



# Far North Holdings Limited Bylaws Approval Order 2005

Silvia Cartwright, Governor-General

## Order in Council

At Wellington this 23rd day of May 2005

Present:

Her Excellency the Governor-General in Council

Pursuant to section 9 of the Airport Authorities Act 1966, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

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### Order

- Title**  
This order is the Far North Holdings Limited Bylaws Approval Order 2005.
- Approval of bylaws of Far North Holdings Limited**  
The bylaws made on 8 February 2005 by Far North Holdings Limited and set out in the Schedule are approved.

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## Schedule Far North Holdings Limited Bylaws

Pursuant to section 9 of the Airport Authorities Act 1966, Far North Holdings Limited makes the following bylaws.

### *Bylaws*

#### 1 Title

These bylaws are the Far North Holdings Limited Bylaws.

#### 2 Commencement

These bylaws come into force on the 28th day after the date of the notification in the *Gazette* of the Order in Council in which the Governor-General approved the bylaws.

#### 3 Interpretation

In these bylaws, unless the context otherwise requires,—

**aircraft** means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth

**aircraft park** means an area within the airport that is made available for the parking or storage of aircraft

**airport**—

(a) means those areas of land—

(i) owned or leased by or otherwise under the control of Far North Holdings Limited, comprising—

(A) Kaitaia Airport; or

(B) Kerikeri/Bay of Islands Airport; or

(C) Kaikohe Aerodrome; and

(ii) intended or designed to be used either wholly or partly for the landing, departure, movement, or servicing of aircraft; and

(b) includes all buildings, installations, and equipment on or adjacent to any area owned or leased by or otherwise under the control of the company and used in conjunction with the airport or its administration

**airport manager** or **manager** means the person from time to time appointed by the company to that office; and includes that person's deputy or authorised representative

**airport official** means the airport manager and any person appointed or authorised by the company to assist in the management or control of persons and property at the airport

**airport road** means any area within the airport—

- (a) made available by the company for the movement, standing, or parking of vehicles; or
- (b) that is a road as defined in section 2 of the Land Transport Act 1998

**animal**—

- (a) means any living stage of any member of the animal kingdom (except human beings); and
- (b) includes the egg, semen, or carcass of any mammal, bird, fish, or reptile

**apron** means those parts of the airport that are intended to accommodate aircraft for the purpose of loading or unloading passengers or cargo, refuelling, parking, or maintenance

**authorised vehicle** means a vehicle authorised by the manager to enter and remain in a restricted area

**company** means Far North Holdings Limited

**fuel handling** means—

- (a) the fuelling and refuelling of aircraft;
- (b) the drainage of fuel and oil and fuel and oil wastes;
- (c) the management of fuel and oil and fuel and oil wastes

**hangar** means a building or installation used for the storage, shelter, or repair of aircraft

**manoeuvring area** means that part of the airport used for the taking-off and landing of aircraft and the movement of aircraft associated with taking-off and landing; but does not include loading or unloading areas and areas set aside for aircraft maintenance

**movement area** means any part of the airport that is intended for the movement of aircraft on the ground; and includes the manoeuvring area, maintenance areas, and aprons

**parking**, in relation to—

- (a) any part of an airport road where parking is governed by parking meters, means the stopping or standing of a vehicle for a period exceeding 5 minutes:

(b) any other part of an airport road, means the stopping or standing of a vehicle;—

and **park** has a corresponding meaning

**parking space** means a space or section marked off for parking a vehicle

**person** includes a body of persons whether corporate or unincorporate

**publicly notified** has the same meaning as public notice in section 5 of the Local Government Act 2002

**restricted area** means the movement area and any other part of the airport to which entry by members of the public is prohibited or restricted by or under these bylaws; but does not include any area (other than the movement area) to which entry by members of the public is subject to payment of a fee or charge

**smoking** includes carrying a lighted cigarette, cigar, or pipe; and **to smoke** has a corresponding meaning

**vehicle**—

- (a) means a vehicle as defined in section 2 of the Land Transport Act 1998; and
- (b) includes a large passenger service vehicle and a small passenger service vehicle as defined in section 2 of the Transport Services Licensing Act 1989; but
- (c) does not include an aircraft.

## Part 1 General

### 4 Animals

- (1) No person may bring an animal into the airport unless the animal is—
  - (a) to be delivered to a person authorised to accept it under a contract of carriage with an airline; and
  - (b) in the case of a live animal—
    - (i) confined so as to make it impossible for it to escape; and
    - (ii) under proper control and properly cared for.
- (2) Subclause (1) does not apply to a dog if the dog is—

Part 1—*continued*

- (a) engaged in guiding or assisting a blind or disabled person and kept under restraint by harness; or
  - (b) under the control of a sworn or non-sworn member of the police, a government official or agency, or an airport official and being used in the course of duty.
- (3) Subclause (1) does not apply to eggs or carcasses if they are brought into the airport to be processed and consumed within any commercial premises situated in the airport.

**5 Area control**

- (1) For all or any of the purposes described in subclause (2), the company may from time to time designate areas or places at the airport to which entry by members of the public is prohibited or restricted and may prescribe conditions of entry.
- (2) The purposes referred to in subclause (1) are—
- (a) to ensure the safety of the public within the airport;
  - (b) to maintain airport security;
  - (c) to maintain order for the use of airport services by the public.
- (3) Every designated area or place must be indicated by conspicuous signs or notices.
- (4) No person may enter or remain in a restricted area unless that person—
- (a) is authorised to do so by the company; and
  - (b) complies with any conditions imposed by the company.
- (5) Any airport official may require any person who is at any time in a restricted area in breach of this bylaw to leave the area, and that person must do so immediately.

**6 Speed restrictions on movement area**

- (1) The company may from time to time restrict the speed at which vehicles may be driven on the movement area.
- (2) The company must notify any restrictions imposed under subclause (1) by appropriate and conspicuous signs.
- (3) No person may drive a vehicle on the movement area in excess of any speed prescribed under subclause (1).

**Part 1—continued****7 Prohibition against smoking and flames**

- (1) The company may from time to time designate an area or areas within the airport in which smoking is prohibited, and must erect or install a warning device or notices, in letters of a size that may be easily read, containing the words “No Smoking” together with any other details that may be necessary.
- (2) The company may from time to time prescribe an area or areas within the airport in which lighted and naked flames are prohibited, and must install a warning notice or notices to define the area or areas.
- (3) No person may smoke in, or produce any lighted or naked flame in, or bring any lighted or naked flame into, any place in the airport where it is prohibited to do so under this bylaw.
- (4) No person may smoke, or produce or bring any lighted or naked flame, within 50 m of an aircraft or a store or container of liquid fuel or explosives.

**8 Special events**

- (1) The manager may direct any person or persons participating within the airport in any reception, parade, exhibition, display, demonstration, protest march, or organised assembly to leave the airport or move to an area of the airport designated by the manager.
- (2) The manager may only give a direction under subclause (1) if he or she is satisfied that the direction is reasonably necessary in order to—
  - (a) ensure the safety of the public within the airport; or
  - (b) maintain airport security; or
  - (c) maintain order for the use of airport services by the public.

**Part 2  
Roads and vehicles****9 Airport roads**

- (1) For the purpose of the orderly management of traffic within the airport, the company may from time to time make any area within the airport available as an airport road.

Part 2—*continued*

- (2) For the purpose of the orderly management of traffic within the airport, the company may, in relation to an airport road or part of the road, from time to time,—
  - (a) open the road or part of it to members of the public generally or a specified class or specified classes of persons:
  - (b) close the road or any part of it:
  - (c) revoke or vary the right of members of the public generally or a specified class or specified classes of persons to use the road or any part of it:
  - (d) declare that the road or any part of it is no longer available for use as an airport road:
  - (e) alter the area, size, or location of the road or any part of it:
  - (f) restrict traffic movement to 1 direction only:
  - (g) set aside any part of the road for use at all times or during specified times as a loading zone for vehicles loading or unloading passengers or goods or as a place where those vehicles may wait between trips:
  - (h) set aside any part of the road for the parking of vehicles subject to any prohibitions, limitations, and restrictions that the company may from time to time impose:
  - (i) restrict the speed at which vehicles may be driven on it.
- (3) For the purpose of the orderly management of traffic within the airport, the company may from time to time impose prohibitions, limitations, and restrictions on the operation, stopping, standing, or parking of vehicles on any airport road or any part of it.
- (4) The company must erect notices or signs governing the use of airport roads in a manner set out in the Traffic Regulations 1976 or any regulations made in substitution for those regulations, and all prohibitions, limitations, and restrictions imposed on the use of airport roads by or under these bylaws must be indicated by signs installed or marked out by the company in accordance with those regulations.
- (5) No person may drive a vehicle on an airport road at a speed in excess of—
  - (a) 50 km per hour; or

**Part 2—continued**

- (b) if any other speed that has been set by the company applies to the road, the speed set.

**10 Compliance with directions and signs**

Every driver and every person who is in charge of a vehicle must comply with any lawful direction for the regulation of traffic given by a member of the police, or airport official, and with every traffic sign, directional indicator, line, dome, zone, or marking laid down, placed, or made at the airport.

**11 Stopping and standing of vehicles on airport road**

No person who is a driver, or person in charge, of any vehicle may drive, stop, stand, or park that vehicle on any airport road in contravention of any prohibition, limitation, or restriction lawfully imposed and indicated from time to time by any sign, notice, or warning.

**12 Accidents to be reported**

The driver, or person in charge, of a vehicle that is involved in an accident that disrupts traffic movement must report the accident to an airport official and supply his or her name and address and the registration number of the vehicle.

**Part 3****Aircraft operation and gate position****13 Cleaning down, maintenance, and repair of aircraft**

- (1) Except with the prior permission of an airport official, no person may clean down or carry out maintenance or repair work on an aircraft or a vehicle used in connection with aircraft operations except in a hangar or an area designated by the company for the purpose.
- (2) Any permission under subclause (1) may be amended or revoked at any time.

**14 Gate standing times**

- (1) The airport manager may from time to time specify periods of time during which aircraft may remain stationed on the apron.



**Part 3—continued**

- (2) The person in charge of an aircraft must move the aircraft when directed to do so by an airport official.
- (3) No person may cause or permit an aircraft to remain stationed on the apron for a period of time in excess of the period applicable to that aircraft and prescribed under this bylaw.

**15 Use of gate positions**

No person may cause or permit an aircraft to be stationed on the apron except at a place that the airport manager directs.

**16 Parking of aircraft**

- (1) No person may park an aircraft except in the places and in the manner directed by the airport manager and subject to any terms and conditions that may be specified by the airport manager from time to time.
- (2) No aircraft may be left unattended at the airport unless it is properly secured against adverse weather conditions and unauthorised entry or other interference.

**17 Use of apron**

- (1) No person operating, or in charge of, an aircraft may use an apron unless—
  - (a) that person is authorised to do so by the airport manager; and
  - (b) the use of the apron conforms with the parking pattern approved by the airport manager and all guidance lines, apron markings, and signage.
- (2) Every person operating, or in charge of, an aircraft using an apron in contravention of subclause (1) must, when required to do so by an airport official, remove the aircraft in accordance with the directions of that airport official.

**18 Servicing vehicles**

No person may use any vehicle or equipment, or allow any vehicle or equipment to be used, in the servicing or maintenance of aircraft if its condition is, or its contents are, likely to create a hazard by fire, flash, or otherwise to aircraft, refuelling facilities, or persons.

Part 3—*continued***19 Spilt substances**

- (1) No person may, in any part of the airport, spill, drop, throw, or deposit any oil, grease, fuel, refuse, broken glass, or any other thing or substance likely to—
- (a) foul, obstruct, damage, endanger, or create a hazard for an aircraft; or
  - (b) injure or endanger any person; or
  - (c) create an environmental hazard or breach any environmental standard specified by the company or any regulatory body.
- (2) Any person who spills, drops, throws, or deposits in any area or place any substance or thing to which subclause (1) applies must, at that person's own expense and in accordance with any instructions of the airport manager and any applicable statute or regulation,—
- (a) immediately advise an airport official; and
  - (b) have the substance or thing and any hazard created by it removed; and
  - (c) make good the area or place.

**20 Liquid fuel**

No person may, except in an area designated by the company for the purpose,—

- (a) fill any container or the fuel tank of a vehicle or aircraft with liquid fuel; or
- (b) discharge liquid fuel from any container or the fuel tank of a vehicle or aircraft.

**21 Storage of flammables**

No person may, in any part of the airport, place, store, or accumulate any flammable substance in a way or in a quantity that is likely to create a fire hazard.

**22 Installations to comply with fire code, etc**

- (1) All portable filling tanks, underground fuel storage tanks, installations, safety equipment, pumps, and other associated facilities must be installed and operated in a manner that complies with any applicable regulations made under the Hazardous Substances and New Organisms Act 1996.

**Part 3—continued**

- (2) Any portable filling tank must be located—
  - (a) in a place at the airport that is approved by the airport manager; and
  - (b) in compliance with any terms and conditions regarding the location of portable filling tanks that the airport manager may specify from time to time.
- (3) No person may install a fuel storage tank above or below the ground at the airport unless that person first obtains the written approval of the airport manager and any necessary permit or approval from other authorising agencies.

The above bylaws were made by Far North Holdings Limited by a resolution of its Board of Directors passed at a duly constituted meeting held on 8 February 2005.

Malcolm Nicolson,  
Chairman.

Martin Bell,  
Acting for Clerk of the Executive Council.

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**Explanatory note**

*This note is not part of the order, but is intended to indicate its general effect.*

This order approves bylaws made by Far North Holdings Limited. The bylaws are set out in the Schedule of the order.

Section 9(5) of the Airport Authorities Act 1966 (the **Act**) provides that bylaws made by an airport authority that is not a local authority have no force or effect until approved by the Governor-General by Order in Council.

This order, which is made under section 9(5) of the Act, approves the bylaws made under that Act by Far North Holdings Limited for Kaitaia and Kerikeri/Bay of Islands Airports, and Kaikohe Aerodrome.

By virtue of section 9(6)(b) of the Act, the order is deemed to be a regulation for the purposes of both the Acts and Regulations Publication Act 1989 and the Regulations (Disallowance) Act 1989.

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 26 May 2005.  
This order is administered in the Ministry of Transport.

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