



PURSUANT to Section 30 of the Civil Aviation Act 1990

I, Hon Julie Anne Genter, Associate Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED at Wellington

This 24th day of August 2020

A handwritten signature in black ink, appearing to read 'Julie Anne Genter', is written over a horizontal line.

by Hon Julie Anne Genter

Associate Minister of Transport

Civil Aviation Rules

Part 61, Amendment 16

Pilot Licences and Ratings

Docket 17/CAR/1

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Rule objective

The objective of amendment 16 to Part 61 is to –

- clarify that official documents used as evidence for an applicant’s identity for a written examination must be a valid New Zealand passport or driver licence;
- make an editorial correction to a paragraph reference and rule heading; and
- delete rules where the transition dates have passed.

Extent of consultation

A Notice of Proposed Rule Making NPRM 19-03, containing the proposed amendments to Part 61 and 13 other rule Parts, was issued for public consultation under Docket 17/CAR/1 on 17 May 2019.

The NPRM was published on the CAA web site on 17 May 2019 and emailed to subscribers of the automatic alert service provided by the CAA.

A period of 21 days was allowed for comment on the proposed rule.

Summary of submissions

Three written submissions were received on the NPRM, none relating to the proposed amendments to Part 61. These submissions have been considered. No changes were made to Part 61 as a result of the submissions.

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

Examination of submissions

Submissions may be examined by application to the Docket Clerk at the Civil Aviation Authority between 8:30 am and 4:30 pm on weekdays, except statutory holidays.

Insertion of Amendments

The amendments to the rules in Part 61 are reflected by:

- revoking and replacing rules 61.17, 61.303, 61.311; and
- revoking rules 61.309, 61.709, 61.719, 61.729 and 61.739.

Effective date of rule

Amendment 16 to Part 61 comes into force on 1 December 2020

Availability of rules

Civil Aviation Rules are available from—

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

Freephone: 0800 GET RULES (0800 438 785)

Part 61 Pilot Licences and Ratings

Subpart A—General

Rule 61.17 is revoked and replaced with the following rule:

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 and valid New Zealand passport; or
- (2) a current and valid 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]

Subpart G—Flight Instructor Ratings

Rule 61.303 is revoked and replaced with the following rule:

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:
- (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)(6), 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.

Rule 61.309 is revoked.

61.309 Transitional Provision for Category E flight instructors [Revoked]

Rule 61.311 is revoked and replaced with the following rule:

61.311 Flight instructor to implement additional training under 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 O—Agricultural Ratings

Rule 61.709 is revoked.

**61.709 Transitional provisions for agricultural ratings
[Revoked]**

Subpart OA—Aerial Topdressing Rating

Rule 61.719 is revoked.

**61.719 Transitional provisions for holders of agricultural
ratings [Revoked]**

Subpart OB—Aerial Spraying Rating

Rule 61.729 is revoked.

**61.729 Transitional provisions for holders of agricultural
ratings [Revoked]**

Subpart OC—Aerial VTA Rating

Rule 61.739 is revoked.

**61.739 Transitional provisions for holders of agricultural
ratings [Revoked]**