

- (f) Nothing in this section shall apply to helicopters.
- (g) Licences current at the date of this order will be amended in accordance with the above procedure on 1 July 1969. All operators affected are required to submit to the Authority within 30 days of the date of this order notification of such details of their authorised fleet as will enable the Authority to establish the category of the licence and the maximum fleet capacity applicable to it.

4. Boundaries:

- (a) As from the date of this order, where any boundary of the area authorised for an aerial topdressing service or an aerial liquid topdressing service passes through any part of a farming property, the licensee may enter into an agreement with the owner of such property for the carrying out of aerial topdressing services or aerial liquid topdressing services on the whole or any part of that property provided a substantial part thereof is within the licensee's licensed area.
- (b) Where in any aerial topdressing licence or aerial liquid topdressing licence a boundary is defined *inter alia*, as being a line running from the mouth of a river or other waterway, such line shall be deemed to run from the northern side of the mouth of such river or other waterway unless the licence otherwise provides.
- (c) Any zone, or limitation of area, of operation which the Authority shall impose on an aerial topdressing service or on an aerial liquid topdressing service shall not apply to the release from aircraft during flight of poisonous agricultural chemicals for the purpose of destroying or repelling noxious animals.

5. Insurance:

- (a) It shall be a condition of all aerial work service licences that the licence holder shall maintain during the currency of the licence:
- In respect of all aircraft a minimum insurance cover of \$50,000 against all liability for third party personal injury or death, or for property damage in respect of any one accident.
- (b) Notwithstanding that the licence may authorise the carrying on of an aerial work service as from a specific date, such service shall not be commenced until there has been deposited with the Licensing Authority a certificate endorsed by the insurers of due insurance in accordance with the requirements in paragraph (a) herein.
- (c) No later than 4 p.m. on the due date for renewal of any such insurance, there shall be deposited with the Licensing Authority a certificate endorsed by the insurers of the due renewal or replacement of the insurance in accordance with the requirements in paragraph (b) herein. If the certificate is not so deposited within that time on that date the licence shall be deemed to be suspended until such certificate is deposited.

6. Transfer of interest in licences:

(i) Where:

- (a) The holder of a licence is an individual and by any means whatever his controlling interest in the business in respect of which the licence applies passes to any other person or persons; or
- (b) The holder of a licence is a company and by any means whatever the controlling interest in that company passes to any person or persons other than those named as shareholders or intending shareholders when the application for a licence was made

then, in either such event, the licence shall be deemed to be suspended as from the date of such passing unless the prior approval of the Authority has been obtained, or unless and until full details of the transaction or proposed transaction involving the passing of the controlling interest, as aforesaid, have been given to the Authority and its approval to such passing has been granted.

- (ii) Where by reason of transmission on death the provisions of subparagraph (i) herein would apply, the licence shall not be deemed to be suspended until after the expiration of 3 calendar months from the date of death.

This order shall come into effect on the 1st day of December 1972.

Dated this 31st day of October 1972.

For and on behalf of the Air Services Licensing Authority:

J. H. O. TILLER, Chairman.

Order Prescribing Standard Terms and Conditions in Respect of Licences for Air Transport Services

PURSUANT to section 26A of the Air Services Licensing Act 1951, the Air Services Licensing Authority hereby orders that the orders prescribing standard terms and conditions, dated the 28th day of May 1969 and the 20th day of December 1971 and published in the *New Zealand Gazette* on the 29th day of May 1969 and the 22nd day of December 1971 respectively, are hereby revoked and that the terms and conditions set out hereunder be substituted therefor:

1. Unless otherwise ordered by the Licensing Authority in respect of a particular licence, the following standard terms and the meaning thereof shall be applicable in all licences for air transport services in so far as they may apply to the type or types of such services as are authorised in the licence:

- (a) "Scheduled service" means an air transport service carried on between such fixed terminals or traffic areas and by such route or routes and with or without intermediate stopping places as are authorised and in accordance with a timetable and, in respect of passenger services only or of combined passenger and freight services, for such fares for the carriage of passengers as are authorised and published.
- (b) "Non-scheduled service" means an air transport service carried on between such fixed terminals or traffic areas and by such route or routes and with or without intermediate stopping places as are authorised and in respect of which the licensee may determine from time to time when or to what extent such service shall be carried on.
- (c) "Air charter service" means an air transport service wherein the licensee hires out to a person or to a group of persons, having a common interest in the purposes of the hiring, the exclusive use of the aircraft for a particular flight or series of flights and one payment for such hire is made.
- (d) "Air-taxi service" means an air transport service wherein an aircraft is used for a particular flight or series of flights and in respect of each such flight the licensee charges to each passenger a fare on a per seat basis or, as the case may be, to each consignor of freight a charge for each separate item of freight carried.
- (e) "Scenic flight or joy-ride" means an air transport service involving a flight without intermediate stops from and to a designated aerodrome, the primary purpose of which is for sightseeing.

2. Unless otherwise ordered by the Licensing Authority in respect of a particular licence, the following conditions shall be deemed to apply to each type of air transport service as is specified hereunder:

(a) Scheduled service:

- (i) The licensee shall be under an obligation to operate the service in accordance with the authorised and published timetable unless for reasons of safety it is inexpedient to do so or unless he is prevented by circumstances beyond his control.
- (ii) The licensee may at any time on any of the days specified in the authorised timetable increase the number of flights beyond what is stated in the authorised timetable but he may not reduce the number of such flights without the prior approval of the Licensing Authority or unless authorised by the terms of the licence to do so.

(b) Non-scheduled service:

- (i) Where a non-scheduled passenger service is carried on over the same or substantially the same route as operated by a scheduled service the minimum fare per passenger shall be 10 percent in excess of the fare payable by a like passenger in the scheduled service or by the lowest fare if there are more than one such service; provided, however, that such excess shall not apply if there is no scheduled service operating during the same day or if the full capacity on the scheduled service has been taken or if in the course of such route the non-scheduled service involves intermediate stops at points or traffic areas not included in the scheduled service.
- (ii) If the licensee publishes a timetable of his proposed services he shall indicate prominently therein that such services may not be adhered to for reasons of safety or unless sufficient business is offering and, subject to the foregoing, the licensee shall take all reasonable steps to ensure that the services prescribed in such timetable are maintained.