

1958/11



THE CIVIL AVIATION (ROYAL VISIT) REGULATIONS 1958

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 29th day of January
1958

Present:

THE RIGHT HON. W. NASH PRESIDING 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. These regulations may be cited as the Civil Aviation (Royal Visit) Regulations 1958.

2. (1) In these regulations, unless the context otherwise requires,—
“Royal Flight” means the aircraft carrying Her Majesty the Queen Mother or any persons in attendance on Her Majesty:

Terms and expressions defined in the Civil Aviation Regulations 1953* shall, when used in these regulations, have the meanings so defined.

(2) These regulations shall apply to all aircraft registered in or flying over New Zealand except aircraft of the Royal Flight and aircraft appointed to undertake escort duties to the Royal Flight.

3. (1) The Director of Civil Aviation may from time to time, by Notices to Airmen promulgated in such manner as he thinks fit, prescribe temporary control areas and temporary control zones in respect of air routes and aerodromes to be used by the Royal Flight.

(2) Any such temporary control areas shall, in any Notice to Airmen issued under these regulations, be referred to as purple airways.

(3) Any such Notice to Airmen shall prescribe the period or periods during which any temporary control area or temporary control zone to which it relates shall remain in existence.

(4) Every temporary control area prescribed pursuant to these regulations shall have a lateral dimension of 5 nautical miles on either side of a right line joining points specified in the Notice to Airmen and shall extend upwards from the ground or water.

(5) Every temporary control zone prescribed pursuant to these regulations shall be established in respect of specified aerodromes and shall comprise an area bounded by the circumference of a circle having a radius of 15 nautical miles centred on the reference point on the aerodrome. Every such temporary control zone shall extend upwards from the ground or water.

(6) Danger areas prescribed in respect of any of the operations of any of Her Majesty's Forces and situated within 5 nautical miles of an area for the time being prescribed under these regulations as a temporary control area shall not be used in connection with any such operations.

4. (1) No aircraft to which these regulations apply shall fly within a temporary control area or a temporary control zone for the time being established under these regulations.

(2) Where a temporary control area or a temporary control zone established under these regulations coincides in whole or in part with an existing control area or control zone established by Civil Aviation Safety Order No. 2 pursuant to the Civil Aviation Regulations 1953,* the existing control area or control zone shall be deemed to be subject in all respects to these regulations except so far as the space or area to which it relates is outside the space or area of a temporary control area or temporary control zone.

5. Except with the permission in writing of the Minister, and in accordance with such conditions as may be specified in the written permission,—

(a) No aircraft shall be flown over or within an area bounded by the circumference of a circle having a radius of 3 nautical miles centred on the place of any open air public gathering attended by Her Majesty the Queen Mother during the period commencing one hour before the advertised arrival at the gathering of the Royal Party and ending one hour after their departure; and

(b) No aircraft shall be flown at an altitude of less than 3,000 ft. above nor closer than 1 nautical mile horizontally from any ship carrying Her Majesty the Queen Mother.

6. With the exception of aircraft engaged on scheduled air services and following their normal routes, no aircraft shall be flown at a height of less than 3,000 ft. above nor closer than 1 nautical mile horizontally from any vehicle or conveyance for the time being carrying Her Majesty the Queen Mother or members of the Royal Party.

7. (1) Any person who contravenes or fails to comply with any provision of these regulations shall be guilty of an offence against these regulations.

(2) The owner, the operator, the hirer, and the pilot in command of an aircraft which flies in contravention of, or fails to comply with, any provision of these regulations shall be guilty of an offence against these regulations:

Provided that where a prosecution is taken under this subclause, it shall be a defence to the proceedings for the owner, operator, hirer, or pilot in command to prove that the alleged contravention took place without his actual fault or privity.

(3) Any person who commits an offence against these regulations shall be liable on summary conviction to a fine not exceeding £200 or to imprisonment for a term not exceeding six months, or to both.

8. These regulations shall expire on the 31st day of March 1958.

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 provide for the establishment of special control areas and control zones in respect of aircraft carrying Her Majesty the Queen Mother and the Royal Party during the Royal visit. Aircraft, other than the Royal Flight, will be prohibited from flying within these areas or zones during specified periods.

Restrictions are also imposed on aircraft flying in the vicinity of ships and conveyances carrying the Royal Party or of open air gatherings at which Her Majesty the Queen Mother will be present.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 January 1958.

These regulations are administered in the Air Department.