



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, 22 JULY 1982

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WELLINGTON: FRIDAY, 23 JULY 1982

Commission of Inquiry into Air Traffic Control Services

DAVID BEATTIE, Governor-General
ORDER IN COUNCIL

To all to whom these presents shall come, and to:

Air Marshal Sir RICHARD BRUCE BOLT, K.B.E., C.B., D.F.C., A.F.C., of Wellington, formerly Chief of Defence Staff;

HENRY PIET van ASCH, C.B.E., of Hastings, Company Chairman; and

EDWIN IAN ROBERTSON, C.B.E., of Tawa, formerly Director-General of the Department of Scientific and Industrial Research:

GREETING:

WHEREAS concern has been expressed about air traffic control services operated by the Ministry of Transport throughout New Zealand:

And whereas the question whether such concern is justified is a matter of public importance:

Now, therefore, pursuant to the Commissions of Inquiry Act 1908, I, The Honourable Sir David Stuart Beattie, the Governor-General of New Zealand, acting by and with the advice and consent of the Executive Council, hereby appoint you, the said Sir Richard Bruce Bolt, Henry Piet van Asch, and Edwin Ian Robertson, to be a Commission to inquire into and report upon the adequacy of air traffic control services operated by the Ministry of Transport throughout New Zealand and, in particular, at the Auckland, Wellington, and Christchurch International Airports, including—

- (a) The technical, organisational and managerial aspects of those services;
 - (b) The equipment provided for the operation of those services;
 - (c) The procedures adopted in the operation of those services;
- And in considering these matters you are hereby directed to consider—
- (a) Whether, and to what extent, those services are being operated in accordance with any applicable standards, recommended practices, or publications of the International Civil Aviation Organisation?
 - (b) Whether standards have been prescribed in relation to those services, and, if so,—
 - (i) Whether those standards are satisfactory?
 - (ii) Whether those standards should be altered or added to, and, if so, in what respects?
 - (iii) Whether there are any other standards that should be prescribed, and, if so, what are those standards?
 - (c) Whether a system of monitoring those services exists for the purpose of ensuring compliance with any standards that are applicable or have been prescribed, and, if so, whether that system is satisfactory?
 - (d) Whether any standards that are applicable or have been prescribed have been complied with, and, if they have not been complied with to any extent, the nature and seriousness of the non-compliance?
 - (e) Whether the system of monitoring any standards should be improved or altered, and, if so, in what respects?

- (f) Whether the training provided to all employees associated with the provision of those services is adequate to ensure that appropriate standards are maintained?
- (g) Whether, having regard to the amount and nature of the air traffic experienced or to be expected at or around each airport and the approaches thereto and to the nature of air traffic control services provided at similar airports with similar air traffic in other countries and to such other considerations as appear to you to be relevant, those services are adequate for the purposes of ensuring the safe operation of aircraft and of expediting and maintaining an orderly flow of air traffic?
- (h) What, if any, alterations or additions to those services should be made, in the light of your findings under paragraph (g), in terms of equipment, procedures, manning, or management?
- (i) Whether the person or authority upon whom the duty to establish, maintain, and operate those services is the person upon whom that duty should be imposed?
- (j) Whether the procedures adopted by the Ministry of Transport in calling for, releasing, and responding to, and reporting on the report by Messrs R. A. Pepall and T. F. Spriggs on those services were appropriate?
- (k) The working and adequacy of the existing law, administration, and procedures relating to those services:
- (l) And any other facts or matters on those services that, in the interests of public safety, should be known to the authorities charged with the administration of air traffic control services in order that appropriate measures may be taken for the safety of persons engaged in aviation or carried as passengers in aircraft:

And, in the course of the inquiry, you are hereby required to have regard to—

- (a) The report of the Chief Inspector of Air Accidents on air traffic control services, which was made to the Minister of Transport and which is dated 1 July 1982; and
- (b) The report by Messrs R. A. Pepall and T. F. Spriggs on air traffic control services;—
- but you shall not be bound by anything contained in those reports:

And, with the like advice and consent, I hereby appoint you, the said Sir Richard Bruce Bolt, to be the Chairman of the said Commission:

And for the better enabling you to carry these presents into effect you are hereby authorised and empowered to make and conduct any inquiry under these presents, in accordance with the Commissions of Inquiry Act 1908, at such times and places as you consider expedient, with power to adjourn from time to time and from place to place as you think fit, and so that these presents shall continue in force and the inquiry may at any time and place be resumed although not regularly adjourned from time to time or from place to place:

And you are hereby directed to exclude the public from any hearing at which evidence is taken or at which submissions are made in relation to the evidence; but this direction does not limit any of your other powers to hear proceedings in private or to exclude any person from any of your proceedings:

And you are hereby strictly charged and directed that you shall not at any time publish or otherwise disclose, except to me in pursuance of these presents or by my direction, the contents or purport of any report so made or to be made by you, or any evidence or information obtained by you in exercise of the powers hereby conferred upon you:

And it is hereby declared that the powers hereby conferred shall be exercisable notwithstanding the absence at any time of any one of the members hereby appointed so long as the Chairman or a member deputed by the Chairman to act in his stead, and one other member, are present and concur in the exercise of the powers:

And it is hereby declared that you have liberty to report your proceedings and recommendations under this Commission from time to time if you shall judge it expedient so to do:

And, using all due diligence, you are required to report to me in writing under your hand not later than the 29th day of October 1982 your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof.

Given in Executive Council under the hand of His Excellency the Governor-General this 19th day of July 1982.

P. G. MILLEN, Clerk of the Executive Council.