



THE CIVIL AVIATION REGULATIONS 1953,
AMENDMENT NO. 19

DENIS BLUNDELL, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 17th day of December 1973

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 Regulations 1953, Amendment No. 19, and shall be read together with and deemed part of the Civil Aviation Regulations 1953* (hereinafter referred to as the principal regulations).

(2) Except as provided in regulation 9 of these regulations, these regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Interpretation—Regulation 4 (1) of the principal regulations is hereby amended—

(a) By inserting, after the definition of the term “ground visibility”, the following definition:

“‘Gyroplane’ means a rotorcraft whose rotors are not power-driven and whose means of propulsion consist of a power-driven propeller on a substantially horizontal axis:”

*Reprinted with Amendments Nos. 1 to 14: S.R. 1970/173

Amendment No. 15: S.R. 1970/253

Amendment No. 16: S.R. 1972/91

Amendment No. 17: S.R. 1972/172

Amendment No. 18: S.R. 1973/158

(b) By inserting, after the definition of the term "height", the following definition:

"'Helicopter' means a rotorcraft that depends principally on power-driven rotors for its horizontal motion:"

(c) By inserting, after the definition of the term "restricted area", the following definition:

"'Rotorcraft' means any heavier-than-air aircraft which derives its lift in flight from the reaction of the air on one or more rotors on a substantially vertical axis:"

3. Documents to be carried—Regulation 25 of the principal regulations (as substituted by regulation 6 of the Civil Aviation Regulations 1953, Amendment No. 3) is hereby amended by adding the following paragraph:

"(d) An approved load sheet."

4. Load sheets—(1) Regulation 28 (1) of the principal regulations (as substituted by regulation 6 of the Civil Aviation Regulations 1953, Amendment No. 9) is hereby amended by omitting the words "on any air transport operation or on any aerial work operation".

(2) The said regulation 28 (as so substituted) is hereby further amended by inserting in subclause (3), after the word "approve", the words ", shall contain such information as the Director may from time to time prescribe,".

5. Daily flight records—Regulation 28A (1) of the principal regulations (as inserted by regulation 3 of the Civil Aviation Regulations 1953, Amendment No. 16) is hereby amended by omitting the words "engaged in aerial work operations or air transport operations".

6. Prohibited, restricted, and danger areas—Regulation 33 (3) (b) of the principal regulations (as substituted by regulation 4 of the Civil Aviation Regulations 1953, Amendment No. 11) is hereby amended by inserting, after the word "navigation", the words "or in the public interest".

7. Use of aerodromes—(1) The principal regulations are hereby further amended by revoking regulation 34, and substituting the following regulation:

"34. (1) Except in cases of emergency arising from mechanical or structural defects in the aircraft or its equipment, or from weather conditions, or other causes not under the control of the pilot in command,—

"(a) No aircraft shall land at or take off from any place which is not licensed or authorised for use as an aerodrome or which has not been notified as a Government civil aerodrome unless—

"(i) Prior written approval has been obtained from the statutory Board, Government Department, or other public body controlling or administering that place, or administering the Noxious Animals Act 1956 in respect of that place; or

“(ii) If there is no such controlling or administering authority, prior written approval has been obtained from the occupier of that place—
and such approval is in the possession of the operator and has been sighted by the pilot in command prior to landing or taking off.

“(b) No aircraft shall land at or take off from any licensed aerodrome or Government civil aerodrome unless the aircraft can operate from that aerodrome within the limits of the operational conditions which are for the time being specified by the Director:

“(c) An aircraft carrying passengers on an air transport operation shall not use any place for the purpose of taking off or landing unless that place has been licensed or authorised for use as an aerodrome or has been notified as a Government civil aerodrome pursuant to these regulations:

“(d) An aircraft carrying goods on an air transport operation shall not use any place for the purpose of taking off or landing unless that place has been licensed or authorised for use as an aerodrome or has been notified as a Government civil aerodrome pursuant to these regulations or unless provision is made otherwise in the air service certificate relating to the operations in question.”

(2) The following regulations are hereby consequentially revoked:

(a) The Civil Aviation Regulations 1953, Amendment No. 2:

(b) Regulation 9 of the Civil Aviation Regulations 1953, Amendment No. 3.

8. General—The principal regulations are hereby further amended by revoking regulation 108, and substituting the following regulation:

“108. (1) A multi-engined aircraft may be operated with one or more prescribed instruments or units of equipment inoperative if the operation is in accordance with the provisions of an approved minimum equipment list for that aircraft.

“(2) The requirements of regulations 104, 105, 106, and 107 of these regulations may be varied from time to time by the Director if suitable alternative instruments or units of equipment are provided, or if the prescribed instruments and units of equipment are not appropriate for the type of aircraft being operated.”

9. Location of marks—(1) Regulation 158 (3) of the principal regulations is hereby amended by revoking paragraph (b), and substituting the following paragraph:

“(b) In the case of rotorcraft, the marks shall appear on the bottom surface of the fuselage or cabin with the top of the marks toward the left side of the fuselage, and also on both sides of the fuselage or cabin below and as near to the cockpit as possible.”

(2) This regulation shall come into force 3 months after the date of its notification in the *Gazette*.

10. Measurement of marks—(1) Regulation 159 of the principal regulations is hereby amended—

- (a) By omitting from paragraph (a) the expression “20 in.”, and substituting the expression “50 cm”;
 - (b) By omitting from paragraph (b) (i) the expression “20 in.”, and substituting the expression “50 cm”.
- (2) The said regulation 159 is hereby further amended by revoking subparagraph (ii) of paragraph (b), and substituting the following subparagraph:

“(ii) The height of the marks on the fuselage or equivalent structure and on the vertical surfaces shall be at least 30 cm, except that where the surface is not large enough to accommodate full-size marks the Director may approve marks of a lesser measurement provided they are not less than 15 cm in height and can be readily identified.”

(3) The said regulation 159 is hereby further amended by revoking paragraph (c), and substituting the following paragraphs:

“(c) In the case of rotorcraft, the marks on the bottom surface of the fuselage or cabin shall be at least four-fifths as high as the fuselage or cabin is wide, and on the sides of the fuselage or cabin the marks shall be at least 15 cm high, except that where the surface is not large enough for full-size marks the Director may approve marks of a lesser measurement provided they are not less than 5 cm in height and can be readily identified:

“(d) The nationality and registration marks shall be formed of letters of equal height, and shall be so situated as to leave a margin of at least 5 cm along each edge of any surface to which they are affixed.”

11. General provisions—Regulation 188 (3) of the principal regulations is hereby revoked.

12. Privileges of licences—Regulation 205 (5) of the principal regulations (as substituted by regulation 18 of the Civil Aviation Regulations 1953, Amendment No. 18) is hereby amended by omitting the words “Certificate of”, and substituting the word “Civil”.

P. G. MILLEN,
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 defines the terms gyroplane, helicopter, and rotorcraft.

Regulations 3 and 4 extend the requirement of completing load sheets to private operations.

Regulation 5 extends the requirement of keeping daily flight records to private operations.

Regulation 6 empowers the Director to declare areas to be restricted if he is satisfied that it is in the public interest to do so.

Regulation 7 makes it an offence (except in an emergency) to land at or take off from any place without the prior written approval of the public body controlling the area or, if there is no such body, without the prior written approval of the occupier.

Regulation 8 rewrites regulation 108 of the principal regulations. The present provision allowing all multi-engined aircraft to operate with certain instruments inoperative is removed. The new subclause (1) provides for the operation of multi-engined aircraft with one or more prescribed instruments inoperative, if the operation is in accordance with the provisions of an approved minimum equipment list.

The new subclause (2) empowers the Director to vary certain regulations relating to instruments and equipment if suitable alternatives are provided or if the prescribed instruments or equipment are not appropriate for the type of aircraft being operated.

Regulations 9 and 10 make new provisions relating to identification marks on rotorcraft.

Regulation 11 revokes a provision made redundant by regulation 7 of these regulations.

Regulation 12 corrects a drafting error

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 19 December 1973.

These regulations are administered in the Ministry of Transport.