

**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 91

General Operating and Flight Rules

Adoption Statement

The rule part which shall be cited as Solomon Islands Civil Aviation Rule Part 91 comprises an adoption of the New Zealand Civil Aviation Rules Part 91 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 97 of the Act” read “Section 62 of the Act”
6. For “Civil Aviation Authority of New Zealand” read “Civil Aviation Authority of Solomon Islands”
7. For each form beginning with “CAA” read “CAASI”
8. For “AIPNZ” read “AIPSI”
9. For “New Zealand FIR” read “Honiara FIR”

91.9

Delete:

(b)

Subject to paragraphs (c)(1) and (d), the following rules also apply to members of the New Zealand Defence Force and any aircraft operated by the New Zealand Defence Force within the territorial limits of New Zealand:

(1)

Rule 91.129:

(2)

Rules 91.223 to 91.225, when operating in the vicinity of civil aircraft:

(3)

Rule 91.229, when operating in the vicinity of civil aircraft:

(4)

Rule 91.233:

(5)

Rule 91.241:

(6)

Rules 91.245 to 91.247:

(7)

Rule 91.309:

(8)

Rule 91.313:

(9)

Rules 91.407 to 91.411:

(10)

Rules 91.425 to 91.427:

(11)

Rule 91.431:

(12)

Rule 91.541.

(c)

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)

persons operating aircraft to which Part 101 applies; and

(3)

persons and equipment to which Part 105 applies.

(d)

The following rules do not apply to any member of the New Zealand Defence Force or any aircraft operated by the New Zealand Defence Force performing training for an operation specified in paragraph (c)(1) if that training cannot be performed in accordance with the rule:

(1)

Rule 91.225(b):

(2)

Rule 91.233:

(3)

Rule 91.313, if training outside controlled airspace:

(4)

Rule 91.407, if training outside controlled airspace:

(5)

Rule 91.427, if training outside controlled airspace.

(e)

The following rules do not apply in the case of air operations conducted in New Zealand under an Australian AOC with ANZA privileges:

(1)

91.111(1):

(2)

91.112:

(3)

91.115:

(4)

91.121:

(5)

91.123:

(6)

91.201(1)(i):

(7)

91.201(3):

(8)

91.205:

(9)

91.207:

(10)

91.209:

(11)

91.211:

(12)

91.213:

(13)

91.215:

(14)

91.221:
(15)
91.401:
(16)
91.501:
(17)
91.503:
(18)
91.505:
(19)
91.507:
(20)
91.509:
(21)
91.511:
(22)
91.513:
(23)
91.515:
(24)
91.517:
(25)
91.519:
(26)
91.521:
(27)
91.523:
(28)
91.525:
(29)
91.527:
(30)
91.529:
(31)
91.531:
(32)
91.533:
(33)
91.537:
(34)
91.539:
(35)
91.543:
(36)
91.545:
(37)
91.707.

91.111

Delete:

(4)(i)

“a copy of the General Radio User’s Licence issued by the Ministry of Economic Development”

And replace with :

“a copy of the General Radio User’s Licence issued by the Minister for time being responsible for Communications”

91.247

Delete reference to Auckland Oceanic FIR in Table 2

91.425

Delete:

(b)(3)

“below flight level 160 when operating in IMC within a 20 nm radius encompassing Mount Cook centred on S 43.36.00.0, E 170.09.00.0.”

91.519

Delete:

(e)(2)(iii)

“for aircraft first issued with a type certificate before 1 January 1997, providing an aural and visual alert to the flight crew when a deviation of 300 feet from the selected flight level occurs; and”

Delete:

(e)(2)(iv)

“for aircraft first issued with a type certificate after 31 December 1996, providing an aural and visual alert to the flight crew when a deviation of 200 feet from the selected flight level occurs; and”

And replace with

“providing an aural and visual alert to the flight crew when a deviation of 200 feet from the selected flight level occurs; and”

91.803

Delete :

“after 28 July, 2003”

91.807

Delete:

“after 28 July, 2003”

A7

Delete:

“An aircraft time-in-service recorder must meet the requirements of NZTSO 2001.”

And replace with:

“An aircraft time-in-service recorder must meet such requirements as the Director may prescribe”

A.12

Delete:

(4)

(i) in accordance with regulation 28 of the Misuse of Drugs Regulations 1977; and”

(ii) that when not in use can be locked, or placed in a lockable hangar, or have the first aid kit containing narcotics removed to a safe and secure location.

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

91.246 – RNP Airspace

Appendix B – 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 2173 *Weight and Balance Data*

CAASI 2129 *Aircraft Radio Station Equipment Approval*

CAASI 24091/01 *Approval or revision of a Minimum Equipment List*

CAASI 24091/02 *Application for Approval or Amendment of a Maintenance Programme*

(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