

# Civil Aviation Rules



## **Part 95**

### **CAA Consolidation**

**25 March 2010**

### **Instrument Flight Procedures – Registration**

## **DESCRIPTION**

Part 95 prescribes the requirements governing the promulgation of instrument flight procedures for use by aircraft operating under instrument flight rules (IFR) in the New Zealand FIR and in the Auckland Oceanic FIR.

**This document is the current consolidated version of Part 95 produced by the Civil Aviation Authority, and serves as a reference only. It is compiled from the official ordinary rules that have been signed into law by the Minister of Transport. Copies of the official rule and amendments as signed by the Minister of Transport may be obtained from the Civil Aviation Authority or may be downloaded from the official web site at: [www.caa.govt.nz](http://www.caa.govt.nz)**

**Bulletin**

Part 95 first came into force on 23 October 2008 and now incorporates the following amendments:

**Amendment**

Amendment 1

**Effective date**

25 March 2010

***Summary of amendments:***Amendment 1  
(9/CAR/1)Rules 95.53 and 95.55 are revoked  
and replaced.

## List of Rules

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## Subpart A — General

### 95.1 Purpose

This Part prescribes rules governing the promulgation of instrument flight procedures for use by aircraft operating under instrument flight rules in the New Zealand FIR or the Auckland Oceanic FIR.

## Subpart B — Promulgation and Notification of Instrument Flight Procedures

### 95.51 Promulgation of instrument flight procedures

(a) Except as provided for in paragraph (b), a person must not promulgate an instrument flight procedure for use by aircraft operating under IFR in the New Zealand FIR or the Auckland Oceanic FIR unless—

- (1) the details of the instrument flight procedure are entered in the New Zealand Air Navigation Register in accordance with this Part; and
- (2) the effective date for the instrument flight procedure is notified in the *Gazette* in accordance with rule 95.55.

(b) In this Part reference to the Auckland Oceanic FIR excludes those portions of airspace within the Auckland Oceanic FIR where an individual State has an agreement with New Zealand to regulate the State's IFR flight procedures.

### 95.53 Entry of details into NZ Air Navigation Register

(a) Subject to paragraph (b) the following details of every instrument flight procedure that is intended for use by aircraft operating under IFR in the New Zealand FIR or the Auckland Oceanic FIR must be entered into the NZANR by the Director:

- (1) the name or other appropriate identifier for the instrument flight procedure;
- (2) aeronautical data to define and describe the instrument flight procedure;
- (3) the date that the instrument flight procedure comes into effect;

- (4) the identity of the holder of the instrument flight procedure service certificate who is responsible for certifying the instrument flight procedure as required by paragraph (b)(1):
  - (5) the identity of the holder of the instrument flight procedure service certificate who is responsible for the maintenance of the instrument flight procedure as required by paragraph (b)(2).
- (b) Before entering aeronautical data into the NZANR that describes an instrument flight procedure, the Director must be satisfied that—
- (1) a person, who is appropriately authorised by the holder of an appropriate and current instrument flight procedure service certificate granted under section 9 of the Act and in accordance with Part 173, has certified that the instrument flight procedure meets the applicable requirements and standards of Part 173; and
  - (2) a person who represents the holder of an appropriate and current instrument flight procedure service certificate referred to in paragraph (1), certifies that the instrument flight procedure is to be maintained in accordance with the certificate holder's procedures required by rule 173.63; and
  - (3) during any entry, retrieval or storage processes, any processing or manipulation of the aeronautical data required under paragraph (a) complies with the standards for the manipulation or processing of data specified in RTCA Inc. document number RTCA/DO-200A, or other standards accepted by the Director as an equivalent.
- (c) The Director must ensure that any transfer of aeronautical data associated with an instrument flight procedure, from or to the NZANR complies with the standards specified in the Aeronautical Information Transfer Model (**AIXM-5**) document or other standards accepted by the Director as an equivalent.

### **95.55 Gazette notification**

- (a) An instrument flight procedure may not come into effect for use by aircraft operating under IFR unless—

- (1) the details of the instrument flight procedure are entered into the NZANR in accordance with rule 95.53; and
  - (2) except as provided in paragraph (b), the Director has notified the following information in the *Gazette*—
    - (i) the name, or other applicable identifier for the instrument flight procedure; and
    - (ii) the date that the instrument flight procedure comes into effect for use by aircraft operating under IFR.
- (b) An instrument flight procedure that is to be effective for a period of 6 months or less is not required to be notified in the *Gazette* if the information required under paragraph (a)(2) is notified in an AIPNZ supplement or NOTAM.

#### **95.57 Withdrawal of instrument flight procedure from use**

(a) If the Director is notified by the holder of an instrument flight procedure certificate, issued in accordance with Part 173, that the certificate holder intends to discontinue the maintenance of an instrument flight procedure that is entered in the NZANR, the Director must withdraw the instrument flight procedure from use by—

- (1) a notice in the *Gazette* which must identify the instrument flight procedure and specify the date that the procedure is to be withdrawn from use; and
  - (2) on the date of withdrawal, remove the details of the instrument flight procedure from the NZANR.
- (b) Despite paragraph (a), the Director may, by the most appropriate means, withdraw an instrument flight procedure from use if the Director has reasonable grounds to believe that—
- (1) the instrument flight procedure may be unsafe for use by aircraft operating under IFR; or
  - (2) the instrument flight procedure is not being maintained in accordance with the applicable requirements of Part 173.

- (c) If the Director withdraws an instrument flight procedure from use under paragraphs (a) or (b), the Director must—
- (1) confirm in writing the withdrawal of the instrument flight procedure with the holder of the instrument flight procedure service certificate listed in the NZANR as being responsible for the maintenance of that instrument flight procedure; and
  - (2) take appropriate action to ensure that the instrument flight procedure is removed from the AIPNZ and from operational use; and
  - (3) remove the instrument flight procedure and its associated aeronautical data from the NZANR.

### **95.59 Transition**

- (a) Subject to paragraph (b), the requirements of rules 95.51 and 95.53(a) do not apply to an instrument flight procedure which is used for IFR flight and is published in the AIPNZ as of the 23 October 2008 until 23 October 2009.
- (b) An instrument flight procedure which is published in the AIPNZ as of the 23 October 2008 is deemed to have been notified in the Gazette in accordance with rule 95.55(a)(2).