

Serial Number **1953/9**

**THE AIR NAVIGATION REGULATIONS 1933,
AMENDMENT NO. 22**

C. W. M. NORRIE, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington, this 11th day of February 1953

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Civil Aviation Act 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Air Navigation Regulations 1933, Amendment No. 22, and shall be read together with and deemed part of the Air Navigation Regulations 1933* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. (1) The Minister may prescribe performance requirements in respect of aircraft used in particular classes of operation.

(2) No aircraft shall be used in any class of operation unless it complies with the performance requirements specified for that type of operation:

* *Gazette*, 1933, Vol. II, page 1473.

Amendment No. 1: *Gazette*, 1934, Vol. III, page 3217.

Amendment No. 2: *Gazette*, 1935, Vol. I, page 1131.

Amendment No. 3: *Gazette*, 1935, Vol. III, page 3777.

Amendment No. 4: *Gazette*, 1936, Vol. II, page 1492.

Amendment No. 5: (*Revoked by Serial number 1950/217*).

Amendment No. 6: Statutory Regulations 1938, Serial number 1938/9, page 20.

Amendment No. 7: (*Revoked by Serial number 1950/217*).

Amendment No. 8: Statutory Regulations 1940, Serial number 1940/199, page 677.

Amendment No. 9: Statutory Regulations 1940, Serial number 1940/274, page 959.

Amendment No. 10: Statutory Regulations 1941, Serial number 1941/257, page 822.

Amendment No. 11: Statutory Regulations 1943, Serial number 1943/185, page 402.

Amendment No. 12: Statutory Regulations 1946, Serial number 1946/96, page 224.

Amendment No. 13: (*Revoked by Serial number 1950/217*).

Amendment No. 14: Statutory Regulations 1949, Serial number 1949/127, page 538.

Amendment No. 15: Statutory Regulations 1950, Serial number 1950/27, page 101.

Amendment No. 16: Statutory Regulations 1950, Serial number 1950/116, page 393.

Amendment No. 17: Statutory Regulations 1950, Serial number 1950/164, page 772.

Amendment No. 18: Statutory Regulations 1950, Serial number 1950/217, page 989.

Amendment No. 19: Statutory Regulations 1951, Serial number 1951/49, page 184.

Amendment No. 20: Statutory Regulations 1952, Serial number 1952/36, page 103.

Amendment No. 21: Statutory Regulations 1952, Serial number 1952/120, page 509.

Provided that,—

- (a) In the case of aircraft which are in use at the time of these regulations coming into force and which do not comply with the appropriate performance requirements, the Minister may grant exemption either wholly or in part from those performance requirements or may specify special performance requirements; and
- (b) In the case of aircraft which are used in air transport operations in undeveloped areas where the compliance with the appropriate performance requirements may prove to be unduly restrictive, the Minister may grant exemption either wholly or in part from the performance requirements. In the case of any such exemption the Minister shall specify special operational procedure to be adopted to achieve the maximum practicable degree of safety.

3. Regulation 32 of the principal regulations, as amended by regulation 5 (i) of the Air Navigation Regulations 1933, Amendment No. 18, is hereby further amended as follows:—

- (a) By inserting, after subclause (2), the following subclause:—

“(2A) Pending consideration by the Minister of any particular case the Director may suspend temporarily any licence or certificate referred to in subclause (1) or subclause (2) of this regulation if he considers that action to be warranted in the circumstances for the purpose of ensuring compliance with these regulations or in the interests of safety.”:

- (b) By inserting, after the word “Minister” in subclause (5), the words “, or, in the circumstances provided for in subclause (2A) of this regulation, the Director”.

4. Paragraph 35 of section IV of Schedule II of the principal regulations as substituted by regulation 4 (c) of the Air Navigation Regulations 1933, Amendment No. 14, is hereby amended by adding the following subclauses as subclauses (2) and (3) thereof:—

“(2) An applicant for the issue of a licence who has acquired experience and technical qualifications but is unable to comply with the requirements of subparagraphs (d) and (e) of paragraph 28 of this Schedule may be exempted from any or all of the requirements of those subparagraphs if the Minister is satisfied that the applicant’s experience and technical qualifications are sufficient to warrant an exemption being made.

“(3) The Minister may also renew any licence if the applicant is able to produce evidence of satisfactory experience other than that required by subclause (1) of paragraph 34 of this Schedule.”

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

Regulation 2 makes provision for performance standards which can be applied by operators to the operation of their aircraft under varying circumstances.

Regulation 3 gives the Director of Civil Aviation power to suspend immediately any licence or certificate until the particular case can be considered by the Minister.

Regulation 4 enables an aircraft maintenance engineer licence to be granted to applicants who have satisfactory experience and technical qualifications other than those at present prescribed in the principal regulations.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 12 February 1953.
These regulations are administered in the Air Department.