



PURSUANT to Section 28 of the Civil Aviation Act 1990

I, CRAIG FOSS, Associate Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This 8th day of March 2016

by **Hon CRAIG FOSS**

Associate Minister of Transport

A handwritten signature in black ink, appearing to read 'CRAIG FOSS', is written over the printed name.

Civil Aviation Rules

Part 61, Re-Issue

Pilot Licences and Ratings

Docket 4/CAR/4

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Rule objective

Part 61 is revoked and this new Part 61 is issued. The objective of this Part 61 Re-Issue is to reduce administrative and regulatory burden and improve safety in certain limited areas.

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 09-02, containing the proposed rule *Part 61 Pilot Licences and Ratings* was issued for public consultation under Docket 4/CAR/4 on 29 November 2012.

The publication of this NPRM was notified in the Gazette on 29 November 2012. The NPRM was published on the CAA web site and mailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 64 days was allowed for comment on the proposed rule.

Summary of submissions

One hundred and seventy-one written submissions were received on the NPRM. These submissions and comments have been considered and as a result the CAA reviewed the policy basis for the proposed amendment and found the following:

- The scope of the proposed changes was unwieldy and promoted noticeable uneasiness and some confusion in the industry.
- The project has spanned such a long time that the case for change has been diminished, and the scope has suffered considerable creep.
- There was, in some cases, an inadequate safety case.

Since the inception of this project, the landscape of pilot training and licensing has evolved to the point where the CAA now considers recommending a review of the licensing and training regime on a larger scale to provide efficiencies to the industry, and reduce administrative burden.

However, there remain areas that should still be addressed since they represent a benefit in terms of safety, reduction of cost, or reduction of regulatory overhead. Those areas are:

- Reducing pilot licensing regulatory burden:
 - § Enable helicopter pilots to obtain a recreational pilot licence rather than needing a private pilot licence to fly.
 - § Enable student pilots to go solo on a less stringent land transport medical.
 - § Enable glider tow pilots with a recreational pilot licence to tow private glider operations.
 - § Recognise New Zealand Defence Force pilot qualifications in the civil aviation licensing system.
- Improving pilot training in specific areas:
 - § Increase the status of the agricultural rating to a prime rating – which is issued by the Director of Civil Aviation.
 - § Add a requirement to complete an approved course in chemical use as a prerequisite for the agricultural rating. The requirement for a refresher course is changed from 3 to 5 years.
 - § Add three new, more specific chemical application ratings – aerial topdressing rating, aerial spraying rating and aerial vertebrate toxic agents (VTA) rating.
 - § Introduce competency requirements for agricultural instructors – including the requirement to complete training in instructional techniques and undergo a biennial competency check.
 - § Create a new agriculture flight examiner rating.
 - § Ensure that Balloon examiners and instructors are appropriately qualified.

Examination of submissions

Submissions may be examined by application to the Docket Clerk at the Civil Aviation Authority between 8:30 am and 4:30 pm on weekdays, except statutory holidays.

Insertion of Amendments

Existing Rule Part 61 is revoked and this new Part 61 is issued. A re-issue is required as almost all rules in Part 61 have been amended. The main effect of the changes are to:

- Enable helicopter pilots to obtain a recreational pilot licence rather than needing a private pilot licence to fly.
- Enable student pilots to go solo on a less stringent land transport medical.
- Enable glider tow pilots with a recreational pilot licence to tow private glider operations.
- Recognise New Zealand Defence Force pilot qualifications in the civil aviation licensing system.
- Improving pilot training in specific areas:
 - § Increase the status of the agricultural rating to a prime rating – which is issued by the Director of Civil Aviation.
 - § Add a requirement to complete an approved course in chemical use as a prerequisite for the agricultural rating. The requirement for a refresher course is changed from 3 to 5 years.
 - § Add three new, more specific chemical application ratings – aerial topdressing rating, aerial spraying rating and aerial vertebrate toxic agents (VTA) rating.
- Introduce competency requirements for agricultural instructors – including the requirement to complete training in instructional techniques and undergo a biennial competency check.
- Create a new agriculture flight examiner rating.
- Ensure that Balloon examiners and instructors are appropriately qualified.

Effective date of rule

Part 61 Re-Issue comes into force on 15 April 2016.

Availability of rules

Civil Aviation Rules are available from–

CAA web site: <http://www.caa.govt.nz/>

Freephone: 0800 GET RULES (0800 438 785)

Part 61 is revoked and the following new Part 61 is issued:

Part 61 Pilot Licences and Ratings

Subpart A — General

61.1 Purpose

- (a) This Part prescribes—
- (1) the eligibility requirements for the issue of a pilot licence, a rating, and a validation permit; and
 - (2) the eligibility requirements for the issue of an aircraft type rating; and
 - (3) the conditions a person is required to comply with to hold a pilot licence and a rating to operate an aircraft; and
 - (4) the privileges and limitations of a pilot licence, a rating, and a validation permit.

61.3 Reserved

61.5 Requirement for pilot licence and ratings

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

- (1) issued in accordance with this Part; or
- (2) issued by a foreign pilot licensing authority and a validation permit issued in accordance with rule 61.9; or
- (3) issued by the Civil Aviation Safety Authority of Australia if the Trans-Tasman Mutual Recognition Act 1997 applies to the licence.

(b) **Pilot licence – New Zealand aircraft operating outside New Zealand:** Except as provided in paragraph (n), a pilot of a New Zealand registered aircraft operating outside New Zealand must hold an appropriate current pilot licence—

- (1) issued in accordance with this Part; or
- (2) issued or validated by the pilot licensing authority of the country in which the aircraft is operated; or
- (3) issued by a foreign pilot licensing authority and a validation permit issued in accordance with rule 61.9; or
- (4) issued by the Civil Aviation Safety Authority of Australia if the Trans-Tasman Mutual Recognition Act 1997 applies to the licence.

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

- (1) issued or validated by the pilot licensing authority of the country of aircraft registry; or
- (2) issued in accordance with this Part, provided the operation of the aircraft by the holder of a New Zealand pilot licence is acceptable to the pilot licensing authority of the country of aircraft registry; or
- (3) issued by the Civil Aviation Safety Authority of Australia if the Trans-Tasman Mutual Recognition Act 1997 applies to the licence, provided the operation of the aircraft by the holder of an Australian pilot licence is acceptable to the pilot licensing authority of the country of aircraft registry.

(d) **Aircraft type rating:** Except as provided in paragraphs (m) to (q) and rule 61.57, a pilot of a New Zealand registered aircraft, or a foreign aircraft operating in New Zealand, must hold a current aircraft type rating for that aircraft—

- (1) issued in accordance with this Part; or
- (2) attached to a foreign pilot licence and specified in a validation permit issued in accordance with rule 61.9; or

- (3) attached to a foreign pilot licence issued or validated by the pilot licensing authority of the country of aircraft registry; or
 - (4) attached to a foreign pilot licence issued or validated by the pilot licensing authority of the country in which the New Zealand aircraft is operated; or
 - (5) attached to a pilot licence issued by the Civil Aviation Safety Authority of Australia if the Trans-Tasman Mutual Recognition Act 1997 applies to the licence.
- (e) *[Reserved]*.
- (f) *[Reserved]*.
- (g) *[Reserved]*.
- (h) *[Reserved]*.
- (i) *[Reserved]*.
- (j) **Instrument rating:** Except as provided in paragraphs (m) and (n), a pilot of a New Zealand registered aircraft, or a foreign aircraft in New Zealand, operating under IFR must hold an appropriate current instrument rating—
- (1) issued in accordance with this Part; or
 - (2) attached to a foreign pilot licence and specified in a validation permit issued in accordance with rule 61.9; or
 - (3) attached to a foreign pilot licence issued or validated by the pilot licensing authority of the country in which the New Zealand registered aircraft is operating; or
 - (4) attached to a pilot licence issued by the Civil Aviation Safety Authority of Australia if the Trans-Tasman Mutual Recognition Act 1997 applies to the licence; or

- (5) attached to a foreign pilot licence issued or validated by the pilot licensing authority of the country of aircraft registry for foreign aircraft operating in New Zealand.
- (k) **Flight instructor rating:** A person exercising the privileges of a flight instructor rating must hold an appropriate current flight instructor rating issued in accordance with this Part or attached to a foreign pilot licence and specified in a validation permit issued in accordance with rule 61.9.
- (l) **Flight examiner rating:** A person exercising the privileges of a flight examiner rating must hold an appropriate current flight examiner rating issued in accordance with this Part or attached to a foreign pilot licence and specified in a validation permit issued in accordance with rule 61.9.
- (m) A student pilot who complies with Subpart C is not required to hold a pilot licence or rating.
- (n) A pilot of a balloon, a glider, a hang glider, a microlight, a paraglider, a light sport aircraft, or a powered glider is not required to hold a pilot licence or rating issued in accordance with this Part if—
- (1) the pilot is not flying the aircraft for hire or reward; and
 - (2) the pilot meets the appropriate pilot and operating requirements under Parts 103, 104, or 106.
- (o) The holder of a current Category A flight instructor rating is not required to hold an aircraft type rating to act as a pilot of a single engine aeroplane if the instructor holds an aircraft type rating for an aeroplane of a similar configuration.
- (p) A pilot of an aircraft is not required to hold an aircraft type rating when acting as a test pilot in accordance with rule 19.405(1).
- (q) A pilot of an aircraft when authorised by an appropriately qualified flight instructor is not required to hold an aircraft type rating when demonstrating or gaining experience in order to obtain an aircraft type rating.

61.7 Pilot licences, ratings, and permits

(a) The following pilot licence types, ratings and permits are issued by the Director under section 9 of the Act in accordance with the applicable requirements of this Part:

- (1) recreational pilot licence
 - Aeroplane:
 - Helicopter:
- (2) private pilot licence
 - Aeroplane:
 - Helicopter:
 - Glider:
- (3) commercial pilot licence
 - Aeroplane:
 - Helicopter:
 - Balloon:
 - Glider:
- (4) airline transport pilot licence
 - Aeroplane:
 - Helicopter:
- (5) instrument rating
 - Aeroplane:
 - Helicopter:
- (6) flight instructor rating category A, B, C, D, and E
 - Aeroplane:
 - Helicopter:
- (7) flight examiner rating
 - Airline:
 - General aviation:
 - Agricultural:

- (8) validation permit:
 - (9) agricultural rating Grade 1 and 2 – Aeroplane:
 - Helicopter.
- (b) The following ratings are issued under this Part in accordance with the applicable requirements of this Part:
- (1) aircraft type rating:
 - (2) aerobatic flight rating:
 - (3) glider tow rating:
 - (4) parachute drop rating:
 - (5) [*Revoked*]:
 - (6) pilot chemical rating:
 - (7) aerial topdressing rating:
 - (8) aerial spraying rating:
 - (9) aerial vertebrate toxic agent (VTA) rating.

61.9 Validation permit for a foreign pilot licence

- (a) To be eligible for the issue of a validation permit, a person must—
- (1) be the holder of at least a current private pilot licence issued by an ICAO Contracting State; and
 - (2) hold an appropriate current medical certificate relating to the foreign pilot licence required under paragraph (a)(1); and
 - (3) have sufficient ability in reading, speaking, understanding and communicating in the English language to enable the applicant to adequately carry out the responsibilities of a pilot exercising the privileges of a validation permit; and

- (4) pass any written examination and flight test that the Director may require.
- (b) A validation permit must specify—
 - (1) an expiry date for the permit which must not exceed 6 months from the date of issue; and
 - (2) the privileges that the holder may exercise which must not be greater than the privileges associated with the holder's foreign pilot licence.
- (c) A validation permit remains in force until the expiry date specified in the permit unless—
 - (1) it is suspended or revoked by the Director; or
 - (2) the pilot's foreign pilot licence expires, or is suspended, or revoked by the issuing State.

61.11 Application and qualification

- (a) An application for a pilot licence or rating that is issued by the Director in accordance with this Part must be made on the appropriate CAA form.
- (b) An applicant for a pilot licence or rating issued in accordance with this Part must have sufficient ability in reading, speaking, understanding and communicating in the English language to enable the applicant to adequately carry out the responsibilities of a pilot exercising the privileges of the pilot licence or rating.
- (c) An applicant for a pilot licence or rating must comply with all of the eligibility requirements specified in the relevant Subpart for the pilot licence or rating.

61.13 Reserved

61.15 Duration of pilot licence and ratings

- (a) A pilot licence issued in accordance with this Part is issued for the lifetime of the holder of the pilot licence.

(b) Notwithstanding paragraph (a), the Director may, subject to any condition that the Director considers necessary in the interests of aviation safety, issue a temporary pilot licence or rating.

61.17 Written examinations – prerequisites and grades

(a) An applicant for a written examination required under this Part must produce as evidence of the applicant's identity—

- (1) a current New Zealand passport; or
- (2) a current New Zealand driver licence; or
- (3) an equivalent form of photographic identification that is acceptable to the Director.

(b) An applicant for a written examination required under this Part must gain at least 70% of the possible marks in order to pass the examination.

(c) An applicant for a pilot licence or instrument rating must pass all the approved written examinations that are required for the particular pilot licence or instrument rating within 3 years of taking the first examination to gain a written examination credit for the licence or rating.

(d) The written examination credit specified in paragraph (c) is,—

- (1) in the case of a private pilot licence, a commercial pilot licence, a recreational pilot licence, and an instrument rating, valid for 3 years; and
- (2) in the case of an airline transport pilot licence, valid for 10 years (except that the examination pass in airline transport pilot licence aviation law must not be more than 5 years old).

(e) A person who fails a written examination 3 times within a period of 3 months may not sit another examination in that subject for a period of 3 months following the date of the last failed examination.

(f) [*Revoked*]

61.19 Written examinations – unauthorised conduct

(a) During any written examination required under this Part, a person must not do, or attempt to do, or procure another person to do any of the following—

- (1) copy from another person:
- (2) refer to any unauthorised source of information:
- (3) communicate in any way with another person, except the person administering the examination:
- (4) take an examination on behalf of another person:
- (5) remove written or printed material from the examination room, unless authorised to do so by the person administering the examination:
- (6) take unauthorised material into an examination room:
- (7) use any means or device to copy electronic, written or printed material supplied during the examination.

(b) If the Director has reasonable grounds to believe that a person has committed or has procured another person to commit, any conduct prohibited in paragraph (a), the Director may immediately suspend the release of all or part of the examination results for the person until—

- (1) the Director determines after due investigation, the action, if any, to be taken under paragraph (c); or
- (2) if the person makes a request in writing to the Director, the Director determines after due investigation and the completion of any summary proceedings for a breach of rule 61.19(a) arising from the alleged conduct, the action, if any, to be taken under paragraph (c).

(c) If the Director has reasonable grounds to believe that a person has committed, or has procured another person to commit, any conduct prohibited by paragraph (a), the Director may—

- (1) disqualify the person from the result of the examination:
 - (2) debar the person from sitting any examination for a specified period not exceeding 12 months.
- (d) Before taking an action under paragraph (b) or (c), the Director must inform the person in writing of the details of the alleged conduct prohibited in paragraph (a).
- (e) If the Director proposes to take an action under paragraph (c), the Director must give notice in accordance with section 11 of the Act, which applies as if the proposed action were a proposed adverse decision under the Act. For the avoidance of doubt the Director is not required to give notice of appeal under section 11(2)(e) or section 11(6)(b)(iii) of the Act.

61.21 Flight tests

- (a) To be eligible to undertake a flight test, an applicant must—
- (1) produce satisfactory evidence of identity as specified in rule 61.17(a); and
 - (2) produce an up-to-date, summarised, and certified pilot logbook containing evidence of the required flight experience for the licence or rating to be tested; and
 - (3) produce a current medical certificate applicable to the licence to be tested; and
 - (4) produce a written examination credit for the licence or rating to be tested; and
 - (5) produce a knowledge deficiency report for each written examination required for the written examination credit in paragraph (a)(4) with evidence of knowledge improvement, certified by a Category A or B flight instructor, in the deficient areas detailed; and
 - (6) except for a private pilot licence issue flight test, hold an aircraft type rating on the aircraft that is used for the flight test.

(b) A flight test required in accordance with this Part is valid for a period of 3 months from the date on which the flight test was successfully completed.

(c) [*Revoked*]

61.23 Reserved

61.25 Flight training and testing – general requirements

(a) An applicant for a pilot licence or rating issued in accordance with this Part must provide—

- (1) an appropriate aircraft for the purpose of undertaking the required flight test; and
- (2) adequate and private facilities for briefing before and after the flight test.

(b) Any flight test or dual flight instruction required under this Part must be carried out in an aircraft equipped with—

- (1) fully functioning dual flight controls; and
- (2) those instruments that are essential to the manoeuvres planned to be demonstrated during the flight and visible to both pilots without excessive parallax error; and
- (3) a shoulder harness or a lap and single diagonal shoulder belt for each flight crew seat; and
- (4) intercommunication equipment of an approved type.

(c) A pilot may not accumulate instrument flight experience in VMC towards the required instrument flight time for the issue or recent experience requirements of an instrument rating unless—

- (1) fully functioning dual flight controls are installed in the aircraft; and
- (2) an acceptable means of simulating instrument flight is used by the pilot who is gaining instrument flight experience; and

- (3) a safety pilot, who holds all of the following qualifications, occupies a pilot control seat from which the safety pilot can clearly see ahead and to both sides of the aircraft:
 - (i) a current pilot licence;
 - (ii) an aircraft type rating for the aircraft type;
 - (iii) if the aircraft is flying at night, a current instrument rating.
- (d) A pilot may not accumulate instrument flight experience in IMC towards the required instrument flight time for the issue or recent experience requirements of an instrument rating, unless—
 - (1) the aircraft is approved for IFR flight; and
 - (2) fully functioning dual flight controls are installed in the aircraft when 2 pilots are required to be carried; and
 - (3) the pilot is—
 - (i) the holder of a current instrument rating for the appropriate category of aircraft; or
 - (ii) undergoing instrument flight instruction under the supervision of a pilot-in-command who holds an appropriate current flight instructor rating and a current instrument rating for the appropriate category of aircraft.

61.27 Status of flight examiners

A flight examiner must be pilot-in-command of an aircraft under the following circumstances:

- (1) during a flight test for the initial issue of an instrument rating;
- (2) when the flight examiner considers this is necessary in the interests of safety.

61.29 Pilot logbooks – general requirements

(a) A student pilot and the holder of a pilot licence issued in accordance with this Part must maintain an accurate and up-to-date logbook containing—

- (1) the pilot's name, details of aircraft type ratings, and certifications, authorisations and ratings held; and
- (2) a record (including the details specified in paragraph (b)) for—
 - (i) every flight during which the pilot acted as a flight crew member of an aircraft; and
 - (ii) every simulated flight performed for the purpose of crediting time or completing currency requirements for a pilot licence or rating specified in this Part; and
- (3) a record of each flight test, flight review, competency demonstration and flight crew competency check, including—
 - (i) the purpose of the flight; and
 - (ii) the date of the flight; and
 - (iii) the expiry date of the flight test, flight review, competency demonstration or check; and
 - (iv) the name, client number, and signature of the person conducting the flight test, flight review, competency demonstration, or check.

(b) The following flight and instrument flight details must be recorded in the pilot's logbook:

- (1) the date of the flight:
- (2) for flight in an aircraft,—

- (i) the aircraft category, type, and registration mark of the aircraft; and
 - (ii) the flight time; and
 - (iii) the simulated and actual instrument flight time; and
 - (iv) any type of training, including dual instruction and command practice; and
 - (v) if appropriate, the name of the flight instructor or safety pilot:
- (3) for flight in a synthetic flight trainer,—
- (i) the details of the synthetic flight trainer; and
 - (ii) the instrument ground time; and
 - (iii) any other ground time:
- (4) the function of the pilot as any of the following:
- (i) pilot-in-command (PIC):
 - (ii) pilot-in-command under supervision (PIC/US) but only to meet the requirements of rule 135.505:
 - (iii) co-pilot:
 - (iv) student:
- (5) the purpose of the flight, including the place of departure, any intermediate landing, and the place of arrival:
- (6) whether the flight was conducted during the day or night:
- (7) for a flight under IFR, the number and type of instrument approach procedures flown:
- (8) for a training flight, details of the training exercise:

- (9) for a flight in a glider, the method of launch for the flight:
 - (10) for a flight in a balloon, the method or type of inflation used for the flight.
- (c) The logbook required in paragraph (a) must—
- (1) be an approved bound book with the details entered in indelible ink; and
 - (2) list each flight record—
 - (i) as a separate entry; or
 - (ii) on a computer generated flight record inserted permanently into the logbook; or
 - (iii) for a series of flights on the same day, as a separate entry summarising the total flight time for the series of flights if the purpose of the flights, including the place of departure, any intermediate landing, and the place of arrival are the same; and
 - (3) be certified at the bottom of each page by the pilot to the effect that every entry is correct; and
 - (4) be retained permanently by the pilot licence holder, unless the pilot licence is revoked in accordance with the Act, in which case the log book must be retained for a period of at least 12 months from the date of revocation.
- (d) If a computer-generated report is inserted into a logbook under paragraph (c)(2)(ii), the pilot must make a written logbook entry summarising the total flight time of the flights listed in the report in respect of each function under paragraph (b).
- (e) An incorrect entry in a logbook may be altered only by putting a line through the entry and by adding the correct information either beside the entry or on a new line.

- (f) Before a pilot submits his or her logbook to the Director for any reason, the pilot must—
- (1) on each page, total each column of entries; and
 - (2) in the spaces provided, enter his or her total flight experience; and
 - (3) below the last entry, sign to certify the correctness of the entries.
- (g) Every entry in a pilot's logbook must be made within 7 days after the completion of the flight to be recorded except in the case of flight on an international air transport operation, the entry must be made within 14 days of the flight. If a pilot is engaged in an operation away from the base where the logbook is normally kept, the entry in the logbook must be made within 48 hours after return to base.

61.31 Pilot logbooks – crediting flight time

- (a) The holder of a current pilot licence, when acting as co-pilot in an aircraft required to be operated with a co-pilot, is entitled to be credited with not more than 50% of the co-pilot flight time towards the total flight time experience required for an airline transport pilot licence.
- (b) The holder of a commercial pilot licence, when acting as co-pilot on an air transport operation in an aircraft required to be operated with a co-pilot, is entitled to be credited with command practice flight time experience for the flight time during which the co-pilot performs the duties and functions of a pilot-in-command under the supervision of a pilot-in-command designated for the purpose by the operator, but only if—
- (1) the co-pilot is responsible for checking the accuracy of the proposed flight plan and the load manifest for the flight, including the computation of fuel; and
 - (2) the co-pilot ensures that each crew member has carried out all the applicable checks during the following phases of the flight, and in accordance with the check system established by the operator in the operations manual or other relevant documents:

- (i) before take-off:
 - (ii) on take-off:
 - (iii) in flight:
 - (iv) on landing:
 - (v) in any emergency; and
- (3) during the flight the co-pilot carries out all the duties and functions of a pilot-in-command so far as is practical from the co-pilot flight station, except that for a flight of more than 6 hours the co-pilot does not need to carry out all the functions for the full duration of the flight; and
- (4) in the case of operations conducted by automatic means, the co-pilot makes all decisions relating to the use of the flight and ground systems involved; and
- (5) the co-pilot ensures that all problems arising from meteorological conditions, communications and air traffic control procedures are resolved; and
- (6) the pilot-in-command designated to supervise the co-pilot has certified an appropriate entry in the co-pilot's logbook, or a permanent record of the flight has been made by the operator.
- (c) A pilot who manipulates the flight controls of an aircraft under actual or simulated instrument flight conditions solely by reference to instruments and without external reference points is entitled to be credited with the instrument flight time acquired in this way towards the total instrument flight time experience required for—
- (1) a higher grade of pilot licence; or
 - (2) an instrument rating; or
 - (3) the recent experience requirement of an instrument rating already held.

- (d) A pilot-in-command, when supervising a co-pilot manipulating the flight controls of a multi-pilot aircraft under actual instrument meteorological conditions, is entitled to be credited with the instrument flight time.
- (e) A flight instructor, when supervising a pilot manipulating the flight controls of an aircraft under actual instrument meteorological conditions, is entitled to be credited with the instrument flight time.
- (f) A flight examiner is entitled to be credited with pilot-in-command flight time while carrying out a flight test.
- (g) A Category A or B flight instructor is entitled to be credited with pilot-in-command flight time while carrying out a commercial pilot licence cross country flight test.
- (h) A pilot may not credit instrument, cross country or night flight time, or any combination simultaneously for the purposes of meeting the experience requirement for a higher licence type or rating.
- (i) A pilot may not credit flight time recorded as pilot-in-command under supervision (PIC/US) towards the flight time experience requirements for an airline transport pilot licence.
- (j) A pilot who is designated as pilot-in-command for the purpose of rule 135.505(b)(3) to supervise a pilot undergoing consolidation of operating experience may not credit the pilot-in-command flight time towards the flight time experience requirements for an airline transport pilot licence if the supervision is carried out in a single-pilot aircraft under rule 135.505(c)(2).

61.33 Pilot logbooks – crediting ground time

- (a) An applicant for the issue of a pilot licence or rating or renewal of a rating is entitled to be credited with the time during which the applicant is under the supervision of an appropriately qualified instructor in an approved synthetic flight trainer, but only if the instructor certifies the time in the pilot's logbook.
- (b) If the time in paragraph (a) is instrument time, it must be logged as instrument ground time.

61.35 Medical requirement

(a) A person who holds a pilot licence, other than a recreational pilot licence, must not exercise the privileges of the licence unless—

- (1) the person—
 - (i) in the case of a private pilot licence, holds at least a current class 2 medical certificate issued under the Act; and
 - (ii) in the case of a commercial pilot licence and an airline transport pilot licence, holds a current class 1 medical certificate issued under the Act; and
 - (iii) is complying with all the conditions, restrictions and endorsements on the medical certificate; or
- (2) if the person has been issued a private pilot licence by the Director in accordance with rule 61.153(b) on the basis of a foreign pilot licence, the person—
 - (i) holds a medical certificate applying to the foreign pilot licence that the Director relied on to issue the private pilot licence and the medical certificate applying to that foreign pilot licence has not expired; and
 - (ii) is complying with all the conditions, restrictions, and endorsements on the medical certificate.

(b) A person who holds a recreational pilot licence must not exercise the privileges of the licence unless the person—

- (1) holds a medical certificate, issued in accordance with rule 44(1) of the Land Transport (Driver Licensing) Rule 1999, that is applicable for a Class 2, 3, 4 or 5 driver licence with passenger endorsement which—
 - (i) was issued within the previous 5 years; or

- (ii) if the person is 40 years of age or older, was issued within the previous 24 months; and
 - (2) is complying with all the conditions, restrictions and endorsements on the medical certificate.
- (c) A person who holds a validation permit for a foreign pilot licence must not exercise the privileges of that permit unless the person—
- (1) holds a current medical certificate that is associated with the foreign pilot licence for which the validation permit is issued; and
 - (2) is complying with all the conditions, restrictions and endorsements on the medical certificate.
- (d) A person who is required under paragraph (b), or under rule 61.355(a)(2), to hold a medical certificate issued in accordance with rule 44(1) of the Land Transport (Driver Licensing) Rule 1999 must provide the Director with a copy of the medical certificate within 7 days of the date of issue.

61.37 Recent flight experience

- (a) **Airline transport pilot:** A person who holds an airline transport pilot licence must not act as pilot-in-command of an aircraft on an air operation that requires the pilot-in-command to hold an airline transport pilot licence unless, within the 90 days immediately preceding the flight—
- (1) the person has—
 - (i) carried out (as pilot-in-command of an aircraft or an approved synthetic flight trainer of the same type) not less than 3 take-offs and 3 landings; or
 - (ii) satisfactorily demonstrated to an appropriately authorised flight examiner continued competency in an aircraft of the same type; or
 - (iii) satisfactorily demonstrated to an appropriately qualified flight instructor competence in take-off and

landing manoeuvres during the day in an aircraft of the same type; but

- (2) one of the landings may be a monitored landing using the automatic landing facility of the autopilot.

(b) Commercial pilot (aeroplane or helicopter), private pilot, recreational pilot – day flight: A holder of a commercial pilot licence must not act as pilot-in-command of an aircraft on an air operation during the day, and a person who holds a commercial pilot licence or a private pilot licence or a recreational pilot licence must not act as pilot-in-command of an aircraft carrying a passenger during the day unless, within the 90 days immediately preceding the flight the person has—

- (1) carried out (as pilot-in-command of an aircraft or an approved synthetic flight trainer of the same type) not less than 3 take-offs and 3 landings during the day; or
- (2) satisfactorily demonstrated to an appropriately qualified Category A or B flight instructor competence in take-off and landing manoeuvres during the day in an aircraft of the same type; or
- (3) satisfactorily demonstrated competence for the issue of the appropriate pilot licence in accordance with this Part, in an aircraft of the same type.

(c) commercial pilot, private pilot – night flight: A holder of a commercial pilot licence must not act as pilot-in-command of an aircraft on an air operation at night, and a person who holds a commercial pilot licence or a private pilot licence must not act as pilot-in-command of an aircraft carrying a passenger at night unless, within the 90 days immediately preceding the flight the person has—

- (1) carried out (as pilot-in-command of an aircraft or an approved synthetic flight trainer of the same type) not less than 3 take-offs and 3 landings during the night; or
- (2) satisfactorily demonstrated to an appropriately qualified Category A or B flight instructor competence in take-off and

landing manoeuvres during the night in an aircraft of the same type.

(ca) **Commercial pilot (balloon):** A holder of a commercial pilot licence (balloon) must not act as pilot-in-command of a balloon carrying a passenger unless, within the 90 days immediately preceding the flight the person has—

- (1) carried out, as pilot-in-command, not less than 3 take-offs and 3 landings during the day, each time ascending to a height of at least 500 feet; or
- (2) satisfactorily demonstrated to an appropriately qualified person acceptable to the Director, competence in take-off and landing manoeuvres in a balloon of the same type; or
- (3) satisfactorily demonstrated competence for the issue of the commercial pilot licence under this Part, in a balloon of the same type.

(d) To comply with paragraphs (a)(1), (b)(1), or (c)(1), a helicopter pilot must fly transition circuits between the required take-offs and landings.

(e) [*Revoked*]

(f) To comply with paragraph (b)(1), a glider pilot must perform 3 launches of the appropriate type.

(g) For the purposes of accumulating the 3 take-offs and 3 landings required in paragraphs (b)(1) and (c)(1), the holder of a current Category A flight instructor rating may count take-offs and landings whether during the day or night.

(h) A flight instructor must meet the recent flight experience requirements during the day or night, as appropriate, before giving flight instruction.

(i) If the holder of a pilot licence issued in accordance with this Part has not met the requirements of rule 61.39 for a period of 5 years or

more, the privileges of that pilot licence may not be exercised again unless,—

- (1) the holder of the pilot licence passes an approved air law examination and meets the appropriate currency requirements of the licence (except if the holder has a current pilot licence for a different category of aircraft and meets the requirements of rule 61.39(a) for that category); or
- (2) in the case of an airline transport pilot licence, the holder of the pilot licence completes the appropriate operational competency checks required in Parts 121, 125, or 135 whichever is applicable.

61.39 Biennial flight review

(a) Except as provided in paragraph (b), the holder of a pilot licence issued by the Director under the Act and this Part must not exercise the privileges of the pilot licence for longer than 24 months from the date of the issue flight test for the pilot licence unless the holder—

- (1) has successfully completed a biennial flight review under paragraph (c) within the previous 24 months; or
- (2) for a glider pilot licence, has successfully completed a biennial flight review conducted by a gliding organisation within the previous 24 months.

(b) The holder of a pilot licence issued by the Director under the Act and this Part is not required to complete a biennial flight review required by paragraph (a) if the holder—

- (1) meets the flight crew competency check requirements prescribed in Part 115, or Parts 119 and 121, 125 or 135 that are applicable to the holder's pilot licence; or
- (2) meets the agricultural currency requirements prescribed in rule 61.707; or
- (3) holds a current Category A, B, or C flight instructor rating.

(c) A biennial flight review must—

- (1) be conducted by an appropriately qualified flight instructor; and
 - (2) consist of flight instruction to review those manoeuvres and procedures applicable to the pilot licence privileges the holder wishes to exercise; and
 - (3) be in accordance with standards acceptable to the Director.
- (d) A flight instructor conducting a biennial flight review must—
- (1) enter an appropriate record in the pilot's logbook immediately after the flight review has been satisfactorily completed and include the following information:
 - (i) the pilot licence type to which the flight review relates;
 - (ii) the date on which the flight review was completed;
 - (iii) the date on which the flight review ceases to be effective;
 - (iv) the name, flight instructor category, and CAA client number of the person conducting the flight review; and
 - (2) complete the appropriate CAA Biennial Flight Review Form and submit a copy of the completed form to the Director and to the pilot.
- (e) A pilot who successfully completes the biennial flight review required by paragraph (a) within 60 days before the date on which it is required is deemed to have completed the biennial flight review on the required date.

61.41 Use of lower pilot licence or rating

- (a) The holder of an airline transport pilot licence or a commercial pilot licence issued in accordance with this Part who does not hold a current class 1 medical certificate issued under the Act but who holds a current class 2 medical certificate issued under the Act may exercise the

privileges of a private pilot licence if the pilot meets the currency requirements for the private pilot licence type.

(b) The holder of a pilot licence issued in accordance with this Part who does not meet the currency requirements of rule 61.207 or rule 61.257 for the pilot licence type, but who meets the currency requirements for a lower pilot licence, may exercise the privileges of the lower pilot licence.

61.43 Examination for proficiency

(a) The Director may, by notice in writing, require the holder of a pilot licence or a rating that is issued in accordance with this Part to undertake an examination or test if the Director believes on reasonable grounds that the privileges of the licence or rating the holder is exercising are being carried out in an incompetent manner.

(b) Any examination or test that the Director may require under paragraph (a) may consist of such part or parts of the examinations or tests that are required under this Part, for the particular pilot licence or rating that the holder is exercising.

(c) A holder of a pilot licence or rating that is issued in accordance with this Part must—

- (1) undertake the examination or test that the Director may require under paragraph (a); and
- (2) undertake the examination or test within the period set by the Director for completing the examination or test.

Subpart B — Aircraft Type Ratings

61.51 Purpose

This Subpart prescribes the requirements for the issue of aircraft type ratings.

61.53 Eligibility requirements

(a) To be eligible for an aircraft type rating, a person must—

- (1) hold a current pilot licence for the appropriate category of aircraft; and
- (2) have conversion instruction flight experience acceptable to the Director; and
- (3) in the case of a turbine powered aircraft, have passed an approved basic turbine knowledge examination; and
- (4) demonstrate to an appropriately qualified flight instructor a satisfactory technical knowledge of the aircraft type for which the rating is required; and
- (5) demonstrate to an appropriately qualified flight instructor in a type competency demonstration the ability to perform competently all normal, abnormal, and emergency manoeuvres appropriate to the aircraft type for which the rating is required; and
- (6) if applying for an aircraft type rating for an aircraft exceeding 5700 kg MCTOW or for a multi-engine helicopter,—
 - (i) have completed an approved course of technical training on the aircraft for which the aircraft type rating is required; and
 - (ii) have passed an approved written examination in the normal, abnormal and emergency procedures for the operation of the aircraft's systems and in the aircraft's performance, weight and balance; and
- (7) if applying for an aircraft type rating for a single-engine helicopter not exceeding 5700 kg MCTOW, have passed an approved written examination in the normal, abnormal, and emergency procedures for the operation of the helicopter's systems and in the helicopter's performance, weight and balance. However, in the case of a helicopter of not greater than 1500 kg MCTOW, an oral examination is acceptable.

61.55 Issue

(a) When the eligibility requirements of rule 61.53 have been met by the pilot, the flight instructor responsible for the type competency demonstration must—

- (1) enter the aircraft type rating in the pilot's logbook in a form acceptable to the Director; and
- (2) submit a completed copy of the type rating training record to the Director.

(b) Notwithstanding rule 61.53, the Director may endorse an aircraft type rating on a pilot licence issued in accordance with this Part if—

- (1) the aircraft type rating has been issued to the holder of the pilot licence by an ICAO Contracting State and the holder of the pilot licence produces evidence that the aircraft type rating was obtained in a manner that is acceptable to the Director; or
- (2) the holder of the pilot licence has been approved under rule 19.405(1) to act as a test pilot for the aircraft type and completes test flight experience on the aircraft acceptable to the Director; or
- (3) the holder of the pilot licence is the holder of a Category A flight instructor rating and the aircraft type rating is for a specific aeroplane configuration provided for in rule 61.5(o) and the pilot licence holder completes flight experience on the aeroplane acceptable to the Director; or
- (4) the holder of the pilot licence is authorised under rule 61.57 to act as a pilot or pilot-in-command of the aircraft type and completes flight experience on the aircraft, as acceptable to the Director.

(c) On application to the Director and payment of the appropriate fee, a pilot may (in addition to a logbook entry) have their aircraft type ratings endorsed on their pilot licence.

(d) Notwithstanding rule 61.55(a), an appropriately qualified flight instructor may issue an aircraft type rating for an aircraft type that is so similar to an existing aircraft type rating held by the pilot if the instructor is satisfied that no further conversion flight instruction or type competency demonstration is necessary and—

- (1) an appropriate entry is made in the pilot's logbook in a form acceptable to the Director; and
- (2) the flight instructor submits a certified copy of the appropriate logbook entry to the Director.

61.57 First of type authorisation

The Director may authorise a holder of a current flight instructor rating issued in accordance with this Part to act as a pilot or pilot-in-command of an aircraft for which the instructor does not hold an aircraft type rating. The Director may impose conditions on the authorisation as the Director considers necessary in the interests of aviation safety.

Subpart C — Student Pilots

61.101 Purpose

This Subpart prescribes the requirements and limitations for a person who acts as a pilot of an aircraft (other than a microlight aircraft, hang glider, glider, powered glider or balloon) while the person does not hold a current pilot licence issued under this Part.

61.103 General

(a) A person who does not hold a current pilot licence issued or validated in accordance with this Part must not manipulate the controls of an aircraft unless the person is—

- (1) receiving dual flight instruction from an appropriately qualified flight instructor who occupies a pilot seat; or
- (2) acting as a pilot in command in accordance with rule 61.105.

(b) A person receiving dual flight instruction under paragraph (a)(1) may log those hours as dual flight time.

61.105 Solo flight requirements

(a) A person who does not hold a current pilot licence issued or validated in accordance with this Part must not fly an aircraft solo unless—

- (1) the person is at least 16 years of age; and
- (2) the person holds—
 - (i) at least a current class 2 medical certificate issued by the Director under the Act; or
 - (ii) a medical certificate, issued in accordance with rule 44(1) of the Land Transport (Driver Licensing) Rule 1999, that is applicable for a Class 2, 3, 4 or 5 driver licence with passenger endorsement which—
 - (A) was issued within the previous 5 years; or
 - (B) if the person is 40 years of age or older, was issued within the previous 24 months; and
- (3) the person is complying with all the conditions, restrictions and endorsements on the medical certificate; and
- (4) the person has sufficient ability in reading, speaking, understanding and communicating in the English language to enable them to adequately carry out the responsibilities of a pilot-in-command of an aircraft; and
- (5) the flight is authorised by the holder of a current Category A, B, or C flight instructor rating, except for a first solo flight by day or by night which must be authorised by the holder of a Category A or B flight instructor rating; and
- (6) except as provided in paragraph (c), the holder of a current Category A or B flight instructor rating has certified in the person's pilot's logbook that they have received instruction and demonstrated competence in the following:
 - (i) preparation for flight:

- (ii) starting and run-up procedures:
 - (iii) taxiing:
 - (iv) straight and level flight:
 - (v) climbing and descending:
 - (vi) level, climbing and descending turns:
 - (vii) take-off, circuit and landing in that type of aircraft:
 - (viii) practical flight radiotelephony:
 - (ix) go around procedures:
 - (x) in the case of an aeroplane, stall recognition and recovery in that aeroplane type:
 - (xi) in the case of an aeroplane, emergency procedures in the event of engine failure during and after take-off:
 - (xii) in the case of a helicopter, hovering upwind, downwind, and crosswind:
 - (xiii) in the case of a helicopter, emergency procedures, (including autorotative approach and landing) in that type of helicopter; and
- (7) the person has received dual instruction within the last 5 hours of flight experience unless otherwise authorised by the holder of a current Category A or B flight instructor rating; and
- (8) the person has had piloting experience in appropriate aircraft within the immediately preceding 30 days; and
- (9) if the flight is a solo cross country flight,—
- (i) the flight is authorised by the holder of a current Category A or B flight instructor rating; and

- (ii) the person holds a valid written examination credit for a private pilot licence.
- (b) The flight instructor who authorises the solo flight specified in paragraph (a)(4) must monitor the actions of the pilot during the solo flight.
- (c) In the case of a first solo flight by day, the certification in the person's pilot's logbook required under paragraph (a)(5) may be made after the completion of the first solo flight if the flight instructor is satisfied that the requirements in paragraphs (a)(5)(i) to (xiii) have been met.

61.107 Limitations

- (a) A person who does not hold a current pilot licence issued in accordance with this Part must not act as pilot-in-command of an aircraft—
 - (1) for remuneration; or
 - (2) if the aircraft is being operated for hire or reward; or
 - (3) on an international flight; or
 - (4) if any other person is being carried on the aircraft other than a flight examiner or flight instructor.
- (b) In addition to paragraph (a), a person who holds a medical certificate under rule 61.105(a)(2)(ii) must not act as pilot-in-command of an aircraft operating—
 - (1) at night; or
 - (2) into or out of a controlled aerodrome unless the licence holder has provided the Director with evidence of a successful colour vision screening test that is acceptable to the Director; or
 - (3) over a congested area of a city or town, except for the purpose of take-off and landing.

Subpart D — Private Pilot Licences

61.151 Purpose

This Subpart prescribes the requirements for the issue of a private pilot licence and the privileges, limitations, and currency requirements of the pilot licence.

61.153 Eligibility requirements

- (a) Except as provided in paragraphs (b) and (c), to be eligible for the issue of a private pilot licence a person must—
- (1) be at least 17 years of age; and
 - (2) hold at least a current class 2 medical certificate issued under the Act; and
 - (3) have the minimum of—
 - (i) 50 hours flight time experience as a pilot in the appropriate category of aircraft comprising solo flight time, dual flight time, instrument time, and cross-country flight time acceptable to the Director; or
 - (ii) if the person is not seeking to exercise private pilot privileges on a cross-country flight, 40 hours flight time experience as a pilot in the appropriate category of aircraft comprising solo flight time, instrument time, and dual flight time acceptable to the Director; and
 - (4) if the person seeks to exercise private pilot privileges during the night, have night flight experience acceptable to the Director; and
 - (5) if the person seeks to exercise private pilot (helicopter) privileges in the carriage of sling loads, have flight training on the carriage of sling loads acceptable to the Director; and
 - (6) have a valid written examination credit, or approved equivalent, that covers the following private pilot licence subject areas:

- (i) air law:
 - (ii) air navigation and flight planning:
 - (iii) meteorology:
 - (iv) aircraft technical knowledge (Aeroplane or Helicopter), as appropriate:
 - (v) human factors:
 - (vi) flight radiotelephony; and
- (7) have successfully demonstrated the following to a flight examiner in a flight test:
- (i) knowledge in the ground examination subjects specified in paragraph (a)(6), including those detailed in the examination knowledge deficiency reports:
 - (ii) knowledge of the privileges and limitations of a private pilot licence:
 - (iii) technical and operational knowledge relevant to the aircraft type to be used in the flight test:
 - (iv) competence to operate the aircraft within its performance capabilities and limitations in accordance with the aircraft flight manual in all normal, abnormal, and emergency conditions and procedures while exercising appropriate levels of judgement and command:
 - (v) competence in radiotelephony (RTF) procedures and phraseology:
 - (vi) control of the aircraft at all times in a manner that ensures the successful outcome of a procedure or manoeuvre is never in doubt.
- (b) In accordance with section 9 of the Act, a person who holds a current pilot licence and associated medical certificate issued by an

ICAO Contracting State may have the licence and medical certificate recognised by the Director for the purpose of the Director issuing a private pilot licence to the person, for the same category of aircraft.

(c) A person who holds a current glider pilot certificate issued by a gliding organisation under delegated authority from the Director is eligible for the issue of a private pilot licence (Glider) if the person—

- (1) is at least 17 years of age; and
- (2) holds a flight radiotelephony examination credit; and
- (3) holds at least a current class 2 medical certificate issued under the Act.

(d) Qualifications held by a member of the New Zealand Defence Force who is in current flying practice as a first or second pilot may be accepted by the Director as meeting the requirements in—

- (1) paragraph (a)(6), if the person has passed the appropriate air law examination in the 5 years prior to applying for the issue of the private pilot licence; and
- (2) paragraph (a)(7).

61.155 Privileges and limitations

(a) Subject to paragraph (b)(3), the holder of a current private pilot licence may—

- (1) act as pilot-in-command of an aircraft of the category for which the pilot licence is granted and for which the pilot holds an aircraft type rating, and may carry passengers in the aircraft; and
- (2) act as a co-pilot of an aircraft of the category for which the pilot licence is granted and for which the pilot holds an aircraft type rating, and which is required to be operated with a co-pilot.

(b) The holder of a private pilot licence must not act as pilot-in-command or as co-pilot of an aircraft—

- (1) for remuneration; or
- (2) if the aircraft is being operated for hire or reward; or
- (3) if the aircraft is—
 - (i) being operated at night; or
 - (ii) being operated on a cross country flight; or
 - (iii) a helicopter carrying a sling load—

unless an appropriately qualified flight instructor has certified in the holder's logbook that the holder has satisfactorily completed the flight training required to perform that activity.

(c) Despite paragraph (b)(2), the holder of a current private pilot licence may act, but not for remuneration, as pilot-in-command or as a co-pilot of an aircraft that is operated for hire or reward to tow a glider in flight, but only if the operation is under the direct control of a gliding organisation, or under the authority of an adventure aviation operator certificate issued by the Director under the Act and Part 115.

61.157 Currency requirements

A holder of a private pilot licence is required to comply with the requirements of rules 61.35 (Medical requirements), 61.37 (Recent flight experience) and 61.39 (Biennial flight review) before exercising the privileges of the holder's private pilot licence.

Subpart E — Commercial Pilot Licences

61.201 Purpose

This Subpart prescribes the requirements for the issue of a commercial pilot licence and the privileges, limitations, and currency requirements of the pilot licences.

61.203 Eligibility requirements

- (a) To be eligible for a commercial pilot licence, a person must—
 - (1) be at least 18 years of age; and

- (2) in the case of an aeroplane and helicopter, hold a current private pilot licence for the appropriate category of aircraft; and
- (3) hold a current class 1 medical certificate issued under the Act; and
- (4) have the following minimum general flight time experience as a pilot comprising specific flight experience that is acceptable to the Director for the appropriate category of aircraft:
 - (i) in the case of an aeroplane, 200 hours or, if undertaking a course of approved training, 150 hours:
 - (ii) in the case of a helicopter, 150 hours or, if undertaking a course of approved training, 125 hours:
 - (iii) in the case of a glider, 150 hours:
 - (iv) in the case of a balloon, 50 hours; and
- (5) if the person seeks to exercise commercial pilot privileges during the night, have night flight time experience acceptable to the Director; and
- (6) have a valid written examination credit, or approved equivalent, that covers the following commercial pilot licence subject areas:
 - (i) air law:
 - (ii) flight navigation general:
 - (iii) meteorology:
 - (iv) principles of flight and aircraft performance (Aeroplane), (Helicopter), or (Glider), as appropriate:
 - (v) general aircraft technical knowledge (Aeroplane), (Helicopter), or (Glider), as appropriate:

- (vi) balloon technical knowledge and aerostatics, (Balloon):
 - (vii) human factors; and
- (7) have successfully demonstrated the following to the Director in a flight test:
- (i) knowledge in the ground examination subjects specified in paragraph (6), including those detailed in the examination knowledge deficiency reports:
 - (ii) knowledge of the privileges and limitations of a commercial pilot licence:
 - (iii) technical and operational knowledge relevant to the aircraft type to be used in the flight test:
 - (iv) competence to operate the aircraft within its performance capabilities and limitations in accordance with the aircraft flight manual in all normal, abnormal and emergency conditions and procedures while exercising appropriate levels of judgement and command:
 - (v) competence in radiotelephony (RTF) and phraseology:
 - (vi) control of the aircraft at all times in a manner that ensures the successful outcome of a procedure or manoeuvre is never in doubt.
- (b) Qualifications held by a member of the New Zealand Defence Force who is in current flying practice as a first or second pilot may be accepted by the Director as meeting the requirements in—
- (1) paragraph (a)(2); and
 - (2) paragraph (a)(6), if the person has passed the appropriate air law examination in the 5 years prior to applying for the issue of a commercial pilot licence; and

- (3) paragraph (a)(7).

61.205 Privileges and limitations

(a) Subject to paragraph (b), a current commercial pilot licence authorises the holder to exercise the following privileges in aircraft of the same category for which the pilot licence is granted and for which the pilot holds an aircraft type rating:

- (1) any of the appropriate privileges of a private pilot licence:
- (2) act as pilot-in-command of an aircraft that is certificated for single pilot operation and engaged on an operation for hire or reward:
- (3) act as pilot-in-command of an aircraft that is certificated for multi-pilot operation and engaged on an operation for hire or reward, that is not an air transport operation:
- (4) act as co-pilot of an aircraft that is certificated for multi-pilot operation and engaged on an operation for hire or reward.

(b) The holder of a commercial pilot licence must not act as pilot-in-command or as co-pilot of an aircraft at night, unless an appropriately qualified flight instructor has certified in the holder's logbook that the holder has satisfactorily completed the required night flight training.

61.207 Currency requirements

A holder of a commercial pilot licence is required to comply with the requirements of rules 61.35 (Medical requirements), 61.37 (Recent flight experience) and 61.39 (Biennial flight review) before exercising the privileges of the holder's commercial pilot licence.

Subpart F — Airline Transport Pilot Licences

61.251 Purpose

This Subpart prescribes the requirements for the issue of an airline transport pilot licence and the privileges and currency requirements of the pilot licence.

61.253 Eligibility requirements.

(a) To be eligible for an airline transport pilot licence, a person must—

- (1) be at least 21 years of age; and
- (2) hold a current commercial pilot licence for the appropriate category of aircraft; and
- (3) hold a current instrument rating; and
- (4) have the following minimum general flight time experience as a pilot comprising specific flight experience that is acceptable to the Director for the appropriate category of aircraft:
 - (i) in the case of an aeroplane, 1500 hours:
 - (ii) in the case of a helicopter, 1000 hours; and
- (5) have a valid written examination credit, or approved equivalent, that covers the following airline transport pilot licence subject areas:
 - (i) air law:
 - (ii) flight navigation general:
 - (iii) flight planning (Aeroplane or Helicopter as appropriate):
 - (iv) meteorology:
 - (v) instruments and navigation aids (Aeroplane only):
 - (vi) human factors:
 - (vii) advanced aerodynamics, performance, and systems knowledge (Aeroplane only):
 - (viii) aerodynamics and aircraft systems (Helicopter only):

- (ix) performance and loading (Helicopter only); and
- (6) subject to paragraph (b), have successfully demonstrated the following in a flight test to the Director, or an appropriately authorised flight examiner operating under the authority of an airline air operator certificate issued in accordance with Part 119, or an aviation training organisation certificate issued in accordance with Part 141, if the certificate authorises the holder to conduct the flight tests:
 - (i) knowledge in the ground examination subjects specified in paragraph (a)(5), including those detailed in the examination knowledge deficiency reports:
 - (ii) knowledge of the privileges and limitations of an airline transport pilot licence:
 - (iii) technical and operational knowledge relevant to the aircraft type used in the flight test:
 - (iv) competence to operate the aircraft within its performance capabilities and limitations in accordance with the aircraft flight manual in all normal, abnormal and emergency conditions and procedures whilst exercising appropriate levels of judgement and command:
 - (v) competence in ATS procedures and phraseology:
 - (vi) control of the aircraft at all times in a manner that ensures the successful outcome of a procedure or manoeuvre is never in doubt.
- (b) The flight test required under paragraph (a)(6) must be a cross country flight conducted under IFR in an aircraft that is—
 - (1) a multi-engine aircraft with a MCTOW of 5700 kg or more;
or
 - (2) a multi-engine aircraft acceptable to the Director; or

- (3) a synthetic flight trainer that is approved for airline transport pilot licence issue flight tests.

(c) Qualifications held by a member of the New Zealand Defence Force who has within the immediately preceding 12 months logged flight time with the New Zealand Defence Force as first pilot day/night level in an appropriate category of 2 pilot aircraft, may be accepted by the Director as meeting the requirements in—

- (1) paragraph (a)(2); and
- (2) paragraph (a)(3), if the person has passed a New Zealand Defence Force instrument flight assessment within the 3 months prior to applying for the issue of an airline transport pilot licence; and
- (3) paragraph (a)(5), if the person has passed the appropriate air law examination in the 5 years prior to applying for the issue of an airline transport pilot licence; and
- (4) paragraph (a)(6).

61.255 Privileges

A current airline transport pilot licence authorises the holder to exercise the following privileges in an aircraft of the same category for which the pilot licence is granted and for which the pilot holds an aircraft type rating:

- (1) any of the privileges of a private and commercial pilot licence;
- (2) act as pilot-in-command of an aircraft that is required to be operated with a co-pilot and is engaged on an air transport operation or an operation for hire or reward.

61.257 Currency requirements

A holder of an airline transport pilot licence is required to comply with the requirements of rules 61.35 (Medical Requirements), 61.37 (Recent Flight Experience) and 61.39 (Biennial Flight Review) before exercising the privileges of the holder's airline transport pilot licence.

Subpart G — Flight Instructor Ratings

61.301 Purpose

This Subpart prescribes the requirements for the issue of flight instructor ratings and the privileges, limitations and currency requirements of those ratings.

61.303 Eligibility requirements

Category E flight instructor

(a) To be eligible for the issue of a Category E flight instructor rating, a person must—

- (1) be the holder of at least a current commercial pilot licence for the appropriate category of aircraft; and
- (2) hold a current Grade 1 agricultural rating for the appropriate category of aircraft with a rating to conduct aerial topdressing, aerial spraying, or aerial VTA as appropriate; and
- (3) have a minimum of 2000 hours flight time experience on agricultural aircraft operations which must include—
 - (i) if the person seeks to instruct in aerial topdressing, a minimum of 100 hours flight time experience of aerial topdressing as a pilot in the appropriate category of aircraft;
 - (ii) if the person seeks to instruct in aerial spraying, a minimum of 100 hours flight time experience of aerial spraying as a pilot in the appropriate category of aircraft;
 - (iii) if the person seeks to instruct in aerial VTA operations, a minimum of 100 hours flight time experience as a pilot in the appropriate category of aircraft, comprising flight time experience on aerial topdressing operations and at least 50 hours of flight time experience on aerial VTA operations; and

- (4) [*Revoked*]
- (5) [*Revoked*]
- (6) demonstrate to the Director adequate technical knowledge of agricultural aviation by passing an oral examination and a flight test that are acceptable to the Director; and
- (7) if not already the holder of a current flight instructor rating, have satisfactorily completed an approved instructional techniques course within the 12 months prior to applying for a Category E flight instructor rating, or such other period acceptable to the Director.

Category D flight instructor

(b) To be eligible for the issue of a Category D flight instructor rating, a person must—

- (1) be the holder of at least a current commercial pilot licence for the appropriate category of aircraft; and
- (2) have a minimum of 700 hours flight time experience as a pilot including pilot-in-command experience acceptable to the Director; and
- (3) if the person seeks to instruct at night, have night flight experience acceptable to the Director; and
- (4) if the person seeks to instruct in multi-engine aircraft, have multi-engine flight experience acceptable to the Director; and
- (5) if the person seeks to instruct in instrument flight, have an appropriate current instrument rating; and
- (6) demonstrate to the Director the ability to competently instruct for aircraft type conversion by passing an oral examination and a flight test that are acceptable to the Director; and

- (7) if not already the holder of an instructor rating, have satisfactorily completed an approved course in the practice and theory of flight instruction.

Category C flight instructor

(c) To be eligible for the issue of a Category C flight instructor rating, a person must—

- (1) be the holder of at least a current commercial pilot licence for the appropriate category of aircraft; and
- (2) have a minimum of 200 hours flight time experience as a pilot in the appropriate category of aircraft comprising specific flight experience that is acceptable to the Director; and
- (3) if the person seeks to instruct at night, have night flight experience acceptable to the Director; and
- (4) if the person seeks to instruct in multi-engine aircraft, have multi-engine flight experience acceptable to the Director; and
- (5) if the person seeks to instruct in spinning or aerobatic manoeuvres in aeroplanes, have aerobatic experience acceptable to the Director; and
- (6) have satisfactorily completed an approved course in the practice and theory of flight instruction; and
- (7) have passed oral examinations in the following subject areas:
 - (i) aeroplane or helicopter principles of flight and performance, as appropriate;
 - (ii) meteorology;
 - (iii) cross-country navigation techniques;
 - (iv) the practice and theory of flight instruction; and

- (8) have a minimum of 25 hours dual flight instructor training or approved equivalent; and
 - (9) demonstrate to the Director the ability to give flight instruction in the appropriate category of aircraft in all normal and emergency flight manoeuvres by passing an oral examination and a flight test that are acceptable to the Director.
- (ca) A person who holds a current New Zealand Defence Force flight instructor qualification may be accepted by the Director as meeting the requirements in—
- (1) paragraph (c)(2); and
 - (2) paragraph (c)(5), if the person's New Zealand Defence Force instructor qualification is for aeroplanes; and
 - (3) paragraph (c)(8).

Category B flight instructor

- (d) To be eligible for the issue of a Category B flight instructor rating, a person must—
- (1) be the holder of at least a current commercial pilot licence for the appropriate category of aircraft; and
 - (2) be the holder of a Category C flight instructor rating or approved equivalent for the appropriate category of aircraft; and
 - (3) have a minimum of 500 hours flight time experience as a pilot in the appropriate category of aircraft comprising specific flight experience that is acceptable to the Director; and
 - (4) if the person seeks to instruct at night, have night flight experience acceptable to the Director; and

- (5) if the person seeks to instruct in multi-engine aircraft, have multi-engine flight experience acceptable to the Director; and
- (6) if the person seeks to instruct in spinning or aerobatic manoeuvres in an aeroplane, have aerobatic experience acceptable to the Director; and
- (7) have passed oral examinations in the following subject areas:
 - (i) aeroplane or helicopter principles of flight and performance as appropriate:
 - (ii) meteorology:
 - (iii) cross-country navigation techniques:
 - (iv) the practice and theory of flight instruction; and
- (8) demonstrate to the Director the ability to give flight instruction in the appropriate category of aircraft in all normal and emergency flight manoeuvres by passing an oral examination and a flight test that are acceptable to the Director.

(da) A person who holds a current New Zealand Defence Force flight instructor qualification may be accepted by the Director as meeting the flight time experience required by paragraph (d)(3) for the issue of a Category B flight instructor rating.

Category A flight instructor

- (e) To be eligible for the issue of a Category A flight instructor rating, a person must—
- (1) be the holder of at least a current commercial pilot licence for the appropriate category of aircraft and
 - (2) be the holder of a Category B flight instructor rating or approved equivalent for the appropriate category of aircraft; and

- (3) in the case of an aeroplane, be the holder of a current instrument rating; and
- (4) have a minimum of 1250 hours experience in the appropriate category of aircraft comprising specific flight experience that is acceptable to the Director; and
- (5) if the person seeks to instruct in multi-engine aircraft, have multi-engine flight experience acceptable to the Director; and
- (6) have passed oral examinations in the following subject areas:
 - (i) aeroplane or helicopter principles of flight and performance as appropriate:
 - (ii) meteorology:
 - (iii) cross-country navigation techniques:
 - (iv) the practice and theory of flight instruction; and
- (7) demonstrate to the Director an above average ability to give flight instruction in the appropriate category of aircraft during the day and night in all normal and emergency flight manoeuvres (including in the case of an aeroplane, spinning and aerobatic manoeuvres) by passing an oral examination and a flight test that are acceptable to the Director.

61.304 Issue

If the Director is satisfied that an applicant for a flight instructor rating has met the applicable requirements of rule 61.303, the Director may, in accordance with section 9 of the Act, issue the rating by endorsing the applicant's pilot licence with the applicable category of flight instructor rating.

61.305 Privileges and limitations

Category E flight instructor

- (a) An appropriate current Category E flight instructor rating authorises the holder to—

- (1) give technical and flight instruction in agricultural aircraft operations to the holder of a current pilot licence for the purpose of aerial topdressing, aerial spraying, or aerial VTA:
 - (2) authorise solo practice in aerial topdressing, aerial spraying, or aerial VTA by the holder of a current pilot licence who does not hold an agricultural rating:
 - (3) give conversion instruction and issue an agricultural aircraft type rating under rule 61.55, if the instructor has at least 50 hours flight time experience as pilot-in-command in the same type of aircraft to be used for instruction:
 - (4) [*Revoked*]
 - (5) conduct competency checks for agricultural ratings under rule 61.707:
 - (6) conduct competency checks under Subpart OA (aerial topdressing), Subpart OB (aerial spraying), and Subpart OC (aerial VTA):
- (b) A flight instructor holding a Category E flight instructor rating must not exercise the privileges specified in—
- (1) paragraph (a) unless the flight instructor holds an appropriate pilot licence, and aircraft type rating or an authorisation under rule 61.57 for the type of aircraft being used; and
 - (2) paragraph (a)(1), unless the flight instructor holds an appropriate and current rating for the agricultural aircraft operation being conducted.
- (c) [*Revoked*]

Category D flight instructor

- (d) Subject to paragraphs (e), (f), and (g), an appropriate current Category D flight instructor rating authorises the holder to—

- (1) give the holder of a pilot licence instrument flight instruction to the standard required for an instrument rating using radio aids to navigation; and
 - (2) conduct aircraft type ratings.
- (e) Paragraph (d) applies only to a Category D flight instructor who holds an aircraft type rating or an authorisation under rule 61.57 for the type of aircraft being used for such instruction.
- (f) The holder of a Category D flight instructor rating must not give instrument flight instruction, unless the instructor is the holder of a current instrument rating for—
- (1) the appropriate category of aircraft; and
 - (2) the approach aid or system used for instruction.
- (g) Unless an appropriately authorised flight examiner has certified in the holder's logbook that the holder has the necessary experience and demonstrated competence in that activity, the holder of a Category D flight instructor rating must not instruct—
- (1) at night; or
 - (2) in a multi-engine aircraft; or
 - (3) in instrument flight.

Category C flight instructor

- (h) Subject to paragraphs (i), (j), (k), and (l), an appropriate current Category C flight instructor rating authorises the holder, when under the supervision of the holder of an appropriate current Category A or B flight instructor rating, to—
- (1) give flight instruction; and
 - (2) authorise a solo flight other than a first solo flight by a student pilot by day; and

- (3) authorise a solo flight other than a first solo flight by a student pilot by night; and
 - (4) record in a pilot's logbook that the pilot has complied with any requirements prescribed for pilots that require logbook certification in accordance with Category C flight instructor privileges; and
 - (5) conduct aircraft type ratings.
- (i) Paragraph (h) applies only to a Category C flight instructor who holds an aircraft type rating or an authorisation under rule 61.57 for the type of aircraft being used for such instruction or assessment.
- (j) The holder of a Category C flight instructor rating must not exercise the privileges in paragraph (h) unless for at least the first 6 consecutive months and for a minimum of the first 100 hours of instructional flying, the flight instructor is under the direct supervision of the holder of a Category A or B flight instructor rating who is—
- (1) on the same aerodrome, at the same time; and
 - (2) directly responsible for the flight instruction actions of the flight instructor under supervision.
- (k) The holder of a Category C flight instructor rating must not give instrument flight instruction in IMC or on an IFR flight plan, unless the instructor is the holder of a current instrument rating for—
- (1) the appropriate category of aircraft; and
 - (2) the approach aid or system used for instruction.
- (l) Unless an appropriately authorised flight examiner has certified in the holder's logbook that the holder has the necessary experience and demonstrated competence in that activity, the holder of a Category C flight instructor rating must not instruct—
- (1) at night; or
 - (2) in a multi-engine aircraft; or

- (3) in the case of an aeroplane, in spinning or aerobatics.

Category B flight instructor

(m) Subject to paragraphs (n), (o), and (p), an appropriate current Category B flight instructor rating authorises the holder to—

- (1) give flight instruction; and
- (2) authorise a solo flight; and
- (3) record in a pilot's logbook that the pilot has complied with any requirements prescribed for pilots that require logbook certification; and
- (4) conduct aircraft type ratings; and
- (5) conduct biennial flight reviews.

(n) Paragraph (m) applies only to a Category B flight instructor who holds an aircraft type rating or an authorisation under rule 61.57 for the type of aircraft being used for such instruction or assessment.

(o) The holder of a Category B flight instructor rating must not give instrument flight instruction in IMC or on an IFR flight plan, unless the instructor is the holder of a current instrument rating for—

- (1) the appropriate category of aircraft; and
- (2) the approach aid or system used for instruction.

(p) Unless an appropriately authorised flight examiner has certified in the holder's logbook that the holder has the necessary experience and demonstrated competence in that activity, the holder of a Category B flight instructor rating must not instruct—

- (1) at night; or
- (2) in a multi-engine aircraft; or
- (3) in the case of an aeroplane, in spinning or aerobatics.

Category A flight instructor

(q) Subject to paragraphs (r), (s), and (t), an appropriate current Category A flight instructor rating authorises the holder to—

- (1) give flight instruction during the day or night; and
- (2) authorise a solo flight during the day or night; and
- (3) record in a pilot's logbook that the pilot has complied with any requirements prescribed for pilots that require logbook certification; and
- (4) conduct aircraft type ratings; and
- (5) conduct biennial flight reviews; and
- (6) give spinning and aerobatic instruction.

(r) Paragraph (q) applies only to a Category A flight instructor who holds an aircraft type rating or an authorisation under rule 61.57 for the type of aircraft being used for such instruction or assessment.

(s) The holder of a Category A flight instructor rating must not give instrument flight instruction in IMC or on an IFR flight plan, unless the instructor is the holder of a current instrument rating for—

- (1) the appropriate category of aircraft; and
- (2) the approach aid or system used for instruction.

(t) The holder of a Category A flight instructor rating must not instruct in multi-engine aircraft unless an appropriately authorised flight examiner has certified in that holder's logbook that the holder has the necessary experience and has demonstrated competence in that activity.

61.307 Currency requirements

(a) A flight instructor holding a Category E flight instructor rating must not exercise the privileges of the rating unless the flight instructor holds a current Grade 1 agricultural rating for the same category of aircraft.

(b) The holder of a Category D flight instructor rating must not give instrument flight instruction unless the flight instructor holds a current instrument rating.

(c) The holder of a Category A, B, C, or D flight instructor rating must not give IFR cross-country navigation instruction, unless the flight instructor holds a current instrument rating and has completed a minimum of 50 hours as pilot-in-command on IFR cross-country operations that has been certified by a flight examiner in the instructor's logbook.

(d) The holder of a Category B or C flight instructor rating must not give flight instruction unless within the immediately preceding 12 months,—

- (1) the flight instructor has demonstrated competency to an appropriately authorised flight examiner in accordance with the appropriate category flight instructor flight test syllabus; and
- (2) the flight examiner who conducts the competency demonstration certifies the successful completion of the check in the pilot's logbook in accordance with rule 61.29.

(e) The holder of a Category A or E flight instructor rating must not give flight instruction unless within the immediately preceding 24 months,—

- (1) the flight instructor has demonstrated competency to an appropriately authorised flight examiner in accordance with the appropriate category flight instructor flight test syllabus; and
- (2) the flight examiner who conducts the competency demonstration certifies the successful completion of the check in the pilot's logbook in accordance with rule 61.29.

(f) A person who completes the demonstration required by paragraphs (d) or (e) within 60 days before the date on which the flight test is required is deemed to have completed the requirements on the required date.

(g) A flight instructor holding a Category E flight instructor rating when giving flight instruction on agricultural aircraft may count the time as flight time to meet the requirements in rule 61.701(b)(2).

(h) The holder of a Category A or B flight instructor rating who does not meet the currency requirements for the rating, but who meets those requirements for a lower category rating, may exercise the privileges of that lower category of flight instructor.

61.309 Transitional Provision for Category E flight instructors

(a) A person who was issued with a Category E flight instructor rating before 15 April 2016 may continue to exercise the privileges of the rating for 12 months from 15 April 2016 without demonstrating competency under rule 61.307(e).

(b) This rule expires on 15 April 2016.

Subpart H — Recreational Pilot Licence

61.351 Purpose

This Subpart prescribes the requirements for the issue of a recreational pilot licence and the privileges, limitations, and currency requirements of the pilot licence.

61.353 Definitions

Medical Certificate, in this Subpart and as referred to in rules 61.35(b) and (d) is not recognised as a medical certificate by the Director under the rules for the purpose of Part 2A of the Act.

61.355 Eligibility requirements

(a) Except as provided for in paragraph (b), to be eligible for the issue of a recreational pilot licence (aeroplane or helicopter) a person must—

- (1) be at least 17 years of age; and
- (2) hold a medical certificate, issued in accordance with rule 44(1) of the Land Transport (Driver Licensing) Rule 1999, that is applicable for a Class 2, 3, 4 or 5 driver licence with passenger endorsement which —

- (i) was issued within the previous 5 years; or
 - (ii) if the person is 40 years of age or older, was issued within the previous 24 months; and
- (3) have a minimum of—
- (i) 50 hours flight time experience as a pilot in the appropriate category of aircraft comprising of solo flight time, dual flight time, instrument time, and cross-country flight time acceptable to the Director; or
 - (ii) if the person is not seeking to exercise recreational pilot privileges on a cross-country flight, 40 hours flight time experience as a pilot in the appropriate category of aircraft comprising solo flight time, instrument time, and dual flight time acceptable to the Director; and
- (4) have a valid written examination credit, or approved equivalent, in the subjects contained in rule 61.153(a)(6); and
- (5) have completed terrain awareness training that is acceptable to the Director; and
- (6) have passed a flight test for the issue for a private pilot licence in accordance with rule 61.153(a)(7) except that the person must have demonstrated knowledge of the privileges and limitations of a recreational pilot licence.
- (b) A person who holds a valid private pilot licence, commercial pilot licence, or an airline transport pilot licence, is eligible for the issue of a recreational pilot licence for the appropriate category of aircraft, if the person—
- (1) holds a medical certificate as required by paragraph (a)(2); and
 - (2) has not met the requirements of rule 61.39 for a period of 5 years or more; and

(3) has passed the written examination for PPL air law.

(c) Cross country flight experience in a helicopter or aeroplane under paragraph (a)(3)(i) may be accepted by the Director as cross country flight time in the other category of aircraft.

61.357 Privileges and limitations

(a) Subject to paragraph (b), the holder of a current recreational pilot licence may—

- (1) act as pilot-in-command of a single engine non-pressurised aeroplane with a MCTOW of 2000kg or less, for which the pilot holds an aircraft type rating; or
- (2) act as pilot-in-command of a single engine helicopter with a MCTOW of 1500kg or less, for which the pilot holds an aircraft type rating; or
- (3) carry a passenger, provided the passenger has been informed that the pilot does not hold a medical certificate issued under the Act.

(b) The holder of a recreational pilot licence must not act as pilot-in-command or as co-pilot of an aircraft—

- (1) operating outside New Zealand; or
- (2) for remuneration; or
- (3) carrying more than one passenger; or
- (4) if the aircraft is being operated—
 - (i) for hire and reward; or
 - (ii) at night; or
 - (iii) under instrument flight rules; or
 - (iv) into or out of a controlled aerodrome unless the licence holder has provided the Director with

- evidence of a successful colour vision screening test that is acceptable to the Director; or
- (v) over a congested area of a city or town, except for the purpose of take-off and landing; or
- (5) if the aircraft is conducting—
- (i) an air operation; or
 - (ii) a glider tow operation, where the glider is being operated for hire or reward; or
 - (iii) a parachute drop operation; or
 - (iv) an agricultural aircraft operation; or
 - (v) an aerobatic flight; or
 - (vi) a banner tow operation; or
 - (vii) a drogue tow operation; or
 - (viii) a sling load operation.

61.359 Changes in medical condition of RPL holder

If a holder of a recreational pilot licence is aware of, or has reasonable grounds to suspect, any change in his or her medical condition or the existence of any previously undetected medical condition that may interfere with the safe exercise of the privileges of the licence, the licence holder must not exercise the privileges of the licence unless a medical practitioner confirms the licence holder is fit to hold a medical certificate referred to in rule 61.355(a)(2).

61.361 Currency requirements

A holder of a recreational pilot licence must comply with the requirements of rules 61.35 (Medical requirements), 61.37 (Recent flight experience) and 61.39 (Biennial flight review) before exercising the privileges of the holder's recreational pilot licence.

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 pilot must—
- (1) have successfully completed an aerobatics ground course conducted under the authority of—
 - (i) an aviation training organisation certificate issued in accordance with Part 141 if the certificate authorises the holder to conduct the course; or
 - (ii) an aviation recreation organisation certificate issued in accordance with Part 149 if the certificate authorises the holder to conduct the course; and
 - (2) have successfully completed an aerobatics flight training course conducted under the authority of—
 - (i) an aviation training organisation certificate issued in accordance with Part 141 if the certificate authorises the holder to conduct the course; or
 - (ii) an aviation recreation organisation certificate issued in accordance with Part 149 if the certificate authorises the holder to conduct the course; and
 - (3) have successfully demonstrated competency in aerobatics and spinning to—
 - (i) an appropriately qualified flight instructor who operates under the authority of an aviation training organisation certificate issued in accordance with Part 141 if the certificate authorises the holder to conduct the assessment; or

- (ii) a person who operates under the authority of an aviation recreation organisation certificate issued in accordance with Part 149 if the certificate authorises the holder to conduct the assessment.
- (b) A holder of the following is deemed to have met the eligibility requirements of paragraphs (a)(1) and (a)(2)—
 - (1) a current aerobatic rating issued by an ICAO Contracting State:
 - (2) a New Zealand Defence Force pilot qualification.
- (c) A pilot who holds a current pilot licence and has passed a New Zealand Defence Force aerobatic assessment in the 2 years prior to applying for an aerobatic flight rating is deemed to have met all the eligibility requirements of paragraph (a).

61.553 Issue

- (a) If the flight instructor or authorised person who conducted the competency demonstration required by rule 61.551 is satisfied that the pilot complies with rule 61.551, the flight instructor or authorised person may issue the aerobatic rating by entering the following statement in the pilot's logbook:

I certify that on [date of assessment] [name of pilot and client number] satisfied the requirements of Part 61 of the Civil Aviation Rules for the issue of an aerobatic rating.[enter the date, full name, signature, and licence number of the flight instructor or authorised person issuing the rating].

- (b) The holder of an aerobatic flight rating issued under paragraph (a) or a pilot meeting the requirements of rule 61.551(c) may apply to the Director to have the rating endorsed on the holder's pilot licence.
- (c) On receipt of an application under paragraph (b) and payment of the applicable fee, the Director may endorse the pilot licence with the aerobatic flight rating.

(d) To avoid doubt, a statement of endorsement made in a pilot's logbook prior to 15 April 2016 is deemed to satisfy the requirements of paragraph (a) of rule 61.551.

61.555 Privileges and limitations

(a) Subject to the privileges and limitations of the pilot licence or certificate held, a current aerobatic flight rating authorises the holder to conduct aerobatic manoeuvres within the following limitations:

- (1) at a height not less than 3000 feet above the surface while carrying a passenger:
- (2) at a height not less than 1500 feet above the surface while not carrying a passenger:
- (3) at a height less than 1500 feet above the surface while not carrying a passenger when authorised by the holder of an aviation recreation organisation certificate issued in accordance with Part 149, if the certificate authorises the holder to organise aviation events.

61.557 Currency requirements

(a) A holder of an aerobatic flight rating must not exercise the privileges of the rating unless,—

- (1) within the previous 24 months, the holder has successfully demonstrated competency in accordance with the requirements of rule 61.551(a)(3); and
- (2) the flight instructor or authorised person who conducts the competency demonstration certifies the successful completion of the check in the pilot's logbook in accordance with rule 61.29.

(b) A pilot who successfully completes the competency demonstration within 60 days before 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 pilot must—
- (1) have a minimum of 100 hours as pilot-in-command in an aeroplane; and
 - (2) have successfully completed a course in towing gliders conducted by a gliding organisation if the organisation's Part 149 certificate authorises the holder to conduct the course; and
 - (3) have successfully demonstrated competence in the towing of gliders to an appropriately authorised person within a gliding organisation if the organisation's Part 149 certificate authorises the holder to conduct the assessment.
- (b) The holder of a current glider tow rating issued by an ICAO Contracting State is deemed to have met the requirements of paragraph (a)(2).

61.603 Issue

- (a) If the authorised person who conducted the competency demonstration required by rule 61.601 is satisfied that the pilot complies with rule 61.601, the authorised person may issue the glider tow rating by entering the following statement in the pilot's logbook:

I certify that on [date of assessment] [name of pilot and client number] satisfied the requirements of Part 61 of the Civil Aviation Rules for the issue of a glider tow rating.[enter the date, full name, signature, and licence number of the flight instructor issuing the rating].

- (b) The holder of a glider tow rating issued under paragraph (a) may apply to the Director to have the rating endorsed on the holder's pilot licence.

(c) On receipt of an application under paragraph (b) and payment of the applicable fee, the Director may endorse the pilot licence with the glider tow rating.

(d) To avoid doubt, a statement of endorsement made in a pilot's logbook prior to 15 April 2016 is deemed to satisfy the requirements of paragraph (a) of rule 61.601.

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 pilot licence.

61.607 Currency requirements

(a) A holder of a glider tow rating must not exercise the privileges of the rating unless,—

- (1) within the previous 12 months, the holder has performed at least 6 glider tows; or
- (2) within the previous 12 months, the holder has demonstrated competency in accordance with the requirements of rule 61.601(a)(3); and
- (3) the authorised person who conducts the competency demonstration certifies the successful completion of the check in the holder's logbook in accordance with rule 61.29.

(b) A pilot who completes the competency demonstration within 60 days before 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 pilot must—

- (1) be the holder of at least a current private pilot licence; and

- (2) 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 operation; and
 - (3) have satisfactorily completed a course in dropping parachutists conducted by a parachute organisation if the organisation's Part 149 certificate authorises the holder to conduct the course; and
 - (4) have demonstrated competence in the dropping of parachutists to an appropriately authorised person within a parachute organisation if the organisation's Part 149 certificate authorises the holder to conduct the assessment.
- (b) A pilot who holds a current parachute drop rating issued by an ICAO Contracting State is deemed to have met the requirements of paragraph (a)(3).

61.653 Issue

- (a) If the authorised person who conducted the competency demonstration required by rule 61.651(a) is satisfied that the pilot complies with rule 61.651, the authorised person may issue the parachute drop rating by entering the following statement in the pilot's logbook:

I certify that on [date of assessment] [name of pilot and client number] satisfied the requirements of Part 61 of the Civil Aviation Rules for the issue of a parachute drop rating for (aeroplanes) (helicopters)*. [enter the date, full name, signature, and licence number of the flight instructor issuing the rating].*

- (b) The holder of a parachute drop rating issued under paragraph (a) may apply to the Director to have the rating endorsed on the holder's pilot licence.
- (c) On receipt of an application under paragraph (b) and payment of the applicable fee, the Director may endorse the pilot licence with the parachute drop rating.

(d) To avoid doubt, a statement of endorsement made in a pilot's logbook prior to 15 April 2016 is deemed to satisfy the requirements of paragraph (a) of rule 61.651.

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 the holder's pilot licence.

61.657 Currency requirements

(a) A holder of a parachute drop rating must not exercise the privileges of the rating unless,—

- (1) within the previous 12 months, the holder has performed at least 6 parachute drop flights; or
- (2) within the previous 12 months, the holder has successfully demonstrated their continued competency in accordance with the requirements of rule 61.651(a)(4); and
- (3) the authorised person who conducted the competency demonstration certifies the successful completion of the check in the pilot's logbook in accordance with rule 61.29.

(b) A pilot who successfully completes the competency demonstration within 60 days before 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

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

- (1) hold at least a current private pilot licence for the appropriate category of aircraft; and
- (2) have a minimum of 200 hours flight time experience as a pilot, including a minimum of 100 hours as pilot-in-

command in the appropriate category of aircraft, before commencing training for an agricultural rating; and

- (3) successfully complete a course of agricultural ground and flight training; and
- (4) [*Revoked*]
- (5) [*Revoked*]
- (6) hold a pilot chemical rating; and
- (7) successfully complete a training course in one or more of the following ratings:
 - (i) aerial topdressing rating;
 - (ii) aerial spraying rating;
 - (iii) aerial VTA rating; and
- (8) successfully demonstrate competency (orally and in flight) in agricultural aircraft operations to a flight examiner holding an appropriate current agricultural flight examiner rating.

(b) To be eligible for the issue of a Grade 1 agricultural rating (aeroplane or helicopter), a person must—

- (1) hold at least a current commercial pilot licence for the appropriate category of aircraft; and
- (2) have a minimum of 1000 hours productive flight time experience dispensing agricultural chemical or other substance directly affecting agriculture, horticulture or forest preservation, including a minimum of 200 hours as pilot-in-command of the appropriate category of aircraft; and
- (3) successfully demonstrate competency (orally and in flight) in agricultural aircraft operations to a flight examiner holding an appropriate current agricultural flight examiner rating.

(c) The training required by paragraph (a)(3), and the demonstration of competency required by paragraphs (a)(8) and (b)(3) must be conducted under the authority of—

- (1) an agricultural aircraft operator certificate issued under Part 137 that authorises the operator to conduct the training or competency assessment; or
- (2) an aviation training organisation certificate issued under Part 141 that authorises the organisation to conduct the training or competency assessment.

61.703 Issue

(a) If the flight examiner who conducted the competency demonstration required by rule 61.701(a)(8) or (b)(3) is satisfied that the person is competent to perform agricultural aircraft operations, the flight examiner must—

- (1) submit a copy of the flight test report to the Director; and
- (2) enter the following statement in the pilot's logbook:

I certify that on [date of assessment] [name of pilot and licence number] demonstrated competency in agricultural aircraft operations in accordance with rule (61.701(a)(8) (61.701(b)(3))* of the Civil Aviation Rules for the issue of a (Grade 2)* (Grade 1)* agricultural rating (aeroplane)* (helicopter)* with an (aerial topdressing rating)* (aerial spraying rating)* (aerial VTA rating)*. [date of entry, full name, signature and licence number of flight examiner].*

** delete as applicable*

(b) [*Revoked*]

(c) A person who has a logbook entry made in accordance with paragraph (a)(2) must apply to the Director under rule 61.11(a) for the issue of the agricultural rating before exercising the privileges of the rating.

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

(e) *[Revoked]*

(f) *[Revoked]*

(g) *[Revoked]*

61.705 Privileges and limitations

(a) Subject to paragraph (b), Part 137, and the privileges and limitations of the holder's pilot licence, a holder of a current agricultural rating may act as pilot-in-command of an aircraft performing an agricultural aircraft operation.

(b) A holder of a Grade 2 agricultural rating must not act as pilot-in-command of an aircraft performing an agricultural aircraft operation if, under Part 137, there is a third party risk.

61.707 Currency requirements

(a) Subject to paragraph (d), a holder of an agricultural rating must not exercise the privileges of the rating unless—

- (1) within the preceding 12 months the holder has successfully demonstrated, to a holder of a category E flight instructor rating or a holder of an agricultural flight examiner rating, competency to perform an agricultural aircraft operation in an appropriate aircraft category and applicable to the agricultural ratings being exercised; and
- (2) the flight instructor or flight examiner who conducted the competency demonstration has entered the following statement in the pilot's logbook:

I certify that on [date of assessment] [name of pilot and licence number] demonstrated competency in agricultural aircraft operations in accordance with rule 61.707(a)(1) of the Civil Aviation Rules for continued currency of a (Grade 2) (Grade 1)* agricultural rating (aeroplane)* (helicopter)* performing (aerial*

topdressing) (aerial spraying)* (aerial VTA)*. Next competency demonstration due on [enter date 12 months from date of assessment or 12 months from due date in accordance with paragraph (c) whichever is later]. [enter date of log book entry, and full name, signature and licence number of flight instructor or flight examiner].*

** delete as applicable*

(b) A pilot who successfully completes the competency demonstration within 60 days before the date on which the demonstration is required is deemed to have completed the demonstration on the required date.

(ba) The flight instructor or flight examiner who conducted the competency demonstration must complete the appropriate CAA form and submit a copy of the completed form to the Director and to the pilot.

(c) A holder of a Grade 1 agricultural rating must not act as pilot-in-command of an aircraft performing an agricultural aircraft operation if, under Part 137, there is a third party risk unless—

- (1) the holder has at least 25 hours flight time experience as a pilot-in-command on the type of aircraft being used; and
- (2) 10 of the required hours have been accumulated within the immediately preceding 12 months.

(d) Despite paragraph (a), a holder of an agricultural rating must not dispense an agricultural chemical from an aircraft on an agricultural aircraft operation unless they hold a current pilot chemical rating.

61.709 Transitional provisions for agricultural ratings

(a) This rule applies to current agricultural ratings issued before 15 April 2016.

(b) A pilot who holds a rating to which this rule applies may exercise the privileges of the rating—

- (1) until and on the date the pilot's demonstration of competency is due under rule 61.707, if the pilot holds a current pilot chemical rating;
 - (2) after the date the pilot's demonstration of competency is due under rule 61.707, if—
 - (i) the pilot successfully demonstrates competency in accordance with rule 61.707 by the due date; and
 - (ii) the pilot applies to the Director under rule 61.11(a) for the issue of the agricultural rating; and
 - (iii) the Director, at the Director's discretion, grants the agricultural rating on receipt of an application, and payment of the applicable fee.
- (c) Despite paragraph (b)(2), a pilot may continue to exercise the privileges of a rating to which this rule applies, not exceeding 30 days after applying to the Director under paragraph (b)(2)(ii).

61.710 Validation permit

A person who holds a current validation permit for a foreign pilot licence equivalent to a pilot licence required by rule 61.701(a) or (b) and who holds a qualification that the Director accepts as equivalent to an agricultural rating under rule 61.701 may apply to the Director under rule 61.11(a) to have the equivalent agricultural rating endorsed on the validation permit.

Subpart OA — Aerial Topdressing Rating

61.711 Eligibility requirements

- (a) To be eligible for an aerial topdressing rating, a person must—
 - (1) hold at least a current Grade 2 agricultural rating for the appropriate category of aircraft; and
 - (2) satisfactorily complete a training course consisting of both ground training and flight instruction in aerial topdressing operations conducted under the authority of an aviation training organisation certificate issued under Part 141, or an

agricultural aircraft operator certificate issued under Part 137 that authorises the holder to conduct aerial topdressing training courses; and

- (3) successfully demonstrate competence in aerial topdressing operations to a Category E flight instructor or an agricultural flight examiner operating under the authority of an aviation training organisation certificate issued under Part 141, or an agricultural aircraft operator certificate issued under Part 137 that authorises the holder to conduct aerial topdressing rating competency assessments.

61.713 Issue

(a) If the flight instructor or flight examiner who conducted the competency demonstration required by rule 61.711(3) is satisfied that the pilot complies with rule 61.711, the flight instructor or flight examiner may issue the aerial topdressing rating by entering the following statement in the pilot's logbook:

I certify that on [date of assessment] [name of pilot and licence number] satisfied the requirements of Part 61 of the Civil Aviation Rules for the issue of an aerial topdressing rating for (aeroplanes) (helicopters)*. [enter the date, full name, signature, and licence number of the flight instructor or flight examiner issuing the rating].*

(b) The holder of an aerial topdressing rating may apply to the Director to have the rating endorsed on the holder's pilot licence.

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

61.715 Privileges and limitations

Subject to the privileges and limitations of the holder's pilot licence, a holder of an agricultural rating and an aerial topdressing rating may act as pilot-in-command of an appropriate category of aircraft performing an aerial topdressing operation.

61.717 Currency requirements

(a) A holder of an aerial topdressing rating must not exercise the privileges of the rating unless within the previous 12 months the holder has successfully demonstrated competency under rule 61.711(3) and the flight instructor or flight examiner who conducted the competency demonstration has certified the successful completion of the demonstration in the holder's logbook.

(b) A pilot who successfully completes the competency demonstration within 60 days before the date on which it is required is deemed to have completed the demonstration on the required date.

61.719 Transitional provisions for holders of agricultural ratings

(a) This rule applies to current agricultural ratings issued before 15 April 2016.

(b) A pilot who holds a rating to which this rule applies may exercise the privileges in rule 61.715 until the currency period for the agricultural rating expires if the pilot holds a current pilot chemical rating.

(c) A pilot in paragraph (b) who successfully demonstrates competency under rule 61.717 before the expiry of the agricultural rating—

- (1) is deemed to comply with rule 61.711(2); and
- (2) may be issued with an aerial topdressing rating.

Subpart OB — Aerial Spraying Rating**61.721 Eligibility requirements**

(a) To be eligible for an aerial spraying rating, a pilot must—

- (1) hold at least a current Grade 2 agricultural rating for the appropriate category of aircraft; and
- (2) satisfactorily complete a training course consisting of both ground training and flight instruction in aerial spraying operations conducted under the authority of an aviation

training organisation certificate issued under Part 141, or an agricultural aircraft operator certificate issued under Part 137 that authorises the holder to conduct aerial spraying rating training courses; and

- (3) successfully demonstrate competence in conducting agricultural aircraft operations on aerial spraying to a Category E flight instructor or agricultural flight examiner operating under the authority of an aviation training organisation certificate issued under Part 141, or an agricultural aircraft operator certificate issued under Part 137 that authorises the holder to conduct aerial spraying rating competency assessments.

61.723 Issue

(a) If the flight instructor or flight examiner who conducted the competency demonstration required by rule 61.721(3) is satisfied that the pilot complies with rule 61.721, the flight instructor or flight examiner may issue the aerial spraying rating by entering the following statement in the pilot's logbook:

I certify that on [date of assessment] [name of pilot and client number] satisfied the requirements of Part 61 of the Civil Aviation Rules for the issue of an aerial spraying rating for (aeroplanes) (helicopters)*. [enter the date, full name, signature, and licence number of the flight instructor or flight examiner issuing the rating].*

(b) The holder of an aerial spraying rating may apply to the Director to have the rating endorsed on the holder's pilot licence.

(c) On receipt of an application under paragraph (b) and payment of the applicable fee, the Director may endorse the pilot licence with the aerial spraying rating.

61.725 Privileges

Subject to the privileges and limitations of the holder's pilot licence, a holder of an agricultural rating and an aerial spraying rating may act as pilot-in-command of an appropriate category of aircraft performing an aerial spraying operation.

61.727 Currency requirements

(a) A holder of an aerial spraying rating must not exercise the privileges of the rating unless within the previous 12 months the holder has successfully demonstrated competency under rule 61.721(3) and the flight instructor or flight examiner who conducted the competency demonstration has certified the successful completion of the demonstration in the holder's logbook.

(b) A pilot who successfully completes the competency demonstration within 60 days before the date on which it is required is deemed to have completed the demonstration on the required date.

61.729 Transitional provisions for holders of agricultural ratings

(a) This rule applies to current agricultural ratings issued before 15 April 2016.

(b) A pilot who holds a rating to which this rule applies may exercise the privileges in rule 61.725 until the currency period for the agricultural rating expires, if the pilot holds a current pilot chemical rating. (c).

(c) A pilot in rule 61.727 (b) who successfully demonstrates competency before the expiry of the agricultural rating—

- (1) is deemed to comply with rule 61.721(2); and
- (2) may be issued with an aerial spraying rating.

Subpart OC — Aerial VTA Rating**61.731 Eligibility requirements**

(a) To be eligible for an aerial VTA rating a pilot must—

- (1) hold at least a Grade 2 agricultural rating for the appropriate category of aircraft; and
- (2) satisfactorily complete a training course in aerial VTA operations consisting of both ground and flight instruction conducted under the authority of an aviation training organisation certificate issued under Part 141, or an

agricultural aircraft operator certificate issued under Part 137 that authorises the holder to conduct aerial VTA rating training courses; and

- (3) successfully demonstrate competence in aerial VTA operations to a Category E flight instructor or agricultural flight examiner operating under the authority of an aviation training organisation certificate issued under Part 141 or an agricultural aircraft operator certificate issued under Part 137 that authorises the holder to conduct aerial VTA authorisation competency assessments.

61.733 Issue

- (a) If the flight instructor or flight examiner who conducted the competency demonstration required by rule 61.731(3) is satisfied that the pilot complies with rule 61.731, the flight instructor or flight examiner may issue the aerial VTA rating by entering the following statement in the pilot's logbook:

I certify that on [date of assessment] [name of pilot and client number] satisfied the requirements of Part 61 of the Civil Aviation Rules for the issue of an aerial VTA rating for (aeroplanes) (helicopters)*.[enter the date, , full name, signature, and licence number of the flight instructor or flight examiner issuing the rating].*

- (b) The holder of an aerial VTA rating may apply to the Director to have the rating endorsed on the holder's pilot licence.
- (c) On receipt of an application under paragraph (b) and payment of the applicable fee, the Director may endorse the pilot licence with the aerial VTA rating.

61.735 Privileges

Subject to the privileges and limitations of the holder's pilot licence, a holder of a current agricultural rating and an aerial VTA rating may act as pilot-in-command of an appropriate category of aircraft performing an agricultural aircraft operation on aerial VTA.

61.737 Currency requirements

(a) A holder of an aerial VTA rating must not exercise the privileges of the rating unless within the previous 12 months the holder has demonstrated competency under rule 61.731(3) and the flight instructor or flight examiner who conducted the competency demonstration has certified the successful completion of the demonstration in the holder's logbook.

(b) A pilot who completes the competency demonstration within 60 days before the date on which it is required is deemed to have completed the demonstration on the required date.

61.739 Transitional provisions for holders of agricultural ratings

(a) This rule applies to current agricultural ratings issued before 15 April 2016.

(b) A pilot who holds a rating to which this rule applies may exercise the privileges in rule 61.735 until the currency period for the agricultural rating expires, if the pilot holds a current pilot chemical rating.

(c) A pilot in rule 61.737 (b) who successfully demonstrates competency before the expiry of the agricultural rating—

- (1) is deemed to comply with rule 61.731(2); and
- (2) may be issued with an aerial VTA rating.

Subpart P — Pilot Chemical Rating**61.751 Eligibility requirements**

(a) To be eligible for the issue of a pilot chemical rating, a pilot must—

- (1) be the holder of at least a current private pilot licence in the appropriate category of aircraft; and
- (2) successfully complete a training course in agricultural chemical application, with assessment, conducted under the authority of—

- (i) an agricultural aircraft operator certificate issued under Part 137 that authorises the operator to conduct the training; or
- (ii) an aviation training organisation certificate issued under Part 141 that authorises the organisation to conduct the training.

61.753 Issue

(a) When a pilot has met the eligibility requirements of rule 61.751 the person who completed the assessment required by rule 61.751 may issue the pilot chemical rating by entering the following statement in the pilot's logbook in accordance with rule 61.29:

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

(b) The holder of a pilot chemical rating issued under paragraph (a) may apply to the Director to have the rating endorsed on the holder's pilot licence.

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

(d) A pilot 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 Currency requirements

(a) Except as provided in paragraph (b), the holder of a pilot chemical rating must not exercise the privileges of the rating after 5 years from the date of issue unless, —

- (1) within the previous 5 years, the holder has successfully completed a refresher course that is acceptable to the Director; and
 - (2) a record to that effect has been entered in the holder's logbook in accordance with rule 61.29.
- (b) A pilot who successfully completes the refresher course required by paragraph (a) within 90 days before the date on which it is required is deemed to have completed the course on the required date.

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 must—
- (1) hold a pilot licence, which includes the night flying privileges for the pilot licence, for the appropriate category of aircraft; and
 - (2) have flight time experience acceptable to the Director; and
 - (3) successfully complete a ground training course, 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 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:

- (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:
 - (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 phenomena which affect take-off, en-route, and landing conditions; hazardous weather avoidance:
 - (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:
 - (v) human factors: human performance and limitations; and
- (4) successfully complete a flight training course conducted by an appropriately qualified flight instructor comprising a minimum 10 hours of dual instruction in the appropriate category of aircraft 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:

- (ii) pre-flight inspection, use of checklists, taxiing and pre-take-off checks:
 - (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:
 - (iv) in-flight manoeuvres and particular flight characteristics:
 - (v) for multi-engine aircraft, the operation of the aircraft solely by reference to instruments with 1 engine inoperative or simulated inoperative; and
- (5) have a valid written examination credit, or approved equivalent, that covers approved written examinations in the subject areas described in paragraph (a)(3); and
- (6) successfully demonstrate to the Director (by undertaking a flight test in an appropriate aircraft or in an approved synthetic flight trainer) the ability to competently perform the procedures, manoeuvres, and operations described in paragraph (a)(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) control the aircraft at all times in a manner that ensures the successful outcome of a procedure or manoeuvre is never in doubt.
- (b) To be eligible for an instrument rating, a holder of an unrestricted equivalent rating issued by an ICAO Contracting State must—
- (1) have a valid written examination credit in the subject of air law described under paragraph (a)(3)(i); and
 - (2) pass the flight test required by paragraph (a)(6).
- (c) A person who holds a New Zealand Defence Force instrument rating and has passed a New Zealand Defence Force instrument flight assessment in the 3 months prior to applying for an instrument rating meets the eligibility requirements of paragraphs (a)(2) to (a)(6).

61.803 Issue

- (a) If the Director is satisfied that an applicant for an instrument rating has met the requirements of rule 61.801, the Director may issue the rating as an endorsement on the applicant's pilot licence.
- (b) A holder of an instrument rating may apply to the Director to have any additional approach aid or system endorsed on the holder's pilot licence.
- (c) On receipt of an application under paragraph (b) and payment of the applicable fee, the Director may endorse the additional approach aid or system on the holder's 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 operating under IFR.
- (b) To exercise the privileges of an instrument rating,—
- (1) the holder must, in the case of a single-pilot aircraft, have passed the flight test required by rule 61.801(a)(6) or rule 61.801(c) to the single-pilot standard; and

- (2) the holder must, in the case of a non-centrelines-thrust multi-engine aeroplane, have passed the flight test required by rule 61.801(a)(6) or rule 61.801(c) on a non-centrelines-thrust multi-engine aeroplane; and
- (3) if the holder is carrying out an instrument approach procedure under IFR, a flight examiner must certify in the holder's logbook that the holder has satisfactorily demonstrated competency on that approach aid or system; and
- (4) if the holder holds only a class 2 medical certificate, the holder must meet the class 1 hearing standards prescribed in Part 67 and this must be endorsed on their class 2 medical certificate.

61.807 Currency requirements

(a) Except as provided in paragraph (b), the holder of an instrument rating must not exercise the privileges of the rating unless the holder has,—

- (1) within the immediately preceding 12 months,—
 - (i) successfully demonstrated to a flight examiner competency in accordance with rule 61.801(a)(6) for the appropriate category of aircraft; and
 - (ii) the person who conducts the competency demonstration certifies the successful completion of the check in the pilot's logbook in accordance with rule 61.29.; and
- (2) within the immediately preceding 3 months,—
 - (i) either met the requirements of paragraph (a)(1) or completed at least 3 hours instrument time (which must have included at least 1 hour instrument flight time); and

- (ii) carried out at least 3 published instrument approach procedures (1 of which may be performed in an approved synthetic flight trainer); and
 - (3) if acting as a pilot of a non-centreline-thrust multi-engine aircraft under IFR, demonstrated the competency required in paragraph (a)(1) in a non-centreline-thrust multi-engine aircraft; and
 - (4) if carrying out an instrument approach procedure under IFR, within the immediately preceding 3 months, performed in flight or in an approved synthetic flight trainer a published instrument approach procedure using a similar type of navigation system; or
 - (5) if conducting an IFR operation under the authority of an air operator certificate issued in accordance with Part 119, satisfied the IFR competency requirements in Part 121, 125 or 135 as appropriate.
- (b) The holder of an instrument rating who does not comply with paragraph (a)(2) may act as support pilot of an aircraft on an IFR flight if the aircraft is not performing an air operation.
- (c) A pilot who successfully completes the demonstration required by paragraph (a)(1) within 60 days before the date on which it is required is deemed to have completed the demonstration on the required date.

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 must—
- (1) in the case of operations in accordance with Part 125 and Part 135, hold at least an appropriate commercial pilot licence; and

- (2) in the case of operations in accordance with Part 121, hold an airline transport pilot licence (Aeroplane); and
 - (3) hold a current Category A, B, or D flight instructor rating; and
 - (4) have flight experience acceptable to the Director; and
 - (5) successfully demonstrate to the Director the ability to perform the duties of an airline flight examiner; and
 - (6) successfully complete an approved flight examiner training course in the 12 months prior to applying for an airline flight examiner rating, or such other period acceptable to the Director.
- (b) To be eligible for the issue of a general aviation flight examiner rating, a person must—
- (1) hold an appropriate Category A flight instructor rating; and
 - (2) have flight experience acceptable to the Director;
 - (3) successfully demonstrate to the Director the ability to perform the duties of a general aviation flight examiner; and
 - (4) complete an approved flight examiner training course in the 12 months prior to applying for a general aviation flight examiner rating or such other period acceptable to the Director.
- (c) To be eligible for the issue of an agricultural flight examiner rating, a person must—
- (1) hold at least an appropriate current commercial pilot licence; and
 - (2) hold an appropriate current Category E flight instructor rating; and
 - (3) have flight time experience that is acceptable to the Director, including:

- (i) total flight time:
 - (ii) pilot-in-command flight time:
 - (iii) if applicable, aerial topdressing flight time:
 - (iv) if applicable, aerial spraying flight time:
 - (v) if applicable, aerial VTA flight time:
 - (vi) flight instruction time; and
- (4) successfully demonstrate to the Director the person's ability to perform the functions of an agricultural flight examiner; and
- (5) complete an approved flight examiner training course in the 12 months prior to applying for an agricultural flight examiner rating, or such other period acceptable to the Director.

61.903 Issue

If the Director is satisfied that an applicant for a flight examiner rating has met the applicable requirements of rule 61.901, the Director may issue the rating by endorsing the applicant's pilot licence with the applicable flight examiner rating and endorsing the pilot's logbook with the applicable flight examiner authorisation.

61.905 Privileges and limitations

Airline Flight Examiner Rating

(a) Subject to paragraph (d), the holder of a current airline flight examiner rating may conduct those flight tests for which authorisation has been granted by the Director 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 if the certificate authorises the holder to conduct those flight tests; or

- (2) an air operator certificate issued under Part 119 if the certificate authorises the holder to conduct those flight tests.

General Aviation Flight Examiner Rating

(b) Subject to paragraph (d), the holder of a current general aviation flight examiner rating may conduct those flight tests for which authorisation has been granted by the Director for the issue of pilot licences or for the issue or renewal of ratings, required by this Part, or for operational competency assessments for a helicopter, and for aeroplanes having a certified passenger seating capacity, excluding any required crew seat, of 9 seats or less, within an organisation—

- (1) operating under an aviation training organisation certificate issued in accordance with Part 141 if the certificate authorises the holder to conduct those flight tests; or
- (2) operating under an air operator certificate issued in accordance with Part 119 if 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.

Agricultural flight examiner rating

(ba) Subject to paragraph (d), the holder of a current agricultural flight examiner rating may conduct those flight tests for which authorisation has been granted by the Director for the issue or renewal of ratings required by this Part, or for operational competency assessments, within an organisation—

- (1) operating under an aviation training organisation certificate issued under Part 141 that authorises the holder to conduct those flight tests; or
- (2) operating under an agricultural aircraft operator certificate issued under Part 137 that 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.

Restricted Flight Examiner Rating

(c) Subject to paragraph (d), the holder of a current restricted flight examiner rating may exercise the privileges for which authorisation has been granted by the Director within an organisation operating under an aviation training organisation certificate issued under Part 141 that authorises the conduct of flight tests.

All Flight Examiner Ratings

(d) In order to exercise the privileges of any flight examiner rating, the holder must hold an appropriate current flight instructor rating with an aircraft type rating for the aircraft in use.

(e) Notwithstanding paragraph (d), the holder of a flight examiner rating is not required to hold a current medical certificate or be current on type if the holder is not acting as a required crew member.

61.907 Currency requirements

(a) The holder of a flight examiner rating must not exercise the privileges of the rating unless, within the immediately preceding 24 months, the flight examiner has successfully demonstrated to the Director competence to exercise the privileges of the rating.

(b) For the holder of an airline flight examiner rating, the demonstration of competence required by paragraph (a) must include an approved synthetic flight trainer 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) in accordance with the requirements in Part 121, 125, or 135 as appropriate to the privileges being sought.

(c) A pilot who successfully completes the demonstration required by paragraph (a) within 60 days before the date on which it is required is deemed to have completed the demonstration on the required date.

61.909 Revocation of existing Rule Part and savings

(a) Part 61 which came into force on 5 November 1992 and its amendments 1 to 10 are revoked and replaced by this Part 61 Re-issue.

(b) To avoid doubt the following continue to have force if done before the commencement of this Part 61 Re-issue on 15 April 2016:

- (1) All licences, ratings and other aviation documents issued under Part 61 prior to 15 April 2016:
- (2) All privileges and limitations exercised by aviation document holders under Part 61 prior to 15 April 2016:
- (3) All written examination or test results and credits granted under Part 61 prior to 15 April 2016:
- (4) All flight test results granted under Part 61 prior to 15 April 2016:
- (5) All entries crediting flight time in pilot logbooks granted under Part 61 prior to 15 April 2016:
- (6) All recent flight experience and flight reviews recorded under Part 61 prior to 15 April 2016:
- (7) All forms applied for or issued under Part 61 prior to 15 April 2016.

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.)

A Notice of Proposed Rulemaking, NPRM 09-02 – Part 61, Review, Stage 2, containing the proposed rules was issued for public consultation under Docket 4/CAR/4 on 29 November 2012.

172 responses to the NPRM were received.

Overview of Summary

By its nature, the NPRM proposed a wide variety of changes, many of them significant. Correspondingly, there was a wide variety of submissions. Many challenged the policy basis for making the changes. The length of time that this project spans is also a significant factor.

Most of the proposed amendments do not address pressing safety concerns. Many of the changes could be characterised as incremental ad-hoc improvements in licensing standards. This situation resulted in the project being delayed or deferred, over the years, because it lacked the safety priority to drive it to a more timely completion.

Late last year the project was examined objectively. The following factors came to light:

- It was a “legacy” project – initiated at a time when policy analysis was informal, and it was no longer clear what problems the amendments were intended to solve at the time.
- The project had suffered scope creep over the years; again with no recorded policy analysis.
- There was significant negativity in the submissions to the NPRM, particularly with regard to the reasons for the changes.
- There was still the need for a significant investment in time to progress the amendment in light of the need to reconstitute the policy case in response to the consultation feedback.
- Since the commencement of this rule development, there have been a significant number of changes within the pilot licensing

system internationally. Many countries are reviewing requirements from a more fundamental perspective, including reducing medical requirements in certain circumstances, and introducing new types of licences (such as the multi-crew licence).

These factors led the CAA and the Ministry of Transport to the view that the NPRM was not balanced in providing a level of benefit that was commensurate with the change to the rule and disruption to the industry.

However, it was equally clear that there were some aspects of the proposal which should be progressed as they represented relief from administrative or financial burden.

In considering the fate of this project, it became evident that it would be appropriate to review pilot licensing at a systemic level; and explore options for achieving modern regulatory outcomes. With that in mind the project was scaled back to address only the items that were a demonstrable benefit to the industry and addressed pressing safety concerns. The rest of the issues will be evaluated in a more relevant context in a future project.

This summary will address the NPRM proposals, and the submissions to the NPRM, in three sections according to the nature of the proposals—

- Section 1 Minor changes that have been withdrawn without explanation in the interests of simplicity and expedience and additional matters suggested by submitters that will not be included in this rule amendment
- Section 2 Significant changes that have been withdrawn but need explanation; and
- Section 3 Changes that have been retained and have advanced to final rule drafting. The submissions to these proposals have been listed and responses are included.

Section 1 – Minor changes to be withdrawn from the amendment

Proposed changes to be removed

The proposed changes that are considered minor are included in this group, whether or not they have attracted comment. They have been withdrawn from the proposal to reduce the impact of the final rule, and to provide the opportunity to speed up the processing and delivery of the final rule.

These changes are mostly editorial or administrative; and by default include anything that is not addressed specifically in sections 2 and 3. Specific proposals that will not be included in the final Rule Re-Issue include:

Licensing

- Amendments to Airline Transport Pilot Licence (ATPL) eligibility requirements

Ratings

- Reorganisation of the system of ratings and authorisations, including redefining the significant ratings as aviation documents and introducing authorisations to replace existing minor ratings as well as creating new authorisations for activities that are covered by logbook entries
- Restructure of instructor ratings (particularly category C)
- Amendment to the requirements for flight instructor ratings, including introducing a new flight instructor rating for airlines
- Update of instrument rating requirements for helicopters and include requirements for support pilots
- Amendment to the instrument rating requirements, amending the logging of instrument flight time, and the introduction of a co-pilot instrument rating for helicopters
- Amendment to type rating requirements and the requirements for instructors to give type ratings in multi-engine aircraft
- Review of aerobatic rating privileges

Training requirements

- Addition of terrain awareness training into flight time experience requirements
- Establishment of English language competency requirements

- Clarification on the requirements for flight tests
- Introduction of requirements for mountainous terrain training to be included in the eligibility requirements for PPLs and CPLs into the rules

General

- Addition of or amend definitions
- Amendments to include ICAO Annex 1 changes up to and including Amendment 166 (now superseded by Amendment 167)

Section 2: More significant proposals withdrawn from the amendment

A number of significant issues have also been withdrawn from the proposal. Comments on these and the reasons for removal of the proposal from the final amended Rules are discussed in more detail below. They are included in this section because of the nature or potential impact of the proposed change, or the amount of comment received.

Restructuring Part 61

The restructuring of Part 61 will no longer be proposed in light of the significant reduction of proposed changes, particularly around the ratings and authorisations. In addition in the intervening years since this rule amendment has been in progress there have been a number of changes within the pilot licensing system internationally.

Submitters also commented on the ad-hoc nature of the amendments, with one suggesting a more systematic approach: *“Training should be more in line with EASA, JAA, FAA”*.

This has led to the CAA initiating a ‘green -fields’ review of pilot licensing, to ensure that our licensing system remains fit for purpose in the future. Any restructure of the rule, with its associated costs to the industry to implement changes, is therefore inappropriate until this wider work is completed.

Examinations

Raising the pass mark from 70% to 75%

This issue attracted a similar amount of comment from both sides of the argument. However, the proposal lacked a safety case, and would have a potential cost impact – both in terms of costs to the pilot population but also in relation to impact on the future availability of pilots coming into the system and New Zealand’s international competitiveness and standing in the pilot licensing area. These costs were not quantified during the NPRM process but would need to be assessed further.

In addition, the proposed ‘green-fields’ review of pilots licence may result in further change that could impact on issues such as pass rates. Any interim changes to this system will create greater administrative costs.

In the absence of any urgent safety case for increasing pass marks this proposal will therefore not be included in the final rule amendment.

Increasing the number of theory subjects for private pilots

This proposal was initially generated by the industry and supported by a CAA desire to align more closely with ICAO. However, submitters were not so sure. The proposal was seen to be

- a disincentive for international students considering training in NZ.
- increasing the length and cost of training courses, and a widening of the gap between available student loan funding and actual course cost for funded pilots.
- additional complexity for Part 61 recreational licenses.

Consequently, this proposal will be withdrawn from the rule amendment.

Revised subjects for CPL testing

The NPRM proposed to change the single subject, with a four hour exam, into two subjects with two 2 hour exams. The intent was to make exams easier to study for and sit.

There was no common agreement between submitters on this proposal. Some submitters support the revised subjects on which testing will be

done for the various types of aircraft. Conversely, other submitters believe that increasing the number of subjects students will be tested on will be a disincentive to people wanting to learn to fly in NZ. They also stated that it will add time and cost to the training and exacerbate the current gap between course costs and the amount that can be borrowed through the student loan system. One submitter suggested that the industry could be more involved with the CAA's plans for training to help address such matters. Another stated that there are no obvious benefits other than increasing NZ's alignment with ICAO requirements.

On balance, this proposal will be removed from the final Rule – further work would be needed to assess the administrative and cost burden that such a change might create. The CAA will instead work on developing advice on how to increase industry involvement in training.

Limits on exam attempts

The NPRM proposed placing a limit on the number of times a person can attempt an exam before a stand-down period applies. With the removal of other elements of the proposals relating to exams, and given the lack of impact analysis on this proposal, it will be removed from the final Rule amendment.

Private Balloon Operations

The NPRM proposed the introduction of a PPL(B) and RPL(B) along with new category F balloon instructor and balloon flight examiner ratings.

Submitters raised a number of questions that require further consideration in relation to the introduction of new balloon licensing:

- How balloon pilots' experience, relevant qualifications, and pilot in command time would be grandparented as credit to a PPL
- Whether a PPL(B) needs the same level of medical certificate given differences in other private pilot requirements (e.g. gliders)
- Exactly what would be required in terms of training content and duration. Some submitters noted that some assessment criteria for balloon pilots will never be used in practice.

- What currency requirements or minimum hour requirements should be applicable to balloons. For example, one submitter suggested that *“only CPL Balloon should have to do a biennial flight review. PPL Balloon pilots should not need to do a BFR if their currency is maintained, and if currency is not maintained the pilot should have to re-sit a flight test. Pilots should also attend safety seminars.”* Another commented *“The currency requirements for balloons are too onerous and will compel pilots to fly, in conditions where they shouldn’t, simply to maintain their currency. We should align our currency requirements more closely to the UK or Australian requirements”*
- Concerns that a RPL(B), with its associated limitations on the carriage of more than one passenger, may jeopardise safety as balloons often need more than one passenger aboard to ensure safety.
- Questions regarding the level of rating requirements for balloonists. Further submitters suggest balloon pilots should not need to be rated but that they could have endorsements on their licences. One submitter suggested that *“balloon pilots should be rated but only depending on the number of passengers the pilot is carrying”*. A further submitter suggests including a rating category for balloons of less than 120,000 cubic feet should be considered.

These questions and comments indicate that the policy basis for introducing a balloon private licence is incomplete. Further assessment of safety data relating to balloon incidents over the past 10 years also indicates that there is no pressing need for a PPL(B). While there is a gap in relation to the oversight of balloon operations and the competency of their pilots, it is not yet clear that a private pilot licence or recreational pilot licence is the most appropriate way to fill this gap.

The proposed PPL(B) and RPL(B) with the associated instructor, and examiner requirements for private balloon operations will be withdrawn.

In its place the following will be implemented:

1. A review of balloon qualifications will be included in the CAA ‘green fields’ review of pilot licensing. This review has recently been initiated because of significant changes internationally in the pilot licensing area and the need to re-examine the approach that New Zealand takes generally to pilot licensing.
2. In the interim balloon recreation groups will be encouraged to seek Part 149 certification¹ and demonstrate to the CAA that they can self-regulate.
3. A more detailed study of the risks associated with private ballooning in NZ will be undertaken.
4. Further work will be undertaken to identify whether there are any changes required to the operational rules in relation to ballooning.

Balloon ratings

The NPRM proposed the introduction of ‘group ratings’ for balloons (e.g. large envelope, small envelope etc.). With the removal of the proposal for PPL and RPL(B) there is no longer a need for these ratings.

Further assessment of the proposal also indicated that these ‘group-ratings’ would have also applied to commercial balloon pilot licences CPL(B). This would have reduced the standard for ratings as currently CPL(B) pilots are required to obtain individual ratings for each balloon type they fly. While this was not raised during submissions, this was not an intended outcome of the rule amendment. The current requirement for commercial balloon pilots to obtain individual ratings already adequately provides for the differences between balloon types. While the proposal to move to group ratings may have provided a more streamlined approach to balloon ratings, the impact on safety was not fully assessed.

¹ Part 149 certification is certification for recreational organisations to provide oversight for their specific industry. This certification enables these organisations to self-administer, including issuing pilot ‘certificates’. This is the approach taken by private gliders, paragliders and parachutists.

The proposals for balloon group rating proposals will therefore be removed from the final rule. Any further consideration of group ratings for aircraft will be considered in the wider context of the CAA's 'green fields'-fields licensing review.

CPL for Microlights

Currently any person who wants to conduct commercial operations in a microlight must hold a full Commercial Pilots Licence. The Part 61 NPRM proposed the introduction of a commercial pilot licence for microlight aircraft CPL(M). The CPL(M) was to be based on the Part 149 microlight pilot certificate with additional requirements, including a class 1 medical certificate.

While there was some support for this proposal, other submitters queried the need for a microlight CPL, some commenting that it was not consistent with ICAO requirements. Others wanted lower standards still, requesting relief on the medical standards. One submitter suggested additional requirements for the licence, including a requirement that microlight CPLs be required to hold an instructors certificate for microlights.

After consideration of the submissions, the CAA has determined that there is no need for any change to current requirements as introduction of a CPL for microlights as proposed would be a reduction of current standards without a full analysis of the potential safety impact. Any changes of this nature should be addressed through the CAA's 'green fields'-fields review of pilot licensing.

Category D flight instructor changes

The NPRM proposed new requirements for competency checks for Category D instructor ratings. These attracted the most comments of all the proposals. Submissions addressed several common themes, as well as examples and scenarios to illustrate the points made. The submissions have been grouped below into themes under the following headings:

Attributes of Category D flight instructor rating holders

- Experienced with less common aircraft types.
- Significant IFR and instructional experience.
- D Cats are not teaching people to fly (ab initio students).

- D Cats often do not charge for their time (in the spirit of giving back to the industry).
- D Cats represent a valuable pool of experience that the CAA should be encouraging to continue (i.e. making it easier).
- Most D Cats fly commercially and have several checks each year anyway.
- D Cats use their privileges infrequently.

Perceived purpose of current rule

- Avoiding annual check requirement/the purpose of the category is to be not to have a currency requirement.

No need for change

- The current system works.
- There appears to be no evidence that there is a safety problem.
- There appears to be no evidence of how the changes would enhance safety.
- It is not necessary to be checked twice.
- D Cats are experienced and competent and shouldn't need retesting.

Effect of proposed rule

- The proposal complicates the rating.
- It increases compliance cost.
- It is not economic to be checked.
- Not prepared to pay for a competency check.
- An extra layer of checks applies unnecessary expense.

Risks

- D Cats will not bother to renew if they have to have a currency check.
- Loss of D Cats would remove considerable experience.

- Loss of D Cats would be a safety threat.

Alternative strategies

- Consider the use of good industry practice.

The weight of comment was such that the issues will be revisited in the 'green fields' project to explore other options for achieving the desired outcomes.

Aid to night vision authorisation

The NPRM proposed the addition of an 'aid to night vision' authorisation, to accommodate technological advances in this area

Submitters did not oppose the proposals but some commented on the restrictiveness of the rule. They also commented on what technologies are captured by the rule and suggested changes to wording and definitions.

Since the NPRM a large number of issues have been identified with the smooth transition of this requirement into the new rule, specifically

- What level of flight instructor/ flight examiners should conduct training and competency demonstrations?
- Issues with the interaction of the current AC 91-13 which has been used to issue authorisations and the proposed rule, particularly around transition.

Given the apparent lack of urgency on this issue (all 8 organisations currently using night vision have been authorised under the CAA's best practice process), the CAA considers that further consultation on these issues was considered necessary. It will be included in a future rule project.

Section 3 – Proposals that will be included in the amendment

The following issues have been retained from the NPRM and are included in the final Part 61 Rule Re-Issue, with some adjustments to take comments from consultation and further analysis since the NPRM consultation into account.

Recreational pilot licence

Three changes have been addressed in this area. Submissions were made commenting on—

- ***Inconsistencies for the medical standard required for solo flight.*** Submitters pointed out an anomaly in the rules that requires a person seeking a Recreational Pilots Licence to have a Class 2 medical for their first solo, even though they only need an NZTA driver medical for the remainder of their training and to exercise the privileges of the licence once it is granted.

It is not intended that a student pilot who wants to gain an RPL should be required to obtain a class 2 medical. Further analysis of this issue through the CAA's issue assessment process indicates that a reduction in the requirement will reduce overall cost, but will not materially affect safety standards (given the person undertaking the solo flight will not be affecting any third parties). Therefore, a change will be made to allow student pilots to undergo their training with a Land Transport medical required for an RPL.

- ***Helicopter pilots cannot obtain an RPL.*** Submitters pointed out an anomaly whereby fixed wing pilots could obtain an RPL (with associated limitations) but the same privilege was not extended to helicopter pilots.

Extension of RPL privileges to helicopter pilots would ensure greater equity between fixed wing and helicopter operators. No reduction in safety standards is expected. The final rule amendment will enable a helicopter RPL category with equivalent relevant limitations (MCTOW of 1,500kg or less, and no sling load operations) to those already listed for aeroplanes.

- ***Allow RPL holders to tow private glider operations.*** Submitters commented that glider towing was a lower risk operation and therefore an RPL holder should be able to be authorised to tow private gliders.

The CAA has assessed this suggestion through its issue assessment process and agrees that an RPL holder should be able to tow private glider operations due to the low level of risk involved. However this privilege will not be extended to pilots towing commercial glider operations.

Recognition of Defence Force qualifications and experience

The NPRM proposed alternate eligibility provisions for Defence Force pilots regarding the issue of private, commercial and air transport pilot licences; category B and C instructor ratings, aerobatic flight ratings, and instrument ratings.

There was minimum comment on this proposal. One submitter commented that more credit should be given to NZDF flight instructors as the RNZAF has very high standards.

This proposal has been retained as the CAA has now issued many exemptions to NZDF personnel and it is clear from the case by case analysis to date that NZDF pilots and instructors are competent to operate under the civil system. Recognition of this in law will have an administrative and financial benefit as it will remove the current cost of exemption.

The CAA will not recommend any additional credit be provided to NZDF flight instructors. While we recognise the ability of NZDF pilots and flight instructors, there are some significant differences between military and civil aviation and NZDF pilots still need to make a transition.

Agricultural ratings

The NPRM proposed the introduction of three new ‘authorisations’ for agricultural application – aerial top dressing, spray application and Vertebrate Toxic Agent application. These would still sit under an overall Agricultural rating, which would be confirmed as a prime rating (i.e. issued as an aviation document by the Director).

There was minimal comment on this proposal. One submitter suggests that agricultural ratings should include a requirement to pass a written exam, as well as the current oral and flight demonstrations.

Further discussions with industry since this time, through the Agricultural Sector Risk Profile work has confirmed that this change is warranted due to the lack of consistency in rating practices in the agricultural field. However, as the CAA is no longer introducing the concept of authorisations into the licensing framework at this time, the three new 'authorisations' will be drafted as 'ratings' issued as normal in the pilot log book.

Agricultural flight instruction

The NPRM proposed additional requirements for Category E flight instructors and a new agricultural flight examiner rating. These ensure that instructors are appropriately trained to conduct flight instruction and testing.

One submitter commented that these requirements would add more testing, without improving safety. Another pointed out that the additional requirements would be onerous, without improving safety and would reduce the pool of Category E instructors.

However there was also support for the requirements, one submitter supported the proposals that these instructors should attend courses on instructional techniques in the different categories. Some asked for clarification on how these provisions would meet ICAO requirements, and what this might mean for operator approval specifications.

On balance, the CAA considers that these provisions should be retained in the final Rule amendment. The Agricultural Sector Risk Profile clearly indicated that consistency in flight training in the agricultural sector is an area for improvement. Discussions with industry indicate that there is a range in standards for flight instruction in this area, and there is a need for consistently trained flight instructors and examiners.

Requirements for balloon instructors and examiners

The NPRM proposed new flight examiner and flight instructor ratings for people instructing on balloons.

This proposal attracted some attention, largely because the rule also proposed the addition of a private pilot licence for balloonists, which will now not be included in the rule.

However, the comments are relevant to the training of commercial balloonists. Comments were mixed with no clear preference emerging on the specific requirements for the ratings.

With regard to balloon instructor ratings, several submitters suggest that 150 hours as PIC is too much to be eligible to be a balloon flight instructor. Instead they recommended a minimum period of 75 hours to 100 hours as PIC is sufficient to be eligible to be a balloon flight instructor. One suggested that a balloon instructor should not need a CPL.

With regard to balloon examiner ratings, two submitters commented that to be eligible to be a balloon examiner a person should have at least 200 hours as PIC of a balloon. One also suggested an examiner could instead hold a PPL(B) and have 100 hours to compensate for absence of a CPL. Another submitter thought that Balloon examiners should not need a CPL. The submitter also suggested removing the requirement that an examiner needs to have accrued time on commercial operations.

Underlying this mixed response is a core issue, the low number of balloonists generally in New Zealand and submitters concerns that adding prescriptive requirements will further reduce the available pool of instructors. This could have a perverse effect on safety. However, it is equally important that the instructors and examiners of commercial balloon pilots are appropriately trained. At present the rules enable A and B Category instructors who are inexperienced in balloon operations to train and test balloonists. This is a gap that should be rectified, given the need to ensure the safety of passengers of commercial balloon operations.

To acknowledge the limited trainer resources in the ballooning sector, the intent of the provisions will be retained, but the rule will be rewritten to remove the prescription from the requirements and provide the Director with the ability to assess the competency of balloon instructors on a case by case basis. This will also enable the Director to keep a closer eye on the quality of training in the commercial balloon sector.