



PURSUANT to Sections 28, 29, and 30 of the Civil Aviation Act 1990

I, Hon Julie Anne Genter, Associate Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT

This 7 day of April 2019

by Hon

A handwritten signature in black ink, appearing to read 'Julie Anne Genter', is written over a large, faint, stylized watermark of the letters 'JAG'.

Associate Minister of Transport

Civil Aviation Rules
Part 91, Amendment 31
General and Operating Rules
Docket 17/CAR/2

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Rule objective

The objective of amendment 31 to Part 91 is to address two of the findings of the 2006 ICAO audit of the civil aviation rules, so that the rules are better aligned with the ICAO recommended standards.

The two findings addressed in this amendment to Part 91 are –

- the lack of a rule requirement for New Zealand registered aircraft engaged in international commercial operations to carry a document attesting noise certification; and
- the lack of a rule requirement for the pilot-in-command to inform the appropriate air traffic services and relevant authorities of the carriage of dangerous goods on board the aircraft to assist the emergency services in their response.

Amendment 31 to Part 91 is associated with the following amendments to other rule Parts –

- amendment 31 to Part 121
- amendment 23 to Part 125
- amendment 9 to Part 129
- amendment 24 to Part 135.

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 19-01, containing the proposed amendments to Parts 91, 121, 125, 129 and 135 was issued for public consultation under Docket 17/CAR/2 on 21 September 2018.

The publication of this NPRM was published on the CAA web site and mailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 29 days was allowed for comment on the proposed rule.

Summary of submissions

There was one written submission received on the NPRM regarding draft rule 91.413A. There was no oral submission received.

The submission has been considered and as a result draft rule 91.413A is renumbered as rule 91.411A. The heading of the draft rule is revised to read - '*Pilot-in-command and operator to inform ATS unit of carriage of dangerous goods*', to better reflect the intent of the rule.

There is no other amendment to this Part as a result of the submission.

The submission is available on the CAA website.

Examination of submissions

Submissions may be examined by application to the Docket Clerk at the Civil Aviation Authority between 8:30 am and 4:30 pm on weekdays, except statutory holidays.

Insertion of Amendments

The amendments to the rules in this Part are reflected by –

- revoking and replacing rule 91.111; and
- inserting rule 91.411A after rule 91.411.

Effective date of rule

Amendment 31 to Part 91 comes into force on 10 May 2019.

Availability of rules

Civil Aviation Rules are available from–

CAA web site: <http://www.caa.govt.nz/>
Freephone: 0800 GET RULES (0800 438 785)

Part 91 General Operating and Flight Rules

Subpart B — Operating Rules

Rule 91.111 is revoked and replaced with the following rule.

91.111 Documents to be carried

Except as provided in Parts 103, 104, and 106, a person must not operate an aircraft unless the following documents are carried in the aircraft —

- (1) except if rule 91.101(c) applies, the current airworthiness certificate or a certified copy of the current airworthiness certificate:
- (2) the aircraft flight manual or an equivalent document acceptable to the Director:
- (3) for New Zealand registered aircraft –
 - (i) the technical log required by rule 91.619, unless for aircraft operating under an air operator certificate from a fixed base an alternative means acceptable to the Director is used to inform the pilot of the maintenance status of the aircraft:
 - (ii) a completed form CAA 2173 Weight and Balance Data or equivalent:
 - (iii) a completed form CAA 2129 Aircraft Radio Station Equipment Approval Levels:
- (4) for New Zealand registered aircraft operating outside of New Zealand –
 - (i) the General User Radio Licence for Aeronautical Purposes issued by the Ministry of Business, Innovation and Employment:
 - (ii) the current certificate of registration for the aircraft, or a certified copy of the certificate of registration:

- (iii) evidence that each flight crew member holds an applicable and current flight crew member licence and medical certificate; and
 - (iv) written evidence that the aircraft complies with the applicable aircraft noise standards referred to in rule 91.803(a)(1):
- (5) for foreign aircraft operating within New Zealand –
- (i) the current certificate of registration for the aircraft, or a certified copy of the certificate of registration:
 - (ii) written evidence that the aircraft is certificated or validated by the State of Registry to comply with standards that are equivalent to the applicable aircraft noise standards specified in rule 91.803(a)(2); and
 - (iii) evidence that each flight crew member holds an applicable and current flight crew member licence and medical certificate.

New rule 91.411A is inserted after rule 91.411.

91.411A Pilot-in-command and operator to Inform ATS unit of carriage of dangerous goods

(a) If an in-flight emergency occurs, a pilot-in-command of an aircraft must, as soon as practicable, inform the appropriate ATS unit of the information referred to in rule 92.173(c) regarding any dangerous goods on board the aircraft.

(b) The operator must, as soon as the operator is aware that an in-flight emergency has or might have occurred, inform the appropriate ATS unit of the information referred to in rule 92.173(c) regarding any dangerous goods on board the aircraft.