

2004-2005

The Parliament of the
Commonwealth of Australia

THE SENATE

Presented and read a first time

**Civil Aviation Legislation Amendment
(Mutual Recognition with New Zealand)
Bill 2005**

No. , 2005

(Transport and Regional Services)

**A Bill for an Act to amend the law relating to
aviation, and for related purposes**

Contents

1	Short title	1
2	Commencement	1
3	Schedule(s).....	3

Schedule 1—Amendments related to mutual recognition with New Zealand

		4
	<i>Civil Aviation Act 1988</i>	4
	<i>Civil Aviation (Carriers' Liability) Act 1959</i>	18

1 **A Bill for an Act to amend the law relating to**
2 **aviation, and for related purposes**

3 The Parliament of Australia enacts:

4 **1 Short title**

5 This Act may be cited as the *Civil Aviation Legislation Amendment*
6 *(Mutual Recognition with New Zealand) Act 2005*.

7 **2 Commencement**

8 (1) Each provision of this Act specified in column 1 of the table
9 commences, or is taken to have commenced, in accordance with
10 column 2 of the table. Any other statement in column 2 has effect
11 according to its terms.
12

Commencement information

Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent.	
2. Schedule 1, items 1 to 19	A single day to be fixed by Proclamation.	
3. Schedule 1, item 20	The later of: (a) immediately after the commencement of the provision(s) covered by table item 2; and (b) immediately after the commencement of item 10 of Schedule 2 to the <i>Civil Aviation Amendment Act 2005</i> . However, the provision(s) do not commence at all if the event mentioned in paragraph (b) does not occur.	
4. Schedule 1, items 21 to 28	At the same time as the provision(s) covered by table item 2.	
5. Schedule 1, items 29 to 31	The later of: (a) immediately after the commencement of the provision(s) covered by table item 2; and (b) immediately after the commencement of item 10 of Schedule 2 to the <i>Civil Aviation Amendment Act 2005</i> . However, the provision(s) do not commence at all if the event mentioned in paragraph (b) does not occur.	
6. Schedule 1, items 32 to 40	At the same time as the provision(s) covered by table item 2.	

1 Note: This table relates only to the provisions of this Act as originally
2 passed by the Parliament and assented to. It will not be expanded to
3 deal with provisions inserted in this Act after assent.

1 (2) Column 3 of the table contains additional information that is not
2 part of this Act. Information in this column may be added to or
3 edited in any published version of this Act.

4 **3 Schedule(s)**

5 Each Act that is specified in a Schedule to this Act is amended or
6 repealed as set out in the applicable items in the Schedule
7 concerned, and any other item in a Schedule to this Act has effect
8 according to its terms.

1
2 **Schedule 1—Amendments related to mutual**
3 **recognition with New Zealand**
4

5 *Civil Aviation Act 1988*

6 **1 Subsection 3(1)**

7 Insert:

8 *ANZA* is short for Australia New Zealand Aviation.

9 **2 Subsection 3(1)**

10 Insert:

11 *ANZA activities in Australian territory*, in relation to a New
12 Zealand AOC with ANZA privileges, means the operations in, or
13 flights into or out of, Australian territory that are authorised by the
14 AOC, to the extent that it is expressed to be issued under
15 section 11G of the Civil Aviation Act 1990 of New Zealand.

16 **3 Subsection 3(1)**

17 Insert:

18 *ANZA activities in New Zealand*, in relation to an Australian AOC
19 with ANZA privileges, means the operations in, or flights into or
20 out of, New Zealand that are authorised by the AOC, to the extent
21 that it is expressed to be issued for the purposes of the ANZA
22 mutual recognition agreements.

23 **4 Subsection 3(1)**

24 Insert:

25 *ANZA mutual recognition agreements* means the agreement or
26 arrangement, or agreements or arrangements, as amended and in
27 force from time to time, identified in regulations made for the
28 purposes of this definition.

29 **5 Subsection 3(1) (at the end of the definition of AOC)**

30 Add:

1 Note: In some provisions **AOC** is used in the context of a New Zealand
2 AOC with ANZA privileges (which is a document granted under the
3 Civil Aviation Act 1990 of New Zealand).

4 **6 Subsection 3(1)**

5 Insert:

6 *Australian AOC with ANZA privileges* means an AOC that is
7 expressed, wholly or partly, to be issued for the purposes of the
8 ANZA mutual recognition agreements (see subsections 27(2AA) to
9 (2AC)).

10 **7 Subsection 3(1)**

11 Insert:

12 *Australian temporary stop notice* has the meaning given by
13 subsection 28D(1).

14 **8 Subsection 3(1)**

15 Insert:

16 *CAA New Zealand* means the Civil Aviation Authority established
17 by the Civil Aviation Act 1990 of New Zealand, or any successor to
18 that Authority.

19 **9 Subsection 3(1)**

20 Insert:

21 *Director of CAA New Zealand* has the same meaning as *Director*
22 has in the Civil Aviation Act 1990 of New Zealand.

23 **10 Subsection 3(1)**

24 Insert:

25 *in force for Australia*, in relation to a New Zealand AOC with
26 ANZA privileges, has the meaning given by section 3AA.

27 **11 Subsection 3(1)**

28 Insert:

1 *New Zealand* has the same meaning as in the Interpretation Act
2 1999 of New Zealand.

3 **12 Subsection 3(1)**

4 Insert:

5 *New Zealand AOC with ANZA privileges* has the same meaning as
6 in section 2 of the Civil Aviation Act 1990 of New Zealand.

7 **13 Subsection 3(1)**

8 Insert:

9 *New Zealand temporary stop notice* has the same meaning as in
10 section 2 of the Civil Aviation Act 1990 of New Zealand.

11 **14 After section 3**

12 Insert:

13 **3AA When a New Zealand AOC with ANZA privileges is *in force for***
14 ***Australia***

- 15 (1) For the purposes of this Act, a New Zealand AOC with ANZA
16 privileges is *in force for Australia* if the AOC:
17 (a) is current under the Civil Aviation Act 1990 of New Zealand;
18 and
19 (b) has come into force for Australia under subsection 28C(1) of
20 this Act.
- 21 (2) However, while an Australian temporary stop notice is in force in
22 relation to particular activities authorised by a New Zealand AOC
23 with ANZA privileges, the AOC is not *in force for Australia* in
24 relation to those activities.

25 **15 At the end of section 7**

26 Add:

27 ; and (c) ANZA activities in New Zealand authorised by Australian
28 AOCs with ANZA privileges.

29 **16 After paragraph 9(1)(b)**

1 Insert:

2 (ba) ANZA activities in New Zealand authorised by Australian
3 AOCs with ANZA privileges;

4 **17 Before paragraph 9(3)(a)**

5 Insert:

6 (aa) implementing the ANZA mutual recognition agreements;

7 **18 At the end of subsection 26(2)**

8 Add:

9 ; or (e) as authorised by a New Zealand AOC with ANZA privileges
10 that is in force for Australia (but only so far as it authorises
11 ANZA activities in Australian territory).

12 Note: For when a New Zealand AOC with ANZA privileges is in force for
13 Australia, see section 3AA.

14 **19 After Division 1 of Part III**

15 Insert:

16 **Division 1A—General provisions about mutual recognition**
17 **under the ANZA mutual recognition agreements**

18 **26A Guide to how this Act deals with mutual recognition between**
19 **Australia and New Zealand**

- 20 (1) This Division contains various general provisions relating to mutual
21 recognition under the ANZA mutual recognition agreements.
- 22 (2) Other provisions of this Act also deal with mutual recognition under
23 the ANZA mutual recognition agreements, as set out in the table
24 below.

25

Schedule 1 Amendments related to mutual recognition with New Zealand

Outline of other provisions of this Act that deal with mutual recognition

Item	For provisions concerning...	See...
1	New Zealand AOCs that will be recognised in Australia (known as <i>New Zealand AOCs with ANZA privileges</i>)	(a) section 3AA (when a New Zealand AOC with ANZA privileges is in force for Australia); and (b) paragraph 26(2)(e) and subsection 27(2) (operating in Australia under such an AOC); and (c) section 28C (holder of such an AOC to provide certain documents and information to CASA); and (d) sections 28D and 28E (the Director's power to issue and revoke Australian temporary stop notices); and (e) section 28G (disapplying regulations that would otherwise apply to the holder of a New Zealand AOC with ANZA privileges).
2	Australian AOCs that will be recognised in New Zealand (known as <i>Australian AOCs with ANZA privileges</i>)	(a) paragraph 7(c) (extension of Act to New Zealand activities); and (b) paragraph 9(1)(ba) (CASA's safety regulation role in relation to New Zealand activities); and (c) subsections 27(2AA) to (2AC) (CASA's power to issue Australian AOCs with ANZA privileges); and (d) paragraph 28(1)(e) and section 28B (additional conditions for issue of such AOCs); and (e) subsection 28BD(2) (holders of such AOCs to comply with New Zealand law); and (f) section 28F (CASA's obligations in response to a New Zealand temporary stop notice).

Outline of other provisions of this Act that deal with mutual recognition

Item	For provisions concerning...	See...
3	Other aspects of mutual recognition	(a) subsection 3(1) (definitions of key terms); and (b) paragraph 9(3)(aa) (CASA's role in implementing the ANZA mutual recognition agreements); and (c) Part IIIA (use of powers to monitor compliance with New Zealand law).

1 **26B Disclosure of information by CASA to the Director of CAA New**
2 **Zealand**

3 (1) CASA may disclose information (including personal information) to
4 the Director of CAA New Zealand for a purpose connected with the
5 ANZA mutual recognition agreements.

6 (2) In this section:

7 *personal information* has the same meaning as in section 6 of the
8 *Privacy Act 1988*.

9 **26C Obligation to consult Director of CAA New Zealand before**
10 **taking certain actions**

11 Before taking any action under this Act or the regulations that
12 would or might affect the ANZA activities in New Zealand that an
13 Australian AOC with ANZA privileges authorises, CASA must:

- 14 (a) if required by the ANZA mutual recognition agreements,
15 consult the Director of CAA New Zealand; and
16 (b) carry out the consultation in accordance with the ANZA
17 mutual recognition agreements.

18 **26D Delegation of Australian powers to employees of CAA New**
19 **Zealand**

20 (1) The Director may, in writing, delegate all or any of CASA's powers
21 under this Act, other than Part IIIA, to an employee of CAA New
22 Zealand for the purposes of the ANZA mutual recognition
23 agreements.

1 (2) A delegate is, in the exercise of a power delegated under
2 subsection (1), subject to the directions of the Director.

3 **26E Delegation of New Zealand powers and functions to CASA**
4 **officers**

5 (1) Subject to subsection (2), an officer may exercise powers or
6 perform functions delegated to the officer under the Civil Aviation
7 Act 1990 of New Zealand, but only so far as they relate to New
8 Zealand AOCs with ANZA privileges.

9 (2) Subsection (1) does not apply to powers or functions conferred by
10 section 15, 21 or 24 of the Civil Aviation Act 1990 of New
11 Zealand.

12 **20 Subsection 26A(2) (after paragraph (d) in the cell at table**
13 **item 2, column headed “See...”)**

14 Insert:

(da) subsection 28BAA(2) (making
certain additional conditions for
issue of Australian AOCs with
ANZA privileges have effect as
ongoing conditions); and

15 **21 Subsection 27(2)**

16 After “AOC”, insert “, by a New Zealand AOC with ANZA privileges
17 that is in force for Australia (but only so far as it authorises ANZA
18 activities in Australian territory)”.

19 **22 At the end of subsection 27(2)**

20 Add:

21 Note: For when a New Zealand AOC with ANZA privileges is in force for
22 Australia, see section 3AA.

23 **23 After subsection 27(2)**

24 Insert:

25 (2AA) For the purpose of the ANZA mutual recognition agreements,
26 CASA may issue an AOC that authorises aircraft to operate in, or

1 fly into or out of, New Zealand, but only if the AOC also authorises
2 aircraft to operate in, or fly into or out of, Australian territory.

3 Note: The kind of operations authorised by the AOC in New Zealand need
4 not be the same kind of operations as are authorised by the AOC in
5 Australian territory.

6 (2AB) Subsection (2AA) is not intended to limit the circumstances in
7 which CASA may, otherwise than for the purpose of the ANZA
8 mutual recognition agreements, issue an AOC that covers matters
9 referred to in that subsection.

10 (2AC) An AOC that is, to an extent (whether wholly or partly), issued for
11 the purpose of the ANZA mutual recognition agreements, must be
12 expressed to be issued for that purpose to that extent.

13 **24 At the end of section 27**

14 Add:

15 (10) For the purpose of subsection (2A) as it applies to an Australian
16 AOC with ANZA privileges, a foreign registered aircraft does not
17 include an aircraft registered in New Zealand.

18 **25 Subsection 27AE(4) (definition of *foreign aircraft AOC*)**

19 Repeal the definition, substitute:

20 *foreign aircraft AOC* means:

- 21 (a) an AOC (other than an Australian AOC with ANZA
22 privileges) authorising the operation of a foreign registered
23 aircraft on flights that are not regulated domestic flights; or
24 (b) an Australian AOC with ANZA privileges authorising the
25 operation of a foreign registered aircraft, other than an aircraft
26 registered in New Zealand, on flights that are not regulated
27 domestic flights.

28 **26 Paragraph 28(1)(c)**

29 Repeal the paragraph, substitute:

- 30 (c) if the AOC sought is:
31 (i) an AOC (other than an Australian AOC with ANZA
32 privileges) authorising the operation of a foreign
33 registered aircraft on regulated domestic flights; or

- 1 (ii) an Australian AOC with ANZA privileges authorising
2 the operation of a foreign registered aircraft, other than
3 an aircraft registered in New Zealand, on regulated
4 domestic flights;
5 CASA is also satisfied that the additional conditions in
6 section 28A are satisfied; and

7 **27 At the end of subsection 28(1)**

8 Add:

- 9 (d) CASA is satisfied that the person does not hold a New
10 Zealand AOC with ANZA privileges that covers all or any of
11 the AOC operations; and
12 (e) if the AOC sought is an Australian AOC with ANZA
13 privileges—the additional conditions in section 28B are
14 satisfied.

15 **28 At the end of Subdivision D of Division 2 of Part III**

16 Add:

17 **28B Additional conditions for issue of an Australian AOC with**
18 **ANZA privileges**

- 19 (1) The additional conditions that must be satisfied for the purposes of
20 paragraph 28(1)(e) are:
21 (a) that CASA is satisfied that the applicant does not hold an
22 aviation document granted by the Director of CAA New
23 Zealand that authorises the applicant to conduct all or any of
24 the ANZA activities in New Zealand that the AOC will
25 authorise; and
26 (b) that the Secretary of the Department has advised CASA that,
27 having regard to the ANZA mutual recognition agreements,
28 the applicant is eligible for consideration for an Australian
29 AOC with ANZA privileges; and
30 (c) that CASA is satisfied that the applicant has complied, or is
31 capable of complying, with the provisions of the Civil
32 Aviation Act 1990 of New Zealand, and the regulations and
33 rules made under that Act, that will apply to the applicant in
34 relation to the ANZA activities in New Zealand that the AOC
35 will authorise; and
-

- 1 (d) that CASA is satisfied that it will be able to effectively
2 regulate all the operations covered by the application, having
3 regard to the following matters:
4 (i) whether the applicant’s supervision of systems that affect
5 the safety of the operations will be principally
6 undertaken from or within Australian territory; and
7 (ii) whether the applicant’s training and supervision of
8 employees involved in those systems will be undertaken
9 principally from or within Australian territory; and
10 (iii) whether the majority of the resources used in those
11 systems that are required for the operations will be
12 situated within Australian territory; and
13 (iv) whether the persons who will control the operations will
14 spend the majority of their time in Australian territory;
15 and
16 (e) any applicable additional conditions set out in regulations.
- 17 (2) CASA must consult the Director of CAA New Zealand about
18 whether the conditions referred to in subsection (1) (other than
19 paragraph (1)(b)) are satisfied.

20 **29 Paragraph 28BA(1)(aa)**

21 Omit “condition”, substitute “conditions”.

22 **30 Section 28BAA**

23 Before “An”, insert “(1)”.

24 **31 At the end of section 28BAA**

25 Add:

- 26 (2) If the AOC is an Australian AOC with ANZA privileges, the AOC
27 also has effect subject to the conditions that:
28 (a) CASA remains satisfied as mentioned in paragraphs
29 28B(1)(a), (c) and (d) in relation to the ANZA activities in
30 New Zealand that the AOC authorises; and
31 (b) the Secretary of the Department does not advise CASA that,
32 having regard to the ANZA mutual recognition agreements,
33 the holder of the AOC is no longer eligible to hold an
34 Australian AOC with ANZA privileges.

1 **32 Section 28BD**

2 Before “The”, insert “(1)”.

3 **33 At the end of section 28BD**

4 Add:

- 5 (2) The holder of an Australian AOC with ANZA privileges must
6 comply with all requirements of the Civil Aviation Act 1990 of New
7 Zealand, and of the regulations and rules under that Act, that apply
8 to the holder in relation to the ANZA activities in New Zealand
9 authorised by the AOC.

10 **34 At the end of Division 2 of Part III**

11 Add:

12 **Subdivision F—Other provisions relating to Australian and New**
13 **Zealand AOCs with ANZA privileges**

14 **28C Certain documents and information to be given to CASA by**
15 **holder of New Zealand AOC with ANZA privileges**

- 16 (1) A New Zealand AOC with ANZA privileges comes into force for
17 Australia when the holder gives CASA:
18 (a) a copy of the AOC; and
19 (b) written notice of the following:
20 (i) details of all conditions imposed by the Director of CAA
21 New Zealand in relation to the AOC;
22 (ii) the holder’s New Zealand contact details, including
23 business address, telephone number, fax number (if any),
24 and e-mail address (if any);
25 (iii) the holder’s Australian contact details, including
26 business address, telephone number, fax number (if any),
27 and e-mail address (if any);
28 (iv) any other information required by the regulations.

29 Note: Sections 137.1 and 137.2 of the *Criminal Code* create offences for
30 providing false or misleading information or documents.

- 31 (2) If the AOC is varied after it has come into force for Australia, the
32 holder must give CASA a copy of the varied AOC by the end of 7
-

1 days after the day on which the holder receives the varied AOC or a
2 copy of it.

3 Penalty: 2 penalty units.

4 Note 1: Section 137.2 of the *Criminal Code* creates an offence for providing
5 false or misleading documents.

6 Note 2: The obligation to give CASA a copy of the varied AOC is a
7 continuing obligation and the holder is guilty of an offence for each
8 day, after the 7 day period, until the copy is given to CASA (see
9 section 4K of the *Crimes Act 1914*).

10 (3) If, after the AOC has come into force for Australia, there is a
11 change to:

12 (a) what ANZA activities in Australia are authorised by the
13 AOC; or

14 (b) any information previously provided by the holder under
15 subsection (1) or this subsection;

16 the holder must give CASA written notice of the change by the end
17 of 7 days after the day on which the change occurs.

18 Penalty: 2 penalty units.

19 Note 1: Section 137.1 of the *Criminal Code* creates an offence for providing
20 false or misleading information.

21 Note 2: The obligation to notify CASA of a change is a continuing obligation
22 and the holder is guilty of an offence for each day, after the 7 day
23 period, until written notice of the change is given to CASA (see
24 section 4K of the *Crimes Act 1914*).

25 (4) Subsections (2) and (3) are offences of strict liability.

26 Note: For *strict liability*, see section 6.1 of the *Criminal Code*.

27 **28D Director's power to give an Australian temporary stop notice to**
28 **holder of New Zealand AOC with ANZA privileges**

29 (1) The Director may give the holder of a New Zealand AOC with
30 ANZA privileges a notice (an *Australian temporary stop notice*)
31 that requires the holder to cease conducting all or any of the ANZA
32 activities in Australian territory that the AOC authorises for the
33 period (which must not be more than 7 days) specified in the notice.

34 Note: Section 11J of the Civil Aviation Act 1990 of New Zealand obliges
35 the Director of CAA New Zealand to consider what action to take in
36 response to a notice under this subsection.

- 1 (2) The Director may issue the notice only if he or she considers that
2 the conduct of the activities to which the notice will apply
3 constitutes a serious risk to civil aviation safety in Australian
4 territory.
- 5 (3) Subject to section 28E, the notice comes into force when it is given
6 to the holder and remains in force for the period specified in the
7 notice.
- 8 (4) The notice must state the facts and circumstances which, in the
9 Director's opinion, give rise to the serious risk to civil aviation
10 safety in Australian territory.
- 11 (5) The Director must give a copy of the notice to the Director of CAA
12 New Zealand as soon as practicable after the Director of CASA
13 gives the notice to the holder.
- 14 (6) A failure to comply with subsection (4) or (5) does not invalidate
15 the notice.
- 16 (7) The Director may not delegate the power to give an Australian
17 temporary stop notice.

18 **28E Revocation of an Australian temporary stop notice**

- 19 (1) The Director may revoke an Australian temporary stop notice by
20 notice in writing to the holder of the relevant New Zealand AOC
21 with ANZA privileges.
- 22 (2) The Director must revoke an Australian temporary stop notice if,
23 while the notice is in force, CASA receives notice from the Director
24 of CAA New Zealand of that Director's decision in response to the
25 Australian temporary stop notice, whether or not the decision is to
26 take action.
- 27 (3) The Director may not delegate the power to revoke an Australian
28 temporary stop notice.

29 **28F CASA's obligation on receiving copy of a New Zealand**
30 **temporary stop notice**

- 31 (1) If the Director of CAA New Zealand gives CASA a copy of a New
32 Zealand temporary stop notice that relates to a particular Australian
-

1 AOC with ANZA privileges, CASA must consider the notice
2 immediately and decide, as soon as is practicable, what action (if
3 any) to take under this Act or the regulations in relation to the AOC
4 or the holder of the AOC.

5 (2) In deciding what action to take, CASA must comply with the ANZA
6 mutual recognition agreements.

7 (3) CASA must notify the Director of CAA New Zealand of its
8 decision, and if its decision is to take action, what that action is.

9 Note: CASA must consult the Director of CAA New Zealand if CASA
10 proposes to take action that would or might affect ANZA activities in
11 New Zealand (see section 26C).

12 **28G Disapplying regulations that would otherwise apply to the** 13 **holder of a New Zealand AOC with ANZA privileges**

14 (1) The regulations may provide that specified regulations made under
15 this Act do not apply in relation to all or specified ANZA activities
16 in Australian territory authorised by a New Zealand AOC with
17 ANZA privileges.

18 (2) Without limiting subsection (1), regulations made for the purposes
19 of that subsection may provide that specified regulations made
20 under this Act do not apply in relation to an aircraft while it is being
21 operated under a New Zealand AOC with ANZA privileges.

22 **35 After subsection 32AC(1)**

23 Insert:

24 (1A) Powers under subsection (1) can only be exercised for the purpose
25 of finding out whether legislation referred to in paragraph (b) of the
26 definition of *relevant legislation* in subsection (2) is being complied
27 with if a request has been made to CASA, in accordance with the
28 ANZA mutual recognition agreements, for the exercise of powers
29 under this Part in relation to that legislation.

30 **36 Subsection 32AC(2) (definition of *relevant legislation*)**

31 Repeal the definition, substitute:

32 *relevant legislation* means:

- 1 (a) this Act, the regulations and the Civil Aviation Orders; and
2 (b) the Civil Aviation Act 1990 of New Zealand, and the
3 regulations and rules made under that Act.

4 **37 After subsection 32AD(1)**

5 Insert:

- 6 (1A) An application under subsection (1) can only be made for the
7 purpose of finding out whether legislation referred to in
8 paragraph (b) of the definition of *relevant legislation* in subsection
9 32AC(2) is being complied with if a request has been made to
10 CASA, in accordance with the ANZA mutual recognition
11 agreements, for the exercise of powers under this Part in relation to
12 that legislation.

13 **38 After subsection 98(3)**

14 Insert:

- 15 (3AA) Despite the ANZA mutual recognition agreements, the regulations
16 cannot allow for the mutual recognition of ANZA safety
17 certifications (other than AOCs) between Australia and New
18 Zealand. For this purpose, an *ANZA safety certification* is:
19 (a) a civil aviation authorisation; or
20 (b) an aviation document, within the meaning of the Civil
21 Aviation Act 1990 of New Zealand.
- 22 (3AB) Subsection (3AA) does not prevent the making of regulations for
23 purposes connected with the *Trans-Tasman Mutual Recognition*
24 *Act 1997*.

25 ***Civil Aviation (Carriers' Liability) Act 1959***

26 **39 Subsection 26(1) (at the end of the definition of *airline***
27 ***licence*)**

28 Add:

- 29 ; or (c) a New Zealand AOC with ANZA privileges (as defined in
30 section 3 of the *Civil Aviation Act 1988*) authorising airline
31 operations.

1 **40 Subsection 26(1) (at the end of the definition of *charter***
2 ***licence*)**

3 Add:

4 ; or (c) a New Zealand AOC with ANZA privileges (as defined in
5 section 3 of the *Civil Aviation Act 1988*) authorising charter
6 operations.