



WELLINGTON NEW ZEALAND

PURSUANT to Section 28 of the Civil Aviation Act 1990

I, MAURICE WILLIAMSON, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *13* day of *November* 1995

by **MAURICE WILLIAMSON**

A handwritten signature in black ink, appearing to read 'Maurice Williamson', written over a series of diagonal lines.

Minister of Transport

Civil Aviation Rules

Part 103 Amendment No 3

Microlight Aircraft - Certification and Operation Rules

Docket Nr. 1160

**Civil Aviation Rules
Part 103 Amendment No 3**

**Microlight Aircraft - Certification and
Operation Rules**

RULE OBJECTIVE, EXTENT OF CONSULTATION AND COMMENCEMENT

The objective of Amendment No. 3 to Part 103 of the Civil Aviation Rules is to amend the Part to harmonise with structural changes made to all of the rules Parts that certificate organisations and to better reflect the procedural requirements of the Civil Aviation Act 1990.

In May 1990 the Air Transport Division of the Ministry of Transport published a notice of intention to carry out a complete review of the aviation regulatory system. This notice, in Civil Aviation Information Circular Air 3, listed the areas in which rules would be made and invited interested parties to register their wish to be part of the consultative process. The Register was identified as the Regulatory Review Consultative Group.

A draft of the amendment to Part 103 was developed by the rules rewrite team in consultation with members of the consultative group. A Notice of Proposed Rulemaking was issued under Docket 1160 on 3 May 1995.

The publication of this notice was advertised in the daily newspapers in the five main provincial centres on 4 May 1995. The notice was mailed to members of the Regulatory Review Consultative Group and to other parties, including overseas Aviation Authorities and organisations, who were considered likely to have an interest in the proposal.

A period of 30 days was allowed for comment on the proposed rule.

The submissions 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 103, Amendment No. 3 comes into force 28 days after notification in the Gazette.

Part 103**103.7**

Revoke 103.7 and substitute the following new rule:

“103.7 Application for Certificate

Each applicant for the grant of a microlight organisation certificate shall complete form CAA 24103/01 and submit it to the Director with—

- (1) the exposition required by 103.57; and
- (2) a payment of the appropriate application fee prescribed by regulations made under the Act.”

103.9

Revoke 103.9 and substitute the following new rule:

“103.9 Issue of Certificate

An applicant is entitled to a microlight organisation certificate if the Director is satisfied that—

- (1) the applicant meets the requirements of Subpart C; and
- (2) the applicant, and the applicant’s senior person or persons required by 103.51(a)(1) and (2) are fit and proper persons; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.”

103.11

Revoke 103.11 and substitute the following new rule:

“103.11 Privileges of Certificate

(a) The microlight organisation certificate specifies the activities that the certificate holder is authorised to carry out.

(b) A microlight organisation may be certificated to carry out all or any of the following activities:

- (1) establishing and certifying competency of persons flying microlight aircraft by:
 - (i) prescribing examination syllabi;
 - (ii) conducting examinations;
 - (iii) prescribing flight test standards and criteria;

- (iv) conducting flight tests:
- (2) establishing and certifying suitability of microlight aircraft and equipment by:
 - (i) prescribing maintenance and inspection procedures and requirements:
 - (ii) approving modifications:
 - (iii) accepting design changes:
 - (iv) investigating defects:
 - (v) issuing safety advice in an appropriate form:
- (3) appointing employees or members to positions of responsibility to oversee the safety aspects of the conduct of their members' operations."

103.17

Revoke 103.17 and insert the following rule 103.81 in Subpart D:

"103.81 Safety Inspections and Audits

(a) The Director may in writing require the holder of a microlight organisation certificate to undergo or carry out such inspections and audits of the holder's facilities, documents, and records as the Director considers necessary in the interests of civil aviation safety and security in accordance with section 15 of the Act.

(b) The Director may require the holder of a microlight organisation certificate to provide such information as the Director considers relevant to the inspection or audit."

103.19

Revoke 103.19 and substitute the following new rule:

"103.17 Exemptions from Subparts B, C or D

The Director may exempt any person from any requirement in Subparts B, C, or D, following the procedure prescribed in Part 11 and in accordance with section 37 of the Act."

103.51

Omit the words "who is acceptable to the Director, and" from paragraph (a)(1).

Omit the words "who are acceptable to the Director, and" from paragraph (a)(2).

103.71

Amend paragraph (4) by substituting the words "under this Part; and" for the words "under this Part."

Insert the following new paragraph (5):

"(5) notify the Director of any change of address for service, telephone number, or facsimile number required by form CAA 24103/01 within 28 days of the change."

103.99

Amend the rule number to 103.79

Insert the following new paragraph (f):

"(f) A certificate holder shall comply with any conditions prescribed under paragraph (e)."

Re-number paragraph (f) paragraph (g).

Re-number paragraph (g) paragraph (h).

103.115

Substitute the words "A person shall not operate a Class 2 microlight aircraft unless a legible placard is installed in clear view of the seated passenger which states that the aircraft has not been shown to meet a standard for the grant of an airworthiness certificate." for the words "Every Class 2 microlight aircraft shall have a legible placard installed in clear view of the seated passenger which states that the aircraft has not been shown to meet a standard for the issue of a certificate of airworthiness."

103.205

Revoke 103.205 and substitute the following new rule:

"Where a Class 2 microlight is modified in any manner that may affect the airworthiness of the aircraft, the operator shall ensure that the aircraft is reinspected and reassessed for compliance with 103.203."

103.207

In paragraph (a) add the words "under Part 39" after the words "by the Director".

Substitute the term "airworthiness or safety directive" for the term "Airworthiness or Safety Directive".

Revoke paragraph (b) and substitute the following new paragraph (b):

"(b) No person shall operate a microlight aircraft that is not in compliance with an applicable airworthiness or safety directive."

Insert the following note at the bottom of 103.207:

"[Until Part 39 comes into force, airworthiness directives are issued under regulation 173 of the Civil Aviation Regulations 1953]"