



**PURSUANT** to Section 28 of the Civil Aviation Act 1990

**I, Hon CRAIG FOSS, Associate Minister of Transport,**

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This 12<sup>th</sup> day of Dec 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 and title.

**Civil Aviation Rules**

**Part 101, Amendment 8**

**Gyrogliders and Parasails, Unmanned Aircraft  
(including Balloons), Kites, and Rockets — Operating  
Rules**

*Docket 16/CAR/1*

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### **Rule objective**

The objective of amendment 8 to Part 101 is to correct an outdated reference to radio frequencies.

### **Extent of consultation**

A Notice of Proposed Rulemaking, NPRM 16-01, containing the proposed changes to Part 101 and other rules was issued for public consultation under Docket 16/CAR/1 on 2 June 2016.

The NPRM was published on the CAA website and emailed to subscribers of the automatic email service provided by the CAA.

A period of 27 days was allowed for comment on the proposed rules.

### **Summary of submissions**

Six written submissions and no oral comments were received on the NPRM. These submissions and comments have been considered and as a result, a minor and non-controversial amendment is being made to rule 91.605 and two new definitions are being inserted in Part 1 to clarify the definition of “Instrument runway”.

A summary of submissions for this NPRM is available on the CAA website.

No submissions were received in relation to the proposed amendment to Part 101.

### **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**

This Part was amended by updates to rule 101.107(3)(ii) to refer to the new frequency range for surface radar of 2,900 MHz frequency range.

### **Effective date of rule**

Amendment 8 to Part 101 comes into force on 10 March 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 101 Gyrogliders and Parasails, Unmanned Aircraft (including Balloons), Kites, and Rockets – Operating Rules**

*Replace rule 101.107 with the following rule:*

### **101.107 Equipment**

A person shall not operate a heavy free balloon unless—

- (1) it is equipped with—
  - (i) at least two payload flight-termination devices or systems, whether automatic or by telemetry, that operate independently of each other; and
  - (ii) in an area where ground-based SSR equipment is in use, a secondary surveillance radar transponder, with an altitude reporting capability, which is continuously operating on an assigned code, or which can be turned on when necessary by the tracking station; and
- (2) for polyethylene zero pressure balloons, at least two methods, systems, devices, or combinations thereof, that function independently of each other and are employed for terminating the flight of the balloon envelope; and
- (3) the balloon envelope is equipped with—
  - (i) at least one radar reflective device; or
  - (ii) radar reflective material that will present an echo to surface radar operating in the 2,700 MHz to 2,900 MHz frequency range.