



PURSUANT to Sections 28, 29 and 30 of the Civil Aviation Act 1990

I, Hon TIM MACINDOE, Associate Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT *Hamilton*

This *18th* day of *September* 2017

A handwritten signature in black ink, appearing to read 'Tim Macindoe', written over a horizontal line.

by **Hon TIM MACINDOE**

Associate Minister of Transport

Civil Aviation Rules

Part 91, Amendment 28

General Operating and Flight Rules

Docket 16/CAR/10

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Rule objective

The objective of amendment 28 to Part 91 is to allow for reviews of airworthiness for aircraft that are not operated for hire or reward to be completed at two-yearly intervals.

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 17-02, containing the proposed Small Issues rule amendments was issued for public consultation under Docket 16/CAR/10 on 20 February 2017.

The NPRM was published on the CAA web site and emailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 29 days was allowed for comment on the proposed rule.

Summary of submissions

Forty five written submissions and no oral comments were received on the NPRM. A summary of submissions for this NPRM is available on the CAA website. These submissions and comments have been considered. As a result, the proposal regarding leaving a helicopter unattended with the rotors turning under power except under certain circumstances is deleted.

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

The amendments to the rules in this Part are reflected by:

- revoking and replacing rule 91.615 to provide that reviews of airworthiness of aircraft not operated for hire or reward will be at two-yearly intervals.

Effective date of rule

Amendment 28 to Part 91 comes into force on 30 October 2017.

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 91 General Operating and Flight Rules

Rule 91.615 is revoked and replaced with the following rule:

91.615 Review of airworthiness

(a) Except as provided in paragraphs (b) and (c), a person must not operate an aircraft unless—

(1) a review of airworthiness for the aircraft has been certified as completed under Subpart D of Part 43 within—

(i) the preceding 12 months; or

(ii) for an aircraft that is not operated for hire or reward, the preceding 24 months; or

(2) the aircraft has been issued with an airworthiness certificate under Part 21 within the preceding 12 months.

(aa) A review of airworthiness may be required more frequently than the period specified in paragraph (a)(1)(ii) in a particular case, if the Director determines that it is in the interests of aviation safety.

(b) Paragraph (a) does not apply to an aircraft that is operated under the following Parts:

(1) Part 121:

(2) Part 125:

(3) Part 135 if the aircraft is subject to a maintenance review under rule 135.415(a).

(c) A person may operate an aircraft after the date at which a review of airworthiness is required under paragraph (a) or paragraph (aa)—

(1) for a period of not more than 36 days to allow for maintenance planning purposes if a new extended date, within the 36 day period, for the review of airworthiness is recorded in the technical log; or

- (2) if the sole purpose of operating the aircraft is to enable the review of airworthiness to be completed.