

230. The operations requirements stipulate that the aeroplane must be operated at such a weight that, on the evidence of the performance data scheduled in the aeroplane flight manual, it will be able to take-off from the particular aerodrome proposed, to clear all obstacles *en route*, and to land at the aerodrome of intended destination or at a planned alternate, all with prescribed margins of safety. The operations requirements further stipulate that a performance check establishing the foregoing shall be made before a flight is started, and that this check, which has to be made in a prescribed form, shall be held by the airline for six months and produced for inspection on demand.

231. While compliance with I.C.A.O. Standards is a responsibility of the State itself, and I.C.A.O. is not concerned with the internal administrative arrangements made within a State for discharging that responsibility, the I.C.A.O. proposals outlined above are not inconsistent with the following division of responsibility between the regulating authority and the airline operator. The function of the regulating authority is to issue or validate the certificate of airworthiness, to establish or accept the performance capabilities of the aeroplane scheduled in the aeroplane flight manual, to publish the pertinent aerodrome facts, and to prescribe in general terms the operational safety standards. In discharging this function the regulating authority need take no cognisance of the routes over which it is proposed to operate the aeroplane. The function of the airline operator is to check for each particular route, having regard to the data scheduled in the aeroplane flight manual, the aerodromes available, the meteorological conditions expected or forecast, and all other relevant considerations, that the aeroplane is operated so as to comply with the prescribed safety standards.

232. It is not yet practicable to implement in full the above proposals of the Airworthiness and Operations Divisions of I.C.A.O. Few aeroplanes are yet available with adequate performance capabilities, and the runway lengths available are in many cases inadequate to enable even such aeroplanes to be operated at full load. Hence the immediate problem is to devise regulations for the interim period. Such regulations must take account not only of passenger aircraft used on scheduled services, but of all other aircraft.

233. The devising of suitable regulations is a formidable task. The United Kingdom has been engaged on this task for more than two years. The text of the latest draft of the United Kingdom proposed regulations is given in Appendix G. This text is still in the formative stage.

234. It seems an unnecessary waste of effort for the New Zealand Civil Aviation Directorate to attack the difficult problem of devising performance regulations independently of the United Kingdom. Since both New Zealand and the United Kingdom are I.C.A.O. member States, each has the same task, except in so far as the legislative practices