

Reprint
as at 1 August 2020



**Outer Space and High-altitude Activities (Definition of
High-altitude Vehicle) Regulations 2017**
(LI 2017/251)

Patsy Reddy, Governor-General

Order in Council

At Wellington this 21st day of August 2017

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 88 of the Outer Space and High-altitude Activities Act 2017—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Economic Development.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry of Business, Innovation, and Employment.

Schedule 1
Transitional, savings, and related provisions

3

Regulations

1 Title

These regulations are the Outer Space and High-altitude Activities (Definition of High-altitude Vehicle) Regulations 2017.

2 Commencement

These regulations come into force on 21 December 2017.

3 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Outer Space and High-altitude Activities Act 2017

balloon means a non-power-driven lighter-than-air aircraft.

4 Transitional, savings, and related provisions

The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.

5 Balloons that are not high-altitude vehicles

- (1) A balloon is not a high-altitude vehicle for the purpose of the Act if—
- (a) its only payload is a radiosonde, or a radiosonde and 1 or more of the following:
 - (i) an ozonesonde:
 - (ii) a frostpoint sonde:
 - (iii) a backscatter sonde; and
 - (b) the purpose of the payload is solely to measure all or any of—
 - (i) pressure, temperature, and humidity:
 - (ii) wind speed and direction:
 - (iii) ozone concentration:
 - (iv) aerosols.
- (2) A balloon is not a high-altitude vehicle for the purpose of the Act if—
- (a) it is launched for educational purposes by or under the supervision of—
 - (i) a teacher at a school established under section 190 of the Education and Training Act 2020 or a teacher at a school registered under section 214 of that Act; or

- (ii) a member of the teaching staff at an institution within the meaning of section 10(1) of the Education and Training Act 2020 that is established under that Act; and
- (b) the payload (if any) carried by the balloon is—
 - (i) to be used solely for the purpose of describing or illustrating the progress of the balloon; and
 - (ii) of a type that is readily available to members of the public through retail sale in New Zealand.

Regulation 5(2)(a)(i): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 5(2)(a)(ii): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

6 Model rockets that are not high-altitude vehicles

A model rocket is not a high-altitude vehicle for the purpose of this Act if it—

- (a) is launched by a registered member of the New Zealand Rocketry Association from a launch site operated by that association; and
- (b) is a non-guided rocket using,—
 - (i) for propulsion, only components of a type that are readily available to members of the public through retail sale in New Zealand; and
 - (ii) only the electronic equipment that is needed for basic functionality as a rocket; and
- (c) has no payload other than either or both of the following:
 - (i) a parachute or other similar recovery support system (which may include for that purpose GPS or radio frequency trackers for recovery);
 - (ii) a payload that is to be used solely for the purpose of describing or illustrating the progress of the rocket and is of a type that is readily available to members of the public through retail sale in New Zealand.

Schedule 1

Transitional, savings, and related provisions

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Part 1

Provisions relating to these regulations as made

There are no transitional, savings, or related provisions relating to these regulations as made.

Michael Webster,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 24 August 2017.

Reprints notes

1 *General*

This is a reprint of the Outer Space and High-altitude Activities (Definition of High-altitude Vehicle) Regulations 2017 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Education and Training Act 2020 (2020 No 38): section 668