



Civil Aviation (Offences) Amendment Regulations 2013

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 13th day of May 2013

Present:

The Right Hon John Key presiding 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 2013.
- 2 Commencement**
These regulations come into force on 13 June 2013.
- 3 Principal regulations**
These regulations amend the Civil Aviation (Offences) Regulations 2006 (the **principal regulations**).
- 4 Schedule 1 amended**
Amend Schedule 1 in the manner set out in the Schedule of these regulations.

Schedule Amendments to Schedule 1

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Items relating to Part 121 (Air operations—large aeroplanes)

After the item relating to rule 121.97, insert:

Rule 121.99	Pilot-in-command must ensure flight crew compartment door is closed and locked when aeroplane's external doors are closed for flight.	5,000	2,000		
Rule 121.101	Pilot-in-command must ensure crew member does not unlock flight crew compartment door without complying with prescribed requirements.	5,000	2,000		
Rule 121.103	Holder of air operator certificate must establish procedures to allow flight attendant to discreetly notify flight crew member of suspicious activity or security breach in cabin.	2,500	15,000	1,000	6,000

Items relating to Part 121 (Air operations—large aeroplanes)—*continued*

Replace the items relating to rules 121.503 to 121.613 with:

Rule 121.503(b)	Holder of air operator certificate must ensure crew member not assigned functions unless that crew member meets prescribed requirements.	5,000	30,000	2,000	12,000
Rule 121.503(c)	Holder of air operator certificate must not require crew member to perform any duty not required for aeroplane's safe operation during critical phase of flight.	5,000	30,000	2,000	12,000
Rule 121.505(a)	Holder of air operator certificate must assign required pilots and other flight crew for air operation.	5,000	30,000	2,000	12,000
Rule 121.505(b)	If more than 2 pilots required for air operation, holder of air operator certificate must designate acting pilot-in-command in event designated pilot-in-command becomes incapacitated.	1,250	7,500	500	3,000
Rule 121.507	Holder of air operator certificate must not designate pilot as pilot-in-command unless that pilot meets prescribed requirements.	5,000	30,000	2,000	12,000
Rule 121.509	Holder of air operator certificate must not designate pilot as second-in-command unless that pilot meets prescribed requirements.	5,000	30,000	2,000	12,000
Rule 121.511	Holder of air operator certificate must not designate pilot as cruise relief pilot unless that pilot meets prescribed requirements.	2,500	15,000	1,000	6,000

Items relating to Part 121 (Air operations—large aeroplanes)—*continued*

Rule 121.513	Holder of air operator certificate must not designate person as flight engineer unless that person— (a) meets prescribed requirements; or (b) is cadet engineer supervised by person who meets prescribed requirements.	2,500	15,000	1,000	6,000
Rule 121.515	Holder of air operator certificate must not designate person as flight attendant unless that person has completed required training.	2,500	15,000	1,000	6,000
Rule 121.517	Holder of air operator certificate must not designate person as line supervisory pilot unless that person meets prescribed requirements.	5,000	30,000	2,000	12,000
Rule 121.519	Holder of air operator certificate must not designate pilot as pilot instructor in flight crew training programme unless that pilot meets prescribed requirements.	5,000	30,000	2,000	3,000
Rule 121.521	Holder of air operator certificate must not designate pilot as flight examiner in a route check or operational competency assessment programme unless that pilot meets prescribed requirements.	5,000	30,000	2,000	12,000
Rule 121.523	Holder of air operator certificate must not designate pilot as pilot instructor or flight examiner for flight instruction, or competency assessment in flight simulator, unless that pilot meets prescribed requirements.	5,000	30,000	2,000	12,000

Items relating to Part 121 (Air operations—large aeroplanes)—*continued*

Rule 121.525	Holder of air operator certificate must not designate flight attendant as flight attendant trainer in flight crew training programme unless that person has completed required training.	2,500	15,000	1,000	6,000
Rule 121.527	Holder of air operator certificate must not designate flight attendant as flight attendant assessor unless that person has completed required training.	2,500	15,000	1,000	6,000
Rule 121.529	Holder of air operator certificate must not designate person as ground instructor in crew training programme unless that person has completed required training.	2,500	15,000	1,000	6,000
Rule 121.531	Holder of air operator certificate must ensure at least 1 flight crew member has required flight time experience.	5,000	30,000	2,000	12,000
Rule 121.533(a)	Holder of air operator certificate must ensure that pilot flying during take-off and landing is either pilot-in-command or competent pilot supervised by pilot-in-command.	5,000	30,000	2,000	12,000
Rule 121.535	Holder of air operator certificate must ensure that, where flight crew member is assigned to operate more than 1 aeroplane type or variant, that person has been trained as prescribed, and required procedures are in place.	5,000	30,000	2,000	12,000
Rule 121.537	Holder of air operator certificate must ensure pilots who perform Category II or III precision approach procedure, or departure with reduced take-off minima, comply with prescribed requirements.	5,000	30,000	2,000	12,000

Items relating to Part 121 (Air operations—large aeroplanes)—*continued*

Rule 121.539(a)	Holder of air operator certificate must ensure that required number of flight attendants are carried when passengers are carried on board.	5,000	30,000	2,000	12,000
Rule 121.539(b)	Holder of air operator certificate must designate a senior flight attendant where 2 or more flight attendants are required, and also a deputy senior flight attendant where 6 or more flight attendants are required.	5,000	30,000	2,000	12,000
Rule 121.553(a)	Holder of air operator certificate must establish crew member training programme for crew members who are not participating in advanced qualification programme.	5,000	30,000	2,000	12,000
Rule 121.555(a)	Holder of air operator certificate must ensure that each segment of required training programme includes syllabus applicable to holder's operations and acceptable to the Director.	5,000	30,000	2,000	12,000
Rule 121.557(a)	Holder of air operator certificate must ensure that unqualified pilot or flight attendant has completed introductory segment of required training programme.	5,000	30,000	2,000	12,000
Rule 121.559(a)	Holder of air operator certificate must ensure that pilot or flight attendant completes transition segment of required training programme where change of aeroplane type, variant, operation, or equipment that affects operations.	5,000	30,000	2,000	12,000

Items relating to Part 121 (Air operations—large aeroplanes)—*continued*

Rule 121.561(a)	Holder of air operator certificate must ensure that pilot or flight attendant completes upgrade segment of required training programme before taking on position of greater responsibility.	5,000	30,000	2,000	12,000
Rule 121.563(a)	Holder of air operator certificate must ensure that pilot or flight attendant completes recurrent segment of required training programme.	5,000	30,000	2,000	12,000
Rule 121.565	Holder of air operator certificate must ensure that crew member training programme includes ground and flight instruction as prescribed and flight crew training complies with prescribed requirements.	2,500	15,000	1,000	6,000
Rule 121.567	Holder of air operator certificate must ensure pilot (other than cruise relief pilot) completes competency assessment and prescribed pilot line training.	2,500	15,000	1,000	6,000
Rule 121.569	Holder of air operator certificate must ensure pilot (other than cruise relief pilot) complies with prescribed consolidation requirements.	2,500	15,000	1,000	6,000
Rule 121.571(a)	Holder of air operator certificate must ensure flight engineer complies with prescribed consolidation requirements.	2,500	15,000	1,000	6,000
Rule 121.573	Holder of air operator certificate must ensure crew member training programme for flight attendants meets prescribed requirements.	2,500	15,000	1,000	6,000
Rule 121.575(a)	Holder of air operator certificate must ensure person is not designated as flight attendant unless person meets prescribed requirements.	2,500	15,000	1,000	6,000

Items relating to Part 121 (Air operations—large aeroplanes)—*continued*

Rule 121.577	Holder of air operator certificate must keep records of required training.	1,250	7,500	500	3,000
Rule 121.603	Holder of air operator certificate must comply with requirements for crew member operational competency assessment programme.	5,000	30,000	2,000	12,000
Rule 121.605(b)	Holder of air operator certificate must ensure crew member subject to operational competency assessment is assessed in accordance with required assessment programme.	5,000	30,000	2,000	12,000
Rule 121.607	Holder of air operator certificate must ensure every pilot and flight engineer has successfully completed required checks, assessments, and tests.	5,000	30,000	2,000	12,000
Rule 121.609	Holder of air operator certificate must ensure every pilot instructor, line supervisory pilot, simulator instructor, and flight examiner receives instruction and maintains proficiency as required.	2,500	15,000	1,000	6,000
Rule 121.611	Holder of air operator certificate must ensure flight attendant has completed prescribed competency assessment.	2,500	15,000	1,000	6,000
Rule 121.613	Holder of air operator certificate must maintain accurate record of prescribed crew competency assessments, route checks, and tests.	2,500	15,000	1,000	6,000

Items relating to Part 172 (Air traffic service organisations—certification)

After the item relating to rule 172.163(c), insert:

Rule 172.165	Holder of air traffic service certificate must establish security training programme, security awareness procedures, and recurrent training procedures as prescribed.	2,500	15,000	1,000	5,000
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Rebecca Kitteridge,
Clerk of the Executive Council.

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 13 June 2013, amend the Civil Aviation (Offences) Regulations 2006.

The amendments specify—

- new offences and penalties in relation to Part 121 (Air Operations—Large Aeroplanes) of the Civil Aviation Rules; and
- a new offence and penalty in relation to Part 172 (Air Traffic Service Organisations—Certification) of the Civil Aviation Rules.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 16 May 2013.

These regulations are administered by the Ministry of Transport.