

**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 1

Definitions and Abbreviations

Adoption Statement

The rule part which shall be cited as Solomon Islands Civil Aviation Rule Part 1 comprises an adoption of the New Zealand Civil Aviation Rules Part 1 as modified hereunder and which Rule Part shall be 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. For “Aeronautical Information Publication of New Zealand” read “Aeronautical Information Publication of Solomon Islands”
3. For “AIPNZ” (Aviation Information Publication New Zealand) read “AIPSI” (Aviation Information Publication Solomon Islands)
4. “the Act” means the Civil Aviation Act, 2008
5. “Director” refers to the Director of Civil Aviation
6. “Minister” refers to the minister for the time being responsible for Civil Aviation in Solomon Islands
7. For all forms beginning with “CAA” read “CAASI”

1.1 General Definitions

Delete

“**Act** means the Civil Aviation Act of 1990”

And replace with

“**Act** means the Civil Aviation Act of 2008”

Delete:

“**Auckland Oceanic Flight Information Region** mean’s

(1) All that airspace excluding airspace within the New Zealand Flight Information Region bounded by a line joining
S 30 00 00.0, W 131 00 00.0, S 90 00 00.0, E 00 00 00.0 (South Pole) S 30 00 00.0, E 153 00 00.0 S 28 00 00.0 E 168 00 00.0, S 2500 00.0, E 171 25 00.0 S 25 00 00.0, 180 00 00.0, S 14 32 45 1, W 164 40 31.2 (Niuafu’ou), S 05 00 00.0 E 171 00 00.0 S 05 00 00.0 W 131 00 00.0 with:

(2) An upper limit of flight level 999; and

(3) The surface of the earth as the lower limit

Delete;

“**Authority** means the Civil Aviation Authority of New Zealand established by Section 72A of the Act”

And replace with

“**Authority** means the Civil Aviation Authority of Solomon Islands established by Section 9 of the Civil Aviation Act, 2007”

Delete :

“**Aviation Security Service** means the Aviation Security Service established under section 72B(2)(ca) of the Civil Aviation Act of 1990. “

And replace with

“**Aviation Security Service** means the Aviation Security Service established under Section 94 of the Civil Aviation Act, 2008”

Delete

“Convention

(1) Mean the Convention on International Civil Aviation signed on behalf of the government of New Zealand in Chicago on the 7th day of December, 1944; and

and replace with

“Convention

(1) Mean the Convention on International Civil signed by the government of Solomon Islands on the 11th day of April, 1985; and

Delete

“Emergency airworthiness directive means an airworthiness directive that is issued by the Director in accordance with section 72I(3C) of the Act.”

And replace with the following:

“Emergency airworthiness directive means an airworthiness directive that is issued by the Director in accordance with section 15(5) of the Act”

Delete

“Firearm has the same meaning as in section 11(2) of the Aviation Crimes Act, 1972

And replace with

“Firearm means any gun, rifle, or pistol, whether acting by force of explosives or not; and includes any such gun, rifle, or pistol which for the time being is not capable of discharging any shot, bullet, or other missile, but which by its completion or the replacement of any component part or parts or the correction or repair of any defect or defects, would be so capable; and also includes any such gun, rifle, or pistol which is for the time being dismantled”

Delete:

“General direction in relation to part 67 means a general direction issued by the Director under section 27G of the Act”

And replace with

“General direction in relation to part 67 means a general direction issued by the Director under section 27 of the Act”

Delete:

“ICAO Annex means an Annex to the Convention and unless otherwise specified in a rule, includes the amendments in force under section 36 of the Act but excludes any differences to an annex as notified by New Zealand”

And replace with;

“ICAO Annex means an Annex to the Convention and unless otherwise specified in a rule includes the amendments in force under the Act but excludes any differences to an annex as notified by Solomon Islands”

Delete:

Minister means the minister of Transport

And replace with;

Minister means the minister for the time being responsible for Aviation.

Delete :

New Zealand AOC with ANZA privileges has the meaning set out in section 11G of the Act

Delete :

New Zealand Flight Information Region means—

- 1) all that airspace bounded by the arc of a circle of 200 nm radius centred on S 37 00 16.7, E 174 48 49.1, (Auckland VOR/DME) from S 39 07 38.1, E 171 33 21.7, clockwise to S 37 32 29.5, E 178 56 08.9, a line joining S 37 32 29.5, E 178 56 08.9, S 38 27 00.0, W 179 44 00.0, S 42 51 30.0, E 175 03 00.0, S 48 09 00.0, E 168 16 00.0, S 45 55 00.0, E 165 18 00.0, S 41 25 27.0, E 170 23 24.0, the arc of a circle of 200 nm radius centred on S 41 20 14.0, E 174 49 01.1, (Wellington VOR/DME) from S 41 25 27.0, E 170 23 24.0, clockwise to S 39 07 38.1, E 171 33 21.7; with
- (2) an upper limit of flight level 999; and
- (3) the surface of the earth as the lower limit.

and replace with:

Honiara Flight Information Region means-

- 1) all that airspace bounded by 0450S 15900E, 0450S 16000E, 1030S 16645E, 1148S 16652.5E, 1400S 16300E, 1400S 15500E, 0719S 15500E, 0655.6S 155535.6E 0655.6S 15541.6E, 0650.8S 15555.4E, 0639.8S 15602.4E, 0633S 15602.2E, to 0450S 15900E.
- 2) an upper limit of flight level 600; and
- 3) the surface of the earth as the lower limit.

Delete:

NOTAM service means a service for the issue and distribution of NOTAM relevant to air navigation in the New Zealand FIR and in the areas of the Auckland Oceanic FIR in which New Zealand is responsible for air traffic services:

And replace with:

NOTAM service means a service for the issue and distribution of NOTAM relevant to air navigation in the Solomon Islands FIR.

Delete :

Security Area means an area that the Director has declared to be a security area under section 84 of the Act

And replace with

Security Area means an area that the Director has declared to be a security area under section 104 of the Act

Delete

Security Designated Aerodrome means an aerodrome for the time being designated as a security aerodrome under section 82 of the Act

And replace with

Security Designated Aerodrome means an aerodrome for the time being designated as a security aerodrome under section 102 of the Act

Delete:

Unlawful interference means any of the following acts:

- (1) violence against a person on board an aircraft in flight if that act is likely to endanger the safety of that aircraft:
 - (2) destroying an aircraft in service or causing damage to such an aircraft which renders it incapable of flight or which is likely to endanger its safety in flight:
 - (3) placing or causing to be placed on an aircraft in service, by any means whatsoever, a device or substance which is likely to destroy that aircraft, or cause damage to it which renders it incapable of flight, or cause damage to it which is likely to endanger its safety in flight:
 - (4) destroying or damaging air navigation facilities or interfering with their operation, if any such act is likely to endanger the safety of aircraft in flight:
 - (5) communicating information which is known to be false, thereby endangering the safety of an aircraft in flight:
 - (6) unlawfully and intentionally using any device, substance, or weapon to—
 - (i) perform an act of violence against a person at an aerodrome serving international civil aviation which causes or is likely to cause serious injury or death; or
 - (ii) destroy or seriously damage the facilities of an aerodrome serving international civil aviation or aircraft not in service located thereon or disrupting the services of the aerodrome—
 - if any such act endangers or is likely to endanger safety at that aerodrome.
- For the purposes of this definition, an aircraft is in service in the circumstances described, and for the period prescribed, in section 2(3) of the Aviation Crimes Act 1972:

and replace with:

Unlawful interference means any of the following acts:

- (1) violence against a person on board an aircraft in flight if that act is likely to endanger the safety of that aircraft:
- (2) destroying an aircraft in service or causing damage to such an aircraft which renders it incapable of flight or which is likely to endanger its safety in flight:
- (3) placing or causing to be placed on an aircraft in service, by any means whatsoever, a device or substance which is likely to destroy that aircraft, or cause damage to it which renders it incapable of flight, or cause damage to it which is likely to endanger its safety in flight:
- (4) destroying or damaging air navigation facilities or interfering with their operation, if any such act is likely to endanger the safety of aircraft in flight:
- (5) communicating information which is known to be false, thereby endangering the safety of an aircraft in flight:
- (6) unlawfully and intentionally using any device, substance, or weapon to—
 - (i) perform an act of violence against a person at an aerodrome serving international civil aviation which causes or is likely to cause serious injury or death; or
 - (ii) destroy or seriously damage the facilities of an aerodrome serving international civil aviation or aircraft not in service located thereon or disrupting the services of the aerodrome—
 - if any such act endangers or is likely to endanger safety at that aerodrome.

(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

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