



WELLINGTON NEW ZEALAND

PURSUANT to Section 28 of the Civil Aviation Act 1990

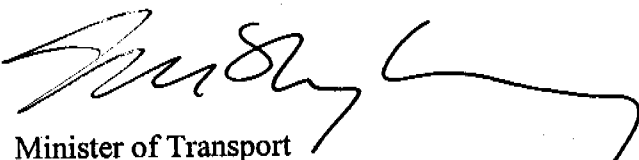
I, JENNIFER MARY SHIPLEY, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *16* day of *Oct.* 1997

by **JENNIFER MARY SHIPLEY**


Minister of Transport

Civil Aviation Rules

Part 61 Amendment No 3

Docket Nr. 1104

RULE OBJECTIVE, EXTENT OF CONSULTATION AND COMMENCEMENT

The objective of Part 61, Amendment No 3 is to revise existing personnel licensing rules and to introduce new ratings to regulate specialised aviation activities.

A draft of Part 61, Amendment No 3 was developed by the Rules and Standards Group which culminated in the issue of Notice of Proposed Rulemaking 96-14 under Docket 1104 on 27 November 1996.

The publication of this notice was advertised in the daily newspapers in the five main provincial centres on 27 November 1996. The notice was mailed to persons, including overseas Aviation Authorities and organisations, who were considered likely to have an interest in the proposal.

A period of 66 days was allowed for comment on the proposed rule. Thirty three written submissions were received in response to the Notice of Proposed Rulemaking.

The submissions and verbal comments were considered and where appropriate the proposed rules amended to take account of the comments made.

The rules as amended were then referred to and signed by the Minister of Transport.

Part 61, Amendment No 3 comes into force 28 days after notification in the Gazette.

Civil Aviation Rules
Part 61 Amendment No 3



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Part 61, Amendment No 3

Subpart A – General

Subpart A is amended by revoking rules 61.05 and 61.07 and substituting the following new rules:

“61.3 Definitions and abbreviations

In this Part—

Appropriate, in respect of a licence or rating, means applicable to the same category of aircraft:

Agricultural aircraft operation means the dispensing from an aircraft of an agricultural chemical or any other substance directly affecting agriculture, horticulture, or forest preservation:

Category, in respect of an aircraft, means the classification of an aircraft as an aeroplane, balloon, glider, hang glider, helicopter, microlight, or parachute:

Flight examiner means the holder of a flight examiner rating issued under Part 61:

Rating means an authorisation entered on a licence, certificate, or logbook, specifying additional privileges:

Single-pilot aircraft means an aircraft that is authorised by its aircraft flight manual to be operated with a minimum crew of one pilot for that flight:

Multi-pilot aircraft means an aircraft other than a single-pilot aircraft.

61.5 Requirement for licence and ratings

(a) **Pilot licence – New Zealand aircraft flown in New Zealand:** Except as provided in paragraphs (m) and (n), each pilot of a New Zealand registered aircraft within New Zealand must hold an appropriate current pilot licence—

- (1) issued under this Part; or

- (2) issued by the civil aviation authority of Australia; or
- (3) validated by the Director.

(b) **Pilot licence – New Zealand aircraft flown overseas:** Except as provided in paragraphs (m) and (n), each pilot of a New Zealand registered aircraft within a foreign country must hold an appropriate current pilot licence—

- (1) issued under this Part; or
- (2) issued by the civil aviation authority of Australia; or
- (3) issued or validated by the country in which the aircraft is operated; or
- (4) validated by the Director for that aircraft.

(c) **Pilot licence – Foreign aircraft flown in New Zealand:** Except as provided in paragraphs (m) and (n), each pilot of a foreign registered aircraft within New Zealand must hold an appropriate current pilot licence—

- (1) issued under this Part; or
- (2) issued by the civil aviation authority of Australia; or
- (3) issued or validated by the country of aircraft registry; or
- (4) validated by the Director.

(d) **Aircraft type rating:** Except as provided in paragraphs (m) and (n), each pilot of a New Zealand registered aircraft, or of a foreign registered aircraft within New Zealand, must hold a current type rating for that aircraft—

- (1) issued under this Part; or
- (2) attached to a licence recognised under paragraphs (a), (b), or (c).

(e) [Reserved].

(f) [Reserved].

(g) [Reserved].

(h) **Agricultural rating:** Except as provided in paragraph (m), each pilot-in-command of a New Zealand registered aircraft, or of a foreign registered aircraft within New Zealand, must hold an appropriate current agricultural rating issued under this Part, if conducting agricultural aircraft operations.

(i) **Pilot chemical rating:** Each pilot-in-command of a New Zealand registered aircraft, or of a foreign registered aircraft within New Zealand, must hold a current pilot chemical rating issued under this Part, if dispensing an agricultural chemical.

(j) **Instrument rating:** Except as provided in paragraphs (m) and (n), each pilot of a New Zealand registered aircraft, or of a foreign registered aircraft within New Zealand, operating under IFR, must hold—

- (1) an appropriate current instrument rating issued under this Part;
or
- (2) an appropriate current instrument rating attached to a licence recognised under paragraphs (a), (b), or (c).

(k) **Flight instructor rating:** Except as provided in paragraph (n), each person exercising the privileges of a flight instructor must hold an appropriate current flight instructor rating issued under this Part.

(l) **Flight examiner rating.** Except as provided in paragraph (n), each person exercising the privileges of a flight examiner must hold an appropriate current flight examiner rating issued under this Part.

(m) A student pilot who complies with Subpart C is not required to hold a pilot licence or rating.

(n) Pilots of balloons, gliders, hang gliders, microlights, parachutes, or powered gliders, are not required to hold pilot licences or ratings issued under this Part if the pilot is not flying the aircraft for hire or reward.

61.7 Licences and ratings

The following licences and ratings are issued under this Part:

- (1) private pilot licences (Aeroplane) and (Helicopter):

- (2) commercial pilot licences (Glider) and (Balloon):
- (3) commercial pilot licences (Aeroplane) and (Helicopter):
- (4) airline transport pilot licence (Helicopter):
- (5) airline transport pilot licence (Aeroplane):
- (6) [reserved]:
- (7) [reserved]:
- (8) aircraft type ratings:
- (9) [reserved]:
- (10) aerobatic flight rating:
- (11) glider tow rating:
- (12) parachute drop rating:
- (13) agricultural ratings Grade 2 and 1, (Aeroplane) and (Helicopter):
- (14) pilot chemical rating:
- (15) instrument ratings (Aeroplane) and (Helicopter):
- (16) flight instructor ratings Category E, D, C, B and A, (Aeroplane) and (Helicopter):
- (17) airline, general aviation, and restricted flight examiner ratings.

Subpart D – Private Pilot Licences

Revoke Rule 61.155, paragraph (c) and substitute the following new paragraph (c):

“(c) Notwithstanding paragraph (a)(1), the holder of a current private pilot licence may act, but not for remuneration, as pilot-in-command of an aircraft that is operated for hire or reward in order to—

- (1) tow a glider in flight, provided the operation is under the direct control of—
 - (i) the holder of an aviation recreation organisation certificate issued under Part 149 where the certificate authorises the holder to conduct that activity; or
 - (ii) until 31 March 1999, the New Zealand Gliding Association; or
- (2) carry persons intending to make a parachute descent, provided the operation is under the direct control of—
 - (i) the holder of an aviation recreation organisation certificate issued under Part 149 where the certificate authorises the holder to conduct that activity; or
 - (ii) until 31 March 1999, the New Zealand Parachute Federation.”

Subparts I and J

Revoke Subparts I and J and substitute the following new Subparts:

“Subpart I [Reserved]

Subpart J [Reserved]

Subpart K [Reserved]

Subpart L – Aerobatic Flight Rating

61.551 Eligibility requirements

- (a) To be eligible for an aerobatic flight rating a person shall—
 - (1) have satisfactorily completed an aerobatics ground course conducted by—

- (i) the holder of an aviation training organisation certificate issued under Part 141 where the certificate authorises the holder to conduct that course; or
 - (ii) the holder of an aviation recreation organisation certificate issued under Part 149 where the certificate authorises the holder to conduct that course; or
 - (iii) for gliders, until 31 March 1999, the New Zealand Gliding Association; and
- (2) have satisfactorily completed an aerobatics flight training course conducted by—
- (i) the holder of an aviation training organisation certificate issued under Part 141 where the certificate authorises the holder to conduct that course; or
 - (ii) the holder of an aviation recreation organisation certificate issued under Part 149 where the certificate authorises the holder to conduct that course; or
 - (iii) for gliders, until 31 March 1999, the New Zealand Gliding Association; and
- (3) have demonstrated competency in aerobatics to—
- (i) the holder of an aviation training organisation certificate issued under Part 141 where the certificate authorises the holder to conduct that assessment; or
 - (ii) the holder of an aviation recreation organisation certificate issued under Part 149 where the certificate authorises the holder to conduct that assessment; or
 - (iii) for gliders, until 31 March 1999, the New Zealand Gliding Association.
- (b) The holder of—
- (1) an aerobatic rating issued by a foreign contracting State to the Convention; or

(2) a New Zealand Defence Force pilot qualification—

is deemed to have satisfactorily completed the training required by paragraph (a)(1) and (2).

(c) A person who—

- (1) holds a current flight instructor rating with aerobatic privileges;
or
- (2) has passed a New Zealand Defence Force aerobatic assessment within the previous 2 years—

is deemed to meet all the eligibility requirements of paragraph (a).

(d) Until 31 March 1998, a person who—

- (1) held an approval issued in accordance with regulation 39(4)(b) of the Civil Aviation Regulations 1953 that was current on 31 March 1997, and who continues to satisfy the instructor who issued that approval of their competency to carry out those aerobatic manoeuvres, and who continues to operate under the supervision of that instructor; or
- (2) is approved by the holder of a Category A or Category B flight instructor rating to operate an aircraft in aerobatic flight to a specified height below 3000 feet, or to carry a passenger while in aerobatic flight, and who continues to satisfy the instructor who issued that approval of their competency to carry out those aerobatic manoeuvres, and who continues to operate under the supervision of that instructor—

is deemed to meet all the eligibility requirements of paragraph (a).

61.553 Issue

(a) When an organisation specified in 61.551(a)(3) is satisfied that the requirements of 61.551 for an aerobatic flight rating have been complied with, they shall issue the rating by entering the following statement in the person's logbook:

This is to certify that [name of person] has satisfied the requirements of Civil Aviation Rules Part 61 for this issue of an aerobatic flight rating.

(b) In addition, the holder of an aerobatic flight rating may apply to the Director to have the rating endorsed on their pilot licence.

(c) Upon receipt of an application under paragraph (b) and payment of the applicable fee, the Director may endorse the pilot licence.

61.555 Privileges and limitations

Subject to the privileges and limitations of the licence or certificate held, a current aerobatic flight rating authorises the holder to conduct aerobatic manoeuvres—

- (1) at least 3000 feet above the surface while carrying passengers; and
- (2) at least 1500 feet above the surface while not carrying passengers; and
- (3) below 1500 feet above the surface, while not carrying passengers, when authorised by the holder of an aviation recreation organisation certificate issued under Part 149 where the certificate authorises the holder to organise aviation events.

61.557 Recency requirements

(a) Except as provided in paragraph (b), the holder of an aerobatic flight rating shall not exercise the privileges of that rating after 2 years from the date of issue unless, within the previous 2 years, they have demonstrated their competency in accordance with the requirements of 61.551(a)(3) and a record to that effect has been entered in the holder's logbook.

(b) A person who completes the demonstration required by paragraph (a) within the calendar month before or after the date on which it is required is deemed to have completed the demonstration on the required date.

Subpart M – Glider Tow Rating

61.601 Eligibility requirements

(a) To be eligible for a glider tow rating a person shall—

- (1) have at least 200 hours flight time as a pilot in aeroplanes, including at least 100 hours as pilot-in-command of powered aeroplanes; and

- (2) have satisfactorily completed a course in towing gliders conducted by—
 - (i) the holder of an aviation recreation organisation certificate issued under Part 149 where the certificate authorises the holder to conduct that course; or
 - (ii) until 31 March 1999, the New Zealand Gliding Association; and
- (3) have demonstrated competence in the towing of gliders to—
 - (i) the holder of an aviation recreation organisation certificate issued under Part 149 where the certificate authorises the holder to conduct that assessment; or
 - (ii) until 31 March 1999, the New Zealand Gliding Association.

(b) A person who holds a glider tow rating issued by a foreign contracting State to the Convention is deemed to have satisfactorily completed the training required by paragraph (a)(2).

(c) A person who holds a current glider tow rating issued in accordance with Civil Aviation Safety Order 12, Part 22 is deemed to meet all the eligibility requirements of paragraph (a).

(d) Until 31 March 1998, a person who—

- (i) has logged at least 200 hours flight time in aeroplanes, including at least 100 hours as pilot-in-command of powered aeroplanes; and
- (ii) has a logbook entry that they have demonstrated to a flight examiner a sound knowledge of standard signals, safety practices, and emergency procedures related to glider training, and the ability to perform competently all normal towing manoeuvres whilst acting as pilot-in-command of an aeroplane towing a glider—

is deemed to meet all the eligibility requirements of paragraph (a).

61.603 Issue

(a) When an organisation specified in 61.601(a)(3) is satisfied that the requirements of 61.601 for a glider tow rating have been complied with, they shall issue the rating by entering the following statement in the person's logbook:

This is to certify that [name of person] has satisfied the requirements of Civil Aviation Rules Part 61 for this issue of a glider tow rating.

(b) In addition, the holder of a glider tow rating may apply to the Director to have the rating endorsed on their pilot licence.

(c) Upon receipt of an application under paragraph (b) and payment of the applicable fee, the Director may endorse the rating on the pilot licence.

61.605 Privileges and limitations

A current glider tow rating authorises the holder to act as pilot-in-command of an aircraft on glider tow operations subject to the privileges and limitations of their licence.

61.607 Recency requirements

(a) Except as provided in paragraph (b), the holder of a glider tow rating shall not exercise the privileges of that rating unless within the previous 12 months they have—

- (1) performed at least 6 glider tows; or
- (2) demonstrated their continued competency in accordance with the requirements of 61.601(a)(3)—

and a record to that effect has been entered in the holder's logbook.

(b) A person who completes the demonstration required by paragraph (a) within the calendar month before or after the date on which it is required is deemed to have completed the demonstration on the required date.

Subpart N – Parachute Drop Rating

61.651 Eligibility requirements

(a) To be eligible for a parachute drop rating a person shall—

- (1) have at least 200 hours flight time as a pilot, including at least 100 hours as pilot-in-command of the category of aircraft being used for the parachute drop; and
 - (2) have satisfactorily completed a course in dropping parachutists conducted by—
 - (i) the holder of an aviation recreation organisation certificate issued under Part 149, where the certificate authorises the holder to conduct that course; or
 - (ii) until 31 March 1999, the New Zealand Parachute Federation; and
 - (3) have demonstrated competence in the dropping of parachutists to—
 - (i) the holder of an aviation recreation organisation certificate issued under Part 149 where the certificate authorises the holder to conduct that assessment; or
 - (ii) until 31 March 1999, the New Zealand Parachute Federation.
- (b) A person who holds a parachute drop rating issued by a foreign contracting State to the Convention is deemed to have satisfactorily completed the training required by paragraph (a)(2).
- (c) A person who qualified to drop parachutists under Civil Aviation Safety Order 9, Part 4 is deemed to meet all the eligibility requirements of paragraph (a).
- (d) Until 31 March 1998, a person who—
 - (i) has logged at least 200 hours flight time, including at least 100 hours as pilot-in-command of the category of aircraft being used for the parachute drop; and
 - (ii) has a logbook entry that they have been briefed by a jumpmaster on the use of parachutes, parachuting operations, and emergency procedures; and

- (iii) has a logbook entry that they have demonstrated their competency in parachute drop operations to the holder of a Category A or Category B flight instructor rating who is qualified to drop parachutists—

is deemed to meet all the eligibility requirements of paragraph (a).

61.653 Issue

(a) When an organisation specified in 61.651(a)(3) is satisfied that the requirements of 61.651 for a parachute drop rating have been complied with, they shall issue the rating by entering the following statement in the person's logbook:

This is to certify that [name of person] has satisfied the requirements of Civil Aviation Rules Part 61 for this issue of a parachute drop rating.

(b) In addition, the holder of a parachute drop rating may apply to the Director to have the rating endorsed on their pilot licence.

(c) Upon receipt of an application under paragraph (b) and payment of the applicable fee, the Director may endorse the rating on the pilot licence.

61.655 Privileges and limitations

A current parachute drop rating authorises the holder to act as pilot-in-command of an aircraft on parachute drop operations subject to the privileges and limitations of their licence.

61.657 Recency requirements

(a) Except as provided in paragraph (b), the holder of a parachute drop rating shall not exercise the privileges of that rating unless within the previous 12 months they have—

- (1) performed at least 6 parachute drop flights; or
- (2) demonstrated their continued competency in accordance with the requirements of 61.651(a)(3)—

and a record that effect has been entered in the holder's logbook.

(b) A person who completes the demonstration required by paragraph (a) within the calendar month before or after the date on which it is required is deemed to have completed the demonstration on the required date.

Subpart O – Agricultural Ratings

61.701 Eligibility requirements

(a) To be eligible for the issue of a Grade 2 agricultural rating (Aeroplane) or (Helicopter) a person shall—

- (1) have at least 200 hours flight time as a pilot, including at least 100 hours as pilot-in-command in the appropriate category of aircraft, before commencing training for an agricultural rating; and
- (2) have satisfactorily completed a course of agricultural ground training conducted by—
 - (i) the holder of an aviation training organisation certificate issued under Part 141 where the certificate authorises the holder to conduct that course; or
 - (ii) the holder of an agricultural aircraft operator certificate issued under Part 137; and
- (3) have satisfactorily completed a course of agricultural flight training, in the applicable aircraft category, conducted by—
 - (i) the holder of an aviation training organisation certificate issued under Part 141 where the certificate authorises the holder to conduct that course; or
 - (ii) the holder of an agricultural aircraft operator certificate issued under Part 137; and
- (4) have demonstrated competency, orally and in flight, in agricultural operations, to—
 - (i) the holder of an appropriate current flight examiner rating conducting the assessment under an aviation training

organisation certificate issued under Part 141, where the certificate authorises that privilege; or

- (ii) the holder of an appropriate current Category E flight instructor rating who conducts that demonstration under the authority of the holder of an agricultural aircraft operator certificate issued under part 137.

(b) To be eligible for the issue of a Grade 1 agricultural rating a person shall—

- (1) hold at least a current commercial pilot licence; and
- (2) have a total of at least 1000 hours flight time experience as a pilot on agricultural aircraft operations, including at least 200 hours as pilot-in-command in the appropriate category of aircraft; and
- (3) have demonstrated competency, orally and in flight, in agricultural operations, to—
 - (i) the holder of an appropriate current flight examiner rating conducting the assessment under an aviation training organisation certificate issued under Part 141, where the certificate authorises that privilege; or
 - (ii) the holder of an appropriate current Category E flight instructor rating who conducts that demonstration under the authority of the holder of an agricultural aircraft operator certificate issued under Part 137.

61.703 Issue

(a) When an organisation specified in 61.701(a)(4), is satisfied that the requirements of 61.701 for a Grade 2 agricultural rating have been complied with, they shall issue the rating by entering the following statement in the person's logbook:

This is to certify that [name of person] has satisfied the requirements of Civil Aviation Rules Part 61 for this issue of a Grade 2 agricultural rating.

(b) When an organisation specified in 61.701(b)(3), is satisfied that the requirements of 61.701 for a Grade 1 agricultural rating have been complied with, they shall issue the rating by entering the following statement in the person's logbook:

This is to certify that [name of person] has satisfied the requirements of Civil Aviation Rules Part 61 for this issue of a Grade 1 agricultural rating.

(c) In addition, the holder of an agricultural rating may apply to the Director to have the rating endorsed on their pilot licence.

(d) Upon receipt of an application under paragraph (c) and payment of the applicable fee, the Director may endorse the rating on the pilot licence.

(e) A person who holds an agricultural rating granted under regulation 229 of the Civil Aviation Regulations 1953 is deemed to hold a Grade 2 agricultural rating issued under this Part.

(f) A person who holds an agricultural rating granted under regulation 229 of the Civil Aviation Regulations 1953, and who meets the experience requirements of 61.701(b)(2) is deemed to hold a Grade 1 agricultural rating issued under this Part.

61.705 Privileges and limitations

(a) Subject to paragraph (b), a current agricultural rating authorises the holder to act as pilot-in-command of an aircraft on an agricultural aircraft operation.

(b) The holder of a Grade 2 agricultural rating shall not act as pilot-in-command of an aircraft on agricultural aircraft operations which involve risk to any third party.

61.707 Recency requirements

(a) Except as provided in paragraph (b), the holder of an agricultural rating shall not exercise the privileges of the rating unless within the preceding 12 months they have successfully demonstrated competency in accordance with 61.701(a)(4) or (b)(3) as applicable, and a record to that effect has been entered in the holder's logbook.

(b) A person who completes the demonstration required by paragraph (a) within the calendar month before or after the date on which it is required is deemed to have completed the demonstration on the required date.

(c) The holder of a Grade 1 agricultural rating shall not act as pilot-in-command of an aircraft on agricultural aircraft operations which involve risk to any third party unless they have logged at least 25 hours pilot-in-command flight time in the type of aircraft being used, 10 hours of which have been logged within the immediately preceding 12 months.

Subpart P – Pilot Chemical Rating

61.751 Eligibility requirements

To be eligible for a pilot chemical rating, a person shall satisfactorily complete a training course in agricultural chemical application, with assessment, that is acceptable to the Director.

61.753 Issue

(a) When the organisation which conducted the training course required by 61.751 is satisfied that those requirements have been complied with, they shall issue the rating by entering the following statement in the person's logbook:

This is to certify that [name of person] has satisfied the requirements of Civil Aviation Rules Part 61 for this issue of a pilot chemical rating.

(b) In addition, the holder of a pilot chemical rating may apply to the Director to have the rating endorsed on their pilot licence.

(c) Upon receipt of an application under paragraph (b) and payment of the applicable fee, the Director may endorse the rating on the pilot licence.

(d) A person who holds a chemical rating granted under regulation 229 of the Civil Aviation Regulations 1953 is deemed to hold a chemical rating issued under this Part.

61.755 Privileges

A current pilot chemical rating authorises the holder to dispense an agricultural chemical from an aircraft on an agricultural aircraft operation in accordance with Part 137.

61.757 Recency requirements

(a) Except as provided in paragraphs (b) and (c), the holder of a pilot chemical rating shall not exercise the privileges of that rating after 3 years from the date of issue unless, within the previous 3 years, they have successfully completed a refresher course that is acceptable to the Director, and a record to that effect has been entered in the holder's logbook.

(b) A person who completes the refresher course required by paragraph (a) within three calendar months before or after the date on which it is required is deemed to have completed the demonstration on the required date.

(c) A person who holds a chemical rating issued under regulation 229 of the Civil Aviation Regulations 1953 may continue to exercise the privileges of that rating without a refresher course until 30 October 1997.

Subpart Q – Instrument Ratings**61.801 Eligibility requirements**

(a) Except as provided in paragraphs (b) and (c), to be eligible for an instrument rating (Aeroplane) or (Helicopter), a person shall—

- (1) hold a pilot licence, which includes the night flying privileges for that licence, for the appropriate category of aircraft; and
- (2) have flight time experience acceptable to the Director; and
- (3) after 1 January 1999, have satisfactorily completed a ground training course, conducted by the holder of an aviation training organisation certificate issued under Part 141, where the certificate authorises the holder to conduct that training, in the following subject areas—
 - (i) Air law: rules and regulations relevant to flight under IFR; related air traffic service practices and procedures; pre-flight preparations and checks appropriate to flight under IFR; operational flight planning; preparation and filing of air traffic services flight plans under IFR; altimeter setting procedures; interpretation and use of aeronautical documentation such as AIP, NOTAM, aeronautical codes and abbreviations, and instrument

- procedure charts for departure, en-route, descent and approach; precautionary and emergency procedures; safety practices associated with flight under IFR; radiotelephony procedures and phraseology as applied to aircraft operations under IFR; action to be taken in case of communication failure; and
- (ii) Flight navigation - IFR: practical air navigation using radio navigation aids; use, accuracy and reliability of navigation systems used in departure, en-route, approach and landing phases of flight; identification of radio navigation aids; and
 - (iii) Meteorology: interpretation and application of aeronautical meteorological reports, charts and forecasts; use of, and procedures for obtaining, meteorological information, pre-flight and in-flight; altimetry; aeronautical meteorology; climatology of relevant areas in respect of the elements having an effect upon aviation; the movement of pressure systems, the structure of fronts, and the origin and characteristics of significant weather phenomenon which affect take-off, en-route, and landing conditions; hazardous weather avoidance; and
 - (iv) Instruments and navigation aids: use, limitation and serviceability of avionics and instruments necessary for the control and navigation of aircraft under IFR and in instrument meteorological conditions; use and limitations of autopilot; compasses, turning and acceleration errors; gyroscopic instruments, operational limits and precession effects; practices and procedures in the event of malfunctions of various flight instruments; and
 - (v) Human Factors: human performance and limitations; and
- (4) have satisfactorily completed a flight training course, of at least 10 hours dual instruction in the appropriate category of aircraft which, from 1 January 1999, must be conducted by the holder of an aviation training organisation certificate issued under Part 141, where the certificate authorises the holder to conduct that training, in the following subject areas—

- (i) pre-flight procedures, including the use of the flight manual or equivalent document, and appropriate air traffic service documents in the preparation of an IFR flight plan; and
 - (ii) pre-flight inspection, use of checklists, taxiing and pre-take-off checks; and
 - (iii) procedures and manoeuvres for IFR operation under normal, abnormal, and emergency conditions covering at least: transition to instrument flight on take-off; standard instrument departures and arrivals; en-route IFR procedures; holding procedures; instrument approaches to specified minima; missed approach procedures; and landings from instrument approaches; and
 - (iv) in-flight manoeuvres and particular flight characteristics; and
 - (v) for multi-engine aircraft, the operation of the aircraft solely by reference to instruments with one engine inoperative or simulated inoperative; and
- (5) have passed written examinations that are acceptable to the Director, in the subject areas described in paragraph (3); and
- (6) have demonstrated to a flight examiner, either in an appropriate aircraft or in a ZFT simulator, the ability to competently perform the procedures and manoeuvres described in paragraph (4), that are applicable to the navigation systems on which the applicant is being tested; and the ability to—
- (i) operate the aircraft within its limitations; and
 - (ii) complete all manoeuvres with smoothness and accuracy; and
 - (iii) exercise good judgement and airmanship; and
 - (iv) apply aeronautical knowledge; and

- (v) maintain control of the aircraft at all times in a manner such that the successful outcome of a procedure or manoeuvre is never seriously in doubt.
- (b) To be eligible for an instrument rating, the holder of an unrestricted equivalent rating issued by a foreign contracting State to the Convention shall pass—
 - (1) the air law written examination required by paragraph (a)(5); and
 - (2) the flight test required by paragraph (a)(6).
- (c) To be eligible for an instrument rating, the holder of a green standard instrument rating issued by the New Zealand Defence Force shall—
 - (1) have passed a New Zealand Defence Force instrument flight assessment within the previous 3 months; or
 - (2) pass the flight test required by paragraph (a)(6).

61.803 Issue

- (a) When the Director is satisfied that the requirements of 61.801 for an instrument rating have been complied with, the Director shall issue the rating as an endorsement on the pilot's licence.
- (b) In addition, the holder of an instrument rating may apply to the Director to have any additional privileges of their instrument rating endorsed on their pilot licence.
- (c) Upon receipt of an application under paragraph (b) and payment of the applicable fee, the Director may endorse the additional privileges on the pilot licence.

61.805 Privileges and limitations

- (a) Subject to paragraph (b), a current instrument rating authorises the holder to act as a pilot-in-command or co-pilot of an appropriate aircraft under IFR.
- (b) To exercise the privileges of an instrument rating, the holder shall—

- (1) if in a single-pilot aircraft without an auto-pilot or co-pilot, have passed the instrument flight test required by 61.801(a)(6) or 61.801(c)(1) to single-pilot standard without the use of an auto-pilot; and
- (2) if in a single-pilot aircraft with auto-pilot, have passed the instrument flight test required by 61.801(a)(6) or 61.801(c)(1) to single-pilot standard with the use of an auto-pilot; and
- (3) if in a non-centrelines-thrust multi-engined aeroplane, have passed the instrument flight test required by 61.801(a)(6) or 61.801(c)(1) on a non-centrelines-thrust multi-engined aeroplane; and
- (4) if carrying out an instrument approach procedure under IFR, have certified in their pilot's logbook by a flight examiner that the holder has satisfactorily demonstrated competency on that approach aid or system; and
- (5) if only a Class 2 medical certificate is held, meet the instrument rating hearing standards of Part 67.

61.807 Recency requirements

(a) The holder of an instrument rating shall not exercise the privileges of the rating unless—

- (1) except as provided in paragraph (b), the holder of the rating—
 - (i) within the immediately preceding 12 months, has successfully demonstrated to a flight examiner competency in accordance with 61.801(a)(6) for the appropriate category of aircraft, and a record to that effect has been entered in the holder's logbook. A person who completes the demonstration within the calendar month before or after the date on which it is required, is deemed to have completed the demonstration on the required date; and
 - (ii) within the immediately preceding 3 months, has either met the requirements of paragraph (i), or completed not less than 6 hours instrument time, of which at least 2

hours were instrument flight time, or instrument time in a ZFT simulator, in the appropriate category of aircraft; and

- (iii) if pilot of a single-pilot aircraft under IFR without an auto-pilot or co-pilot, has demonstrated and recorded competency as specified in paragraph (i) as a single-pilot without the use of an auto-pilot; and
 - (iv) if pilot of a single-pilot aircraft under IFR with an auto-pilot, has demonstrated and recorded competency as specified in paragraph (i) as a single-pilot with the use of an auto-pilot; and
 - (v) if pilot of a non-centrelines-thrust multi-engine aircraft under IFR, has demonstrated and recorded competency as specified in paragraph (i) in non-centrelines-thrust multi-engine aircraft; and
 - (vi) if carrying out an instrument approach procedure under IFR has, within the immediately preceding 3 months, performed in flight or in an approved flight procedure trainer or approved flight simulator, an authorised instrument approach procedure using a similar type of navigation system; or
- (2) the pilot is conducting an IFR operation—
- (i) in accordance with Part 121 and under the authority of an air operator certificate issued under Part 119; or
 - (ii) under the authority of a current air service certificate issued under regulation 136 of the Civil Aviation Regulations 1953—

where the holder of the Part 119 or regulation 136 certificate satisfies the Director that its pilots have an equivalent level of instrument rating competency and the pilot only conducts the IFR operation in an aircraft operated under the authority of the holder's certificate.

(b) The holder of an instrument rating who does not comply with paragraph (a)(1)(ii) may be co-pilot of an aircraft on an IFR flight if the aircraft is not performing an air transport operation.

Subpart R – [Reserved]

Subpart S – Flight Examiner Ratings

61.901 Eligibility requirements

(a) To be eligible for the issue of an **Airline Flight Examiner Rating** a person shall—

- (1) for Part 135 operations, hold at least an appropriate commercial pilot licence; and
- (2) for Part 121 operations, hold an airline transport pilot licence; and
- (3) hold an appropriate flight instructor rating; and
- (4) have flight experience acceptable to the Director; and
- (5) have demonstrated to the Director the ability to perform the duties of an airline flight examiner.

(b) To be eligible for the issue of a **General Aviation Flight Examiner Rating** a person shall—

- (1) hold an appropriate Category A flight instructor rating; and
- (2) have flight experience acceptable to the Director; and
- (3) have demonstrated to the Director the ability to perform the duties of a general aviation flight examiner.

(c) To be eligible for the issue of a **Restricted Flight Examiner Rating** a person shall—

- (1) hold a current flight examiner certificate issued under the Civil Aviation Regulations 1953; or

(2) hold a current flight examiner approval issued by the Director.

(d) A person who holds a current flight examiner certificate issued under the Civil Aviation Regulations 1953, or a current flight examiner approval issued by the Director, is deemed to have demonstrated to the Director the ability to perform the duties of a flight examiner.

61.903 Issue

When the Director is satisfied that the requirements of 61.901 for a flight examiner rating have been complied with, the Director shall issue the rating by endorsing it on the pilot's licence.

61.905 Privileges and limitations

(a) Subject to paragraph (d), the holder of a current **Airline Flight Examiner Rating** may conduct flight tests required for the issue of pilot licences or for the issue or renewal of ratings, required by this Part, or for operational competency assessments, within an organisation operating under—

- (1) an aviation training organisation certificate issued under Part 141, where the certificate authorises the holder to conduct those flight tests for a Part 119 organisation; or
- (2) an air operator certificate issued under Part 119, where the certificate authorises the holder to conduct those flight tests; or
- (3) a current air service certificate issued under regulation 136 of the Civil Aviation Regulations 1953 where the certificate holder satisfies the Director that they can ensure an equivalent level of organisational control over their flight examiners.

(b) Subject to paragraph (d), the holder of a current **General Aviation Flight Examiner Rating** may conduct flight tests for the issue of pilot licences or for the issue or renewal of ratings, required by this Part, or for operational competency assessments for aircraft having a certified seating capacity, excluding any pilot seat, of less than 10 seats, within an organisation—

- (1) operating under an aviation training organisation certificate issued under Part 141, where the certificate authorises the holder to conduct those flight tests; or

- (2) operating under an air operator certificate issued under Part 119, where the certificate authorises the holder to conduct those flight tests; or
- (3) that employs, contracts, or engages a person who holds a delegation from the Director to conduct those flight tests.

(c) Subject to paragraph (d), the holder of a current **Restricted Flight Examiner Rating** may exercise the privileges that were specified in their flight examiner certificate or approval required by 61.901(c)(2), within an organisation operating under an aviation training organisation certificate issued under Part 141, where the organisation certificate authorises the conduct of flight tests.

(d) Subject to paragraph (e), to exercise the privileges of any flight examiner rating, the holder shall—

- (1) hold an appropriate current flight instructor rating with a type rating for the aircraft in use; and
- (2) have met the pilot licence requirements of paragraph 61.901(a)(1) or (2) as applicable to the operations for which the flight test is performed; and
- (3) have met the flight experience required by paragraphs 61.901(a)(4) or (b)(2), as applicable.

(e) Where the holder of a flight examiner rating is not exercising the privileges of that rating in flight as a required crew member, the holder is not required to hold a current medical certificate.

61.907 Recency requirements

(a) Except as provided in paragraph (c), the holder of a flight examiner rating shall not exercise the privileges of that rating unless, within the immediately preceding 24 months, they have demonstrated to the Director competence to exercise the privileges of that rating.

(b) For the holder of an airline flight examiner rating, the demonstration required by paragraph (a) shall include a simulator segment or flight segment, or both if required by the Director—

- (1) on the heaviest aircraft type (MCTOW) on which the flight examiner will examine, or on such other aircraft as the Director may require; and
 - (2) under the requirements in the Part appropriate to the privileges being sought.
- (c) A person who satisfies the requirements of paragraph (a) within the calendar month before or after the date on which it is required is deemed to have completed the requirements on the required date.

61.909 Transitional arrangements

(a) Persons who hold a current—

- (1) flight examiner certificate issued under the Civil Aviation Regulations 1953; or
- (2) flight examiner approval issued by the Director,

may continue to exercise the privileges of that certificate or approval until 31 December 1999 or until the expiry of that certificate or approval, whichever is the earlier.

(b) Persons approved to conduct a flight test, or other assessment, within the approved training scheme of a holder of a current air service certificate issued under regulation 136 of the Civil Aviation Regulations 1953 may—

- (1) continue to exercise those privileges until 31 December 1999, or until the cancellation of the approval by the Director, whichever is the earlier; and
- (2) apply to the Director for assessment of their experience in exercising privileges under paragraph (1) towards the issue of an airline flight examiner rating.”

CONSULTATION DETAILS

(This statement does not form part of the rules contained in Part 61.
It provides details of the consultation undertaken in making the rules.)

Introduction

Section 32 of the Civil Aviation Act prescribes procedures relating to the making of ordinary rules. These procedures include the requirement that every ordinary rule contain a statement specifying the extent of any consultation undertaken with such persons, representative groups within the aviation industry, or elsewhere, Government departments, and Crown agencies as the Minister in each case considers appropriate. The following consultation process was undertaken for Part 61 by the Civil Aviation Authority acting under delegation from the Minister of Transport.

Notice of Proposed Rule Making

To provide public notice of, and opportunity for comment on the proposed new rules, the Authority issued Notice of Proposed Rule Making 96-14 under Docket Number 1104 on 27 November 1996. This Notice proposed an amendment to Civil Aviation Rules Part 61 for Pilot Licences and Ratings

Supplementary Information

All comments made on the Notice of Proposed Rule Making are available in the rules docket for examination by interested persons. A report summarising each substantive contact with the Civil Aviation Authority contact person concerning this rule making has been filed in the docket.

Availability of the Document

Any person may view a copy of these rules at Aviation House, 1 Market Grove, Lower Hutt. Copies may be obtained from Publishing Solutions Ltd, PO Box 983, Wellington 6015, Telephone 0800 800 359.

Summary of Comments on Docket Number 1104 NPRM

GENERAL COMMENTS

Ansett New Zealand said the consultation time was too short; and they felt unable to properly assess the full implications of this NPRM until Parts 119 and 121 had been issued.

Aviation Sports Club said the time allowed for consultation was too short especially as it included the holiday period.

North Shore Aero Club telephoned to say they felt the consultative period was too short.

Civil Aviation Authority response to the above three comments is that, although the consultative period was short, in an attempt to co-ordinate with the new Civil Aviation Rules (CAR), it was more than the minimum required and, as this Summary of Comments shows, did not inhibit a full consultation. Also, if necessary, the second phase of this Part 61 revision could be used for any fine-tuning of this first group of Subparts.

Flightline Aeronautical College Limited "suggest that Christmas is not a good time for the detailed consideration required of an NPRM of this nature."

An individual commenter asked "Why is it that NPRM's appear to always come out prior to Xmas and Industry is expected to respond during Xmas break."

Civil Aviation Authority response to the above two comments is that the various stages of rule production come out throughout the year and that account is taken of holiday periods in determining how long can be allowed for reply.

Hawkes Bay & East Coast Aero Club Inc questioned the start of the consultative process with an NPRM as they believe "the NPRM goes straight to the Minister for the Final Rule" without opportunity for industry comment.

Civil Aviation Authority response is that starting with the NPRM is the correct procedure when the Part is only being revised, or when preliminary consultation has already taken place with the sector of industry concerned; and that considerable meaningful consultation does take place before final rule.

The Instructors Council asked why an informal draft was not used; why the first aid rating and other areas were not addressed; and why earlier submissions from them have not been actioned.

Civil Aviation Authority response is that an amendment to an existing Part commences at NPRM stage; that the other areas will be addressed in the second phase of this revision; and that their earlier submissions refer to rules in that second group of Subparts.

Air New Zealand Limited commented on the numbering of the Subparts and ask if some are missing.

Ansett New Zealand said "sub-parts B, C, D, etc to L and R is missing - why?"

Civil Aviation Authority response to the above two comments is that there has been some restructuring of Part 61, leading to a renumbering of some Subparts; and also that this revision of Part 61 is being done in two phases. Subparts were selected for this first phase either because they were necessary to support the new rules as soon as possible, or were already so fully developed and agreed with the relevant representative bodies that they were virtually complete. The remainder still need working through thoroughly without the pressure of the new rules deadline.

Air New Zealand Limited said, of the economic analysis, "The financial benefits are not gained by the person who bears the costs - therefore there is no offset."

Civil Aviation Authority response is that the cost/benefit analysis for new rules is a consideration of the overall cost/benefit to the whole aviation industry and not necessarily of the cost/benefit to individual parts of the industry - although the increase in training quality should balance the increased costs of certification.

Flightline Aeronautical College Limited suggested detailed changes for the VFR multi engine type rating and the multi engine instructor rating.

Civil Aviation Authority responses is that those ratings are not part of the present group of rules being processed, but that the comments will be carried forward for use when those particular ratings are being revised in the second phase.

Hawkes Bay & East Coast Aero Club Inc said all “The Ratings and Licences in Part 61 are inter-related and are best considered together.”

Civil Aviation Authority response is to agree with this comment but there were only the resources to process some selected Subparts in this first phase.

Hawkes Bay & East Coast Aero Club Inc specifically referred to “highlighting concern over supervision of junior instructors.”

Civil Aviation Authority response is to agree with this comment but consider the instructor rating Subpart sufficiently important to be processed in the second phase when adequate time would be available to work through the important issues.

Hawkes Bay & East Coast Aero Club Inc “strongly object to the publishing of the AC with Eligibility Requirements “to be developed...” and thus avoid the requirements being subject to public and democratic scrutiny. The docket should have been completed in detail before it was published.”

Civil Aviation Authority response is that this comment relates to the aerobatic flight rating, the glider tow rating, the parachute drop rating; and the agricultural rating. The issue of all these ratings is being devolved to industry. The NPRM therefore actually said “The details of these requirements will be developed in co-operation with the organisation(s) representing .. (the appropriate pilots).”

North Shore Aero Club telephoned concerns about the introduction of Part 141 requirements and put a strong case for the retention of the option of FAR type Part 61 organisations.

Waypoints Aviation said “in many places in the amendment there is a requirement to operate within an aviation training organisation certified under CAR Pt 141. However the current wording of CAR Pt 141 does not adequately make allowance for the smaller (perhaps ‘one-man’) training organisations who are quite capable of making a high standard of contribution. Consequently Pt 141 should be expanded by amendment to cater for small training organisations.”

Civil Aviation Authority response to the above two comments is that it recognises that one-person operators can be very good, but that the

organisational structure and certificate are required to assure them of this. One person operators may apply for Part 141 Certification either by themselves or in association with other individuals.

The Instructors Council “request that the rule be changed to state that Biennial Flight Reviews for PPL’s and CPL’s be conducted only by instructors employed by, or authorised by, licensed training establishments.”

Civil Aviation Authority response is that this is a matter for the second phase of the Part 61 revision, and that this submission has been carried over to that phase. Meanwhile, the introduction of Part 141 requirements is in accord with the Instructor Council request.

An individual commenter questioned the amount of consultation that had taken place with the NZGA.

Civil Aviation Authority response is that there has been considerable ongoing consultation with the NZGA, as there has been with other representative organisations. This consultation is intended to ensure as much agreement as possible is reached. However the final decision is the responsibility of the CAA and may have to take account of conflicting criteria.

Execair International Limited believe in general that the rules are “reasonable and acceptable”.

Wakatipu Aero Club Inc say that other than their comments they are “happy with Amendment 3”.

Civil Aviation Authority response is to thank Execair and Wakatipu A C for those two comments.

SPECIFIC COMMENTS

Subpart A — GENERAL

61.3 Definitions and abbreviations

Hawkes Bay & East Coast Aero Club Inc noted that “current” is defined as referring to a document rather than its holder, and “recommend that “Currency Requirements” be changed to “Recent Experience requirements” in the relevant sections.”

Civil Aviation Authority response has been to amend the term referred to.

Hawkes Bay & East Coast Aero Club Inc said the use of the word “appropriate” is “of concern” and “is too loose”.

Civil Aviation Authority response is that this qualification is necessary and that the word is already defined.

61.5 Requirement for licence and ratings

Air New Zealand Limited said “We would be interested in studying the analysis that leads to this conclusion regarding the proposal to accept Australian licences.”

Civil Aviation Authority response is that the acceptance of Australian pilot licences is in accordance with the Government’s Closer Economic Relations policy and The Trans Tasman Mutual Recognition Agreement. In addition, the CAA has considered the general recognition of each licence and rating individually from a technical perspective.

Air New Zealand Limited “have concerns regarding the acceptance of Australian licences. It would appear that blanket crediting of Australian licences lacks quality assurance” and ask for further discussion on several points.

Air New Zealand Limited made the same statement as above with regards to instrument ratings.

Civil Aviation Authority response to the above two comments is that Australian pilots regularly fly into New Zealand, just as New Zealand pilots fly into Australia. It is only a very small step from flying Australian aircraft in New Zealand to flying New Zealand aircraft in this country. In addition, a registration process will be required so that the CAA knows which Australian pilots are flying in New Zealand.

Air New Zealand Limited “note that Part 63 has a requirement for all non-New Zealand flight engineers to pass an examination in New Zealand law, and believe this same standard should apply to pilots.”

Civil Aviation Authority response is that the air law requirement is for any overseas licence holder to qualify for the issue of certain New Zealand licences. The recognition policy is for Australians only, and recognises the use of their Australian licence without the issue of a New Zealand licence.

Execair International Limited said “Good treatment of foreign validations and Aust licences.”

Civil Aviation Authority response is to thank Execair for this comment.

Flightline Aeronautical College Limited think a clause attached to the Australian licence use in NZ should be to pass a BFR as in their experience they “are well below the NZ standard and 3-5 hours of dual training “ is required.

Civil Aviation Authority response is that only fully current Australian licences will be accepted for use within NZ; that this requirement therefore already includes the Australian currency requirement; and that an additional BFR adds nothing to what an aircraft hirer would require.

Hawkes Bay & East Coast Aero Club Inc “support the Australian Licence Holders flying NZ aircraft as long as there is a simultaneous acceptance by Australian Civil Aviation Safety Authority and most importantly the Australian association does not downgrade the value of the NZ Pilot Licence to other countries.”

Civil Aviation Authority response is that CASA is working with the CAA on implementation of this inter-governmental mutual recognition policy; and that the CAA is examining the practical implementation of this policy for each type of licence or rating individually to ensure the policy is successful.

Rural Aviation (1963) Ltd “fully supports the initiative that permits Australian licensed pilots to fly New Zealand registered aircraft. We look forward to seeing this initiative extend to cover other countries, and also to encompass the acceptance of appropriate foreign maintenance licences.”

Civil Aviation Authority response is that the Trans-Tasman agreement covers LAME licences too; but is a bilateral arrangement between New Zealand and Australia only.

Mount Cook Airline said “The introduction of allowing Australian licensed pilots to fly NZ registered aircraft both within and outside of NZ means that the pilots will not necessarily have any knowledge of NZ regulations, Rules or other legislation. It would appear that the Director would not necessarily have any information of the pilot or the operation being undertaken. Can the Director exercise proper control?”

Wakatipu Aero Club Inc said they are “concerned about the safety repercussions of what is essentially a political decision where Australian licences are to be recognised in New Zealand and vice versa.”

Civil Aviation Authority response to the above two comments is that the recognition of Australian pilots is in accordance with Government policy and the CAA’s assessment of the practicalities of such recognition. The situation is little different to Qantas or other foreign pilots presently flying in and out of NZ. However, the inter-governmental agreement requires a registration procedure to allow the CAA proper control of the situation.

Air New Zealand Limited said “It would appear that for gliding, etc., no flight instructors rating is required at all for instructing as it is not for hire or reward.” And “We believe instructor ratings should be required regardless as it affects “grassroots” standards and we share the same airspace as these pilots.”

Civil Aviation Authority response is that instructor ratings are required for gliding, but that these requirements are not in Part 61, but are covered in Part 19 until they can be incorporated in the proposed Part 62.

Air New Zealand Limited further said “We believe all flight examiners should hold an examiner rating and licence. It is unacceptable that an “unqualified” anyone can provide flight examiner services.”

Civil Aviation Authority response is again that Part 19 covers the sport and recreational areas until equivalent flight examiner ratings can be developed in the proposed Part 62.

Air New Zealand Limited asked where are the requirements for the new basic gas turbine and first aid ratings.

Helicopter Services BOP Ltd asked about the ATPL(H), the technical training course for multi engine helicopters, and type ratings for first-of-type.

Wakatipu Aero Club Inc discussed “lack of training and experience in a mountainous environment, specifically turning low speed, low level, towards rising terrain” and “suggest that this problem is prevalent among NZ pilots let alone Australians who have even less opportunity for mountain flying training and experience”.

Civil Aviation Authority response to the above three comments is that these topics will be addressed during the second phase of the Part 61 revision which will contain the relevant Subparts. Meanwhile Part 19 addresses the first-of-type situation.

Hawkes Bay & East Coast Aero Club Inc said “Currency Requirements in Subparts M,N, P, and Q should have the 13 month period returned to the original 12 month period now that +/- one calendar month compliance time has been introduced. We believe this concept is an excellent practical approach that will lead to significant operational efficiencies.

Civil Aviation Authority response has been to make these requested amendments.

61.7 Licences and ratings

Air Nelson Limited said “An FRTO has until now been shown on the licences. Is this about to change?”

Civil Aviation Authority response is that the FRTO will remain as a licence prerequisite but will now be available as a stand alone, industry issued, rating.

Air New Zealand Limited asked why the FRTO needs to be listed as a separate rating.

Civil Aviation Authority response is that, in common with flight engineers and air traffic service licence rules, the FRTO will be covered by a new separate rating in the second phase of this Part 61 revision, in order to make it transferable; and also to make it available to non-licence holders who may

have a need for it now the Radio Frequency Service is no longer supplying FRTO certificates.

Ansett New Zealand said to remove references to FRTO, BGT, and first aid ratings.

Civil Aviation Authority response is to agree that these ratings are not part of the present revision. However the FRTO and BGT will be proposed as stand alone ratings, and a new first aid rating will be proposed in response to several industry submissions, in the second phase of this revision.

Hawkes Bay & East Coast Aero Club Inc “believe the correct procedure is to exclude the First Aid Rating from this amendment until the details have been correctly presented to Industry”.

Civil Aviation Authority response is to agree with this comment and to have already done exactly as suggested.

61.155(c) Privileges and Limitations

The New Zealand Gliding Association pointed out that the references in rule 61.155 to organisations certificated under Parts 104 and 105 should now refer to Part 149.

Civil Aviation Authority response has been to make the necessary amendment to update these references.

Subpart L — AEROBATIC FLIGHT RATING

61.551 Eligibility requirements

Aviation Sports Club said “any aeroclub which does not operate under either Pt. 141 or 149 will not be able to conduct aerobatic training or issue aerobatic ratings to its members”; “am very concerned that our club is soon to lose it’s ability to conduct aerobatic training”; and “do not believe that the proposed changes will improve safety”, and gives detailed reasons for these comments.

Civil Aviation Authority response is that neither the aerobatic rating, nor the training requirements for that rating, apply to ordinary aerobatic training flights conducted above 3000 feet by an instructor with an aerobatic endorsement, or above 1500 feet by an instructor with an aerobatic rating. It is only to train for the new aerobatic rating that a club would have to operate under a Part 141 or 149 certificate. The reason for the aerobatic rating is to provide a simple means of recognising the experience and ability required to carry passengers, or to perform aerobatics at lower altitudes, required by Part 91 operating rules.

The Guild of Air Pilots and Air Navigators “suggests that the teaching of formation flying be included in this subpart as part of the rating. The reasons mentioned in the economic analysis of raising the standards of training and flying, and thus reducing accidents are just as valid for formation flying as they are for aerobatics.”

Civil Aviation Authority response is to accept that formation flying would even justify a rating in itself; but that the criteria for deciding whether a special rating should be created is whether there is a requirement for it in the operating rules.

Mount Cook Airline said that because a spin is defined as an aerobatic manoeuvre, “an instructor teaching basic flying will need to hold an Aerobatic Flight Rating which to my mind is rather an excessive requirement.”

Civil Aviation Authority response is that aerobatic training over 3000 feet is a privilege of an aerobatic endorsed instructor rating rather than of the aerobatic flight rating.

New Zealand Aerobatic Club “point out that by and large we are happy with the overall results of our combined efforts. Your input and discussions have been most helpful.”

Civil Aviation Authority response is to thank the Aerobatic Club for this comment.

Air Nelson Limited said the assessment for the aerobatic rating should be restricted to Category B or A flight instructors.

Aviation Sports Club commented on the experience requirements detailed in the NPRM for the instructors who were to assess for issue of the aerobatic flight rating.

Hawkes Bay & East Coast Aero Club Inc said to be consistent with the glider tow and parachute drop ratings "should simply require the holder to demonstrate competency to an Instructor holding the rating."

United Aviation Limited said they believed the assessment be restricted "to the holder of a 'B' or 'A' Cat Flight Instructor Rating, who holds a current Aerobatic Flight Rating, and who has logged at least 50 hours of aerobatic flight instruction experience."

Civil Aviation Authority response to the above four comments is that this assessment has now been devolved to Part 141 or 149 organisations; and the detailed experience requirements for the instructors in the rule have therefore been removed.

61.555 Privileges and Limitations

Aviation Sports Club said "it's good to see the move toward the lower limit of 1500 ft while not carrying PAX, however the aerobatics training course given must include instruction on aerobatics down to 1500 ft."

Civil Aviation Authority response is that the passenger restriction does not apply to carrying pilots under training.

Flightline Aeronautical College Limited put a full case for the aerobatic rating to only allow aerobatic flight down to 3000 feet until further suggested experience has been gained and flight tests passed.

United Aviation Limited say they "see no need for Aerobatics to be carried out below 3000 AGL unless for display or competition purposes" and that the provision "should be revoked."

Civil Aviation Authority response to the above two comments is that the Part 61 rating merely services the general operating and flight rules developed in Part 91.

United Aviation Limited said "An Aerobatic Rating should only be exercised in aircraft which the pilot has demonstrated his Aerobatic competence in. A pilot who may be competent in a Cessna 152 may not be so in perhaps a Pitts special."

Civil Aviation Authority response is that in common with other ratings, the aerobatic rating is not type specific and must be used in conjunction with a type rating.

United Aviation Limited said "Provision should be made for minimum instructor experience, perhaps along the same guidelines as night instructor ratings, or in order to teach aerobatics experience required might be - C-CAT Minimum 15 hours aerobatic experience, B-CAT Minimum 50 hours aerobatic instruction, A-CAT Minimum 100 hours aerobatic instruction."

Civil Aviation Authority response is that this rating is for aerobatics rather than for instructors, but that during the revision of the instructors' rating, in the second phase, these points can be considered again.

61.557 Recency requirements

Hawkes Bay & East Coast Aero Club Inc believed "An Instructor Annual/Biennial Renewal will be regarded as meeting these requirements."

The Instructor Council said "Add the Instructor's Annual/Biannual Renewal will be regarded as meeting these requirements."

Civil Aviation Authority response to the above two comments is that this currency requirement is for the aerobatic rating, rather than for any aerobatic endorsement on an instructor rating. However when the instructor rating Subpart is revised, the comment will be considered again to see if any duplication can be removed.

The Instructor Council said they wished the recent experience requirements for aerobatics were better defined.

Civil Aviation Authority response is that the demonstration of continued competence is the same as the demonstration of initial competence; and this will be developed in the AC in co-operation with representatives of aerobatic interests.

New Zealand Aerobatic Club said “the most pressing issue is the one of “staying operational” after the 1 April in regard to low level clearances” and asked for “the necessary leeway for a period of up to twelve months for those with existing clearances”.

Civil Aviation Authority response has been to allow a transition period for current low level clearances until 31 March 1999. In addition general exemptions have been granted to cover the period until this revised Part 61 comes into force.

The New Zealand Gliding Association made a detailed submission regarding the aerobatic flight rating privileges for gliders.

Civil Aviation Authority response is that the requirements for aerobatic ratings are in Part 91. However Part 61 has been amended to allow any glider pilots, not just holders of a CPL(G), to gain an aerobatic rating if they wish.

Subpart M — GLIDER TOW RATING

Wellington Gliding Club Inc “is aware of and fully supports the submission of the NZGA on this Part”.

Civil Aviation Authority response is to note this comment.

61.601 Eligibility requirements

Auckland Gliding Club said “The P in C time of 100 hrs in powered aeroplanes should not be an absolute requirement - for example the present PPL requirement allows glider time to be allocated to the solo time for a PPL.” and “It is becoming increasingly harder to obtain and retain tow pilots.”

Hawkes Bay & East Coast Aero Club Inc “believe that the 200hr required listed here is excessive and not necessary as the 100hrs Pilot in Command is sufficient.”

The Instructor Council said “Delete 200 hours as it is too restrictive.”

The New Zealand Gliding Association said it did not want any change from the previous experience requirements.

Wellington Gliding Club Inc “is concerned that increased requirements will significantly increase costs both to individuals working towards tow ratings and to Clubs owning tow aircraft from the opportunity cost of non-towing utilization.”

An individual commenter suggested “150 hours PIC and minimum of 15 hours Crosscountry experience, Crosscountry experience has advantages in flying in climatic conditions that Glider pilots enjoy”, “Tow Pilots definitely need to have experience of flying gliders under Tow, suggesting 3 takeoff and landings for Tow Rating and minimum 1 glider tow annually.”

An individual commenter said the experience requirements should remain as they are and that “There is no need for the 5 hour pilot in command requirement.”

An individual commenter said he has “not found a problem with any of the pilots I’ve trained who met the previous requirement of 100 hrs in total incl 80 hrs P in C. Far more important is time on the A/C type being used” and suggests “at least 10 hrs on type to include 25 landings & take offs for the initial issue of a tow rating there after 10 take offs & landings in any subsequent type to be flown as a glider tug” and “Lack of familiarity with the type of A/C used has been the biggest problem when training prospective tow pilots.”

An individual commenter said “few Recreational PPL’s reach 200 hrs and this would make it very difficult for the gliding movement to find sufficient tow pilots.”

Civil Aviation Authority response to the above nine comments is that glider towing is a demanding form of flying; that fare-paying passengers and students are often in the towed glider; that 200 hours total time is the minimum in comparable areas; that glider experience is fully recognised within the total aeroplane time required; and that sufficient, suitable, experienced pilots are generally available. However, the CAA accepts that the rating need not be type specific, and that responsibility for experience on type may be left to the organisations concerned. Those organisations may also increase their requirements above the minimum required by Part

61. The CAA therefore believes the final package of experience, training, and assessment, meets the needs for issue of this rating.

Auckland Gliding Club asked “is the Motofalke or the Grob deemed to be a powered aeroplane?”

Civil Aviation Authority response is that for these purposes motor gliders are powered aeroplanes whilst under power.

Auckland Gliding Club asked “who authorises the certificate holder and what qualifications would that person/s require.”

Civil Aviation Authority response is that the Part 149 certificate holder is authorised by their certificate which is issued by the CAA. The qualifications are those required under the certification process for Part 149.

The Guild of Air Pilots and Air Navigators said “No minimum number of tows are mandated for eligibility requirements in this subpart, but they are mandated for currency requirements.”

An individual commenter said there should be “the requirement to have flown in a Glider while under Tow.”

Civil Aviation Authority response to the above two comments is that this is now an AC level of detail for agreement between the Part 149 organisation(s) and the CAA.

An individual commenter had “grave concerns with CAA’s apparent total reliance on A & B cat instructors for the issue of ratings”; “would suspect there would be very few instructors throughout the Country to be competent to issue a tow rating”; and “Heavy reliance on A & B Cat instructors denies the industry access to the wealth of knowledge and experience available outside the Aero Club scene especially when it comes to types of A/C and special skills not found around Aeroclubs.”

Civil Aviation Authority response is that the NPRM sought to devolve the issue of this rating to industry in the same manner as type ratings, but this function has now been taken a stage further and devolved to organisations who can determine the most suitable people for the task in accordance with Part 149.

An individual commenter said the assessment and issue of the rating should be included in the course conducted by the Part 149 organisation.

Civil Aviation Authority response is that, although listed separately, the assessment and issue has been devolved to the Part 149 organisation as suggested.

61.603 Issue

An individual commenter said “It is important that the issuing Officers are involved within the gliding movement and would suggest that most A or B Cat powered Instructors are not.”

Civil Aviation Authority response is that the use of A or B category instructors who held the particular rating paralleled the issue of type ratings, but that the CAA has now accepted this submission for the Part 149 organisation(s) to take responsibility for the issue of the ratings.

61.605 Privileges and limitations

An individual commenter said to delete the requirement for 5 hours experience on type.

Civil Aviation Authority response is to have done this as it is accepted that the rating is not type specific.

An individual commenter said “Rule Part 61.155(c)(1) should apply”; argues that an experienced PPL tow pilot is safer than an inexperienced CPL; and asks “Please do not use the word Club when referring to Gliding Groups as although they at present all operate under the NZGA they are not all clubs.”

An individual commenter said “I would delete 61.607 altogether as this rule is already covered by Part 61.155 section C, amend this part to include, minimum experience of 100 hours Towing and 500 completed Tows, e.g. if commercial rated pilot not available for operation it would be safer to have experienced pilot than lower hour pilot with less experience.

An individual commenter said the privileges and limitations should refer to those of the licence held.

Civil Aviation Authority response to the above three comments has been to amend the privileges and limitations to that of the licence held.

61.607 Recency requirements

Rural Aviation (1963) Ltd “request that consideration be given to amending the time limitation on this section to read “... within the previous 24 months ...” “ as “Such a change would bring the requirement into the same time cycle as the biennial flight review process and hopefully make compliance with the requirements, and monitoring of such compliance easier on the individuals and operators involved.”

Civil Aviation Authority response is to note the benefits of such a proposal but to recognise that there are reasons for the different periods that range from the 90 days for currency on type, to the 5 years of a younger private pilot’s medical certificate.

An individual commenter suggested to ensure the “Competence of Tow Pilots that they complete a minimum of 3 takeoffs and landings with a glider under tow yearly.”

An individual commenter said he has “no problem with 61.609 as it stands but would expect most Operations to implement higher requirements.”

Civil Aviation Authority response to the above two comments is that Part 61 is only a minimum and gliding organisations are free to increase their own requirements.

Subpart N — PARACHUTE DROP RATING

The New Zealand Parachute Federation said the final draft of the parachute drop rating “appears to be acceptable with the modifications as discussed and now incorporated“.

Civil Aviation Authority response is to thank the Parachute Federation for this comment.

61.651 Eligibility requirements

Hawkes Bay & East Coast Aero Club Inc “believe that the 200hr required listed here is excessive and not necessary as the 100hrs Pilot in Command is sufficient.”

The Instructor Council said “Delete 200 hours.”

Civil Aviation Authority response to the above two comments is that this time is unchanged from the CASO 9 requirement.

61.657 Recency requirements

Rural Aviation (1963) Ltd again “request that consideration be given to amending the time limitation on this section to read “... within the previous 24 months ...” “ as “Such a change would bring the requirement into the same time cycle as the biennial flight review process and hopefully make compliance with the requirements, and monitoring of such compliance easier on the individuals and operators involved.”

Civil Aviation Authority response again is to note the benefits of such a proposal but to favour assessing the needs of each period individually.

Subpart O — AGRICULTURAL RATING

The Aviation Industry Association of New Zealand (inc) said by telephone that they had checked the draft of this Subpart and agreed with it.

Civil Aviation Authority response is to thank the AIA for this comment.

61.701 Eligibility requirements

Garden City Helicopters Ltd asked that the requirement for a holder of a current Category E flight instructor rating to assess an applicant, be extended to allow this privilege to the holder of a flight examiner rating who already had the privilege of assessing Category E flight instructors.

Civil aviation Authority response has been to make this amendment.

61.705 Privileges and limitations

Mount Cook Airline said a “clause refers to ‘the holder’ being singular while the requirements refer to ‘they’ in the plural. Needs tidying”.

Civil Aviation Authority response is that the use of the third party plural pronoun is now a correct option for referring to the third party singular without specifying the gender.

61.707 Recency requirements

Helicopter Services BOP Ltd suggested adding the option of a demonstration “to a person approved to undertake check flights as required.”

Civil Aviation Authority response is that the intent is to devolve this responsibility to industry personnel meeting specified requirements, rather than approving individuals.

Subpart P — PILOT CHEMICAL RATING

The Aviation Industry Association of New Zealand (inc) said by telephone that they had checked the draft of this Subpart and agreed with it.

Civil Aviation Authority response is to thank the AIA for this comment.

An individual commenter asked why the word “pilot” was added to the rating.

Civil Aviation Authority response is that this was to distinguish it from non aviation chemical qualifications.

An individual commenter asked about “the role of an “E” Cat instructor in the process”.

Civil Aviation Authority response was that in the NRPM draft, this was a mechanism to use instructors to issue the ratings, as was being done with other industry issued ratings, but that these rating issues will now be done by the organisations that conduct the training courses.

Subpart Q — INSTRUMENT RATINGS

Bellview Flight Centre said of the economic analysis “Relating to Instrument Rating and Part 141 Approvals” that “I consider the cost/benefit situation is very much on the cost side. By this I consider the substantial costs involved by the smaller operator to become Part 141 approved will have the effect of closing down that side of their operation because the benefits will not be there.”

Civil Aviation Authority response is that the cost to an individual operator should be relative to the size of the operation, but that the overall benefits of Part 141 certification to the industry will exceed the overall costs.

Flightline Aeronautical College Limited said “In the last five years I have noticed a severe degradation in the standard of instrument ratings and would suggest that the instrument rating requirements need some fundamental changes that will improve this rating nationwide.”

Civil Aviation Authority response is that quality assurance through Part 141 certification is one response to this and development of the syllabus in the AC will be another.

An individual commenter said “I *would* favor and promote a proposal which increased the experience/qualifications for IFR Instructors from the present 50 hrs IFR.”

Civil Aviation Authority response is that this submission will be considered again during the amendment of the instructor rating Subpart of Part 61 later in 1997.

61.801 Eligibility requirements

Hawkes Bay & East Coast Aero Club Inc agreed with the requirement for night privileges but suggested details of crediting helicopter experience towards a fixed wing night rating.

Civil Aviation Authority response is that the night rating requirements will have to be addressed later in the appropriate licence Subparts rather than in this instrument rating Subpart.

The Instructor Council said “The requirement for night privileges in that category of aircraft is agreed with, but we believe that the corresponding AC 61.803 should include helicopter category hours credits for a fixed wing I/R and require the pilot to satisfy an A or B Category Instructor that the helicopter pilot can fly a fixed wing safely at night. The helicopter pilot being required to do no less than 1 hour dual and 10 take-off and landings as Pilot in Command in a fixed wing aircraft. A Night Fixed Wing Logbook Certification should be required after at least the minimum hours in fixed wing have been completed and the instructor is satisfied the pilot is flying the aircraft competently.”

Civil Aviation Authority response is that cross crediting between fixed wing and helicopter will be addressed in the AC.

Ansett New Zealand said “This para implies that the only way to obtain an instrument rating is from a 141 certified organisation. This means that every Aero club and flying school which has survived with this type of work will be faced with major costs and effort to comply. This fails to equate with the economic analysis that the rules are based on.”

Ansett New Zealand said of the economic analysis that “the words “ab initio training” need to be inserted as the current paragraph implies that all flight training must be a Part 141 Certified Organisation” and “all Aero clubs would need to be certified to 141. This is not a feasible expectation.”

Civil Aviation Authority response to the above two comments is that formalising professional training and requiring it to be conducted under certificated organisations is considered a major step towards improving standards and safety with benefits greater than the overall costs.

Bellview Flight Centre say in regard to Part 141 certification that “neither ourselves or many other small clubs/schools were consulted in relation to this requirement”.

Civil Aviation Authority response is that there was considerable industry input into the NPRM and the publishing of the NPRM then brings everybody into the process.

Bellview Flight Centre say “I totally disagree with the requirement that students must complete the ground training with a Part 141 school. This will have the effect of not allowing a student to self study for the exams.”

Civil Aviation Authority response is that Part 141 certification is available to the providers of correspondence courses and at least one has declared its intention to seek such certification.

An individual commenter put a full argument that Part 141 certification will not make good training courses any better.

Civil Aviation Authority response is that Part 141 certification will satisfy the CAA that all training courses are good, and will allow ongoing quality assurance of training rather than just quality control at the end of the process.

An individual commenter said Part 141 certification would give “a state sponsored monopoly” to larger organisations.

Civil Aviation Authority response is that Part 141 would be available, at an appropriate level, to any size of organisation that could meet the required standards.

An individual commenter said that at several different meetings it was “stated that 141 certification was only of interest/application to an organisation wishing to offer the reduced time (150 HR) CPL course.”

Civil Aviation Authority response is that this had been the intent, and policy, from the start of the Rules process right up to the implementation of Part 141 early in 1996. However the CAA policy towards the use of the existing Part 141 then developed towards requiring all professional training to be conducted under it, and the personnel licensing rules are been drafted in accordance with that direction.

Ansett New Zealand said of the flight training course “No mention of any simulator training to qualify for the 10 hours dual. Airlines use simulators not aircraft for this type of activity.”

Civil Aviation Authority response is that simulators may be used towards the total instrument time requirements. However the 10 hours dual is the aircraft training component of the requirements for the initial issue of the instrument rating - not for the ongoing training conducted by airlines.

Flightline Aeronautical College Limited said “the 10 hours dual instrument cross-country flight time under an IFR plan should be increased to 15 hours” as it is insufficient to teach the extras required for a good single pilot multi engine IR.

Civil Aviation Authority response is that the suggested details will be considered during the drafting of the AC but that the minimum times required are not intended as the standard for initial issue of a single pilot multi engine IR.

An individual commenter asked why “the NPRM does not mention the Synthetic Trainer phase of the IFR training.”

Civil Aviation Authority reply is that use of synthetic flight trainers is not a mandatory requirement and therefore does not have to be listed in the rules. Where the rules do list these devices as options, it is where there are only a small number of such options for their use. Otherwise, the use of synthetic flight trainers is either offered in the AC or is an alternative means of compliance which can be proposed.

The Guild of Air Pilots and Air Navigators “considers that the subpart is written for vintage aircraft. Within a few years it will be possible for a pilot to be trained on aircraft with ring laser gyro inertial reference systems. These aircraft (like most modern airliners) have no magnetic compass or conventional rotating gyros. They probably will not even have ADF” and that “The mandatory requirements to learn this possibly irrelevant data detracts from the concept of a requirement for a practical knowledge of the equipment the pilot is likely to operate. The Guild suggests that the IR instruments and navigation aids section of the theory syllabus be urgently reviewed. Consideration could also be given to including basic GPS operation.”

Civil Aviation Authority response is to agree that the syllabus requires to be kept under review, and that new technology needs to be recognised, but that pilots must also be aware of whatever aids they may find in use on older aircraft or as back-up systems.

Hawkes Bay & East Coast Aero Club Inc asked “Why not include the CPL Human Factors Syllabus as you did for meteorology?”

Civil Aviation Authority response is to agree with this suggestion and to have already done this in the NPRM.

Waypoints Aviation said the training requirements “need only list the five subject headings. The present expanded list is essentially syllabus content and should be incorporated into the Advisory Circular.”

Civil Aviation Authority response is that the new level of detail in the rule is that required to meet ICAO Annex 1 requirements. The AC will then be used as an acceptable example of how to expand this further.

Airways Corporation of New Zealand Limited said the “Instrument rating written examination syllabuses should include material on GPS.”

Airways Corporation of New Zealand Limited said the “Instrument rating flight test should include requirements for GPS procedures.”

Hawkes Bay & East Coast Aero Club Inc “believe it is vital that this amendment include the GPS in the I/R theory, flying, and flight test.” and “The recent AIC on GPS gives all the information to include GPS the same way ILS is covered.”

Civil Aviation Authority response to the above three comments is that this has been done.

The Guild of Air Pilots and Air Navigators said “Level turns. There is no altitude tolerance mentioned. Suggest 100 feet” and “DME Arc arrival. The descent on crossing designated radials should include “when required” to maintain profile instead of a requirement to descend to the next limiting altitude as soon as a designated radial has been crossed.”

Civil Aviation Authority response is that these comments will be used in developing the AC.

Air Nelson Limited pointed out the flight test syllabus in the AC specifies the required accuracy for recovery from unusual attitudes but does not specifically require the unusual attitudes themselves.

Civil Aviation Authority response is to accept this point and the AC will be amended accordingly.

Air Nelson Limited asked "What are "Particular flight characteristics"?"

Civil Aviation Authority response is that this is a rule level ICAO Annex 1 term that will be carried over to the AC for fleshing out.

Air New Zealand asked "What has taxiing to do with an instrument rating? We recommend this be changed to read "taxi checks."

Ansett New Zealand said "Checklists - should it not be use of checklists, taxi checks, and pre take-off checks."

Civil Aviation Authority response to the above two comments is that the words have been taken directly from Annex 1, and the punctuation makes clear that they refer to check-lists rather than taxiing.

Air New Zealand said flight tests, in approved flight simulators, should include engine failures at or after V1.

Air New Zealand said to amend "maintain best rate of climb speed, single engine" to "maintain best rate of climb speed or recommended speed with one engine inoperative" as "3 or 4 engine aircraft cannot climb on one engine and that the recommended climb speed on a swept wing jet aircraft is not always the best rate of climb speed."

Ansett New Zealand said single engine wording is not appropriate to three or four engine aircraft and that what is intended is one engine inoperative.

Mount Cook Airline said "We consider that the requirement for the simulated engine failure being 'at least 10 knots above safety speed' does not test the applicant's ability in handling this situation and that the requirement should be 'above safety speed'. We consider that this change does not introduce unacceptable safety hazards and a realistic demonstration is essential."

Mount Cook Airline said of the syllabus in the AC that “VASIS is still in use in New Zealand and should be included”; “What is a RMDI?” and “Surely GPS should be included as it will quickly become the primary navaid.”

Mount Cook Airline said of the syllabus in the AC that “The altitude for the circling approach demonstration should not be as nominated by the examiner but must be the circling minima appropriate to the category of aircraft or higher.”

Air New Zealand said of the syllabus in the AC that the altitude for the circling approach demonstration should not be as nominated by the examiner but should be “altitude - at MDA.”

Civil Aviation Authority response to the above seven comments is that all these details will be addressed in the Advisory Circular.

Mount Cook Airline said of the syllabus in the AC that “There is no benefit in a pilot demonstrating both a VOR and a NDB holding pattern” and also asks “Why the difference of 3 degrees for ADF and 2.5 degrees for VOR approach in the final segment”?

Civil Aviation Authority response is that these details will be addressed in the AC; but that the apparent difference in accuracy reflects the different graduations on the ADF and VOR instruments.

Flightline Aeronautical College Limited asked “would it be possible to give specific mention to ‘EFATO’ and ‘loading’ which are the two biggest dangers in light twin operations.”

Civil Aviation Authority response is that the rule only contains the core Annex 1 requirements and that this suggestion will therefore be addressed in an AC - which will be the AC for type ratings later this year.

Hawkes Bay & East Coast Aero Club Inc suggest “smoothness and accuracy” be clarified as “in accordance with the limitations detailed in Appendix II.”

The Instructor Council said the expressions “smoothness and accuracy”, “good judgement and airmanship”, and “never seriously in doubt” are subjective, do not detail required standards, and are poor phraseology.

Hawkes Bay & East Coast Aero Club Inc suggest that the ability to maintain control of the aircraft be enhanced with “and in multi-engine aircraft this includes allowance for OEO performance.”

Civil Aviation Authority response to the above three comments is that the rule requirement is what is required by ICAO Annex 1 and that the AC will be checked to ensure it provides any necessary clarification.

Helicopter Services BOP Ltd said “there should be provision for a Differences Flight Test where the person undergoing the flight test is already the holder of either a current helicopter or a current fixed wing instrument rating and wishes to validate his instrument rating on another type.”

Civil Aviation Authority response is that this will be addressed in the AC.

Helicopter Services BOP Ltd asked about “the ability to undertake a flight test in simulated IFR conditions using a single engine helicopter which may not necessarily be approved for IFR flight, but does have adequate instrument navigation aids for the test to be safely accomplished in simulated IFR during VFR conditions.”

Civil Aviation Authority response is that, while IMC may be simulated, the IR is intended for use under IFR and the flight test should therefore be undertaken under IFR.

Flightline Aeronautical College Limited said “it is potentially hazardous to award an instrument rating to a candidate who may have no experience of flying in I.M.C. For all of the airmanship and safety reasons which need not be rehearsed here there should be a minimum requirement of at least one hour actual time either before award of a rating or before it can be used in I.M.C.”

Civil Aviation Authority response is that this suggestion will be considered in drafting the AC.

Air Nelson Limited said “The use of a simulator for the flight phase should not be restricted to a zero flight time simulator.”

Air New Zealand said to “Delete “a ZFT Simulator” and replace with “an approved flight simulator”. At present we would not be able to comply on

the B767 and B747-200 flight simulators as they are not approved for ZFT training.”

Ansett New Zealand said “Demonstration to a flight examiner should be in an aircraft or a simulator at level 4 or better. Reason - CAT 37 allows issue of an instrument rating at level 4 and this level is totally adequate for the training and issue. It also covers the problem of a simulator slipping from level 5 to level 4 and not grounding an airlines operation.”

Civil Aviation Authority response to the above three comments is that there is provision for the use of a simulator during the training phase, but that this particular requirement is for the flight test and that only a ZFT simulator should be allowed as an alternative to an actual aircraft. It is also considered unlikely that B767 or 747 simulators would be used for this flight test.

Air New Zealand said “If the test is conducted in an approved flight simulator it may not be necessary for the flight examiner to act as a co-pilot. We would like provision for the test to be conducted with another suitably rated pilot acting as co-pilot and the examiner operating in an observer role.

Civil Aviation Authority response is that there is the flexibility in the system to meet specific needs such as that described.

An individual commenter said, in response to the fact that Part 91 no longer requires an auto pilot for single pilot IFR that “The first award of an IR be for two pilot operation until the first renewal and a certain minimum number of instrument flight hours is achieved;” and “The removal of the endorsement to single pilot be conducted without an auto pilot;” and “All subsequent renewals for single pilot operation be without auto pilot.”

Civil Aviation Authority response is that the flight test must cover whatever is required in practice, and the appropriate amendments have been made.

Air Nelson Limited said NZDF pilots should be required to pass a flight test for IR issue.

Hawkes Bay & East Coast Aero Club Inc believed a Civilian I/R flight test should be included as a requirement for these NZDF pilots.”

The Instructor Council say “Is a correctly issued NZDF green standard instrument rating sufficient with just an air law exam or should a CAA I/R flight test be also required. We believe a Civilian I/R flight test should be a requirement.”

Civil Aviation Authority response to the above three comments is that these are already the existing standards; and that the acceptance of a NZDF green standard instrument rating without a civilian flight test is restricted to NZDF pilots who are already currently flying in the same IR conditions as civilian pilots and have had an equivalent NZDF flight test within the preceding 3 months.

61.805 Privileges and limitations

Air Nelson Limited said “ILS should be included.”

Air New Zealand said the listed privileges should include ILS.

Ansett New Zealand said “Reference to ILS is missing.”

Ansett New Zealand said “Consider re-wording to state - under IFR using any navigation system, etc.”

Civil Aviation Authority response to the above four comments has been to consider whether to make the list inclusive, but to decide to accept the Ansett suggestion to remove the specific listings.

Air New Zealand referred to a draft of Part 91 and say “However Part 61 makes no mention of Category II or Category III endorsements.”

Civil Aviation Authority response is that neither Part 91 nor Part 61 requires these approaches to be endorsed as categories on the pilots’ instrument rating.

The Guild of Air Pilots and Air Navigators “supports the idea that the rating can be either type or operation specific.”

The Civil Aviation Authority response is to note this comment.

Helicopter Services BOP Ltd said, in reference to certification in the pilots' log book. That "provision should be made for the situation where the pilot has endorsed on his pilots licence as opposed to the log book."

Civil Aviation Authority response is that this provision is part of the devolution to industry of the legal qualification being in the logbook, without need to refer to the CAA, whilst any addition of a qualification to the licence is merely a user-pays service provided by the CAA on request.

Helicopter Services BOP Ltd said the Class 1 hearing requirement should be allowed to be met whilst wearing head sets.

Civil Aviation Authority response is that this submission will be carried forward and addressed during the revision of Part 67.

61.807 Recency requirements

Mount Cook Airline say "The requirement for IR competency flight tests is not annual but every 13 months."

Civil Aviation Authority response is that the requirement is annual, with the extra month now having been replaced, as a result of industry submissions, with a one month period either way, during which the renewal is dated from the actual annual due date.

Air Nelson Limited said "Reference to ZFT simulator is not correct. Other levels of simulator should be permitted as they are now."

Air New Zealand said to delete "a ZFT simulator" and replace with "an approved flight simulator" as an option to an actual aircraft for maintaining IR currency.

Ansett New Zealand said "Change ZFT simulator to level 4 or better."

Civil Aviation Authority response to the above three comments is that the drafted ZFT option is an alternative to the actual aircraft component only, and that non-ZFT simulators are already acceptable for the remaining instrument time. Other alternatives are also available to the airline industry.

Ansett New Zealand said of the "airline option" that "Para (1) restricts this privilege to 121 operators only, yet Para (2) will allow any operator for the period up to 119 certification. Wording for (1) and (2) should be altered to "Allow airline operators to ensure competency"."

Civil Aviation Authority response is that whilst the "airline" option is intended for Part 121 operators only, the control both pre and during Part 121 will be the requirement to satisfy the Director that their pilots have an equivalent level of instrument rating competency.

Air New Zealand asked "Why have the CAA said any approach will meet currency for PRA? This is a shift away from the two categories of precision approaches and non-precision approaches. We believe only an ILS approach should qualify for PRA currency as other approaches are significantly different to flying a PRA."

Air New Zealand said "Precision approaches should be defined as: approaches with positive vertical and horizontal guidance provided either by a ground based or satellite aid." These would be ILS, PRA, and GLS. Non-precision approaches would be LLZ, NDB, VOR, and GPS.

Ansett New Zealand said to "State precision is ILS. Non precision is any other aid."

Flightline Aeronautical College Limited explained they "do not see the VOR and the NDB as a similar aid." and "see this part of the rating being vastly improved if currency on both the VOR and NDB were carried out every 3 months."

Civil Aviation Authority response to the above four comments is that the rule has been amended to remove this detail which will now be addressed in the AC.

Air New Zealand said "We believe that the flight test for initial issue of the instrument rating and the renewal need not be the same." And "compass turns on limited panel only needs to be demonstrated on initial issue. However we believe unusual attitude recovery should be included annually, but on full panel, in line with recent trends from the FAA."

Civil Aviation Authority response is that flexibility is already available to the airline industry in these revised rules, but that identified potential

emergencies will still need to be addressed by operators who wish to maintain the IR competency of their own pilots.

Air Nelson Limited said “We believe currency requirements should stay as they are. The proposal to reduce hours to make it more available is illogical. Perhaps the PPL, commercial and ATPL hrs should be reduced for the same reason? 2hrs per month instrument is quite minimal to maintain currency.”

Air New Zealand said “With reference to the proposal to reduce the recent experience requirements, we believe it serves no purpose and it would reduce competency to below an acceptable level. A reduction in recent experience requirements would have an immediate negative impact on safety.”

Ansett New Zealand said “Stated proposal - request no change to current requirement. Having less current pilots under IFR will do nothing for safety or please the full-time IFR pilots operating in such an environment.”

Execair International Limited said “The notion that a pilot may be competent in all respects to operate IFR, possibly single pilot, with less than 6 hrs (hands on and auto pilot time remember) inst time in the last .25 of a year is too extreme and, if adopted, could definitely compromise safety.”

Flightline Aeronautical College Limited said “I would disagree to reducing the 6 hrs currency requirement on the grounds that the pilots I am exposed to who only do this time are barely ‘current’ procedurally.” and “The drop off in performance after peaking for the flight test is most times quite dramatic. Then for this pilot to do less than 6 hrs currency would be a vast decrease in the current standard, which I consider to be a minimum.” And “To use the ‘carrot’ of more pilots having access to this rating us certainly not what the industry needs in the potentially most lethal of the ‘ratings’ that we offer.”

Flightline Aeronautical College Limited said “Reducing the currency requirement below an already absolute minimum of 6 hours (4 in an approved device and 2 in an aircraft) on the grounds of making the qualification more available is reprehensible.”

The Guild of Air Pilots and Air Navigators said “the requirements mandated in this section should be the minimum for any operation. Lack of

recent practice in IMC has been cited by the TAIC as a contributing cause in several recent accidents.”

Hawkes Bay & East Coast Aero Club Inc said “Our experience suggests to us that it is not a good idea at all to reduce the 6 hours instrument time requirement for less qualified and less experienced I/R pilots. It could be reduced to 4 hours for pilots with over 500hrs IMC and 20hrs IFR in the last 12 months.”

Helicopter Services BOP Ltd “would support any lowering of the standards in order to meet the currency requirements.” And “Perhaps we should look at having a graduated system and I would suggest that if the pilot did not meet these currency requirements, he could still conduct en route IFR but if the weather at the destination was no more than 4/8 of cloud below 1000 feet above the missed approach minima, he should still be able to conduct the flight.”

The Instructor Council said “Our experience suggests to us that it is not a good idea at all to reduce the 6 hours instrument time requirement for less experienced I/R pilots. It could be reduced to 4 hours for pilots with over 500 hrs IMC and 20 hrs in the last 12 months.”

Rural Aviation (1963) Ltd “fully supports any initiative taken to encourage pilots to operate in the IFR environment, as opposed to attempting VFR transit at lower levels under marginal conditions.” And proposes an extension of the 3 month period to 6 months as “An amendment to this flight time requirement brings it into line with the 6 hours/6 months required in the USA.”

Rural Aviation (1963) Ltd also proposes an extension of the 3 month period to 6 months for instrument approach procedures under IFR as “An amendment to this approach currency requirement will make it somewhat easier for a pilot to remain current and competent, and hence be able to operate in the IFR environment when the need arises.”

Waypoints Aviation said the recent experience requirement “is adequate as it presently reads. I do not think the currency requirement should be reduced, as IFR flight requires currency to be safe.”

Civil Aviation Authority response to the above thirteen comments is to thank the writers for answering this specific request for comment on this

submission, and to accept those comments by leaving the present currency requirements unchanged.

Ansett New Zealand said if an approved flight procedure trainer “is acceptable for currency it should also be acceptable for initial training to obtain hours requirements for an issue of an instrument rating.”

Civil Aviation Authority response is that simulator time is already acceptable towards the hours requirement but that a specified minimum of flight time is still required.

Ansett New Zealand said the airline option “fails to recognise or acknowledge qualifications and skills from one certification level to another, e.g. an airline pilot under Part 119 flying part-time for an Aero club or in a private IFR capacity.”

Execair International Limited point out that when pilots’ IR currency is tied to their employment, it can not be used outside that employment.

Civil Aviation Authority response to the above two comments is that the airline option is an airline privilege and not an individual pilot’s. The airline is unlikely to be extending its training and checking to cover the local aero club, and the training and checking that the pilot received from the airline would almost certainly be multi crew rather than the single pilot requirements more typical of private flying. The situation has not changed from the existing situation of the airline multicrew IR renewal not meeting the different standards of the single pilot IR renewal.

Mount Cook Airline say “The Rule should allow for Part 121 and 135 operators to record the demonstration of competency in the operators records as an alternative to endorsement of the holders logbook. This is current practice.”

Civil Aviation Authority response is that this option is available for Part 121 operators. However, Part 135 can include such small operators that the normal GA requirements of individual records will still apply.

Rural Aviation (1963) Ltd “note with interest the current initiatives in the USA to permit PC based instrument training systems to be used by pilots as a component of ensuring ongoing proficiency. We trust that New Zealand will follow the US developments in this area, and tap into the considerable safety benefit that we believe can be gained in this area.”

Civil Aviation Authority response is that they understand the FAA is being very cautious in this area, and that although the CAA will observe these developments, it is unlikely that they would replace the conventional currency requirements.

The Guild of Air Pilots and Air Navigators say they are "aware that there are many types of aircraft, including most jet transports, that are impossible to operate safely, other than by reference to instruments. Apart from operations up to V1 and taxiing in after landing, all other time could be included in the instrument time requirements. The definition of instrument time as opposed to instrument flight time should be reviewed and included in the Rule."

Civil Aviation Authority response is to fully agree with these comments which, while not relevant to a pilot obtaining an instrument rating, were an important factor in allowing the "airline option" for retaining currency.

The Guild of Air Pilots and Air Navigators said "The numbering of the AC should correspond to the numbering of the Rule."

Mount Cook Airline also pointed out the incorrect reference in the AC.

Air New Zealand also pointed out the incorrect reference in the AC.

Ansett New Zealand also pointed out the incorrect reference in the AC.

Civil Aviation Authority response to the above four comments has been to correct this typographical error.

Subpart S — FLIGHT EXAMINER RATINGS

Air Nelson Limited asked "How are the terms Airline Flight Examiner and General Aviation Examiner going to be defined? Is it a weight break or No of seats?"

Civil Aviation Authority response is that they are associated with their respective sectors of the aviation industry, and are best defined in terms of their privileges and limitations.

Air New Zealand “has a concern with the impact Part 61 subpart S will have on Part 121 operations.”

Ansett New Zealand asked about the relationship between Part 61 ratings and Part 121.

Civil Aviation Authority response to the above two comments is that Part 61 is co-ordinated with Part 121 through the recognition that Part 61 merely provides Flight Examiner Ratings, and it is then up to the certification process under Part 119 to determine how those ratings are used.

Hawkes Bay & East Coast Aero Club Inc “support the Flight Examiner Rating, and support the proposal that the FE Rating can only be exercised when working for a certified training organisation.”

Civil Aviation Authority response is to thank Hawkes Bay & East Coast Aero Club for this comment.

61.901 Eligibility requirements

Air New Zealand asked for an amendment to the currency requirements to “allow simulator instructors without a current medical certificate to be eligible to hold a flight examiner rating.”

Civil Aviation Authority response has been to make the requested amendment.

Air New Zealand asked “What qualifications and experience will the CAA Testing Officer have to meet?”

Civil Aviation Authority response is that the senior technical expertise is held at flight examiner level. To clarify the relationship, the term “CAA testing officer” has been replaced with “the Director”.

Ansett New Zealand said a general aviation flight examiner rating should be available to Category A or B instructors or to those with flight experience acceptable to the Director. “Category A Instructor requires an aerobatic approval. Many pilots do not like aerobatics and should not be penalised for this fact.”

Flightline Aeronautical College Limited said of the requirement for a Category A flight instructor rating “This is a mandatory change as I see it. The experience at the ‘B cat’ level is never a constant in GA and at times very low” and refers to B cats who ask “if they can do a flight examiner rating just because it is a rating they do not hold, and its the next thing to tick off the list. Or something to get out of the way before going to the airlines. In my experience ‘A cats’ seem more committed to GA.” and “would be concerned to see ‘B cats’ who had moved through the system fairly quickly coming back into GA after moving to an airline and doing the odd testing as happens with the ‘D cat’ multi engine training at the moment. These peoples input and cross pollination is invaluable to GA up to a point, but they can tend on the other hand to get bogged down in ‘the airline way’ or what is relevant to the airlines as opposed to the basics that must be taught.”

Civil Aviation Authority response to the above two comments is that to maintain the highest standard, general aviation flight examiner ratings should remain at Category A level.

Ansett New Zealand said “The document lacks information as to how we get from Transitional Flight Examiner to Airline Flight Examiner Rating. Is it correct to assume that because we already hold D Cats and APL approvals and have already demonstrated to a CAA examiner ability to perform the duties, on reaching 121 certification the approval is automatic?”

Civil Aviation Authority response is that eligibility for each rating simply depends upon meeting the specified prerequisites. Certification, which is under Part 119, is not a prerequisite for the issue of a rating, although it can be a condition of the use of that rating. It should be noted that the Restricted (as the Transitional is now called) Flight Examiner Rating is a transitional qualification for GA flight examiners who are not yet qualified for a full General Aviation Flight Examiner Rating. It is not relevant to the airline industry where all existing flight examiners should be eligible for the Airline Flight Examiner Rating and where transitional arrangements exist to cover the period before they are issued with their full rating.

Ansett New Zealand said the flight examiner “requirements for Part 121 and Part 135 operations should not be different”, “An instrument rating is still an instrument rating”, and “Use Part 135 requirements as the standard.”

Mount Cook Airline said “The requirements for instrument flight time vary enormously for Part 121 and 135 and for the Part 121 are far too high.”

Waypoints Aviation said that the Airline Flight Examiner flight experience requirements in the AC for “Pt 121 and 135 should be the same standard at this level, and only 300 hrs instrument flight time is required.”

Civil Aviation Authority response to the above three comments is that if Part 121 and 135 standards were to be the same, then the standards for these air transport operations would have to be that of Part 121.

Ansett New Zealand asked for more details about the airline flight instructor rating.

Mount Cook Airline said they “presume that a D category instructor rating will suffice” where an airline flight examiner rating requires the holding of an instructor rating.

Civil Aviation Authority response to the above two comments is that this is a new term that has been introduced in the AC for the Category D flight instructors employed in the airlines, in order to separate them from the GA Category D flight instructors who have a different function. These ratings will be developed further in the second phase of the Part 61 revision.

Ansett New Zealand made several comments on the need for transitional arrangements.

Rex Aviation said they are concerned that their current staff who are on the Approved Persons List will not have time to complete an Airline Flight Examiner Rating by the time this Subpart comes into force.

Civil Aviation Authority response is that they believe all reasonable contingencies have been anticipated, and adequate transitional and grandfather provisions have been provided.

Flightline Aeronautical College Limited said of the experience requirements for GA flight examiner IR examiner privileges “These hours are in my opinion more piratical than the current requirements.”

Civil Aviation Authority response is that their comments will be considered in the development of the AC.

Helicopter Services BOP Ltd said “The requirement to hold an A category flight instructors rating is too high a requirement and would rule out many valuable people in the industry who have a lot to offer with regard to flight examination training, particularly in the helicopter field. I suggest that the holder could be a person with even a D Cat instructors rating provided they display the right attitude and approach to the task at hand. I do not accept that only A Cat instructors are capable of performing this task. The exclusion of all others has resulted in the situation we currently have in the helicopter industry where there are very few A Cat instructors who are qualified to undertake instrument rating renewals.” and “In addition, generally, A Category instructors have specialised in instructing for the majority of their life and quite often have little operational experience. As a result they may not necessarily pick up on some of the more important operational issues particularly as aviation develops and the training syllabus tends to lag behind.”

Civil Aviation Authority response has been to recognise these skills of different instructor ratings by distinguishing between the operational Airline Flight Examiner and the qualifying General Aviation Flight Examiner.

Helicopter Services BOP Ltd said “the requirement for multi engine privileges of 1000 hours pilot in command may be excessive and perhaps 400 would be a more realistic limit for helicopter operations.” and “Once again these requirements may be extremely high for helicopter type 135 operations and may preclude most pilots from being flight examiners.”

Mount Cook Airline said of the AC that “The clause in italics regarding single pilot tests and tests of pilots who do not hold an instrument rating is totally unclear as to what it requires and why.”

Mount Cook Airline said of an introductory phrase in the AC that “Use of the word ‘says’ is very clumsy and should be refined.”

Civil Aviation Authority response to the above three comments is that they will be addressed in drafting the AC.

Rex Aviation said they are concerned that their staff would not be eligible for an Airline Flight Examiner Rating as they would be operating under their present Regulation 136 Air Service Certificate for a period until becoming certificated under Part 135.

Civil Aviation Authority response is that the reference to Part 135 is not a restriction, but a recognition that operating under different Parts requires different levels of qualifications.

An individual commenter says he acknowledges “the principle that the Category “A” Instructor Rating should be the prerequisite for a General Aviation Examiner Rating” but asks that there be provision for current holders of flight examiner certificates who do not hold a Category A flight instructor rating.

Civil Aviation Authority response is that the Restricted Flight Examiner Rating is specifically drafted to meet this purpose.

61.903 Issue

Ansett New Zealand said of the transition arrangements that “12 months is an inappropriate time frame as it should be applicable for the period of transition to Part 135 or Part 121 certification.”

Civil Aviation Authority response is that the period is relevant to the transition to new personnel qualifications, not to the transition to new operating rules. However the transitional provisions have now been redrafted and the period extended until 31 December 1999.

Waypoints Aviation asked if the provision, to deem persons who meet the eligibility requirements to hold that rating for a period of 12 months, only applies to the Transitional Flight Examiner Rating?

Civil Aviation Authority response is that the transitional provisions, which have now been redrafted, apply to all three Flight Examiner Ratings in order to provide as seamless a transition as possible.

61.905 Privileges and limitations

Air Nelson Limited asked questions about the applicability of Transitional Flight Examiner Ratings to the airlines.

Civil Aviation Authority response is that the Restricted rating is not intended for the airlines as, unlike GA, almost all existing privilege holders would qualify for issue of the appropriate full rating.

Air New Zealand asked that as an alternative to holding a type rating, a person may have “successfully completed the ground and simulator phases for the issue of a type rating.” to “permit an airline to use simulator flight examiners without them completing aircraft circuit training.”

Civil Aviation Authority response is that it believes there are more appropriate ways of addressing this situation.

An individual Commentator said their flight examiner certificate to issue glider tow ratings will entitle them to a Transitional Flight Examiner Rating but that they should be allowed to use it under a Part 149 organisation rather than a Part 141 organisation.

Civil Aviation Authority response is that this has been addressed under the changes to the assessment requirements for glider tow ratings which will not require a Flight Examiner Rating, if the privilege is being exercised within a Part 149 organisation.

An individual Commentator said that although they will qualify for a Transitional Flight Examiner Rating they do not hold the instructor rating required to exercise it.

Civil Aviation Authority response is that this is an anomalous situation. However the person will be able to continue to assess tow pilots under a Part 149 organisation although the flight examiner rating will not be current.

Waypoints Aviation said “There is no need for the holders of a General Aviation Flight Examiners Rating or Transitional Flight Examiners Rating to exercise those privileges within an aviation training organisation certified under CAR Pt 141. This requirement contributes nothing directly to improved flight safety as the holders are suitably assessed on application and during the competency demonstration required under 61.909(a). If this requirement is introduced there will be a steady reduction in competition and availability of flight tests with a commensurate increase in costs for no benefit.”

Civil Aviation Authority response is that after several years of development of this concept, Flight Examiners will hold individual ratings as personal qualifications but will use those qualifications to exercise their privileges within certificated organisations. There is an increasing trend towards instructor ratings being used within certificated organisations and it would be anomalous for examiner qualifications to be different.

Waypoints Aviation said it “should specify that the flight examiner need not be current on type.”

Civil Aviation Authority response is that a flight examiner is only required to be current on type when they are pilot-in-command or otherwise a part of the necessary flight crew.

61.907 Recency requirements

Air Nelson Limited said of CAA testing officers “Not acceptable. FTOS (CAA) do not maintain current aviation experience on type and have less experience on type than current Flight Examiners - Airlines should have their own internal check procedures, which can when required be audited.”

Civil Aviation Authority response is to agree with this statement and to confirm that this is effectively what is being proposed. In addition, to clarify the relationship, the term “CAA testing officer” has been replaced with “the Director”.

Ansett New Zealand said this “conflicts with the aim of the document” as “Companies such as Ansett New Zealand already have processes in place to revalidate our instructor approvals and maintain standards in this area.”

Civil Aviation Authority response is that industry flight examiners will certainly maintain the currency of instructors; and that the CAA’s role is to maintain the currency of those examiners and check the industry processes and standards.

Execair International Limited said “compliance can raise difficulties if options aren’t available when needed, eg. “attendance at seminars” has been a previous requirement/option but seminars haven’t been available to

attend (not in my experience as a FE). Some further guidance/commitment by the CAA is probably needed here before the currency requirements can reasonably be accepted”.

Civil Aviation Authority response is that appropriate options are being developed and will be available by the time they are required.

Mount Cook Airline put a case that “The proposal to require demonstration every 24 months is too onerous. Suggest 48 months or greater would be more appropriate.”

The Instructor Council said the currency requirements for flight examiner ratings should be one year instead of two.

Civil Aviation Authority response is that at the level of responsibility that is being entrusted to a flight examiner, a two year currency requirement is not unreasonable; and was only drafted at two years because the CAA does not have the resources to conduct annual assessments.

An individual commenter said the currency requirements “seems a bit of an overkill for a Tow Rating Examiner. Would it be more practical for currency of this rating to be the responsibility of the Part 149 organisation.”

Civil Aviation Authority response is that this is now the case for that particular privilege.

An individual commenter suggested details for a specific Flight Examiner Rating (Glider Towing).

Civil Aviation Authority response is that this privilege has now been devolved to the Part 149 organisation.

Wakatipu Aero Club Inc asked if “for the purposes of demonstrating to a CAA testing officer currency requirements that an ASL testing officer would be acceptable.”

Civil Aviation Authority response is that demonstrations to the CAA are the highest level of assessment of industry and are therefore a function of the CAA. Industry flight examiners, including the testing officers referred to, come under the rule requirements to demonstrate their competency to the CAA.

Wakatipu Aero Club Inc asked if “bi-annual Instructor rating and Reg’s 76 checks would have to be with CAA persons if one is a flight examiner.”

Civil Aviation Authority response is that the normal requirements for instructor and pilot checks still apply.

List of Consultants.

Air Nelson Limited

Air New Zealand Limited

Airways Corporation of New Zealand Limited

Ansett New Zealand

Auckland Gliding Club

The Aviation Industry Association of New Zealand (inc)

Aviation Sports Club

Bellview Flight Centre

Execair International Limited

Flightline Aeronautical College Limited

P.J Galloway of Mount Cook

Garden City Helicopters Ltd

The Guild of Air Pilots and Air Navigators

Hawkes Bay & East Coast Aero Club Inc

Helicopter Services BOP Ltd

Instructors Council

John Maber

T A Middleton of Wakefield

Mount Cook Airline

Mark Mullins of Auckland

New Zealand Aerobatic Club

The New Zealand Gliding Association

The New Zealand Parachute Federation

North Shore Aero Club

D W Pawson of Whenuapai

Rex Aviation

Rural Aviation (1963) Ltd

John Scott of South Canterbury

United Aviation Limited

Malcolm Walls of Twizel

Wakatipu Aero Club Inc

Waypoints Aviation

Wellington Gliding Club Inc

Transitional arrangements

Transitional arrangements have been addressed in each individual Subpart.

Conclusion

The Authority concludes from this consultation that the majority of the aviation industry participants favour the direction of the new rules. Specific issues that were identified in the comments have been addressed. The rules also meet New Zealand's international obligations under the applicable ICAO Annex. The comments and all the background material used in

developing the rules are held on the docket file and are available for public scrutiny. Persons wishing to view the docket file should call at Aviation House, 1 Market Grove, Lower Hutt and ask for docket file 1104.