



**THE CIVIL AVIATION CHARGES REGULATIONS 1965,
AMENDMENT NO. 20**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 12th day of June 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Civil Aviation Act 1964, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Civil Aviation Charges Regulations 1965, Amendment No. 20, and shall be read together with and deemed part of the Civil Aviation Charges Regulations 1965* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of July 1989.

*S.R. 1965/121

- Amendment No. 1: (*Revoked by S.R. 1977/50*)
- Amendment No. 2: (*Revoked by S.R. 1988/50*)
- Amendment No. 3: S.R. 1967/223
- Amendment No. 4: S.R. 1968/123
- Amendment No. 5: (*Revoked by S.R. 1975/127*)
- Amendment No. 6: (*Revoked by S.R. 1988/50*)
- Amendment No. 7: S.R. 1971/281
- Amendment No. 8: (*Revoked by S.R. 1980/100*)
- Amendment No. 9: (*Revoked by S.R. 1980/100*)
- Amendment No. 10: (*Revoked by S.R. 1977/50*)
- Amendment No. 11: S.R. 1977/50
- Amendment No. 12: S.R. 1980/100
- Amendment No. 13: (*Revoked by S.R. 1986/362*)
- Amendment No. 14: (*Revoked by S.R. 1986/362*)
- Amendment No. 15: S.R. 1984/278
- Amendment No. 16: S.R. 1985/314
- Amendment No. 17: S.R. 1986/362
- Amendment No. 18: S.R. 1988/50
- Amendment No. 19: S.R. 1989/41

2. Interpretation—(1) Regulation 2 (1) of the principal regulations is hereby amended by inserting, after the definition of the term “common-user portion” (as inserted by regulation 2 (1) of the Civil Aviation Charges Regulations 1965, Amendment No. 4), the following definition:

“‘Crown airport’ means an airport operated by the Crown; but does not include a joint-venture airport.”

(2) Regulation 2 (1) of the principal regulations is hereby further amended by inserting in the definition of the term “differential airport charges” (as inserted by regulation 2 (2) of the Civil Aviation Charges Regulations 1965, Amendment No. 18), after the words “joint-venture airports”, the words “or Crown airports”.

3. Imposition of differential airport charges—Regulation 7A of the principal regulations (as inserted by regulation 4 of the Civil Aviation Charges Regulations 1965, Amendment No. 18) is hereby amended by inserting, after the words “joint-venture airport”, the words “or Crown airport”.

4. Cessation of application of certain regulations—Regulation 7B of the principal regulations (as inserted by regulation 4 of the Civil Aviation Charges Regulations 1965, Amendment No. 18) is hereby amended—

(a) By inserting, after the words “joint-venture airport”, the words “or Crown airport”;

(b) By omitting the expression “10”, and substituting the expression “10 (1), 10 (2)”.

5. Meteorological charges payable by domestic operators—(1) Regulation 9A of the principal regulations (as inserted by regulation 3 of the Civil Aviation Charges Regulations 1965, Amendment No. 16) is hereby amended—

(a) By omitting the words “0.4 percent of so much of the operator’s gross operating revenue”, and substituting the words “0.3 percent of so much of the operator’s gross operating revenue (including goods and services tax under the Goods and Services Tax Act 1985)”;

(b) By adding the words “The said meteorological charge is inclusive of goods and services tax under the Goods and Services Tax Act 1985”.

(2) Regulation 9A of the principal regulations (as so inserted) is hereby further amended by adding the following subclause:

“(2) If the Secretary gives written notification to any domestic operator that the Secretary is satisfied that the operator has entered into an adequate agreement with the New Zealand Meteorological Service for the provision to the operator of aeronautical meteorological services, the operator shall be exempt from the payment of a charge under this regulation while that agreement is in force.”

6. Meteorological charges payable by international operators—(1) Regulation 10 (3) of the principal regulations (as added by regulation 4 of the Civil Aviation Charges Regulations 1965, Amendment No. 16) is hereby amended—

(a) By omitting the expression “20c”, and substituting the expression “33c”;

(b) By adding the words “The said meteorological charge is exclusive of goods and services tax under the Goods and Services Tax Act 1985”.

(2) Regulation 10 of the principal regulations is hereby further amended by adding the following subclause:

“(5) If the Secretary gives written notification to any international operator that the Secretary is satisfied that the operator has entered into an adequate agreement with the New Zealand Meteorological Service for the provision to the operator of aeronautical meteorological services, the operator shall be exempt from the payment of a charge under subclause (3) of this regulation while that agreement is in force.”

7. Recovery of charges—Regulation 19 of the principal regulations is hereby amended by inserting, after subclause (1), the following subclause:

“(1A) Differential airport charges shall be recoverable from the operator in any court of competent jurisdiction as follows:

“(a) Where the charges are payable in respect of the use of any Crown airport or any facilities in connection with that airport, those charges shall be so recoverable by the Secretary:

“(b) Where the charges are payable in respect of the use of any joint-venture airport or any facilities in connection with that airport, those charges shall be so recoverable by the Airport Authority concerned.”

MARIE SHROFF,
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 amend provisions in the principal regulations relating to meteorological charges and differential airport charges.

The charge payable by domestic operators was formerly 0.4 percent of gross operating revenue and is reduced to 0.3 percent of gross operating revenue. For the purpose of this calculation, gross operating revenue includes any goods and services tax paid to the operator. The new charge is inclusive of goods and services tax.

The charge payable by international operators is increased from 20c per tonne of the gross weight of an aircraft landing in New Zealand (exclusive of goods and services tax) to 33c per tonne (exclusive of goods and services tax).

If the Secretary for Transport is satisfied that any operator has entered into an adequate agreement with the New Zealand Meteorological Service for the provision to the operator of aeronautical meteorological services, the operator will be exempt from payment of the meteorological charge while the agreement is in force.

The Minister is authorised to approve differential airport charges in respect of Crown airports and provision is made for the Secretary for Transport to recover such charges in any competent court. Differential airport charges in respect of joint-venture airports are recoverable by the Airport Authority concerned.

Issued under the authority of the Regulations Act 1936.

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These regulations are administered in the Ministry of Transport.