testing in maintenance record.	5,000	2,000
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**Part C**

Rule 103.217(a)	Responsibilities of operator of microlight aircraft regarding maintenance, airworthiness directives, and defects.	5,000	30,000	2,000	12,000
Rule 103.217(b)	Operator of microlight aircraft must ensure aircraft is maintained in accordance with manufacturer's or designer's maintenance requirements.	5,000	30,000	2,000	12,000
Rule 103.217(c)	Person must not operate microlight aircraft unless prescribed requirements are met.	5,000	30,000	2,000	12,000

Part C—*continued*

Rule 103.217(e)	Responsibilities of person who performs prescribed annual inspection of microlight aircraft and finds aircraft airworthy.	2,500	15,000	1,000	6,000
Rule 103.217(g)	Microlight operator must not permit aircraft to be flown until re-inspected and certified as airworthy as prescribed.	5,000	30,000	2,000	12,000

**Schedule 10**  
**Amendments to Schedule 1: New heading and items relating to Part 109 of rules inserted**

r 4(11)

<b>Part 109</b>		<b>Regulated air cargo agent—certification</b>			
Rule 109.5	Person must not act as a regulated air cargo agent except under authority of and in accordance with regulated air cargo agent certificate.	10,000	50,000		
Rule 109.101(1)	Holder of regulated air cargo agent certificate must continue to meet prescribed requirements.	10,000	50,000		
Rule 109.101(2)	Holder of regulated air cargo agent certificate must comply with every procedure referred to in certificate holder's exposition.	10,000	50,000		
Rule 109.101(3)	Holder of regulated air cargo agent certificate must hold complete and current copy of exposition at prescribed locations.	2,500	15,000	500	3,000

Schedule 10	<b>Civil Aviation (Offences) Amendment Regulations 2010</b>					2010/263
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Rule 109.101(4)	Holder of regulated air cargo agent certificate must make each applicable part of exposition available to personnel.	2,500	15,000	500	3,000
Rule 109.101(5)	Holder of regulated air cargo agent certificate must maintain register of known customers with current information for each known customer.	5,000	30,000	1,000	5,000
Rule 109.101(6)	Holder of regulated air cargo agent certificate must suspend or remove name of known customer from register if requested in writing by Director.	5,000	30,000	1,000	5,000
Rule 109.101(7)	Holder of regulated air cargo agent certificate must notify Director in writing of change of address for service, telephone number, and fax number within 28 days of change.	2,500	15,000	500	3,000
Rule 109.101(8)	Holder of regulated air cargo agent certificate must ensure that person does not perform security control function unless appropriately authorised as prescribed.	10,000	50,000	2,000	12,000
Rule 109.105	Holder of regulated air cargo agent certificate must comply with prescribed requirements regarding changes to certificate holder's organisation.	10,000	50,000	2,000	12,000



Rule 109.107	Person must not issue declaration of security to air operator for consignment of cargo or mail except under prescribed circumstances.	10,000	50,000
Rule 109.109	Holder of regulated air cargo agent certificate must not permit person to enter, and person must not enter, access controlled area except under prescribed circumstances.	10,000	50,000

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**Schedule 11**  
**Amendments to Schedule 1: Items**  
**relating to Part 119 of rules**

r 4(12)

**Part A**

Rule 119.151(a)	Holder of air operator certificate must comply with prescribed operations specifications.	5,000	30,000
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**Part B**

Rule 119.151(b)(1)	Holder of air operator certificate must continue to meet standards and comply with prescribed requirements.	5,000	30,000	2,000	12,000
Rule 119.151(b)(2)	Holder of air operator certificate must comply with every procedure and programme detailed in exposition.	5,000	30,000	2,000	12,000
Rule 119.151(b)(3)	Holder of air operator certificate must hold copy of its operations specifications and exposition at specified locations.	1,250	7,500	500	3,000

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**Schedule 12**  
**Amendments to Schedule 1: Items**  
**relating to Part 121 of rules**

r 4(13)

**Part A**

Rule 121.403(b)	Responsibilities of holder of air operator certificate regarding maintenance of every aeroplane operated under authority of certificate.	5,000	30,000	2,000	12,000
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**Part B**

Rule 121.415(a)	Holder of air operator certificate must ensure aeroplane is not operated under authority of certificate unless maintenance review for aeroplane has been carried out in previous 12 months and certified.	5,000	30,000	2,000	6,000
Rule 121.415(b)	Responsibility of holder of air operator certificate to ensure that maintenance review for aeroplane has been carried out in the prescribed manner.	5,000	30,000	2,000	6,000
Rule 121.415(d)	Responsibilities of holder of air operator certificate regarding person who carries out maintenance review for aeroplane.	2,500	15,000	1,000	6,000

**Schedule 13**  
**Amendments to Schedule 1: Items**  
**relating to Part 125 of rules**

r 4(14)

**Part A**

Rule 125.53(b)(1)	Holder of air operator certificate must ensure aeroplane operated on SEIFR passenger operation under	5,000	30,000	2,000	12,000
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	authority of certificate is certified as prescribed.				
Rule 125.53(b)(2)	Holder of air operator certificate must ensure propeller model, engine model, and accessories installed on aeroplane operated on SEIFR passenger operation meet prescribed requirements.	5,000	30,000	2,000	12,000

**Part B**

Rule 125.72	Holder of air operator certificate must not operate aeroplane on SEIFR passenger operation unless AEDRS operating requirements are met.	5,000	30,000	2,000	12,000
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**Part C**

Rule 125.93(a)	Holder of air operator certificate must not operate prescribed aeroplane on SEIFR passenger operation if non-normal AEDRS or engine indication occurs.	5,000	30,000	2,000	12,000
Rule 125.93(b)	Responsibilities of pilot-in-command performing SEIFR passenger operation if non-normal engine indication occurs during flight.	5,000	30,000	2,000	12,000
Rule 125.93(c)	Responsibility of pilot-in-command to record time and date of every AEDRS failure in technical log.	2,500	15,000	1,000	6,000

**Part D**

Rule 125.364	Holder of air operator certificate must ensure that every aeroplane with 20 or more seats is equipped with protective breathing equipment that meets prescribed requirements.	5,000	30,000	2,000	12,000
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## Part E

Rule 125.403(b)	Responsibility of holder of air operator certificate regarding maintenance of aeroplanes.	5,000	30,000	2,000	12,000
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## Part F

Rule 125.405	Holder of air operator certificate who utilises condition monitoring must provide Director with monthly maintenance reliability report.	2,500	15,000	1,000	6,000
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## Part G

Rule 125.407(a)	Holder of air operator certificate must ensure maintenance programme for aeroplane required to be equipped with AEDRS includes prescribed requirements.	2,500	15,000	1,000	6,000
Rule 125.415(a)	Holder of air operator certificate must ensure maintenance review for aeroplane has been carried out in previous 12 months and review certified.	5,000	30,000	2,000	12,000
Rule 125.415(b)	Responsibility of holder of air operator certificate to ensure that maintenance review for aeroplane has been carried out in prescribed manner.	5,000	30,000	2,000	12,000
Rule 125.415(d)	Responsibilities of holder of air operator certificate regarding person who carries out maintenance review of aeroplane.	5,000	30,000	2,000	12,000

## Part H

Rule 125.861	Holder of air operator certificate who operates aeroplane required to be equipped with AEDRS must keep legible, accurate, permanent, and retrievable record of AEDRS analysis information.	5,000	30,000	2,000	12,000
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## Schedule 14

r 4(15)

Amendments to Schedule 1: Items  
relating to Part 129 of rules

## Part A

Rule 129.101(a)	Holder of foreign air operator certificate must comply with prescribed operations specifications.	5,000	30,000		
Rule 129.101(b)	Holder of foreign air operator certificate must comply with prescribed requirements.	5,000	30,000		
Rule 129.101(c)	Holder of foreign air operator certificate must make prescribed exposition available to Director.	2,500	15,000		

## Part B

Rule 129.107	Responsibility of holder of foreign air operator certificate conducting foreign air transport operation regarding use of runway within New Zealand to ensure provision of appropriate runway end safety area.	10,000	50,000	2,000	12,000
Rule 129.109(b)	Responsibility of holder of foreign air operator certificate to equip aeroplane with	10,000	50,000	2,000	12,000

Part B—*continued*

emergency locator transmitter as prescribed.

**Schedule 15**  
**Amendments to Schedule 1: Items**  
**relating to Part 135 of rules**

r 4(16)

## Part A

Rule 135.402(a)	Holder of air operator certificate must identify prescribed option for maintenance in maintenance programme.	5,000	30,000	2,000	12,000
Rule 135.402(b)	Holder of general air operator certificate must under prescribed circumstances ensure aircraft has annual review of airworthiness.	5,000	30,000	2,000	12,000
Rule 135.402(c)	Holder of air operator certificate must ensure maintenance on specified aircraft is performed by specified organisation.	5,000	30,000	2,000	12,000
Rule 135.402(d)	Holder of air operator certificate must ensure that maintenance on specified helicopter is performed by specified organisation.	5,000	30,000	2,000	12,000

## Part B

Rule 135.403(b)	Holder of air operator certificate must ensure aircraft operated under authority of certificate is maintained in accordance with prescribed maintenance programme.	5,000	30,000	2,000	12,000
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**Part C**

Rule 135.405	Holder of air operator certificate who utilises condition monitoring must provide Director with prescribed monthly reliability report.	2,500	15,000	1,000	6,000
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**Part D**

Rule 135.415(b)	Responsibility of holder of air operator certificate to ensure that maintenance review has been carried out in prescribed manner.	5,000	30,000	2,000	12,000
Rule 135.415(d)	Responsibility of holder of air operator certificate regarding person who carries out prescribed maintenance review of aircraft.	5,000	30,000	2,000	12,000

**Part E**

Rule 135.509	Holder of air operator certificate must not designate person as pilot-in-command of aircraft performing air operation under IFR unless person has minimum required experience.	5,000	30,000	2,000	12,000
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**Part F**

Rule 135.511(a)	Holder of air operator certificate must not operate aircraft under IFR with 1 pilot unless prescribed requirements are met.	2,500	15,000	1,000	6,000
Rule 135.511(b)	Holder of air operator certificate must not operate aircraft with 2 pilots unless prescribed requirements are met.	2,500	15,000	1,000	6,000

**Part G**

Rule 135.563	Holder of air operator certificate must ensure that an abnormal, unusual, or emergency training manoeuvre is not performed during air operation while carrying passengers.	5,000	30,000	2,000	12,000
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r 4(17)

**Schedule 16**  
**Amendments to Schedule 1: Items relating to Part 137 of rules**

Rule 137.205(c)	Responsibilities of pilot-in-command performing agricultural aircraft operation over congested area.	4,000		2,000	
Rule 137.205(d)	Holder of agricultural aircraft operator certificate must retain plan for agricultural aircraft operation over congested area for prescribed period.	1,250	7,500	500	3,000

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r 4(18)

**Schedule 17**  
**Amendments to Schedule 1: New heading and items relating to Part 173 of rules inserted**

<b>Part 173</b>	<b>Instrument flight procedure organisations</b>				
Rule 173.5	Person must not provide instrument flight procedure service for specified areas except under authority of prescribed certificate.	5,000	30,000	2,000	12,000



2010/263	Civil Aviation (Offences) Amendment Regulations 2010	Schedule 17			
Rule 173.101(1)	Holder of instrument flight procedure service certificate must hold complete current copy of holder's exposition at holder's principal location.	1,250	7,500	500	3,000
Rule 173.101(2)	Holder of instrument flight procedure service certificate must comply with every procedure and standard detailed in exposition.	5,000	30,000	2,000	12,000
Rule 173.101(3)	Holder of instrument flight procedure service certificate must make each applicable part of exposition available to personnel who require part to carry out their duties.	1,250	7,500	500	3,000
Rule 173.101(4)	Holder of instrument flight procedure service certificate must continue to meet standards and comply with certification requirements.	5,000	30,000	2,000	12,000
Rule 173.101(5)	Holder of instrument flight procedure service certificate must notify Director of any change of prescribed details.	1,250	7,500	500	3,000
Rule 173.103(a)(1)	Holder of instrument flight procedure service certificate must amend exposition to ensure it is current description of holder's organisation.	2,500	15,000	1,000	6,000
Rule 173.103(a)(2)	Holder of instrument flight procedure service certificate must ensure that amendments to exposition meet applicable requirements of Part 173.	2,500	15,000	1,000	6,000

Schedule 17	Civil Aviation (Offences) Amendment Regulations 2010	2010/263			
Rule 173.103(a)(3)	Holder of instrument flight procedure service certificate must comply with amendment procedures contained in exposition.	1,250	7,500	500	3,000
Rule 173.103(a)(4)	Holder of instrument flight procedure service certificate must provide Director with copy of each amendment made to exposition.	2,500	15,000	1,000	6,000
Rule 173.103(a)(5)	Holder of instrument flight procedure service certificate must amend exposition as Director considers necessary in interests of aviation safety.	5,000	30,000	2,000	12,000
Rule 173.103(b)	Holder of instrument flight procedure service certificate must notify Director and obtain Director's acceptance before, or as soon as practicable after, incorporating specified changes into exposition.	5,000	30,000	2,000	12,000
Rule 173.103(d)	Holder of instrument flight procedure service certificate must comply with any condition imposed by Director as prescribed.	5,000	30,000	2,000	12,000
Rule 173.103(e)	Holder of instrument flight procedure service certificate must forward his or her certificate to Director for endorsement of amendment if prescribed change requires amendment to certificate.	1,250	7,500	500	3,000
Rule 173.105	Holder of instrument flight procedure service certificate must notify Director in writing 90 days before discontinuing maintenance of instrument flight procedure.	5,000	30,000	2,000	12,000

Rebecca Kitteridge,  
Clerk of the Executive Council.

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### **Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 1 October 2010, amend the *Civil Aviation (Offences) Regulations 2006*. The amendments are required to provide penalties for civil aviation rules that have been signed since the regulations came into force on 1 August 2006.

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These regulations are administered by the Ministry of Transport.

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