

[Legal Notice No. 65]

THE CIVIL AVIATION ACT 1986

(No. 7 of 1986)

THE AIR NAVIGATION (AIRPORT SAFETY ZONE)
REGULATIONS 1998)

IN exercise of the powers conferred by section 6 of the Civil Aviation Act, 1986, the Minister hereby makes the following Regulations -

- Citation. 1. These Regulations may be cited as the Air Navigation (Airport Safety Zone) Regulations 1998.
- Interpretation. 2. In these Regulations unless the context requires otherwise -
- “Act” means the Civil Aviation 1986;
- “Annex” means any Annex or amendment thereto adopted under Article 90 of the Convention;
- “Convention” means the Convention on International Civil Aviation, opened for signature at Chicago on 7 December 1944 and to which Solomon Islands is a signatory;
- “Director” means the officer in charge of the Civil Aviation Division of the Solomon Islands Government.
- “Minister” means the Minister responsible for Civil Aviation;
- “person” means an individual, firm, partnership, corporation, company, association or government entity, including a trustee, a receiver, an assignee or similar representative of any of them; and
- “tree” means any object of natural growth.
- Airport Safety Zone. 3. In order to prevent land usage which would be inconsistent with the need to ensure the safety of aircraft operations, an area contained within a circle of five kilometres radius, centred on the Aerodrome Reference Point at Henderson International Airport at coordinates Latitude 09 degrees 25 minutes 04 seconds South, Longitude 160 degrees 03 minutes 13 seconds East, is designated an Airport Safety Zone.

4. (1) Except as permitted under regulation 7, no structure or object may be erected or tree planted within the Airport Safety Zone which infringes the obstacle limitation surfaces specified in Annex 14 (Aerodromes to the Convention).

Obstacle limitation surfaces.

(2) In applying the obstacle limitation surfaces criteria of subregulation (1) above, the runway at Henderson International Airport is classified as Precision Approach Category I, Code Number 4.

5. Except as permitted under regulation 7, no ground light that may endanger the safety of aircraft may be illuminated in the Airport Safety Zone.

Ground light.

6. Except as permitted under regulation 7, and land usage or private or commercial activity that would result in the attraction of concentrations of birds is prohibited.

Attraction of birds.

7. (1) The Director may issue permits that exempt a person from the requirements of regulations 4, 5 and 6.

Exemption permits.

(2) In issuing a permit under subregulation (1), the Director may specify such conditions and requirements as is considered necessary to ensure the safety of aircraft operations.

8. An application for a permit under regulation 7 shall indicate the purpose for which the permit is desired and provide sufficient detailed information for it to be determined to what extent the safety of aircraft operations may be affected by the non-conformity of structure, object, tree, light or bird attracting activity.

Application for permits.

9. If, within the Airport Safety Zone, a structure or object is erected or a tree is planted, or subsequently grows, that infringes the obstacle limitation surfaces, or a ground light illuminated that may endanger the safety of aircraft or land used or an activity carried out which attracts concentrations of birds, then the Director may, in writing to the person concerned, direct that such action be taken, within a specified time, as is necessary for the structure, object, tree, light, land usage or activity to fully comply with these Regulations.

Directions to comply.

10. Where there exists a conflict between any of these regulations and any other regulations or ordinances applicable to the same area and subject, be it with respect to the height of structures, the use of land or any other matter, the more stringent requirement or limitation shall govern and prevail.

Conflicting regulations.

Violations.

11. A failure to comply with a direction issued under regulation 9 within the time limitation specified in that direction is a violation of these regulations and shall be punished by a fine not exceeding one thousand dollars or imprisonment for not more than thirty days or both.

Dated this eighth day of June 1998.

SIR BADDELEY DEVESI
Minister of Transport, Works, Aviation & Communications.