

**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 77

Objects and Activities Affecting Navigable Airspace

Adoption Statement

The rule part which shall be cited as Solomon Islands Civil Aviation Rule Part 77 comprises an adoption of the New Zealand Civil Aviation Rules Part 77 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 “NZAIP” read “SIAIP”
6. For “AIPNZ” read “AIPSI”

77.1

Delete:

“(a) Subject to paragraph (b), this Part prescribes rules for persons within the territorial limits of New Zealand, including the New Zealand Defence Force, proposing—“

And replace with:

“(a) Subject to paragraph (b), this Part prescribes rules for persons within the territorial limits of Solomon Islands, proposing—“

Delete:

“(b) This Part does not apply to—

(1) any member of the New Zealand Defence Force or any aircraft operated by the New Zealand Defence Force acting in connection with—

(i) any war or other like emergency; or

(ii) the defence of New Zealand and other New Zealand interests; or

(iii) aid to the civil power in time of emergency; or

(iv) the provision of any public service; or

(v) any operation performed within a restricted, danger, or military operating area designated under Part 71 for military purposes; and

(2) activities to which Part 101 applies.”

71.3

Delete:

“**Navigable airspace** means airspace at or above the minimum flight altitudes prescribed by or under the Civil Aviation Rules, including all legitimate low level operations but not including restricted, danger, and military operations areas activated for use by the New Zealand Defence Force.”

And replace with:

“**Navigable airspace** means airspace at or above the minimum flight altitudes prescribed by or under the Civil Aviation Rules, including all legitimate low level operations.”

Delete:

“**NZS/AS 2211** means the New Zealand standards for laser safety approved by the Standards Authority under the provisions of the Standards Act 1988”

77.7

Delete:

(b)

“(2) for a laser, it would produce exposures in navigable air space exceeding the maximum permissible exposure defined for that laser in NZS/AS 2211; or”

77.19

Delete:

“(e) The Director may determine, based on the circumstances of each proposal, the use of a laser to be a hazard in navigable airspace if its use will produce exposures in navigable airspace exceeding the maximum permissible exposure defined for that laser in NZS/AS 2211.”

And replace with:

“(e) The Director use of may determine, based on the circumstances of each proposal, the use of a laser to be a hazard in the navigable airspace”

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

Nil

(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

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(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 June 2009

Dated this 8th day of June 2009