

## Serial Number 1952/11



**THE AIR SERVICES LICENSING REGULATIONS 1952**

FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 18th day of  
February 1952

Present :

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Air Services Licensing Act 1951, and, in respect of regulation 4, pursuant to the New Zealand National Airways Act 1945, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

PART I—PRELIMINARY

1. These regulations may be cited as the Air Services Licensing Regulations 1952.
2. These regulations shall come into force on the day after the date of their notification in the *Gazette*.
3. In these regulations, unless the context otherwise requires,—  
“The Act” means the Air Services Licensing Act 1951 :  
Terms and expressions defined in the Act shall, when used in these regulations, have the meanings so defined.
4. The New Zealand National Airways Regulations 1949\* are hereby revoked.

PART II—APPLICATIONS FOR LICENCES AND RENEWALS OF LICENCES

5. Every application for a licence (other than an application for a temporary licence) or for a renewal of a licence shall be made in duplicate in the form marked A. 45 set out in the Schedule hereto, or to the effect thereof.
6. Every application for a temporary licence shall be made in duplicate in the form marked A. 46 set out in the Schedule hereto, or to the effect thereof.

PART III—LICENCES, TEMPORARY LICENCES, AND VARIATIONS AND TRANSFERS OF LICENCES

7. Every application under section 26 of the Act by the holder of a licence for a variation of the licence shall be in the form marked A. 47 set out in the Schedule hereto, or to the effect thereof.

\* Statutory Regulations 1949, Serial number 1949/8, page 19.

8. Every application under section 29 of the Act for the transfer of a licence shall be in the form marked A. 48 set out in the Schedule hereto, or to the effect thereof.

9. A licence shall be in the form marked A. 49 set out in the Schedule hereto, or to the effect thereof, and shall be issued under the hand of the Chairman or a member or officer of the Licensing Authority.

10. The Air Secretary shall make a record of every determination of the Licensing Authority in reference to a licence and of every licence granted, and of every variation, suspension, revocation, or transfer of a licence.

11. The Air Secretary shall prepare and maintain an alphabetical index of the names of licence holders.

12. The record referred to in regulation 10 hereof and the indexes referred to in regulation 11 hereof shall be the register of licences required to be kept under section 24 of the Act.

#### PART IV—REVOCATION, SUSPENSION, AND SURRENDER OF LICENCES

13. The holder of a licence which has expired, or which is lawfully revoked, suspended, or amended, or of a licence for a service authorized to be discontinued, shall, upon request made to him in writing by the Air Secretary, deliver the licence to the Air Secretary within seven days of the request, and, if the licence is amended, a new licence incorporating the amendment shall be issued by the Licensing Authority, or the original licence with the amendment endorsed on it and duly signed shall be returned as soon as possible to the holder.

14. The revocation or suspension of a licence shall be in the form marked A. 50 set out in the Schedule hereto, or to the effect thereof, and shall be issued under the hand of the Chairman or a member or officer of the Licensing Authority, and shall take effect on service thereof on the holder.

#### PART V—ALTERING, DEFACING, OR PARTING WITH LICENCES, AND ISSUES OF DUPLICATES THEREFOR

15. For the purpose of this Part of these regulations "document" means any licence or temporary licence or variation thereof, and includes a duplicate of a document.

16. No person shall,—

- (a) Except by direction of the Licensing Authority, alter or deface any document, and any document altered or defaced without any such direction shall be void; or
- (b) Except with the authority of the Licensing Authority or the Air Secretary, lend or part with any document issued to him.

17. Upon the return of any document rendered illegible or spoilt by weather or other cause, or upon proof to his satisfaction that a document has been destroyed, stolen, or lost, the Air Secretary may, upon application by the person to whom the document was issued, issue a duplicate of the document. Every duplicate so issued shall have the word "Duplicate" written or printed thereon, and the production of a duplicate document shall be of the same effect as the production of the original document.

18. The Air Secretary shall enter in the register a memorial of the issue of every duplicate document and of the date of its issue.

#### PART VI—CONDITIONS OF LICENCES

19. It shall be a condition of every licence that the holder thereof shall notify promptly in writing to the Air Secretary and shall notify publicly at least once in a newspaper or newspapers circulating in the districts served all interruptions of an air service which are likely to continue for more than four days. Both notifications shall explain the cause of the interruption and its probable duration.

20. (1) It shall be a condition of every licence that the holder shall keep such records as will enable the following information to be supplied to the Licensing Authority—that is to say :—

- (a) A closing balance sheet and profit and loss account audited by a member of the New Zealand Society of Accountants :
- (b) The number of passengers carried, classified according to the place of commencement and the end of each journey :
- (c) The weight of freight carried, with a general description of the articles carried :
- (d) The number of miles flown in any air service by each authorized aircraft.

(2) A summary, in such form as may be required by the Licensing Authority, of the records kept in accordance with this regulation shall be forwarded to the Licensing Authority within one month after the close of the financial year of the holder of the licence, and the holder shall, on the request of the Air Secretary, supply to the Licensing Authority such information obtained from the said records as the Air Secretary may specify in that behalf.

#### PART VII—APPEALS

21. Every appeal to the Appeal Authority under section 40 of the Act shall be in the form marked A. 51 set out in the Schedule hereto, or to the effect thereof.

22. The Air Secretary shall make a record of every determination of the Appeal Authority in respect of any licence or in respect of any application made to the Appeal Authority.

#### PART VIII—OFFENCES AND PENALTIES

23. Every person who—

- (a) Knowingly supplies any false or misleading information in or concerning any application made under these regulations ;  
or
- (b) Omits or refuses to supply any information required by these regulations ; or
- (c) Knowingly supplies any false or misleading information in purported compliance with any requirement of the Air Secretary under regulation 20 hereof ; or
- (d) Fails to comply with either of the conditions set out in regulations 19 and 20 hereof or any other condition of a licence,—

shall be deemed to have committed a breach of these regulations.

24. Every person who commits a breach of any of these regulations shall be liable for every such breach to a fine not exceeding £10, in addition to any liability to revocation or suspension of licence that may be incurred.

SCHEDULE

[Form A. 45

New Zealand

AIR DEPARTMENT

The Air Services Licensing Act 1951

APPLICATION FOR LICENCE OR RENEWAL OF LICENCE FOR AN AIR SERVICE

(Attention is drawn to the fact that if any information supplied on this form is knowingly false or misleading, it renders the applicant liable to a fine of £10.)

To the Air Services Licensing Authority (forwarded through the Air Secretary, Air Department, Wellington C. 1).

I, THE undersigned, do apply for a (licence) (renewal of a licence) for an air service under the above-mentioned Act, to carry on an air service, particulars of which are given below, and I declare that to the best of my knowledge and belief the statements made herein are true, correct, and complete in every particular.

- I. Full name of applicant :.....  
(In block letters; in the case of a partnership, give full name of every partner, surnames last; in other cases of individuals, surname last.)
- II. Trade name :.....  
(Here give firm name of a partnership, or trade name, if any, of a service not carried on solely under the name of the applicant.)
- III. Business address :.....  
(In case of a registered company, &c., state registered office.)
- IV. If application is not made by applicant in person :—  
(a) Full name of person signing the application :.....  
(b) Capacity in which he signs :.....  
(Company secretary, company manager, &c., or partner.)
- V. Usual signature of person signing the application :.....  
(The application of a partnership firm must be signed by one of the partners. The application must in other cases be signed by the applicant in person.)
- VI. Date of signature :.....

Question (or Particulars Required).	Answer. (If there is insufficient space on this form, attach a separate signed sheet with number thereon.)
1. Is the applicant a person over twenty-one years of age ?	1. ....
2. Termini between which it is desired to operate	2. Between ..... and .....
3. Aerodromes proposed to be used at termini and <i>en route</i>	3. ....
4. Total number of aircraft proposed to be used in the service, whether regularly or in reserve (the schedule on back hereof must be filled in concerning each such machine)	4. ....
5. Proposed time-table	5. ....
6. (For a passenger service) proposed fares (including any minimum fare and any special terms offered for more fares or journeys than one)	6. ....
7. Are goods (other than mails) proposed to be carried (a) exclusively, (b) as well as passengers ? If so, state nature, quantity, frequency, and charges during last twelve months	7. ....
8. Is it desired to carry mails ? If "Yes," state particulars of mail contracts :— (a) Term of contract (b) Amount of subsidy (c) Quantity and frequency during last twelve months	8. (a) ..... (b) ..... (c) .....

**SCHEDULE—continued**

[Reverse of Form]

- 9. Particulars of all subsidies proposed for the service (excluding payments for carriage of mails stated in answer to Question 8) :—
  - (a) Name of person granting (or proposing to grant) the subsidy
  - (b) Amount and term of subsidy
  - (c) Any special conditions attached to subsidy
- 10. Particulars of all insurance policies taken out to cover passengers and property :—
  - (a) Name of insurance company
  - (b) Amount of cover
  - (c) Term of policy
- 11. Proposed date of commencement of service

**SCHEDULE OF AIRCRAFT**

Current Identification Marks.	Make and Model.	Seating Capacity (Inclusive of Pilot).	Reference No. of Certificate of Airworthiness.

[Form A. 46

New Zealand

AIR DEPARTMENT

*The Air Services Licensing Act 1951*

**APPLICATION FOR TEMPORARY LICENCE FOR AN AIR SERVICE**

To the Air Services Licensing Authority (forwarded through the Air Secretary, Air Department, Wellington C. 1).

I, THE undersigned, hereby apply for a temporary licence under the above-mentioned Act to carry on an air service, particulars of which are given below, and I declare to the best of my knowledge and belief the statements made herein are true, correct, and complete in every particular.

- I. Full name of applicant :.....  
(In block letters ; in the case of a partnership, give full name of every partner, surnames last ; in other cases of individuals, surname last.)
- II. Trade name :.....  
(Here give firm name of a partnership, or trade name, if any, of a service not carried on solely under the name of the applicant.)
- III. Business address :.....  
(In case of a registered company, &c., state registered office.)
- IV. If application is not made by applicant in person :—
  - (a) Full name of person signing the application :.....
  - (b) Capacity in which he signs :.....  
(Company secretary, company manager, &c., or partner.)
- V. Usual signature of person signing the application :.....  
(The application of a partnership firm must be signed by one of the partners. The application must in other cases be signed by the applicant in person.)
- VI. Date of Signature :.....

SCHEDULE—*continued*

Question (or Particulars Required).	Answer. (If there is insufficient space on this form, attach a separate signed sheet with number thereon.)
1. Is the applicant a person over twenty-one years of age ?	1. ....
2. Termini between which it is desired to operate	2. Between ..... and .....
3. Aerodromes proposed to be used at termini and <i>en route</i>	3. ....
4. Event to be served or other purpose of service	4. ....
5. Total number of aircraft to be used in the service, whether regularly or in reserve. (The schedule on back hereof must be filled in concerning each such machine)	5. ....
6. Proposed time-table .. ..	6. ....
7. (For a passenger service) proposed fares (including any minimum fare and any special terms offered for more fares or journeys than one)	7. ....
8. Proposed date of commencement and termination of service	8. Commencement date : ..... Termination date : .....

[Reverse of Form]

## SCHEDULE OF AIRCRAFT

Current Identification Marks.	Make and Model.	Seating Capacity (Inclusive of Pilot).	Reference No. of Certificate of Airworthiness.

[Form A. 47]

New Zealand

AIR DEPARTMENT

*The Air Services Licensing Act 1951*

## APPLICATION FOR AMENDMENT OR REVOCATION OF THE TERMS OR CONDITIONS OF AN AIR SERVICE LICENCE

To the Air Services Licensing Authority (forwarded through the Air Secretary, Air Department, Wellington C. 1).

I, THE undersigned, hereby apply for (amendment) (revocation) of the terms or conditions of the licence granted to me by the Licensing Authority and described hereunder :—

1. Name of licence holder : .....
2. Address of licence holder : .....
3. Termini of route : .....
4. Reference number of licence : .....
5. Description of alteration sought : .....

NOTE.—The applicant should clearly indicate (a) the existing term or condition sought to be altered and (b) the proposed alteration.

6. Date it is desired to bring the alteration into effect : .....

*Signature of Licence Holder* : .....

*Date* : .....

NOTE.—A separate application must be supplied in respect of each licence the terms or conditions of which it is desired to have amended or revoked.

SCHEDULE—*continued*

[Form A. 48

New Zealand

AIR DEPARTMENT

*The Air Services Licensing Act 1951*

APPLICATION FOR TRANSFER OF AIR SERVICE LICENCE

To the Air Services Licensing Authority (forwarded through the Air Secretary, Air Department, Wellington C. 1).

I, THE undersigned, do hereby apply for a transfer to me of the air service licence particulars of which are given below, and I declare that to the best of my knowledge and belief the statements made herein are true, correct, and complete in every particular.

- I. Full name of applicant : .....  
(In block letters ; in the case of a partnership, give full name of every partner surnames last ; in other cases of individuals, surname last.)
- II. Trade name : .....  
(Here give firm name of a partnership, or trade name, if any, of a service not carried on solely under the name of the applicant.)
- III. Business address : .....  
(In case of a registered company, &c., state registered office.)
- IV. If application is not made by applicant in person :—  
(a) Full name of person signing the application : .....  
(b) Capacity in which he signs : .....  
(Company secretary, company manager, &c., or partner.)
- V. Usual signature of person signing the application : .....  
(The application of a partnership firm must be signed by one of the partners. The application must in other cases be signed by the applicant in person.)
- VI. Date of signature : .....

Question (or Particulars Required).

Answer. (If there is insufficient space on this form, attach a separate signed sheet with number thereon.)

- |   |         |
|---|---------|
| 1. Name of present licensee   | 1. .... |
| 2. Relative licence number  | 2. .... |
| 3. Terminal points of present licensee's service  | 3. .... |
| 4. Date from which it is desired that the transfer shall take effect  | 4. .... |
| 5. Are the aircraft proposed to be used the same as those operated by the present licensee ? If not, particulars on back hereof must be completed | 5. .... |

I, [*Full name of present licensee*], do hereby consent to this proposed transfer on the terms set out above.

*Signature of Present Licensee* : .....

*Date* : .....

[*Reverse of Form*]

SCHEDULE OF AIRCRAFT

(To be completed only in cases where machines other than those used by the present licensee are proposed to be used)

Current Identification Marks.	Make and Model.	Seating Capacity (Inclusive of Pilot).	Reference No. of Certificate of Airworthiness.

SCHEDULE—*continued*

New Zealand

[Form A. 49  
No. ....

AIR DEPARTMENT

The Air Services Licensing Act 1951

LICENCE }  
TEMPORARY LICENCE } FOR AN AIR SERVICE

No. ....

Licence Ref. ....

Full name of licence holder .....

Business address of licence holder .....

THE above named is hereby authorized to carry on, with aircraft complying with the description set out in Schedule A hereof, and to the time-table and between the termini respectively described in Schedule B hereof, and with the fares and goods charges fixed in Schedule C, an air service (particulars of which are set out below) in accordance with the provisions of the above Act, and of the regulations for the time being in force thereunder, and subject to the special conditions herein set forth:—

1. Termini between or area over which the licence holder is authorized to operate .....
2. Aerodromes to be used at termini and *en route* : .....
3. The service hereby authorized shall commence not later than the ..... day of ..... 19..
4. This (licence) (temporary licence) expires on the ..... day of ..... 19..

NOTE.—Renewal, if required, should be applied for not less than twenty-eight days before the date of expiry shown above. This does not apply in the case of a temporary licence.

SPECIAL CONDITIONS

(Imposed in terms of section 22)

Dated at ....., this ..... day of .....19..

For and on behalf of the Air Services Licensing Authority.

NOTE.—Departure from the terms of this licence or temporary licence without authorized amendment thereof or failure to keep its terms may be penalized by a fine, and may result in revocation of the licence.

[Reverse of Form]

SCHEDULE A—PARTICULARS OF AIRCRAFT AUTHORIZED TO BE USED

Number of Aircraft.	Passenger Seating Accommodation Provided (Inclusive of Pilot's Seat).	Stowage Room for Baggage or Goods Authorized to be Carried (in Cubic Feet).

SCHEDULE B—PARTICULARS OF TERMINAL AERODROMES, AERODROMES EN ROUTE, AND TIME-TABLE

SCHEDULE C—FARES AND GOODS CHARGES



**SCHEDULE—continued**

[Form A. 50

New Zealand

AIR DEPARTMENT

*The Air Services Licensing Act 1951*

REVOCATION } OF A LICENCE  
SUSPENSION }

Name of licence holder :.....

Business address of licence holder :.....

THE licence number ....., issued to the above named on the ..... day of ..... 19.. for the service described below is hereby (revoked) (suspended) until the ..... day of ..... 19..

DESCRIPTION OF SERVICE

1. Termini of route :.....

2. Description of route and localities to be served :.....

Dated at ....., this ..... day of ..... 19..

.....  
For and on behalf of the Air Services Licensing Authority.

[Form A. 51

New Zealand

AIR DEPARTMENT

*The Air Services Licensing Act 1951*

APPEAL FROM A DECISION OF THE AIR SERVICES LICENSING AUTHORITY

To the Air Services Licensing Appeal Authority (forwarded through the Air Secretary, Air Department, Wellington C. I).

I, THE undersigned, hereby give notice of my intention to appeal against the decision of the Air Services Licensing Authority dated the ..... day of ..... 19.. in respect of an air service licence, particulars of which are given below :—

- I. Full name of applicant :.....  
(In block letters; in the case of a partnership, give full name of every partner surnames last; in other cases of individuals, surname last.)
- II. Trade name :.....  
(Here give firm name of a partnership, or trade name, if any, of a service not carried on solely under the name of the applicant.)
- III. Business address :.....  
(In case of a registered company, &c., state registered office.)
- IV. Termini between which proposed service is to operate : Between..... and.....
- V. Usual signature of appellant :.....  
(The appeal of a partnership firm must be signed by one of the partners. The appeal must in other cases be signed by the appellant in person.)
- VI. Business address of appellant :.....  
(In case of a registered company, &c., state registered office.)
- VII. Date of signature :.....
- VIII. Grounds of appeal :.....

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.]*

These regulations prescribe details regarding applications for and the granting and variation of air service licences.

The details are similar to those contained in regulations made under the New Zealand National Airways Amendment Act 1948, which was the enactment under which air service licences were previously granted.

Part VI provides that it shall be a condition of each licence that any interruption of an air service shall be notified and that the holder of a licence shall keep prescribed records.

Part VII prescribes the forms of appeals from decisions of the Licensing Authority.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21st day of February 1952.

These regulations are administered in the Air Department.