



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

I, STEVEN JOYCE, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *17th* day of *February* 2010

by **STEVEN JOYCE**



Minister of Transport

Civil Aviation Rules

Part 106, Amendment 2

Hang Gliders - Operating Rules

Docket 9/CAR/1

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Rule objective

The objective of amendment 2 to Part 106 is to make minor editorial and minor technical changes to facilitate clearer interpretation of the rule.

Amendment 2 to Part 106 is constituent to NPRM 09-03 which contains amendments to the following Parts:

Part 1	Part 95	Part 140
Part 12	Part 105	Part 145
Part 19	Part 106	Part 148
Part 26	Part 119	Part 172
Part 43	Part 121	Part 173
Part 65	Part 125	Part 175
Part 77	Part 129	
Part 91	Part 135	
Part 93	Part 139	

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 09-03, containing the proposed changes to Part 106 and changes to other rules was issued for public consultation under Docket 9/CAR/1 on 30 July 2009.

The publication of this NPRM was notified in the Gazette on 31 July 2009 and advertised in the daily newspapers in the five main provincial centres on 31 July 2009. The NPRM was published on the CAA web site on 30 July 2009.

A period of 37 days was allowed for comment on the proposed rule.

Summary of submissions

A total of 3 written submissions were received on NPRM 09-03 (1 submission related to Part 1, and 2 submissions related to Part 91). However, no submissions were received relating to Part 106, and consequently no changes were made to the proposed amendments.

The rule was then referred to the Minister of Transport for signing.

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 2 existing rules and the insertion of new rules.

Effective date of rule

Amendment 2 to Part 106 comes into force on 25 March 2010.

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 106 Amendments

Subpart A — General

Rule 106.3 is revoked and replaced by the following rule:

106.3 Definitions

In this Part—

Certificate, in relation to a personnel qualification required by this Part, means a certificate or rating issued by the holder of a delegation from the Director for that purpose.

Rule 106.5 is revoked and replaced by the following rule:

106.5 Pilot requirements

- (a) A pilot of a hang glider must—
- (1) be a bona fide member of a hang gliding organisation; and
 - (2) hold an appropriate hang glider pilot certificate; and
 - (3) comply with the privileges and limitations of his or her pilot certificate and any applicable ratings; and
 - (4) comply with the operational standards and procedures of the hang gliding organisation.
- (b) Despite paragraph (a)(2), a person who does not hold an appropriate hang glider pilot certificate may operate a hang glider under the direct supervision of the holder of a hang glider instructor certificate issued by a hang gliding organisation referred to in paragraph (a)(1).

Consultation Details

(This statement does not form part of the rules contained in Part 106. It provides details of the consultation undertaken in making the rules.)

A Notice of Proposed Rulemaking, NPRM 09-03 Omnibus 2009, containing the proposed rule amendments for Part 106, and other proposed rule amendments in various Parts, was issued for public consultation under Docket 9/CAR/1 on 30 July 2009.

A period of 37 days was allowed for comment on the proposed rule.

A total of 3 written submissions were received on NPRM 09-03 (1 submission related to Part 1, and 2 submissions related to Part 91). However, no submissions were received relating to Part 106.

The purpose of NPRM 09-03 was to make minor editorial and minor technical amendments to various Parts of the Civil Aviation Rules (CAR). The proposed amendments included the correction of spelling and grammatical errors, the updating of various rules in accordance with current International Civil Aviation Organization (ICAO) standards, definitions and abbreviations, and the revocation of specific transitional arrangements.