



**THE CIVIL AVIATION REGULATIONS 1953,
AMENDMENT NO. 30**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 29th day of May 1989

Present:

THE RIGHT HON. G. W. R. PALMER PRESIDING 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. 30, and shall be read together with and deemed part of the Civil Aviation Regulations 1953* (hereinafter referred to as the principal regulations).

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

2. Carriage of dangerous goods—The principal regulations are hereby amended by revoking regulation 31 (as substituted by regulation 3 of the Civil Aviation Regulations 1953, Amendment No. 17 and amended by

*S.R. 1953/108 (Reprinted with Amendments Nos. 1 to 22: S.R. 1980/88)
 Amendment No. 23: (Revoked by S.R. 1988/292)
 Amendment No. 24: S.R. 1983/100
 Amendment No. 25: S.R. 1985/112
 Amendment No. 26: S.R. 1987/70
 Amendment No. 27: S.R. 1987/375
 Amendment No. 28: S.R. 1988/112
 Amendment No. 29: S.R. 1988/292

regulation 10 of the Civil Aviation Regulations 1953, Amendment No. 20), and substituting the following regulation:

“31. (1) Subject to subclauses (2) to (9) of this regulation, every shipper and operator shall comply with those provisions of the Technical Instructions that relate to—

“(a) The handling of dangerous goods in or near aircraft; and

“(b) The consignment and carriage by air of dangerous goods.

“(2) No shipper shall offer and no operator shall accept for carriage by air any dangerous goods, if the carriage by air of those goods is prohibited by the Technical Instructions.

“(3) If the carriage by air of any specified dangerous goods is restricted by or conditional under the Technical Instructions, the following provisions shall apply:

“(a) The shipper shall declare the goods under their full and proper shipping name:

“(b) The shipper shall give to the operator in writing any instructions that are necessary for the safe handling of the goods:

“(c) The shipper shall pack, mark, and label the goods in accordance with any requirements of the Technical Instructions:

“(d) The operator shall complete an approved acceptance check list in respect of the goods:

“(e) The shipper shall—

“(i) Complete an approved shipper’s certification that specifies the goods, the quantity of goods, and the shipper of the goods; and

“(ii) Certify that the consignment complies in all respects with the requirements of this regulation:

“(f) The shipper shall consign and handle, and the operator shall handle and carry, such goods in accordance with the Technical Instructions.

“(4) No person shall knowingly send or attempt to send by, or carry or attempt to carry in, any aircraft any dangerous goods under a false or misleading description, if the carriage by air of those goods is prohibited or restricted by, or conditional under, the Technical Instructions.

“(5) Where, during the course of the carriage by air of any dangerous goods whose carriage by air is prohibited or restricted by, or conditional under, the Technical Instructions, an accident or incident involving any of those goods occurs, the operator in whose possession the goods are at the time of the accident or incident shall—

“(a) Forthwith report or cause to be reported to the Director the full details of the circumstances of the accident or incident; and

“(b) Within such time as the Director may prescribe,—

“(i) Investigate or cause to be investigated the accident or incident; and

“(ii) Report to the Director on the cause of the accident or incident and on any remedial action taken in respect of it.

“(6) No operator or regular shipper shall employ any person to carry out any duties involving the carriage by air of any dangerous goods whose carriage by air is prohibited or restricted by, or conditional under, the Technical Instructions, unless that employee has completed, within such time as the Director may prescribe, an approved training course appropriate to such duties.

“(7) Any authorised person may—

“(a) Inspect and open any package, if that person believes it contains dangerous goods whose carriage by air is prohibited or restricted by, or conditional under, the Technical Instructions; and

“(b) Take and, if necessary, retain, for testing, analysis, and evidential purposes, or any of them, samples of any such package and its contents.

“(8) The Director may exempt in writing, on such conditions as the Director considers necessary in the interests of safety, any person from all or any of the requirements of this regulation, if the Director is satisfied that compliance with that requirement or those requirements is unreasonable or impracticable in that case or is contrary to the public interest.

“(9) Any matter that may be prescribed under this regulation by the Director shall be prescribed by Civil Aviation Safety Order.

“(10) For the purposes of this regulation—

“‘Carriage by air’ includes the handling of goods in the course of their carriage by air and the handling of such goods for any related or incidental purpose:

“‘Regular shipper’ means a shipper acting on a continuing basis in the course of commerce:

“‘Shipper’ includes any authorised agent of the shipper:

“‘Technical Instructions’ means the Technical Instructions for the Safe Transport of Dangerous Goods by Air for the time being approved and published by decision of the Council of the International Civil Aviation Organisation under Annex 18 of the Convention.”

3. New Part XV of principal regulations substituted—The principal regulations are hereby amended by revoking Part XV (as substituted by regulation 2(1) of the Civil Aviation Regulations 1953, Amendment No. 29), and substituting the following Part:

“PART XV

FEEs

“264. **Amount of goods and services tax included**—The fees fixed by this Part of these regulations are inclusive of goods and services tax at the rate of 12.5 percent payable under the Goods and Services Tax Act 1985.

“265. **Examinations, flight tests, etc.**—(1) Fees in respect of technical examinations and flight tests conducted by employees of the Civil Aviation Division of the Ministry of Transport and for the granting or renewal of licences, ratings, and certificates shall be payable in accordance with the following table:

	FLIGHT CREW					\$
Student pilot licence—						
Issue	33.75
Renewal	33.75

FLIGHT CREW—*continued*

	\$
Private pilot licence—	
Issue	78.75
Renewal	78.75
Each technical examination	22.50
Examination recount and review	22.50
Issue flight test	67.50
Flight test for licence renewal, removal of restriction, or change of endorsement	56.25
Commercial pilot licence—	
Issue	180.00
Renewal	78.75
Each technical examination	56.25
Examination recount and review	56.25
Issue flight test	202.50
Flight test for licence renewal, removal of restriction, or change of endorsement	135.00
Senior commercial pilot licence—	
Issue	180.00
Renewal	78.75
Each technical examination	67.50
Examination recount and review	67.50
Issue flight test	270.00
Flight test for licence renewal, removal of restriction, or change of endorsement	180.00
Airline transport pilot licence—	
Issue	180.00
Renewal	78.75
Each technical examination	67.50
Examination recount and review	67.50
Issue flight test	337.50
Flight test for licence renewal, removal of restriction, or change of endorsement	225.00
Cadet flight engineer licence—	
Issue	33.75
Renewal	33.75
Flight engineer licence—	
Issue	180.00
Renewal	78.75
Each technical examination	56.25
Examination recount and review	56.25
Issue or renewal flight test	202.50
Cadet flight navigator licence—	
Issue	33.75
Renewal	33.75
Flight navigator licence—	
Issue	180.00
Renewal	78.75
Each technical examination	67.50
Examination recount and review	67.50

FLIGHT CREW—*continued*

	\$
Issue or renewal flight test	337.50
Instrument rating—	
Issue	78.75
Each technical examination	56.25
Examination recount and review	56.25
Issue or annual check flight test	270.00
Flight test for removal of restriction or change of endorsement	180.00
Instructor rating category A—	
Issue	78.75
Each technical examination	56.25
Examination recount and review	56.25
Issue flight test	337.50
Flight test for annual check, removal of restriction, or change of endorsement	225.00
Instructor rating category B—	
Issue	78.75
Each technical examination	56.25
Examination recount and review	56.25
Issue flight test	270.00
Flight test for annual check, removal of restriction, or change of endorsement	180.00
Instructor rating category C—	
Issue	78.75
Each technical examination	56.25
Examination recount and review	56.25
Issue flight test	202.50
Flight test for annual check, removal of restriction, or change of endorsement	135.00
Instructor rating category D—	
Issue	78.75
Issue flight test	202.50
Flight test for removal of restriction, or change of endorsement	135.00
Instructor rating category E—	
Issue	78.75
Issue flight test	202.50
Flight test for removal of restriction, or change of endorsement	135.00
Aircraft type rating—	
Issue	78.75
Each technical examination	56.25
Examination recount and review	56.25
Issue flight test	67.50
Flight radio telephone operator rating—	
Issue	33.75
Each technical examination	22.50
Examination recount and review	22.50
Glider towing rating—	

FLIGHT CREW—*continued*

	\$
Issue	78.75
Issue flight test	67.50
Chemical rating—	
Issue	78.75
Each technical examination	56.25
Examination recount and review	56.25
Agriculture rating—	
Issue	78.75
Compass rating—	
Issue	78.75
Each technical examination	56.25
Examination recount and review	56.25
Validation of foreign private pilot licence—	
Issue	56.25
Each technical examination	22.50
Examination recount and review	22.50
Validation of foreign commercial pilot licence—	
Issue	112.50
Each technical examination	56.25
Examination recount and review	56.25
Validation of foreign senior commercial pilot licence—	
Issue	112.50
Each technical examination	67.50
Examination recount and review	67.50
Validation of foreign airline transport pilot licence—	
Issue	112.50
Each technical examination	67.50
Examination recount and review	67.50
Flying school approval—	
Issue	562.50
Renewal	562.50
Ground instructor approval—	
Issue	180.00
Renewal	78.75

AIRCRAFT MAINTENANCE ENGINEER

	\$
Aircraft maintenance engineer licence—	
Issue with one category	146.25
Renewal	78.75
Each technical examination	56.25
Examination recount and review	56.25
Each additional aircraft maintenance engineer licence category—	
Issue	78.75
Each technical examination	56.25
Examination recount and review	56.25
Aircraft maintenance engineer licence rating—	
Issue	78.75

AIRCRAFT MAINTENANCE ENGINEER—*continued*

	\$
Each technical examination	56.25
Examination recount and review	56.25
Aircraft maintenance engineer maintenance approval—	
Issue	78.75
Renewal	78.75
Each technical examination	56.25
Examination recount and review	56.25
Aircraft maintenance engineer certificate of competency—	
Issue	78.75
Renewal	78.75
Each technical examination	56.25
Examination recount and review	56.25
Aircraft maintenance engineer course approval—	
Issue of course approval in New Zealand	675.00
Issue of course approval overseas	675.00
(plus overseas travel costs)	
Aircraft maintenance engineer instructor approval—	
Issue	180.00
Renewal	78.75
Validation of foreign aircraft maintenance engineer licence—	
Issue	78.75

MISCELLANEOUS

	\$
Issue and renewal of any licence, rating, or certificate for which a fee is not otherwise prescribed	78.75
Each technical examination and examination recount for which a fee is not otherwise prescribed	56.25
Medical flight test	67.50
Flight tests for which a fee is not otherwise prescribed	135.00
Change of licence restriction or endorsement	56.25
Replacement of licence, certificate, or rating	33.75

“(2) Examination candidates who achieve a pass standard as a result of a recount shall be refunded the examination recount and review fee.

“(3) Candidates who apply for and subsequently withdraw from a technical examination, practical test, or flight test shall have 80 percent of the relevant fee refunded if notification of withdrawal is received more than 7 days before the examination or test date.

“(4) An application for the issue or renewal of more than one flight crew licence at the same time shall be required to pay only 50 percent of the issue or renewal fee in respect of the second and subsequent licences.

“(5) No fee shall be payable for oral and practical technical examinations which are supplementary to written examinations. If oral or practical examinations are conducted instead of written examinations, the fee shall be the same as that prescribed for the written examination.

“(6) No fee shall be payable in respect of the issue or renewal of any licence, rating, or certificate pursuant to these regulations in any case where—

“(a) The applicant is an employee of the State and is under the jurisdiction of the Director; or

“(b) The licence, rating, or certificate of any applicant is issued or renewed by any person, not being an officer of the Department, pursuant to the power delegated to that person by the Director under section 17 of the Act,—

and the licence, rating, or certificate is required by the applicant in the performance of the applicant’s duties.

“266. **Certificates of registration and airworthiness, and permits to fly**—(1) The fee in respect of the first registration of every aircraft shall be \$67.50. Thereafter a fee of \$11.25 shall be payable in respect of each registration on transfer.

“(2) The fee to be charged in respect of every type certificate of airworthiness or certificate of type approval shall be in the discretion of the Director and shall be based upon, but shall not exceed, the cost of the investigation into the design and construction of the aircraft or aircraft components for the purposes of the certificate.

“(3) The fee in respect of the issue of every series certificate of airworthiness shall be—

“(a) For aircraft over 5700 kg, \$450:

“(b) For aircraft over 2950 kg, but not more than 5700 kg, \$180:

“(c) For aircraft of 2950 kg or below, \$90.

“(4) The fee in respect of the renewal of every series certificate of airworthiness shall be—

“(a) For aircraft over 5700 kg, \$225:

“(b) For aircraft over 2950 kg, but not more than 5700 kg, \$90:

“(c) For aircraft of 2950 kg or below, \$45.

“(5) A fee of \$81.80 shall be payable for the issue of a permit to fly, and a fee of \$40.90 shall be payable for every renewal of such a permit.

“267. **Aerodromes**—(1) A fee of \$67.50 shall be payable for the issue of a licence for a public aerodrome.

“(2) A fee of \$45 shall be payable for the issue of a licence for a private aerodrome.

“(3) A fee of \$45 shall be payable for the issue of an authorisation to use a place as an aerodrome for the take-off and landing of aircraft on air transport operations.

“(4) A fee of \$45 shall be payable for an annual inspection of a licensed aerodrome.

“(5) A fee of \$45 shall be payable for an annual inspection of a place authorised for use as an aerodrome for the take-off and landing of aircraft on air transport operations.

“268. **Miscellaneous fees**—(1) The fee payable in respect of the validation of a certificate of airworthiness, pursuant to regulation 164 of these regulations, shall be \$45.

“(2) A fee of \$112.50 shall be payable for the issue of an air service certificate, and a fee of \$45 shall be payable for every transfer of any such certificate.

“(3) A fee of \$225 shall be payable for the issue of an airways service certificate and a fee of \$56.25 shall be payable for the transfer of any such certificate.

“269. **Payment of fees**—Until the appropriate fee has been paid the Director may decline to do any act, or permit any act to be done, or to

receive any document, in respect of which that fee is payable under the provisions of this Part of these regulations.”

4. Consequential revocations—The following regulations are hereby consequentially revoked:

- (a) Regulation 3 of the Civil Aviation Regulations 1953, Amendment No. 17*:
- (b) Regulation 10 of the Civil Aviation Regulations 1953, Amendment No. 20†:
- (c) The Civil Aviation Regulations 1953, Amendment No. 29‡.

MARIE SHROFF,
Clerk of the Executive Council.

*S.R. 1972/172
†S.R. 1975/91
‡S.R. 1988/292

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 1 July 1989, make new provision for the carriage by air of dangerous goods and increase the fees payable under the Civil Aviation Regulations 1953 to reflect the increase in goods and services tax from 10 percent to 12.5 percent.

Regulation 2 of these regulations replaces regulation 31 of the principal regulations. The new regulation—

- (a) Requires that the carriage by air of dangerous goods complies with the Technical Instructions issued from time to time by the International Civil Aviation Organisation pursuant to Annex 18 of the Chicago Convention on International Civil Aviation, 1944:
- (b) Requires that the operator report to the Director all accidents and incidents involving the carriage by air of certain classes of dangerous goods:
- (c) Empowers any authorised person to inspect packages, open them, and retain samples for official purposes:
- (d) Provides for the Director to grant exemptions in particular cases.

Regulation 3 revokes and replaces Part XV of the principal regulations, which relates to fees. The only change from the existing Part XV is the setting of fees to reflect the new rate of goods and services tax.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 1 June 1989.

These regulations are administered in the Ministry of Transport.