



Civil Aviation Charges Regulations (No 2) 1991 Amendment Regulations 2017

Patsy Reddy, Governor-General

Order in Council

At Wellington this 29th day of May 2017

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 38 and 100 of the Civil Aviation Act 1990 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Civil Aviation Charges Regulations (No 2) 1991 Amendment Regulations 2017.

2 Commencement

These regulations come into force on 1 July 2017.

3 Principal regulations

These regulations amend the Civil Aviation Charges Regulations (No 2) 1991 (the **principal regulations**).

4 New regulation 2A inserted (Transitional, savings, and related provisions)

After regulation 2, insert:

2A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1AA have effect according to their terms.

5 Schedule amended

- (1) In the Schedule, replace clause 1 and the heading above it with:

Definitions

- 1 In this schedule,—

non-routine monitoring means any inspections or monitoring that ensues from the identification, as a result of general inspections or monitoring carried out under section 15 of the Act, of a civil aviation safety or security issue relating to a particular person or particular persons described in subsection (1)(a), (b), or (c) of that section

standard rate means \$284 per person hour.

- (2) In the Schedule, clause 2, item relating to medical certificate application, replace “313” with “120.75”.
- (3) In the Schedule, clause 2, after the item relating to medical certificate application, insert:

For any time over 2 person hours required to reach an accredited medical conclusion, within the meaning of section 27A of the Act, as it relates to a medical certificate application (in addition to the fee for a medical certificate application) Standard rate

- (4) In the Schedule, clause 3, revoke the item relating to foreign owner deregistration.

- (5) In the Schedule, in each of the following provisions, before “monitoring”, insert “non-routine”:
- (a) clause 7(c):
 - (b) clause 9(c), (g), and (i):
 - (c) clause 10(b):
 - (d) clause 11(b):
 - (e) clause 12(b).
- (6) In the Schedule, replace clause 13(i) with:
- (i) any non-routine monitoring for which a specific fee or charge is not otherwise prescribed, including any carried out under section 15 of the Act:

6 New Schedule 1AA inserted

Before the Schedule, insert as Schedule 1AA the schedule set out in the Schedule of these regulations.

Schedule
New Schedule 1AA inserted

r 6

Schedule 1AA
Transitional, savings, and related provisions

r 2A

Part 1
Provisions relating to Civil Aviation Charges Regulations (No 2)
1991 Amendment Regulations 2017

1 Interpretation

In this Part, **amending regulations** means the Civil Aviation Charges Regulations (No 2) 1991 Amendment Regulations 2017.

2 Existing charges

Any amount owing as a charge under these regulations on the date on which the amending regulations came into force continues to be owed and may be enforced in any manner in which it could have been enforced before that date.

3 New charge related to accredited medical conclusion

The charge implemented by regulation 5(3) of the amending regulations does not apply with regard to work performed to reach an accredited medical con-

clusion that was requested before the date on which the amending regulations came into force even if the work was performed after that date.

4 Charges related to routine monitoring

Any monitoring activity that was subject to be charged for under these regulations as they read before the date on which regulation 5(5) of the amending regulations came into force and that was conducted before that date may be charged for even if an invoice for that activity is issued after that date.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 July 2017, amend the Civil Aviation Charges Regulations (No 2) 1991 to—

- reduce the charge for a regular medical certificate from \$313.00 to \$120.75 while adding a charge at the standard hourly rate for any time over 2 hours required to reach an accredited medical conclusion, within the meaning of section 27A of the Civil Aviation Act 1990, as it relates to a medical certificate application (in addition to the fee for a medical certificate application);
- eliminate the charge for foreign owner deregistration;
- clarify that general inspections or monitoring carried out under section 15 of the Civil Aviation Act 1990 are not subject to charges but that non-routine inspections or monitoring are.

Regulatory impact statement

The Ministry of Transport produced a regulatory impact statement on 12 August 2016 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <http://www.transport.govt.nz/about/publications/ris-bccs/>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

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**Civil Aviation Charges Regulations (No 2) 1991
Amendment Regulations 2017**

Issued under the authority of the Legislation Act 2012.

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These regulations are administered by the Ministry of Transport.

Wellington, New Zealand:

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