

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 121

Air Operations –Large Aeroplanes

Adoption Statement

The rule part which shall be cited as Solomon Islands Civil Aviation Rule Part 121 comprises an adoption of the New Zealand Civil Aviation Rules Part 121 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

121.15

Delete:

“Australian AOC with ANZA privileges

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

- (1) 121.79:
- (2) 121.81:
- (3) 121.83:
- (4) 121.89:
- (5) 121.91(b):
- (6) 121.91(c):
- (7) 121.93:
- (8) 121.803:
- (9) 121.805.”

121.381

Delete:

- (a) “A holder of an air operator certificate must ensure that a turbine powered aeroplane manufactured on or after 1 April 2002 and being operated under that certificate is equipped with a TAWS Class A.”

And replace with :

- (a) “A holder of an air operator certificate must ensure that a turbine powered aeroplane being operated under that certificate is equipped with a TAWS Class A.”

Delete:

“(b) Except as provided in paragraph (c), a holder of an air operator certificate must ensure that a turbine powered aeroplane manufactured before 1 April 2002 and being operated under that certificate is equipped with a TAWS Class A by 1 July 2005.

(c) A holder of an air operator certificate is not required to equip a turbine powered aeroplane manufactured before 1 April 2002 with a TAWS Class A until 1 January 2007 if—

- (1) that aeroplane has a passenger seating configuration of 40 or less seats; and
 - (2) the details specified under 47.55(b) in respect of that aeroplane already appear in the New Zealand Register of Aircraft on 1 August 2003; and
 - (3) that aeroplane is already being operated under that certificate before 1 April 2005; and
 - (4) a plan certified by the certificate holder is submitted in writing to the Director by 1 April 2005 confirming that compliance with TAWS Class A requirements will be achieved by 1 January 2007; and
 - (5) the operation of that aeroplane after 1 July 2005 is conducted in accordance with a terrain collision risk assessment and risk mitigation programme that is acceptable to the Director.
- (d) A holder of an air operator certificate must ensure that a piston powered aeroplane being operated under that certificate is equipped with a TAWS Class B by 1 January 2007.”

121.383

Delete:

(a)

“Except as provided in paragraphs (b) and (c), a holder of an air operator certificate must ensure that an aeroplane being operated under that certificate is equipped with ACAS II.”

And replace with :

“A holder of an air operator certificate must ensure that an aeroplane being operated under that certificate is equipped with ACASII”

Delete”

(b)

“A holder of an air operator certificate is not required to equip an aeroplane with ACAS II until —

(1) 1 January 2005 if the details specified under 47.55(b) in respect of that aeroplane already appear in the New Zealand Register of Aircraft on 1 August 2003; or

(2) 1 January 2007 if—

(i) that aeroplane has a passenger seating configuration of 40 or less seats; and

(ii) the details specified under 47.55(b) in respect of that aeroplane already appear in the New Zealand Register of Aircraft on 1 August 2003; and

(iii) that aeroplane is being operated under that certificate before 1 October 2004; and

(iv) a plan certified by the certificate holder is submitted in writing to the Director by 1 October 2004 confirming that compliance with ACAS II requirements will be achieved by 1 January 2007; and

(v) the operation of that aeroplane after 1 January 2005 is conducted in accordance with an airborne collision risk assessment and risk mitigation programme that is acceptable to the Director.

(c) A holder of an air operator certificate conducting freight only operations with Convair 580 or F27-500 aeroplanes under that certificate is not required to comply with paragraph (a) if—

(1) the details specified under 47.55(b) in respect of the Convair or F27 aeroplane already appear in the New Zealand Register of Aircraft on 1 August 2003; and

(2) the Convair or F27 aeroplane is operating as a freight only aeroplane as at 1 August 2003; and

(3) the operation of the Convair or F27 aeroplane after 1 January 2005 is conducted in accordance with an airborne collision risk assessment and risk mitigation programme that is acceptable to the Director.”

Appendix A

Delete:

(a)

“Subject to paragraphs (b) and (c), the rules contained in 121.555(d), and 121.579 shall not come into force until 1 January 2005.”

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

(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

Nil

(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