

# Civil Aviation Rules



## **Part 61**

### **CAA Consolidation**

**1 September 2020**

### **Pilot Licences and Ratings**

**DESCRIPTION**

Part 61 prescribes rules relating to the requirements for the issue and holding of pilot licences and ratings, and student pilots, including conditions, privileges and limitations associated with those licences and ratings and student pilots.

**This document is the current consolidated version of Part 61 produced by the Civil Aviation Authority, and serves as a reference only. It is compiled from the official ordinary rules that have been signed into law by the Minister of Transport and rule amendments made by Parliament in the Civil Aviation Act 1990. Copies of these official rules and amendments may be obtained from the Civil Aviation Authority or may be downloaded from the official website at: [www.caa.govt.nz/](http://www.caa.govt.nz/)**

## Bulletin

This Rule first came into force on 5 November 1992 and now incorporates the following amendments:

<b>Amendment</b>	<b>Effective Date</b>
Amendment 1	30 October 1994
Amendment 2	8 February 1996
Amendment 3	4 December 1997
Amendment 4	25 December 1997
Amendment 5	30 April 1999
Amendment 6	1 April 2002
Amendment 7 (Re-issue)	11 May 2006
Amendment 8	20 December 2007
Amendment 9	8 May 2008
Amendment 10	10 November 2011
Amendment 11 (Re-issue)	15 April 2016
Amendment 12	10 March 2017
Amendment 13	30 October 2017
Amendment 14	27 August 2018
Amendment 15	1 September 2020

### *Summary of amendments:*

Amendment 1: (Docket 1033)	61.07 amended. Subpart I and Appendix A inserted.
Amendment 2 (Docket 1160)	61.19(c), 61.35(a), (b) and (c), 61.39(a), 61.41, 61.105(2), 61.153(a)(6)(v), 61.203(6)(vii), 61.205(a)(3) and 61.253(5)(vi) and (vii) amended. 61.05(a), (d) and (f) substituted. 61.09(a), 61.35(c)(1) revoked.
Amendment 3: (Docket 1104)	61.05 and 61.07 revoked. 61.3, 61.5, 61.7 and Subparts L, M, N, O, P, Q, R, and S inserted. 61.155(c) substituted. Subparts I and J revoked and reserved.

Amendment 4: (Docket 1104)	Subpart H revoked and reserved.
Amendment 5: (98/CAR/1303)	61.29, 61.37, 61.901 substituted.
Amendment 6: (Act 87/2001)	61.35(b), (c) and (d) revoked. 61.35(a)(1), 61.43(a), (b) and (c), 61.105(2), 61.153(a)(2), and 61.203(3) amended. Heading to 61.43 amended.
Amendment 7 (Re-issue) (2/CAR/1)	Part 61 is revoked and re-issued.
Amendment 8 (6/CAR/3) Amendment 9 (7/CAR/2)	Rules 61.29 and 61.31 are revoked and replaced. Rules 61.7, 61.35, 61.37, 61.41 are revoked and replaced, new Subpart H (comprising rules 61.351- 61.361) is inserted.
Amendment 10 (5/CAR/1)	Rules 61.39 and 61.155 are revoked and replaced.
Amendment 11 (Re-issue) (4/CAR/4)	Part 61 is revoked and re-issued.
Amendment 12 (16/CAR/1)	Inserting rule 61.3 into Part 61. Amended rule 61.355, 61.701, 61.711, 61.721, 61.731 and 61.737.
Amendment 13 (16/CAR/10)	Rules 61.105, 61.153, 61.155, 61.203, 61.205, 61.253, 61.255, 61.355 and 61.357 are revoked and replaced. Rules 61.311, Subpart I (rules 61.363 to 61.377) and 61.911 are inserted.
Amendment 14	Title of Subpart I, rules 61.311,

(16/CAR/10)

61.363, 61.365, 61.367 and 61.911  
are revoked and replaced. Rule  
61.363A is revoked.

Amendment 15  
(16/CAR/9)

Rule 61.19 is revoked and replaced.

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## 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 Definitions

In this Part for the purposes of Subparts O, OA, OB and OC—

**Successfully demonstrate competency** means that the applicant for the rating or holder of the rating undertakes an oral examination by, and a flight test with, the applicable flight examiner or flight instructor qualified to check competency under rules 61.701, 61.707, 61.711, 61.717, 61.721, 61.727, 61.731 and 61.737 in order to demonstrate sufficient knowledge and skills in conducting the relevant operations permitted under the rating:

#### 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 attempted, committed or has procured another person to commit, any conduct referred to in paragraph (a), the Director may immediately suspend the release of all or part of the examination results for the person until the Director determines after due investigation, the action, if any, to be taken under paragraph (c).

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

- (1) disqualify the person from the result of the examination:
- (2) debar the person from sitting any examination relating to an aviation document required by the Act for a specified period not exceeding 12 months.

(d) Before taking an action under paragraph (b) or (c), the Director must reasonably inform the person in writing of the details of the alleged conduct referred to 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 under 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 under 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; and
  - (10) if applicable, that the person has complied with all the requirements of a notice issued under Subpart I.
- (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)(6)(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 (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; and

- (8) if applicable, comply with all the requirements of a notice issued under Subpart I.
- (b) Under 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; or
  - (4) if applicable, unless the holder has complied with all the requirements of a notice issued under Subpart I.
- (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; and
  - (vii) if applicable, comply with all the requirements of a notice issued under Subpart I.

(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—

- (1) an appropriately qualified flight instructor has certified in the holder's logbook that the holder has satisfactorily completed the required night flight training; and
- (2) if applicable, that the person complies with all the requirements of a notice issued under Subpart I.

### **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 under the Act and Part 119, or an aviation training organisation certificate issued under the Act and 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; and

- (vii) if applicable, comply with all the requirements of a notice issued under Subpart I.
- (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: —

provided that, if applicable, the person complies with all the requirements of a notice issued under Subpart I.

### **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.

### **61.311 Flight instructor to implement additional training under Part 61 Subpart I**

Before issuing a type rating under this Part or authorising a student pilot to fly an aircraft solo under rule 61.105, an appropriately qualified flight instructor must:

- (1) consider whether the Director has issued requirements in a notice under Subpart I in respect of an aircraft, for which the type rating is to be issued, or that the student pilot is to fly solo; and
- (2) the Director has issued requirements in a notice under Subpart I, apply and test the additional training required before issuing the rating or authorising the solo flight.

## **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 under 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 under rule 61.153(a)(7) except that the person must have demonstrated knowledge of the privileges and limitations of a recreational pilot licence; and
- (7) if applicable, comply with all the requirements of a notice issued under Subpart I.
- (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; and
- (6) if applicable, unless that person complies with all the requirements of a notice issued under Subpart I.

### **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 – Requirements for Training, Operation and Use of Aircraft Following a Safety Review**

### **61.363 Purpose**

The purpose of this Subpart is to empower the Director to issue requirements in a notice in respect of flight training or persons performing an aircraft operation or aviation activity in an aircraft under rule 61.365.

### **61.365 Director may issue a notice in respect of training, operation and use of an aircraft**

(a) After complying with rule 61.367, the Director may issue a notice under this Subpart in relation to the operation and use of an aircraft for the following—

- (1) the training required before a person can manipulate the controls or fly an aircraft solo in a particular aircraft type:
- (2) a person performing a particular operation or aviation activity in an aircraft:
- (3) the nature of training specified in paragraph (1) including minimum training, training syllabi and flight hours:
- (4) the requirements for dual instruction, including the nature of dual instruction:
- (5) the requirements for recording the required training in the pilot logbook:
- (6) the person who provides training specified in paragraph (1):
- (7) the eligibility and other requirements for flight instructors to conduct the training specified in paragraph (1):
- (8) the eligibility and other requirements for flight examiners to assess the training specified in paragraph (1).

(b) If a pilot with an existing type rating for an aircraft is required to undergo further instruction, training or assessment in relation to the type rating, the pilot cannot exercise the privileges of that type rating until the pilot has complied with the requirements specified in the notice.

(c) Any person specified in a notice referred to in paragraph (a) as having to comply with a requirement in the notice must comply with that requirement.

### **61.367 Process prior to issuing or amending a notice**

Before issuing or amending a notice referred to in rule 61.365, the Director must—

- (1) conduct a safety review to assess the risk to aviation safety of the operation of an aircraft giving rise to particular safety concerns by taking into account—
  - (i) relevant safety information concerning the operation of a particular aircraft type or the operation of aircraft in particular conditions; and
  - (ii) information about how ICAO or other ICAO Contracting States are responding to the risk; and
  - (iii) any other information that the Director considers may be relevant; and
- (2) consult publicly by publishing the initial or amended notice on the CAA website; and
- (3) consider—
  - (i) if the aircraft manufacturer or other party can mitigate or eliminate any identified risk to aviation safety; and
  - (ii) whether, if the actions identified under paragraph(i) are taken, the risks to aviation safety will be managed to a level the Director considers appropriate; and
- (4) determine, after conducting the safety review, if requirements in a notice should be issued because—
  - (i) there is a significant risk to aviation safety regarding the make and model of the aircraft, including the operation of the aircraft in particular conditions; and

- (ii) the risk may be managed by the pilot of the aircraft undergoing instruction, training or assessment additional to those required under this Part before a student pilot is authorised to manipulate the controls of the aircraft or make a solo flight, or a pilot licence is endorsed with a type rating, or a pilot with an existing licence or type rating can fly the aircraft.

### **61.369 Notice to be published**

The Director must, as soon as practicable after issuing or amending or revoking a notice referred to in rule 61.365, publish on the CAA website—

- (1) the notice; and
- (2) the reasons for the notice.

### **61.371 Effective date of notice**

- (a) A notice made under rule 61.365 comes into force on the date specified by the Director.
- (b) In determining the date of a notice, the Director must provide reasonable time for affected parties to be made aware of the notice before it comes into force.

### **61.373 Amendment of notice**

- (a) The Director may amend a notice made under rule 61.365 at any time.
- (b) Rules 61.367, 61.369 and 61.371, with the necessary modifications, apply to any amendment.
- (c) Despite paragraphs (a), and (b), rules 61.367 and 61.371(b) do not apply to any amendment or correction that is minor and non-controversial.

### **61.375 Revocation of notice**

The Director may revoke a notice made under rule 61.365 at any time if the Director is satisfied that rule 61.367 is no longer necessary after having consulted publicly.

### **61.377 Transitional arrangements**

(a) The Robinson safety awareness training conditions first issued under section 21 of the Act on 29 October 2015 and last amended on 28 June 2017 are deemed to be requirements made under rule 61.365(a) and to have met the requirements of rule 61.367.

(b) The requirements referred to in paragraph (a) continue in force despite the expiry of the warrant under section 21 of the Act, until amended, or revoked and replaced under this Subpart.

## **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:
  - (8) aerial topdressing rating;
  - (9) aerial spraying rating;
  - (10) aerial VTA rating; and
  - (11) successfully demonstrate competency 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 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

### 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**

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 competency 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**

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 competency 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**

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 competency 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 successfully 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-centrelines-thrust multi-engine aircraft under IFR, demonstrated the competency required in paragraph (a)(1) in a non-centrelines-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.

**61.911 Flight examiner to implement additional training under Part 61 Subpart I**

Before conducting a flight test for which authorisation has been granted by the Director for the issue of pilot licences or for the issue or renewal of ratings, an appropriately qualified flight examiner must:

- (1) consider whether the Director has issued requirements in a notice under Subpart I in respect of an aircraft for which the licence or type rating is to be issued; and
- (2) if the Director has issued a notice under Subpart I, apply and test the additional training required before issuing the rating.