



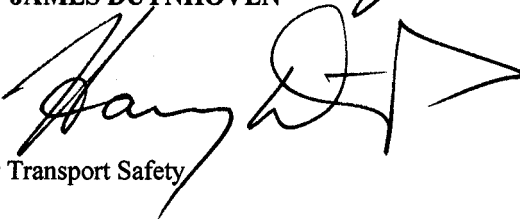
PURSUANT to Section 28 of the Civil Aviation Act 1990

I, HARRY JAMES DUYNHOVEN, Minister for Transport Safety,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *16th* day of *May* 2006
by **HARRY JAMES DUYNHOVEN**


Minister for Transport Safety

Civil Aviation Rules

Part 103, Amendment 5

Microlight Aircraft —Operating Rules

Docket 3/CAR/4

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Rule objective

The objective of Amendment 5 to Part 103 is to amend rules 103.1 and 103.9, and delete Subparts B, C, and D along with the deletion of Appendix A as part of a general rule fix up project.

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 05-07, containing the proposed changes to Part 103 was issued for public consultation under Docket 3/CAR/4 on 23 June 2005.

The publication of this NPRM was notified in the *Gazette* on 23 June 2005 and advertised in the daily newspapers in the five main provincial centres on 25 June 2005. 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 37 days was allowed for comment on the proposed rule.

New Zealand Transport Strategy

The development of the NPRM and the proposed rule changes takes into account the objectives of the New Zealand Transport Strategy (NZTS) and the provisions of the Civil Aviation Amendment Act (No 2) 2004.

Summary of submissions

Nine written submissions were received on the NPRM. No submissions were received on the proposed amendments to Part 103.

During drafting it was necessary to amend rule 103.1 as a consequence of the deletion to Subparts B, C, and D. The rule as proposed was then referred to Parliament's Regulations Review Committee before being signed by the Minister for Transport Safety.

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 the revocation of the existing rule and the substitution of the new rule, the revocation of existing Subparts, and the revocation of Appendix A. The title of Part 103 is revoked and a new title inserted.

Effective date of rule

Amendment 5 to Part 103 comes into force on 22 June 2006.

Availability of rules

Civil Aviation Rules are available from—

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

Freephone: 0800 GET RULES (0800 438 785)

The title of Part 103 is revoked and the following new title substituted.

Part 103 - Microlight Aircraft — Operating Rules

Subpart A — General

Rule 103.1 is revoked and the following new rule is substituted:

103.1 Applicability

This Part prescribes—

- (1) rules, additional to Part 91, for the operation of microlight aircraft; and
- (2) exceptions from Part 91, for the operation of microlight aircraft; and
- (3) the airworthiness and maintenance requirements for microlight aircraft.

Rule 103.9 is revoked and the following new rule is substituted:

103.9 Flight radiotelephone operator requirements

A person operating a microlight aircraft must not use an aeronautical radiotelephone transceiver unless the person holds a pass in the flight radiotelephony written examination required under rule 61.153(a)(6)(vi).

Subpart B – Microlight Organisations – General - is revoked and the Subpart is reserved.

Subpart B [Reserved]

Subpart C – Microlight Organisations – Certification Requirements - is revoked and the Subpart is reserved.

Subpart C [Reserved]

Subpart D – Microlight Organisations – Operating Requirements - is revoked and the Subpart is reserved.

Subpart D [Reserved]

Appendix A – Transitional Arrangements is revoked.

Consultation Details

(This statement does not form part of the rules contained in Part 103. It provides details of the consultation undertaken in making the rules.)

Comments arising from the NPRM

The rule amendment was developed under docket 3/CAR/4 and published as NPRM 05-07. The consultation details relating to docket 3/CAR/4 are detailed in each affected rule.

Nine written submissions were received on the NPRM and none commented on the proposed amendments to Part 103.

The comments and all background material used in developing these rules are held on the docket. The docket is available for public inspection at Aviation House, 10 Hutt Road. Persons wishing to view the docket should contact the Docket Clerk on Phone 64-4-560-9603 and ask for docket 3/CAR/4.