



PURSUANT to Section 28 of the Civil Aviation Act 1990

I, HARRY JAMES DUYNHOVEN, Minister for Transport Safety,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *16th* day of *May* 2006

by **HARRY JAMES DUYNHOVEN**

Minister for Transport Safety

Civil Aviation Rules

Part 105, Amendment 3

Parachuting — Operating Rules

Docket 3/CAR/4

Content

Rule objective	3
Extent of consultation.....	3
New Zealand Transport Strategy.....	3
Summary of submissions	3
Examination of submissions.....	3
Insertion of Amendments	3
Effective date of rule.....	4
Availability of rules.....	4
Part 105 Parachuting — Operating Rules	5
Subpart C — Parachute Maintenance	5
105.103 Airworthiness and safety directives	5
Consultation Details	6
Comments arising from the NPRM.....	6

Rule objective

The objective of Amendment 3 to Part 105 is to amend rule 105.103 as part of a general rule fix up.

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 05-07, containing the proposed changes to Part 105 was issued for public consultation under Docket 3/CAR/4 on 23 June 2005.

The publication of this NPRM was notified in the *Gazette* on 23 June 2005 and advertised in the daily newspapers in the five main provincial centres on 25 June 2005. The 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 37 days was allowed for comment on the proposed rule.

New Zealand Transport Strategy

The development of the NPRM and the proposed rule changes takes into account the objectives of the New Zealand Transport Strategy (NZTS) and the provisions of the Civil Aviation Amendment Act (No 2) 2004.

Summary of submissions

Nine written submissions were received on the NPRM. No submissions were received on the proposed amendments to Part 105.

The rule as proposed was then referred to Parliament's Regulations Review Committee before being signed by the Minister for Transport Safety.

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 the revocation of the existing rule and the substitution of the new rule.

Effective date of rule

Amendment 3 to Part 105 comes into force on 22 June 2006.

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 105 Parachuting — Operating Rules

Subpart C — Parachute Maintenance

Rule 105.103 is revoked and the following new rule is substituted:

105.103 Airworthiness and safety directives

A person must not make a parachute descent unless the parachute assembly complies with—

- (1) any applicable airworthiness directive issued by the Director and in accordance with Part 39; and
- (2) any applicable safety directive issued by a parachute organisation; and
- (3) any applicable mandatory modification or instruction issued by the manufacturer unless—
 - (i) the modification or instruction is the subject of a safety directive issued by a parachute organisation; or
 - (ii) a variation to the modification or instruction is approved by a parachute organisation.

Consultation Details

(This statement does not form part of the rules contained in Part 105. It provides details of the consultation undertaken in making the rules.)

Comments arising from the NPRM

The rule amendment was developed under docket 3/CAR/4 and published as NPRM 05-07. The consultation details relating to docket 3/CAR/4 are detailed in each affected rule.

Nine written submissions were received on the NPRM and none commented on the proposed amendments to Part 105.

The comments and all background material used in developing these rules are held on the docket. The docket is available for public inspection at Aviation House, 10 Hutt Road. Persons wishing to view the docket should contact the Docket Clerk on Phone 64-4-560-9603 and ask for docket 3/CAR/4.