

16 JUN 1980



## SUPPLEMENT

TO THE

## NEW ZEALAND GAZETTE

OF

THURSDAY, 5 JUNE 1980

*Published by Authority*

WELLINGTON: WEDNESDAY, 11 JUNE 1980

*Royal Commission to Inquire Into and Report Upon the  
Crash on Mount Erebus, Antarctica, of a DC-10 Aircraft  
operated by Air New Zealand Limited*

ELIZABETH the Second, by the Grace of God Queen of New Zealand and Her Other Realms and Territories, Head of the Commonwealth, Defender of the Faith:

To our Trusty and Well-beloved The Honourable PETER THOMAS MAHON, of Auckland, a Judge of the High Court of New Zealand:

## GREETING:

WHEREAS, on the morning of the 28th day of November 1979, a DC-10 Series 30 aircraft, operated by Air New Zealand Limited and bearing the nationality and registration marks ZK-NZP, took off from Auckland, at the beginning of a flight designated as Flight TE 901, a scenic passenger flight over Antarctica:

And whereas the next point of intended landing of the aircraft, after taking off from Auckland, and flying over Antarctica, was Christchurch:

And whereas, on the 28th day of November 1979, the aircraft crashed on the slopes of Mount Erebus, Antarctica, in the course of Flight TE 901:

And whereas the crash of the aircraft resulted in the total loss of the aircraft and in the death of all persons, believed to have numbered 257, on board:

And whereas, on the 28th day of November 1979, the aircraft was a New Zealand aircraft and Air New Zealand Limited was both the registered owner and the operator of the aircraft:

And whereas it is expedient that inquiry should be made into the causes and circumstances of the crash:

Know YE that We, reposing trust and confidence in your integrity, knowledge, and ability, do hereby nominate, constitute, and appoint you, the said The Honourable PETER THOMAS MAHON to be a Commission to inquire into and report upon:

- (a) The time at which the aircraft crashed;
- (b) The cause or causes of the crash and the circumstances in which it happened;
- (c) Whether the aircraft and its equipment were suitable for Flight TE 901?
- (d) Whether the aircraft and its equipment were properly maintained and serviced?
- (e) Whether the crew of the aircraft held the appropriate licences and ratings and had adequate experience to make Flight TE 901?
- (f) Whether, in the course of Flight TE 901, the aircraft was operated, flown, navigated, or manoeuvred in a manner that was unsafe or in circumstances that were unsafe?
- (g) Whether the crash of the aircraft or the death of the passengers and crew was caused or contributed to by any person (whether or not that person was on board the aircraft) by an act or omission in respect of any function in relation to the operation, maintenance, servicing, flying, navigation, manoeuvring, or air traffic control of the aircraft, being a function which that person had a duty to perform or which good aviation practice required that person to perform?
- (h) Whether the practice and actions of the Civil Aviation Division of the Ministry of Transport in respect of Flight TE 901 were such as might reasonably be regarded as necessary to ensure the safe operation of aircraft on flights such as TE 901?
- (i) The working and adequacy of the existing law and procedures relating to—
  - (i) The investigation of air accidents; and
  - (ii) In particular, the making available to interested persons of information obtained during the investigation of air accidents;
- (j) Any other facts or matters arising out of the crash that, in the interests of public safety, should be known to the authorities charged with the administration of civil aviation in order that appropriate measures may be taken for the safety of persons engaged in aviation or carried as passengers in aircraft:

And for the better enabling you to carry these presents into effect you are hereby authorised and empowered to make and conduct any inquiry or investigation under these presents in such manner and at such time and place as you