

NOTICE OF MAKING OF A RULE BY ADOPTION BY REFERENCE
PURSUANT TO SECTION 42 OF THE CIVIL AVIATION ACT 2008 (Act
No.7 of 2008)

Pursuant to the Civil Aviation Act 2008 section 42, I, Honourable Varian Lonamei, Minister responsible for Aviation, hereby give notice of the making of a Civil Aviation Rule by adoption

Solomon Islands Civil Aviation Rules Part 67

Medical Standards and Certification

Adoption Statement

The rule part which shall be cited as Solomon Islands Civil Aviation Rule Part 67 comprises an adoption of the New Zealand Civil Aviation Rules Part 67 as modified hereunder and which Rule Part shall read subject to the following Interpretation Statement.

Interpretation Statement

(i) Any words (including place names) and numbers (including section numbers of Solomon Islands Acts of Parliament) to be substituted

Throughout

1. For “New Zealand” read “Solomon Islands”
2. “the Act” means the Civil Aviation Act, 2008
3. “Director” refers to the Director of Civil Aviation
4. “Minister” refers to the minister for the time being responsible for Civil Aviation in Solomon Islands
5. For “section 9 of the Act” read “section 57 of the Act”
6. For “Section 27D(2) of the Act read “Section 66 of the Act”
7. For “Section 27(H)(2) of the Act read “Section 69 of the Act”
8. For “Section 27E of the Act read “Section 67 of the Act”

67.1

Delete:

(4)

“the requirements for determining suitably qualified medical examiners under section 27O of the Act.”

67.3

Delete:

Aviation Medical Transitional Criteria Notice 2002 means the notice issued by the Minister under section 27Q of the Act, as amended by the Aviation Medical Transitional Criteria Amendment Notice 2006.

Delete:

Medical manual means the medical manual issued by the Director and includes any incorporated general direction issued by the Director under section 27G(1) of the Act.

And replace with:

Medical manual means the medical manual issued by the Director.

67.4

Delete:

“(b) To avoid doubt, paragraph (a) does not affect the power of the Director to rely on flexibility to issue a medical certificate to an applicant under section 27B(2) of the Act.”

And replace with:

“(b) To avoid doubt, paragraph (a) does not affect the power of the Director to rely on flexibility to issue a medical certificate to an applicant under the Act.”

67.55

Delete:

(4)

“disclose or authorise the disclosure to the Director and the medical examiner of any information relating to the applicant’s medical condition or history, including information concerning any conviction for an offence involving the possession or use of drugs or alcohol that the Director may reasonably require under section 27D(2) of the Act to determine whether the applicant satisfies the standards for a medical certificate.

And replace with:

“disclose or authorise the disclosure to the Director and the medical examiner of any information relating to the applicant’s medical condition or history, including information concerning any conviction for an offence involving the possession or use of drugs or alcohol that the Director may reasonably require to determine whether the applicant satisfies the standards for a medical certificate.”

67.69

Delete:

“To avoid doubt, nothing in this rule derogates from any provision of the Privacy Act 1993 or the Health Information Privacy Code 1994.”

67.151

Delete:

(2)

“the determination of suitably qualified medical examiners under section 27O(2) of the Act.”

And replace with:

“the determination of suitably qualified medical examiners.”

67.203

Delete:

(a)(6)

“comply with general directions and emergency directives issued under section 27G of the Act; and”

67.251

Delete:

“For the purposes of a delegation under section 27O(2) of the Act, a person is a suitably qualified medical examiner, if—“

And replace with:

“A person is a suitably qualified medical examiner, if—“

Appendix A

Delete:

“To be eligible for the issue of a medical examiner certificate, an applicant must, in addition to satisfying other general requirements, demonstrate competence in performing the functions of a medical examiner. The functions are established in the Civil Aviation Act 1990. There are four generic competence categories: identification, assessment, management, and audit/review.”

And replace with:

“To be eligible for the issue of a medical examiner certificate, an applicant must, in addition to satisfying other general requirements, demonstrate competence in performing the functions of a medical examiner. There are four generic competence categories: identification, assessment, management, and audit/review.”

(ii) any part or parts of the adopted rule which shall not apply in Solomon Islands

67.57 - Requirements for preparing an examination report

67.67 – Medical Manual

Subpart H – Transitional Arrangements

(iii) any general exemptions which will apply in Solomon Islands

Nil

(iv) any additional provisions or requirements not found in the New Zealand Rule Part but which will apply in Solomon Islands

Nil

(v) any amendment to, or repeal of, any rule previously adopted in accordance with the provisions and procedures of this section

Nil

(vi) any forms to be used in Solomon Islands

CAASI 24067-211 - Special Eye Report

CAASI 24067-101 - Interim Health Declaration

CAASI 24067/103 - Request for Medical Assessment

CAASI 24067/106 - Consent declaration and request regarding Medical information

CAASI 24067/202 - Electrocardiograph Request

CAASI 24067/203 - Pure Tone Audiometry Report

CAASI 24067/213 - Respiratory examination report

CAASI 24067/214 - Blood pressure examination report

CAASI 24067/215 - Migraine investigation report

CAASI 24067/217 - Ageing pilot report

CAASI 24067/250 - General Medical Examination Report For Ground Staff

CAASI 24067/500 - Designated Medical Examination Application for Appointment

CAASI 24067/501 - Aviation Medical Assessor

(vii) any equivalent documents to be substituted for documents referred to in the adopted rule part

Not applicable

(viii) any direction as to the application or non application to Solomon Islands of any amendment or repeal of an adopted rule part by its country of origin

This rule shall adopt any New Zealand amendments unless otherwise stated

(ix) any standards, requirements, recommended practices, rules or other written material or document incorporated by reference under section 40

Not applicable

(x) any other matter which would assist in the practical, clear and unambiguous interpretation and application of the adopted rule in Solomon Islands.

This Rules Adoption Statement comes into force on 8th of June 2009

Dated this 8th day of June 2009