
NOTICE OF RULE MAKING
COOK ISLANDS CIVIL AVIATION RULE PART 125
Air Operations –Medium Aeroplanes

I, Hon Henry Puna Minister of Civil Aviation of the Cook Islands, make the following Rule:

Cook Island Civil Aviation Rule (CICAR): Part 125 Air Operations – Medium Aeroplanes

Content of Rule Incorporated by Reference

In accordance with section 39 of the Civil Aviation Act 2002 this Rule Part, incorporates, by way of reference, the Rules contained in **New Zealand Civil Aviation Rule Part 125** in force as at **18th April 2018** as modified hereunder and shall be read subject to the following Interpretation and Modification Statement.

Objective of the Rule

This Rule contains the requirements for air operations conducted by a holder of an Airline Air Operator Certificate issued in accordance with Part 119 using an aeroplane that has—

- 1) a passenger seating configuration of 10 to 30 seats; or
- 2) a payload capacity of 3410 kg or less and a MCTOW of greater
- 3) than 5700 kg; or
- 4) a single engine and is carrying passengers under IFR.

The objective is to standardise the rules applicable to:

- a person performing an air operation
- a holder of an air operator certificate conducting an air operation
- a pilot-in-command performing an air operation
- the use of an aeroplane to perform a SEIFR passenger operation
- additional aircraft equipment, instrument, and certification requirements and specifications
- aircraft maintenance
- crew training and competency
- management of flight crew fatigue

Commencement of Rule into Force

This Rule, as modified below, comes into force on the 1st July 2018.

Availability of Rules

A copy of Part 125 of the New Zealand Civil Aviation Rule (Consolidated version dated 30 October 2017) will be attached to this document and physically filed at:

The Ministry of Transport
Port of Avatiu
Avatiu
Rarotonga
Cook Islands

Copies of the New Zealand Civil Aviation Rules are available from:

- CAA web site: <http://www.caa.govt.nz/>
- NZ +64 0800 GET RULES (0800 438 785)

Extent of Consultation

In addition to public notification of proposed Rule-making, targeted notification of the intention to make this Rule was made to:

- All key document holders including holders of Foreign Air Operator Certificates
- Relevant Ministries
- Mayors and Executive Officers of the Outer Islands (Pa Eua)

The Ministry of Transport met on request with:

- The Office of the Public Service Commission
- Air Rarotonga
- Infrastructure Cook Islands (including representatives from the Pa Eua)
- Airport Authority Cook Islands
- Cook Islands Police Service
- Ministry of Finance and Economic Management (Customs)
- Pacific Island Energy PTE Ltd
- Cook Island Meteorological Service
- Cook Islands Tourism

The Ministry of Transport received written submissions from:

- Airport Authority Cook Islands
- Air Rarotonga Ltd
- Pacific Islands Energy PTE Ltd.

Copies of the written submissions are available from the Ministry of Transport.

This Civil Aviation Rule is made pursuant to section 29 of the Civil Aviation Act 2002.

Dated at Rarotonga the 28th day June 2018.



Hon Henry Puna
Minister of Civil Aviation

Interpretation and Modification Statement for Part 125

(1) Words and numbers to be substituted. Unless otherwise stated, all references to civil aviation legislation are to be read as referring to the Cook Islands Civil Aviation Act 2002.

Throughout

- For "New Zealand" substitute "the Cook Islands" or "Cook Islands" as appropriate.
- For "Act" or "Civil Aviation Act" substitute "2002 Act"
- For "regulation(s)" substitute "regulations made under the Civil Aviation Act 2002"
- For "Authority" or "Civil Aviation Authority of New Zealand" substitute "Cook Islands Ministry of Transport"
- For "CAA of NZ" or CAA substitute "Ministry of Transport – Civil Aviation Division of Cook Islands"
- For "CAA Consolidation" substitute "Cook Islands Incorporated Consolidation".
- For "Form CAA" substitute "Form MOT"
- For "section 9 of the Act" substitute "section 28 of the 2002 Act"
- For "AIPNZ" substitute "AIPCI"
- For "New Zealand Register of Aircraft" substitute "Cook Islands Register of Aircraft"

Below, "NZCAR" means New Zealand Civil Aviation Rule

NZCAR 125.211 Runway surface and slope correction factors. Table 1	
Delete:	Insert:
"Metal"	"Gravel"
Explanation of Change: The Surface Type is Gravel not metal in the Cook Islands	

NZCAR 125.565 Flight crew training equipment	
Delete: (c)(i)	Insert: (c)(i)
"(1) a flight simulator is not available in New Zealand or Australia; and"	"(1) a flight simulator is not available in the Cook Islands, New Zealand or Australia; and"
Explanation of Change:	

Recognises that the rules are applicable to the Cook Islands and at some stage, a flight simulator may be available in the Cook Islands.

(ii) Any subpart, Rule or appendix of the adopted Rule Part which shall not apply in the Cook Islands.

NZCAR Part 125.533 –Transitional Arrangements

Delete 125.533

“(a) Rule 125.511(4) does not apply to the holder of an air operator certificate until 1 April 2016 provided that the holder continues to comply with rule 125.567(3) that was in force on 31 March 2014.

(b) Rule 125.513(4) does not apply to the holder of an air operator certificate until 1 April 2016 provided that the holder continues to comply with rule 125.605(a) (3), or rule 125.605(b) (3) that was in force on 31 March 2014.

(c) Rules 125.517(a) (4), 125.519(2), and 125.523(2) do not apply to the holder of an air operator certificate until 1 April 2016.”

NZCAR Part 125.615 Transitional Arrangements

Delete 125.615

“(a) Rule 125.603(b)(4) does not apply to the holder of an air operator certificate until 1 April 2016 if a flight simulator is used to complete the flight crew competency assessments referred to in the rule.

(b) The following rules do not apply to the holder of an air operator certificate until 1 April 2016—

(1) rule 125.605(b):

(2) rule 125.607(d)(2):

(3) rule 125.609(2):

(4) rule 125.611(4).

(c) Rule 125.607(c) (2) does not apply to the holder of an air operator certificate until 1 April 2016 provided that the holder continues to comply with rule 125.607(2) that was in force on 31 March 2014. “

Explanation of Change:

No longer required

NZCAR 125.575 –Transitional Arrangements
Delete: 125.575
<p>“The following rules do not apply to the holder of an air operator certificate until 1 April 2016—</p> <p>(1) rule 125.553(b)(2):</p> <p>(2) rule 125.555(b)(8):</p> <p>(3) rule 125.557(c):</p> <p>(4) rule 125.559(b)(3):</p> <p>(5) rule 125.561(b)(1):</p> <p>(6) rule 125.563(d):</p> <p>(7) rule 125.565(a)(2), (b) to (e):</p> <p>(8) rule 125.569(2).”</p>
<p>Explanation of Change:</p> <p>No longer required.</p>

(iii) Any general exemptions which will apply in the Cook Islands

Nil

(iv) Any additional provisions or requirements not found in the New Zealand Rule Part but which will apply in the Cook Islands

Nil

(v) Any direction as to the application or non-application to the Cook Islands of any amendment or repeal of an adopted Rule Part by its country of origin

This Rule Part adopts all New Zealand amendments in force as at 18th April 2018, including:

- Part 125 Original Issue: 30 April 1999
- Amendment 1; 21 October 1999
- Amendment 2; 1 July 2000
- Amendment 3; 24 January 2002
- Amendment 4; 25 March 2004
- Amendment 5; 25 March 2004
- Amendment 6; 25 November 2004
- Amendment 7; 11 May 2006
- Amendment 8; 22 June 2006

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- Amendment 9; 29 June 2006
 - Amendment 10; 12 October 2006
 - Amendment 11; 1 March 2007
 - Amendment 12; 25 October 2007
 - Amendment 13; 12 June 2008
 - Amendment 14; 23 October 2008
 - Amendment 15; 25 March 2010
 - Amendment 16; 1 October 2011
 - Amendment 17; 1 April 2014
 - Amendment 18; 1 August 2015
 - Amendment 19; 24 September 2015
 - Amendment 20; 1 February 2016
 - Amendment 21; 10 March 2017
 - Amendment 22; 30 October 2017

(vi) Any other matter which would assist in the practical, clear and unambiguous interpretation and application of the adopted Rule Part in the Cook Islands.

Unless the Director issues specific acceptable means of compliance for this Cook Island Rule Part, the standards, practices and procedures that the Director has found to be acceptable are those published in the associated Advisory Circulars issued by the Civil Aviation Authority of New Zealand. Interpretative or explanatory material for this Rule Part may also be found in New Zealand Advisory Circulars.

In this Rule, "CAA Advisory Circulars" means Advisory Circulars issued by the Civil Aviation Authority of NZ.

If further guidance regarding acceptable means of compliance for this Cook Island Rule Part is required, the Director shall issue such guidance on request.

Any references to other Rule Parts is intended to refer to the applicable Cook Island Civil Aviation Rule (for example "Part 12" refers to Part 12 of the Cook Islands Civil Aviation Rules, which adopts by way of reference, with modifications, the New Zealand Civil Aviation Rule Part 12).

If no relevant Cook Island Civil Aviation Division form exists, the relevant New Zealand form may be used.

[Ends]