

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 172

Air Traffic Services Organisations - Certification

Adoption Statement

The rule part which shall be cited as Solomon Islands Civil Aviation Rule Part 172 comprises an adoption of the New Zealand Civil Aviation Rules Part 172 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 “New Zealand Flight information region” read “Honiara Flight Information Region”
6. For forms beginning with “CAA” read “CAASI”

Delete:

(a)(1)(ii) Auckland Oceanic Flight Information Region

Delete:

(a)(1)(d) In this Part, references to the Auckland Oceanic Flight Information Region exclude those portions of airspace within the flight information region that are designated under Part 71 as sectors where an ICAO Contracting State other than New Zealand is providing the air traffic service.

172.17

Delete:

Notwithstanding 172.5, the holder of an airways service certificate issued pursuant to the Civil Aviation Regulations 1953 that is in force on the date this Part comes into force may provide an air traffic service under the

172.65

Delete:

(b)

“In addition to the requirement in paragraph (a), each applicant for the grant of an air traffic service certificate to provide services in the Auckland Oceanic FIR shall detail in its plan provisions for the continuation of the safe and orderly flow of international traffic not landing in New Zealand.”

172.67

Delete:

(6) New Zealand Defence Force

172.83

Delete:

“(c) The applicant must establish procedures to ensure that an aircraft at a cruising level generally has priority over other aircraft requesting that level, except that, within the Auckland Oceanic FIR—

(1) an aircraft may be given priority for a cruising level in accordance with procedures published in Document 7030, or an ATS letter of agreement; and

(2) an aircraft occupying a cruising level may be reassigned another level to maintain separation.”

And replace with:

“(c) The applicant must establish procedures to ensure that an aircraft at a cruising level generally has priority over other aircraft requesting that level”

172.89

Delete:

“(b) Each applicant for an air traffic service certificate for the provision of an area control service in the Auckland Oceanic FIR shall establish procedures to ensure that cruising levels are allocated in accordance with Annex 2, except that correlation of cruising level with track need not apply.”

172.97

Delete:

(a)

RCC means the rescue co-ordination centre established by the Authority under section 72B(2A) of the Act.

(h)

“An applicant for the grant of an air traffic service certificate must establish procedures to ensure that, following the notification of an emergency situation, the RCC is provided, without delay, with—

- (1) any useful additional information; and
- (2) notification when the emergency situation no longer exists.”

(k)

“An applicant for the grant of an air traffic service certificate for the provision of an area control service or flight information service within the Auckland Oceanic FIR must establish procedures to ensure that, when a state of emergency is considered to exist, the position and track of other aircraft known to be operating in the vicinity are established to determine those most suitable to provide assistance.”

(l)

“An applicant for the grant of an air traffic service certificate in respect of an area control service or flight information service must establish procedures to ensure that —

- (1) when an ACC or FIC declares an INCERFA or ALERFA it must, where practical, advise the aircraft operator prior to notifying the RCC; and
- (2) all information notified to the RCC by an ACC or FIC must, where practical, also be communicated without delay to the aircraft operator.”

172.295

Delete:

Christchurch International Airport grass runway Operations

At Christchurch International Airport, for an operation on grass runway 02/20 in accordance with the procedures published for that runway in Part 93, procedures required by rule 172.77(a)(4) for the provision of runway separation are not required if—

- (1) take-off and landing clearances are issued; and
- (2) the aerodrome operator concurs with the non-provision of runway separation.

[Until the relevant procedures are published in Part 93, procedures approved by the Director, and published in the AIPNZ Christchurch Aerodrome charts, must apply]

(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

CAASI 24172/01 *Air Traffic Service Certificate*

(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