

Notice of Proposed Rule Making

NPRM 09-02

29 November 2012

Part 61 Pilot Licences and Ratings

Docket 4/CAR/4

Part 61 Review Stage II

Consequential Amendments

Part 1

Part 91

Part 103

Part 133

Part 137

Background to the Civil Aviation Rules

The Civil Aviation Rules establish the minimum regulatory safety boundary for participants to gain entry into, operate within, and exit the New Zealand civil aviation system. The Rules are structured in a manner similar to the Federal Aviation Regulations of the USA. Co-operation is maintained with the Civil Aviation Safety Authority of Australia to ensure harmonisation where possible with their regulatory code.

Rules are divided into Parts and each Part contains a series of individual rules which relate to a particular aviation activity. Advisory Circulars accompany many rule Parts and contain information about standards, practices and procedures that the Director has established to be an **Acceptable Means of Compliance (AMC)** with the associated rule. An Advisory Circular may also contain **guidance material (GM)** to facilitate compliance with the rule requirements.

The objective of the Civil Aviation Rules system is to strike a balance of responsibility between, on the one hand, the Crown and regulatory authority (CAA) and, on the other hand, those who provide services and exercise privileges in the civil aviation system. This balance must enable the Crown and regulatory authority to set standards for, and monitor performance of, aviation participants whilst providing the maximum flexibility for the participants to develop their own means of compliance within the safety boundary.

Section 12 of the Civil Aviation Act 1990 prescribes general requirements for participants in the civil aviation system and requires, amongst other things, participants to carry out their activities safely and in accordance with the relevant prescribed safety standards and practices.

Section 28 of the Act allows the Minister to make ordinary rules for any of the following purposes:

- The implementation of New Zealand's obligations under the Convention
- To allow for the mutual recognition of safety certifications in accordance with the ANZA mutual recognition agreements
- The provision of aviation meteorological services, search and rescue services and civil aviation security programmes and services
- Assisting aviation safety and security, including but not limited to personal security
- Assisting economic development
- Improving access and mobility
- Protecting and promoting public health
- Ensuring environmental sustainability
- Any matter related or reasonably incidental to any of the following:
 - i. The Minister's objectives under section 14 of the Act;
 - ii. The Minister's functions under section 14A of the Act;
 - iii. The Authority's objectives under section 72AA of the Act;
 - iv. The Authority's functions and duties under section 72B of the Act; and
 - v. The Director's functions and powers under section 72I of the Act
- Any other matter contemplated by any provision of the Act.

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1. Purpose of this NPRM

The purpose of this rule-making proposal is to put forward for consultation amendments to Civil Aviation Rule (CAR) Part 61: *Pilot Licences and Ratings* along with associated changes to CAR Parts 1, 91, 133 and 137 in regard to requirements for, and privileges of, pilot licences, ratings, and authorisations.

The amendments in this Notice of Proposed Rulemaking (NPRM) propose:

- (a) a complete revision of the structure of Part 61
- (b) introducing two new pilot licences: Private Pilot Licence (Balloon) and Commercial Pilot Licence (Microlight)
- (c) specifying requirements in the rules for pilots to be proficient in the English language
- (d) reorganising the system of ratings and authorisations, including redefining the significant ratings as aviation documents and introducing authorisations to replace existing minor ratings as well as creating new authorisations for activities that are covered by logbook entries
- (e) amending and clarifying the requirements for flight tests
- (f) amending the requirements for flight instructor ratings, including introducing new flight instructor ratings for balloons and airlines
- (g) introducing new flight examiner ratings for balloons and agriculture aviation
- (h) amending the instrument rating requirements, amending the logging of instrument flight time, and the introduction of a co-pilot instrument rating for helicopters
- (i) introducing requirements for mountainous terrain training to be included in the eligibility requirements for PPLs and CPLs into the rules
- (j) amending type rating requirements and the requirements for instructors to give type ratings in multi-engine aircraft
- (k) amending the requirements for written examinations, including raising the pass mark for examinations and placing a limit on the number of times a person can attempt an exam before a stand-down period applies
- (l) editorial amendments and amendments to clarify the requirements of this Part.

The amendments in this NPRM are designed to:

- § enhance aviation safety by addressing pilot language and licensing issues
- § raise pilot training standards and competency standards
- § clarify rule requirements
- § ensure continuing compliance with International Civil Aviation Organization (ICAO) standards and recommended practices.

2. Background to the Proposal

2.1 General Summary

Civil Aviation Rule Part 61 *Pilot Licences and Ratings* details the circumstances for a person to hold a pilot licence and rating as well as the requirements for the issue of a pilot licence and associated ratings, and the privileges and limitations of those licences and ratings. In 2000 and 2001, the CAA sponsored 'Towards 2005' safety forums identified training standards as an issue for the industry.

In 2000 a Technical Study Group (TSG) was formed by the Civil Aviation Authority – Aviation Industry Rules Advisory Group (CIRAG) to review Part 61, including the rule change petitions. The TSG reviewed a range of issues and technical requirements culminating in the production of a draft NPRM in August 2002. As part of the draft NPRM the TSG recommended a number of changes to Part 61 in order to raise pilot training and competency standards.

The draft NPRM developed at that time by the TSG did not contain sufficient detail to support the proposed changes and further analysis was required before an NPRM could be published. To address the large amount of work required the CAA split the Part 61 project into three stages.

The first stage NPRM (04-02)

The first stage NPRM for the Part 61 project contained minor 'fix-up' amendments and was published on 4 June 2004. Submissions closed on 30 July 2004, and the final rule became effective in May 2006.

The second stage NPRM (09-02)

This NPRM (09-02) contains the proposals for the second stage of the Part 61 project and focuses on the more complex and extensive changes. See section 3 below for details.

There have been several delays, for various reasons, to this second stage of the Part 61 project. In mid-2007 the CAA decided to separate out the proposal for a Recreational Pilot Licence (RPL) and progress this requirement as a separate rulemaking project. The NPRM (07-08) for the RPL proposal was issued for public consultation on 28 August 2007 with submissions closing on 21 September 2007. A summary of the submissions was published on the CAA's website on 8 October 2007 and the rule came into force on 8 May 2008.

The third stage NPRMs (07-05 and 08-02)

The third stage of the project was intended to address the standards for pilot training. NPRM (07-05) *Part 61 Stage III Aviation Training Certification* was published on 15 December 2006. This NPRM proposed that four types of aviation training organisation be introduced and that all flight training and assessment required by Part 61 for a pilot licence or rating be conducted under the authority of an aviation training organisation certificated in accordance with Part 141 (or under an air operator certificate or an agricultural aviation operator certificate issued in accordance with Part 119 or 137 respectively). The submissions closed on 2 March 2007, with some extensions granted to 16 March 2007.

As a result of the submissions and the feedback from CAA sponsored seminars, it became clear that the structure for training organisations that was proposed in NPRM (07-05) was overly complex and needed simplifying.

A new NPRM (08-02) for stage 3 was published on 22 January 2009. This NPRM proposed that all aviation training and assessment be conducted under the authority of a certificated organisation, with the existing 2 levels of certification for Part 141 aviation training organisations being retained but with additional requirements for the establishment of flight training procedures and enhancement of the management system.

2.2 NPRM Development

The rule changes proposed in this NPRM are substantially derived from the work of the Part 61 Technical Study Group (TSG).

The terms of reference for the TSG were accepted by the CIRAG Executive on 10 February 2000. The scope of the TSG's terms of reference were broad and essentially covered the full spectrum of pilot licensing requirements. In its review of Part 61, the TSG was required to take into account the following:

- New Zealand's obligations as a signatory to the Chicago Convention
- The outcomes of the ICAO Safety Oversight Audit (1999)
- New Zealand's obligations under the Trans-Tasman Mutual Recognition Act 1997
- Any appropriate international standards
- The recommendations contained in CAA policy on aviation examinations
- The implications and constraints of any implementation requirements
- The safety benefits and compliance costs
- The differentiation between administrative rules that are used for entry control, and rules that need to be enforced, along with the type of regulatory tool to be applied

The following have been taken into account during the development of the proposed rule amendments contained in this NPRM:

- § Part 61 TSG recommendations

- § New Zealand's obligations as a member of the International Civil Aviation Organization (ICAO), and the standards and recommended practices of ICAO
- § The 2000-2005 Safety Forums
- § The work being undertaken by CASA to rewrite the Australian pilot licensing regulations
- § Recommendations from the Transport Accident Investigation Commission to the Director of Civil Aviation.

2.3 Key Stakeholders

The following are identified by the Civil Aviation Authority as key stakeholders in the proposed rule amendments contained in this NPRM:

- The Minister of Transport
- The Ministry of Transport
- The Civil Aviation Authority
- Pilot licence holders
- Persons wishing to attain a pilot licence
- The Aircraft Owners and Pilots Association
- The Royal New Zealand Aero Club
- Flight training providers
- Airline operators
- The Aviation Industry Association
- Aircraft operators
- Aviation Services Limited
- Flight testing organisations
- The Aviation, Tourism and Travel Training Organisation
- The travelling public

3. Issues Addressed during Development

3.1 In scope items

With input from the initial Part 61 Review Project overview paper, the 30 June 2005 proposal table, industry consultation, and internal CAA technical advice, the following items were in scope and considered for this project:

- § Modify the rule structure to clarify the requirements
- § Introduce new licences
- § Amend Airline Transport Pilot Licence (ATPL) eligibility requirements
- § Restructure instructor ratings (particularly category C)
- § Introduce an airline flight instructor rating and a balloon flight instructor rating
- § Establish flight examiner rating for balloon operations
- § Update instrument rating requirements for helicopters and include requirements for support pilots
- § Review aerobatic rating privileges
- § Add terrain awareness training into flight time experience requirements
- § Establish English language competency requirements
- § Add or amend definitions
- § ICAO Annex 1 amendments up to and including Amendment 166 (now superseded by Amendment 167)
- § Incorporate revised requirements for agricultural operations including:

- Review of the agricultural and chemical ratings
 - Amendments to the E category flight instructor rating
 - Introduction of an agricultural Flight Examiner rating
- § Recommendations from the Transport Accident Investigation Commission to the Director of Civil Aviation that have been accepted by the Director
- § Review of written examinations, including raising the pass mark and placing a limit on the number of times a person can unsuccessfully attempt to obtain a credit for an exam before a stand-down period applies
- § Review of the requirements for flight tests
- § Review of the currency provisions.

3.2 Changing the structure of Part 61

The current rule Part 61 does not follow a logical progression. For example the requirements relating to aircraft type ratings come before the pilot licensing requirements, and the flight examiner requirements do not follow flight instructor requirements. It is also difficult to find information within the Subparts, for example the rules associated with various types of flight instructor ratings are all listed together. This makes it difficult to identify all the requirements associated with a particular level of flight instructor rating.

The rule amendments contained in this NPRM propose a new structure for Part 61 to make the Part easier to read and give a logical flow to the information.

3.3 Pilot licences

New licences

The Part 61 TSG recommended several new licences be established. Two of the licences have already been introduced: the recreational pilot licence (aeroplane) in May 2008 and the private pilot licence (glider) in May 2006.

This NPRM proposes the introduction of:

- § Private Pilot Licence (Balloon)
- § Commercial Pilot Licence (Microlight)

Balloons

Part 61 currently provides for the issue of a commercial pilot licence for balloons CPL (B) but the Civil Aviation Rules do not prescribe any pilot qualification requirements for a person to operate a balloon on a private flight. ICAO Annex 1 prescribes the minimum requirements for the issue of a pilot licence for a pilot of a balloon which is a certificated aircraft issued with an airworthiness certificate. To be consistent with the ICAO requirements and with the safety requirements for a person to operate an aircraft issued with an airworthiness certificate, the rules need to provide for the issue of a private pilot licence for a balloon PPL (B).

Microlights and gyrocopters

The pilot qualification requirements for the operation of a microlight aircraft on a private flight is covered by a pilot certificate issued by a microlight organisation certificated in accordance with Part 149. However the proposed introduction of commercial operations using a microlight aircraft to carry a fare paying passenger means that a commercial pilot licence for microlight aircraft CPL (M) is required. The CPL (M) will be based on the Part 149 microlight pilot certificate with additional requirements, including a class 1 medical certificate, to meet the normal commercial pilot licence standard. A gyrocopter used for hire or reward operations would be covered under a CPL (M) as an endorsed aircraft type rating for the specific gyrocopter.

3.4 Ratings

The current Part 61 has 2 classes of ratings: 'prime' ratings issued by the Director in accordance with section 9 of the Act as aviation documents, and 'other' ratings issued by flight instructors and flight examiners as certifications in a pilot logbook.

A 'prime' rating (currently an instrument rating, a flight instructor rating, or a flight examiner rating) must be endorsed on the pilot's licence and is based on ICAO requirements specified in Annex 1. 'Other' ratings are specific activities

that require an appropriately qualified flight instructor or flight examiner to certify, in the pilot's logbook, the pilot's competence in the activity before the privileges of the rating can be exercised.

The CAA believes that 'other' ratings should be referred to as authorisations because they are managed quite differently to the so-called 'prime' ratings, and are not aviation documents for the purpose of the Act.

The rule amendments therefore propose that all piloting activities, associated with the use of a pilot licence, that have significant public interest and safety considerations be called ratings. These ratings, (with the exception of an aircraft type rating) will be issued by the Director as aviation documents and will be endorsed on the pilot's licence.

In this NPRM, the activities that are proposed to be 'ratings' issued as aviation documents are:

- (1) all flight instructor ratings:
- (2) all flight examiner ratings:
- (3) all agricultural ratings (grade 1 and grade 2):
- (4) an aerobatic rating:
- (5) instrument ratings:
- (6) co-pilot instrument rating- helicopter.

An aircraft type rating will be an exception to the general policy stated above for ratings. This NPRM does not intend to change the criteria for the issue of an aircraft type rating (i.e. a certified entry by a flight instructor in a pilot logbook) but to ensure consistency with international terminology, an aircraft type rating will continue to be called a rating, even though it is not an aviation document issued by the Director.

3.5 Authorisations

There are two types of authorisation proposed under this NPRM. Standalone authorisations (as listed below) have eligibility requirements, privileges and limitations that are prescribed in the proposed Subpart N. For example, a glider tow authorisation will be a standalone authorisation additional to the base pilot licence privileges. Other authorisations, such as those associated with an instrument rating (see proposed rule 61.655), extend the privileges of the rating as an additional authorised privilege.

The activities that are proposed to require a standalone authorisation under Subpart N in this NPRM are:

- § glider towing
- § towing objects other than gliders
- § parachutist dropping
- § aids to night vision
- § helicopter external loads

The use of authorisations is intended to improve the management of the expanding array of specialised operations and activities being undertaken by the aviation industry.

Under the proposals in this NPRM, an authorisation will be issued by an authorised flight instructor or flight examiner making an appropriate entry in a pilot logbook.

3.6 Flight instructor ratings

The amendments to flight instructor ratings proposed in this NPRM are:

- § introducing a new balloon flight instructor rating
- § introducing a new airline flight instructor rating, which comprises the airline privileges of the old Category D flight instructor rating
- § adding a requirement for competency reviews for Category D and E flight instructor ratings

- § changes to existing privileges and limitations for flight instructors, including the prerequisites for a category B flight instructor rating and the privileges of a category C flight instructor rating.

3.7 Instructor experience for issuing aircraft type ratings

In 2007, the Director received a recommendation (028/07) from TAIC stating that he should:

‘ensure the proposed NPRM on CAR Part 61 Pilots Licences and Ratings raises the minimum aircraft type-specific experience and competency requirements, especially for multi-engine aircraft, before an instructor is able to instruct on that type’.

The Director responded:

The Director will accept this recommendation and will ensure the proposed NPRM on CAR Part 61 Pilots Licences and Ratings raises the minimum aircraft type-specific experience and competency requirements, especially for multi engine aircraft, before an instructor is able to instruct on that type.

As a consequence to the recommendation, the CAA is proposing a minimum of 10 hours of pilot-in-command time on type before a flight instructor may instruct on multi-engine aircraft for the purposes of issuing a type rating on the same type of aircraft.

3.8 Flight examiner ratings

The proposed changes to flight examiner ratings are:

- § the introduction of a balloon flight examiner rating
- § amendments to the existing eligibility requirements for a flight examiner rating to require a flight examiner training course.

3.9 Instrument Ratings

The CAA believes the logbook entry and the privileges associated with an instrument rating need to be more specific. The use of the authorisation process is the best system to address this.

It is proposed that the base privilege of an instrument rating is to operate a single engine aircraft to a two pilot standard, i.e. requiring two pilots to exercise the privileges of the rating. The following privileges will be certified in the pilot’s logbook:

- § Single pilot– operate an aircraft under IFR as single pilot.
- § Multi-engine– operate a multi-engine aircraft under IFR.
- § Technically enhanced aircraft – operate a technically enhanced aircraft under IFR (single or multi-engine as applicable).
- § Centre line thrust (CLT) multi-engine - operate a centre line thrust multi-engine aircraft under IFR.
- § The applicable navigation system such as – VOR, ADF, ILS, GNSS, or PAR.

A pilot who is authorised to operate a multi-engine aircraft under IFR may operate a single-engine aircraft under IFR if the pilot meets the IFR currency requirements in a multi-engine aircraft.

It is proposed that all applicants for an instrument rating (including the co-pilot instrument rating for helicopters) must have night flight time in order to be eligible for the rating.

A requirement is added into the currency provisions to require a pilot acting as a single-pilot under IFR to demonstrate competency to a single-pilot standard. This amendment is in response to Coroner’s Recommendation 564 that *‘the CAA urgently review single-pilot Instrument Flight Rules processes, requirements and best practice, including the use of coupled approaches and identification of, and assistance for, pilots who demonstrate any difficulty in Instrument Flight Rule procedures’.*

Support and Safety Pilots

There are two types of supplementary pilot for instrument flight: a safety pilot and a support pilot.

Safety Pilot

When a pilot is undertaking simulated instrument flight in accordance with current rules 91.125 or 61.25 a safety pilot must be used. The safety pilot's role is to maintain the required VFR visual lookout and monitoring function to supplement the pilot who is operating the aircraft in simulated instrument flight. A person acting as a safety pilot has no crew status and may not log the flight time.

Support Pilot

A pilot with a current instrument rating to two pilot standard who is performing an IFR flight in a single pilot certificated aircraft must carry an appropriately qualified support pilot. The support pilot does not play a monitoring function like a safety pilot but acts at the request of the pilot-in-command to perform such tasks as flight logging and radio communication.

A support pilot is a member of the flight crew and must hold an instrument rating.

The support pilot is not the pilot-in-command and should not be manipulating the flight controls, therefore, he or she is not entitled to log instrument flight time. A support pilot may log 'support pilot' time, which can be credited towards the pilot's total flight time but not towards a higher licence.

In summary, under the amendments in this NPRM, a support pilot:

- § is a member of the flight crew and provides assistance to a pilot conducting a two pilot IFR operation; and
- § must hold a current and appropriate pilot licence; and
- § must hold a current instrument rating (although does not have to be current on approaches); and
- § is entitled to log the flight time in their logbook as a support pilot; and
- § is not entitled to log the flight time as instrument flight time as they are not manipulating the aircraft controls.

The requirements for a support pilot are included in proposed rule 61.655.

Co-pilot instrument rating (helicopter)

Compared to aeroplanes, the availability of suitably equipped helicopters certificated for single pilot operation under IFR is very limited and the cost of operation is high. Consequently, few helicopter pilots become instrument rated.

To respond to this situation, a co-pilot instrument rating for helicopters is proposed. The rating entitles the pilot to act as a co-pilot of a multi-pilot helicopter on IFR operations. The training requirements are reduced and do not require a fully IFR equipped helicopter. However, operational experience and a flight test in an IFR capable helicopter are required before the pilot can apply for a standard instrument rating.

3.10 ATPL eligibility requirements

Under the rule amendments, applicants for an ATPL(A) must hold an aircraft type rating on a multi-engine turbine powered aeroplane. Applicants must also sit the ATPL flight test in a turbine powered aeroplane.

3.11 Aerobatic flight rating

The aerobatic flight rating is changed to be a primary rating issued by the Director under the Act. Also the person who conducts the competency check for aerobatics below a height of 1500 feet, may put an expiry date on the authorisation and may also specify any conditions for a pilot to perform aerobatics below 1500 feet.

3.12 Terrain and weather awareness flying

In 2002 the Transport Accident and Investigation Commission (TAIC) issued a recommendation (023/02) to the Director to:

Implement previous safety recommendations 078/93 and 033/97, which stated: The training syllabus for the New Zealand Commercial Pilot Licence (Aeroplane) be amended to include "Mountainous-terrain flight training" and the extent of training required be similar to that already specified for Commercial Pilot Licence (Helicopter), and the requirement be applicable prior to the validation or conversion of foreign Pilot Licences to equivalent New Zealand Pilot Licence[s] (078/93); Include mountain-flying in the training syllabus for Private Pilot and Commercial Pilot Licences (Aeroplane), as is the case for helicopter licences (033/97).

The Director responded:

I will not accept the recommendation as worded, however I have initiated a Rule change in the current review of Part 61 to include mountain-flying training as a requirement for pilot licensing. This matter has already been considered by an Industry and CAA Technical Study Group and a Notice of Proposed Rule Making is currently being drafted for public consultation in accordance with the requirements of the Civil Aviation Act.

To address the recommendation from TAIC, which was reinforced by the TSG, the proposed amendments in the NPRM include training for terrain and weather awareness at PPL level and basic mountain flying at CPL level.

The training for both PPL and CPL could be covered during the low flying training phase and could be expanded upon or reinforced during the cross-country training phase.

3.13 Multi-pilot operations

The present rules do not provide for multi-pilot operations in an aircraft that is certificated as a single pilot aircraft, even when the aircraft is properly equipped and multi-pilot procedures are established and applied. A mechanism is required to allow a co-pilot of a single pilot certificated aircraft to log the flight time.

The proposed changes amend the definition of “multi-pilot aircraft” so that an aircraft that is certificated for single pilot operation can be included as a multi-pilot aircraft if the aircraft is equipped for 2 pilot operation and is operated as a 2 pilot operation using approved multi-pilot operating procedures (not simply a single pilot operation with a support pilot as would be the case in a two pilot IFR flight in a single pilot aircraft). This will allow a co-pilot acting as a flight crew member on a single pilot certified aircraft to log flight time.

The logging of flight time for co-pilots of aircraft that are single pilot certified will be limited to multi-engine aeroplanes and helicopters. The rules will not prohibit two pilots from flying together, but simply limit who can log flight time.

3.14 Helicopter specialised operations

In response to a TSG recommendation, a new definition of helicopter external loads is proposed which includes the following activities (each of which are also defined):

- § Helicopter external load towing operation
- § Helicopter sling load operation
- § Helicopter winching operation
- § Helicopter rappelling operation
- § Helicopter human sling load operation

3.15 Agricultural aircraft operations

A separate rule project under docket 8/CAR/2 dealing with a review of Part 137 for agricultural aircraft operations was removed from the Rules Programme in April 2012. This project included consequential amendments to Part 61 to deal with issues relating to the agricultural rating, pilot chemical rating and the introduction of agricultural authorisations.

The rule amendments in this Part 61 NPRM regarding the definitions for agricultural aircraft operations, the agricultural ratings and the agricultural authorisations incorporate the proposed amendments that were consulted in the Part 137 project are included in this proposal.

The distance element that is currently part of the definition of an agricultural aircraft operation was proposed to be moved to Part 137 in the rule concerning operations over non-congested areas, which deals with the low flying provisions for agricultural aircraft operations. This issue was the subject of discussion in terms of the actual distance. The increasing use of “high analysis” fertilisers which typically have low application rates means that more area can be treated per flight and therefore greater distances can be covered in one sortie. Notwithstanding this, the CAA maintains that the concession to fly at less than 500 feet above the surface to, from, or between treatment areas that were less than 5 nautical miles apart is still a fair compromise between the commercial efficiency aspects and the safety and nuisance risks. This results in a consequential amendment to Part 137.

3.16 ICAO Annex 1 Personnel Licensing

It is the CAA policy that the New Zealand knowledge syllabi for pilot licensing should be consistent with the ICAO Annex 1 Standards and Recommended Practises where practical.

There are currently significant differences between CAR Part 61 and ICAO Annex 1, including inconsistencies in the titles and content of the knowledge syllabi at the 3 licence levels: PPL, CPL and ATPL.

ICAO Annex 1 specifies that pilots must demonstrate a level of knowledge appropriate to the privileges of the licence in the following subjects:

- Air Law
- Aircraft General Knowledge
- Flight Performance, Planning and Loading
- Human Performance
- Meteorology
- Navigation
- Operational Procedures
- Principles of Flight
- Radiotelephony

While it is not an ICAO requirement for States to adhere completely to the subjects detailed in Annex 1, New Zealand's current rule structure for pilot licensing is not aligned with ICAO and is not logical across the licence levels.

In addition to inconsistencies with ICAO, industry feedback at the 'Towards 2005' safety forums indicated that pilot knowledge levels needs to improve.

The following changes to the New Zealand licence syllabi are therefore proposed in this NPRM.

Private Pilot Licence

ICAO	Current PPL	Proposed PPL
Air Law	Air Law	Air Law
Aircraft General Knowledge	Aircraft Technical Knowledge (including Principles of Flight, Performance and Loading)	Aircraft Technical Knowledge
Flight Performance, Planning and Loading		
Human Performance	Human Factors	Human Factors
Meteorology	Meteorology	Meteorology
Navigation	Air Navigation and Flight Planning	Navigation and Flight Planning (including Flight Performance and Loading)
Operational Procedures*		
Principles of Flight		Principles of Flight
Radiotelephony	Flight Radiotelephony	Flight Radiotelephony

Feedback from industry on the Aircraft Technical Knowledge (ATK) syllabus at the 3 licence levels indicated that the syllabus content was excessive, especially at the PPL level.

The PPL ATK syllabus currently includes Principles of Flight, Performance and Loading. It is proposed to move PPL Performance and Loading requirements into the Navigation and Flight Planning syllabus, and to have a standalone PPL Principles of Flight syllabus.

Commercial Pilot Licence

ICAO	Current CPL	Proposed CPL
Air Law	Air Law	Air Law
Aircraft General Knowledge	General Aircraft Technical Knowledge	Aircraft Technical Knowledge
Flight Performance, Planning and Loading		Flight Performance, Planning and Loading
Human Performance	Human Factors	Human Factors
Meteorology	Meteorology	Meteorology
Navigation	Flight Navigation General (including Flight Planning)	Navigation
Operational Procedures*		
Principles of Flight	Principles of Flight and Aircraft Performance (including Loading)	Principles of Flight
Radiotelephony		

At the professional levels (CPL and ATPL), the CAA proposes to more closely align the Part 61 knowledge syllabi with ICAO. Consequently, at the CPL level Flight Performance, Planning and Loading is proposed to form a standalone syllabus.

Air Transport Pilot Licence

ICAO	Current ATPL	Proposed ATPL
Air Law	Air Law	Air Law
Aircraft General Knowledge	Advanced Aerodynamics, Performance and Systems Knowledge	Aircraft Technical Knowledge
Flight Performance, Planning and Loading	Flight Planning	Flight Performance, Planning and Loading
Human Performance	Human Factors	Human Factors
Meteorology	Meteorology	Meteorology
Navigation	Flight Navigation General	Navigation
Operational Procedures*	Instruments and Nav aids	
Principles of Flight		Principles of Flight
Radiotelephony		

At the ATPL level, Advanced Aerodynamics, Performance and Systems Knowledge is proposed to be redistributed into Principles of Flight, Flight Performance, Planning and Loading, and Aircraft Technical Knowledge respectively. It is also proposed to integrate ATPL Instruments and Nav aids into ATPL Aircraft Technical Knowledge.

No significant changes to the Instrument Rating or Basic Turbine Knowledge syllabi requirements are proposed.

*ICAO Annex 1 at each licence level includes a knowledge subject area called 'Operational Procedures'. This subject covers the operational aspects of Human Factors, Air Law and Air Traffic Control, Meteorology, Aircraft Technical Knowledge, Performance and Communications. The CAA believes that such operational aspects are best taught and examined at the same time as the basic subject theory, as they tend to help explain to some extent, otherwise theoretical subjects. As the operational aspects are adequately covered under the current and proposed syllabus headings, it is not proposed to add a separate 'operational procedures' subject area.

English language proficiency

ICAO Annex 1 amendment 164 requires an English language proficiency standard for all pilots from March 2008 to improve language proficiency. The changes establish minimum skill level requirements for language proficiency for flight crew, and introduce an ICAO language proficiency rating scale applicable to both native English speakers and non-native English speakers with a testing schedule to demonstrate language proficiency.

In 2008 the CAA developed testing requirements in conjunction with Aviation Services Limited to meet the Annex implementation deadline. The English language requirement is now included in this NPRM to formalise the requirement that has been in place since 2008 into the rule and to make it a prerequisite of a licence flight test rather than for the issue of the licence itself.

Raising pass mark

The requirement to gain at least 70% in order to pass a written examination has been in place since 1992. In recent years there have been a number of developments in this area, including the development of syllabi in a specific objective format, the production of New Zealand specific aviation ground theory texts, and the comprehensive review of the examinations by technical experts from industry.

The CAA received strong lobbying from a number of industry groups for the protection and enhancement of the international recognition and reputation of New Zealand licences. The industry groups consider that our current pass mark may be seen as being below that required by other jurisdictions.

ICAO Annex 1 does not specify a pass mark for written examinations and international standards vary. The European JAA requires a pass mark of 75% in its examinations. The Australian Civil Aviation Safety Authority (CASA) requires a pass mark of between 70% and 80% depending on the qualification sought, and the Federal Aviation Administration in the United States has a general pass mark of 70% and 80% for flight examiners.

The CAA believes that the pass mark for written examinations should be increased and proposes that an applicant for a written examination required under Part 61 must gain at least 75% of the possible marks in order to pass the examination.

Number of times a person may fail an exam

The rule amendments propose that if a person fails a written examination 6 times, they will not be permitted to have another attempt at the exam for 2 years.

4. Compliance Costs

There will be minor transition costs for pilots who currently hold a Category D flight instructor rating and who are using the privileges of the rating in an airline environment. Under the proposed rules an airline flight instructor rating is established to clarify the difference between a Category D flight instructor working in the general aviation sector and those working at the higher level in the Part 121 and 125 airline sector. Those Category D flight instructors working in the airline environment will need to apply to the Director for an airline flight instructor rating and pay the applicable fee of \$131.

At the present time there are no pilot qualification requirements for a person piloting a balloon on a private operation. A balloon is a certificated aircraft and for consistency with the requirements for other certificated aircraft the minimum pilot qualification for piloting a balloon will be a private pilot licence. There will be a transition cost for persons who have existing experience in piloting balloons. They will be required to hold at least a class 2 medical certificate. The current application cost is \$313. The cost for the associated medical exam varies due to industry rates and/or testing requirements but currently averages around \$475. A private pilot candidate will need to pass the PPL air law written examination and the PPL (B) flight test and apply to the Director for the issue of the licence. There is a 12 month transition period proposed for those existing balloon pilots who are not operating for hire or reward to obtain a PPL (B). The cost for this transition will vary depending on the qualifications currently held by the pilot, but the current cost for the PPL law exam is \$83, \$230 for licence issue and approximately \$500 for the flight test.

There are not expected to be any compliance costs for the other transition provisions.

5. Summary of Changes

5.1 Changes to Part 1

Agricultural Aircraft Operation

Amend the definition of agricultural aircraft operation to provide for the following:

- Delete the distance limitation (for low flying over non-congested areas) from the definition and incorporate it into the rule relating to operations over non-congested areas.
- Define aerial topdressing as the aerial application of dry agricultural chemicals; aerial spraying as the aerial application of liquid agricultural chemicals; and aerial vertebrate toxic agent as the aerial application of poisonous bait.

Definitions of ‘Appropriate’ and ‘current’

These definitions are amended to clarify the meanings.

Co-pilot

The definition of co-pilot is amended to specify a pilot other than the pilot-in-command of a multi-pilot aircraft.

Dual flight instruction

A new definition is provided to clearly define what dual flight instruction means.

Flight time

The definition is amended to provide for balloon airborne tethered flight.

The following definitions are moved into Part 1 from Part 133 and provide more clarity on what activity defines the operation:

- *Helicopter external load operation*
- *Helicopter external load towing operation*
- *Helicopter sling load operation*
- *Helicopter human sling load operation*
- *Helicopter winching operation*
- *Helicopter rappelling operation*

The definition for ‘Helicopter rappelling operation’ includes the term ‘fast roping’. This is an operation whereby a rope is hung from a helicopter and a person grasps the rope and slides down it. This type of operation is mainly performed by the military and Police.

Multi-pilot aircraft

The definition of multi-pilot aircraft is amended to refer to aircraft that are required to be operated with 2 pilots and this will include an aircraft that is certificated for single pilot operation but is operated with 2 pilots in the interests of safety. This will allow the co-pilot to log flight time, but only in a properly equipped multi-engine aircraft operating under IFR.

Technically enhanced aircraft

A new definition is provided to define an aircraft that is equipped with computer enhanced cockpit displays such as a “glass cockpit” instrument display.

Variant

The definition of ‘variant’ is amended to cover all aircraft and not just aeroplanes in relation to identifying training and qualification requirements.

5.2 Changes to Part 61

Structure

This NPRM proposes that the structure of Part 61 be revised. The proposed Part 61 layout is as follows:

- General Section
- Student pilots
- Pilot licences (RPL, PPL, CPL, ATPL)
- Flight instructor ratings
- Flight examiner ratings
- Ratings
- Authorisations

The proposed amended layout of Part 61 requires changes to most rule numbers.

General section

The recent flight experience requirements and the provisions for the use of a lower licence have been moved into each rule under the currency provisions.

The criteria for the English language proficiency requirement are inserted into the general section.

The examination for proficiency rule has been deleted as the Director's power to investigate an aviation document holder for incompetence is in the Act.

New pilot licences

New licences have been introduced for a private pilot licence (balloon), and a commercial pilot licence (microlight).

Flight Instructor ratings

Changes are proposed to the flight instructor ratings including establishment of an airline flight instructor rating and a balloon flight instructor rating.

Flight examiner ratings

The introduction of an agricultural flight examiner rating and a balloon flight examiner rating are proposed.

Ratings

A new co-pilot instrument rating (helicopter) is proposed.

Authorisations

The glider tow rating and parachute drop rating become authorisations under this NPRM. In addition, 3 new authorisations are being introduced: tow authorisation for towing objects other than gliders, an aids to night vision authorisation and a helicopter external load authorisation.

5.3 Changes to Part 91

Rule 91.111 is amended to require each flight crew member on board a New Zealand registered aircraft operating outside of New Zealand or a foreign aircraft operating within New Zealand to carry evidence of the flight crew members' pilot licence and medical certificate.

Subpart H – Special Flight Operations

Rule 91.701 *Aerobatic flight* is amended to clarify the requirements regarding aerobatic flight manoeuvres.

Rule 91.705 *Parachute-drop operations* is amended as a consequence of the change from parachute-drop ratings to parachute-drop authorisations.

Rule 91.709 *Towing gliders* is amended as a consequence of the change from glider tow rating to glider tow authorisation.

Rule 91.711 *Towing objects other than gliders* is amended to make an exception for the pilot of a microlight aircraft towing a hang glider under rule 103.157. It is also amended to require the pilot to hold a tow authorisation issued in accordance with Part 61. In addition to not carrying passengers, the pilot may only operate by day VFR.

New rule 91.713 *Operations using an aid to night vision* is introduced.

5.4 Changes to Part 103

Rule 103.5 *Pilot requirements* is amended to clarify that ‘appropriate’ current pilot licenses issued under Part 61 are applicable for the operation of a microlight with an appropriate type rating.

Rule 103.7 *Flight instruction* is amended to clarify the requirements for exercising the privileges of a microlight flight instructor when holding a flight instructor rating issued under Part 61.

5.5 Changes to Part 133

Rule 133.3 *Definitions* is reserved as the definitions have been moved to Part 1 *Definitions and Abbreviations*. Rule 133.5 *Pilot licence requirements* is amended to take into account the new helicopter external load authorisations and makes amendment to the rule wording for clarity.

5.6 Changes to Part 137

Rule 137.3 *Requirement for ratings* introduces the terminology referring to the new agricultural aerial authorisations and deletes reference to the pilot chemical rating.

Rule 137.63 *Operations over non-congested areas* introduces the 5 nautical mile limitation that was previously in the definition of agricultural aircraft operation.

6. Legislative Analysis

6.1 Power to Make Rules

The Minister may make ordinary rules under sections 28, 29, 29A, 29B and 30 of the Civil Aviation Act 1990, for various purposes including implementing New Zealand’s obligations under the Convention, assisting aviation safety and security, and any matter contemplated under the Act.

These proposed rules are made pursuant to:

- (a) Section 28(c) which provides for the Minister to make rules assisting aviation safety and security, including (but not limited to) personal security:
- (b) Section 29(c) which provides for the Minister to make general operating rules, air traffic rules, and flight rules, including but not limited to the conditions under which aircraft may be used or operated, or under which any act may be performed in or from an aircraft:
- (c) Section 30(a) which provides for the Minister to make rules for the designation, classification, and certification of all or any of the following:
 - (1) aircraft:
 - (2) aircraft pilots:
 - (3) flight crew members:
 - (4) aviation examiners or medical examiners:
- (d) Section 30(b) which provides for the Minister to make rules for the setting of standards, specifications, restrictions, and licensing requirements for all or any of those persons or things specified in section 30(a) including but not limited to the following:
 - (1) the specification of the privileges, limitations, and ratings associated with licences or other forms of approval
 - (2) the setting of standards for training systems and techniques, including recurrent training requirements

- (3) the format of aviation documents, forms, and applications, including the specification of information required on all application forms for aviation documents
 - (4) the requirements relating to the classification of aviation examiners and medical examiners and any related standards and restrictions on the exercise of their functions and powers.
- (e) Section 30(c) which provides for the Minister to make rules for the conditions of operation of foreign aircraft and international flights to, from, or within New Zealand.
- (f) Section 30(d) which provides for the Minister to make rules for the definitions, abbreviations, and units of measurement to apply within the civil aviation system.

6.2 Matters to be taken into account

The development of this NPRM and the proposed rule changes take into account the matters under section 33 of the Act that the Minister must take into account when making ordinary rules including the following:

ICAO Standards and Recommended Practices

Pursuant to section 33(1) of the Act, the proposed rules are consistent with the ICAO requirements of Annex 1 (Personnel Licensing) regarding the minimum standards prescribed internationally for personnel licensing.

Assisting Economic Development

The proposed rule amendments relate to pilot licensing requirements in New Zealand and are unlikely to have an impact on economic development.

Assisting Safety and Personal Security

The proposed rule amendments are intended to have a positive effect on aviation safety by strengthening the requirements relating to flight instructor privileges and new authorisations. The rule amendments also address two coroner's recommendations that are intended to improve aviation safety.

Improving Access and Mobility

The proposed rule amendments are directed at pilot licensing requirements and are therefore unlikely to have an effect on improving access and mobility.

Protecting and Promoting Public Health

The proposed rule amendments do not relate to transport-related emissions, noise, vibration, waste and other pollutants, walking or cycling and are therefore unlikely to have an effect on protecting or promoting public health.

Ensuring Environmental Sustainability

The proposed rule amendments do not relate to aircraft noise or emissions and are therefore unlikely to have an effect on ensuring environmental sustainability in the air transport sector.

6.3 Incorporation by reference

The document ICAO Annex 1 to the Convention on International Civil Aviation *Personnel Licensing* (10th Edition July 2006, incorporating Amendment 168) Attachment A: *ICAO Language Proficiency Rating Scale* has been incorporated by reference into rule 61.15 regarding English language proficiency assessments.

6.4 Civil Aviation (Offences) Regulations 2006

Schedule 1 of the Civil Aviation (Offences) Regulations 2006 is made by the Governor General pursuant to section 100 of the Civil Aviation Act 1990 and contains a list of summary and infringement penalties associated with offences against various civil aviation rules.

The proposed rule will require amendment to the Offences Regulations.

7. Submissions on the NPRM

7.1 Submissions are invited

This proposal has been developed from the work of the Part 61 Technical Study Group (TSG) and the CAA Personnel and Flight Training Unit, and after discussions with the aviation community. Interested persons are invited to participate in the making of the proposed rules by submitting written data, views, or comments. All submissions will be considered before final action on the proposed rulemaking is taken. If there is a need to make any significant change to the rule

requirements in this proposal as a result of the submissions received, then interested persons may be invited to make further submissions.

7.2 Examination of Submissions

All submissions will be available in the rules docket for examination by interested persons both before and after the closing date for submissions. A consultation summary will be published on the CAA web site and provided to each person who submits a written submission on this NPRM.

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

7.3 Official Information Act

Submitters should note that subject to the Official Information Act 1982 any information attached to submissions will become part of the docket file and will be available to the public for examination at the Civil Aviation Authority offices in the Asteron Centre, 55 Featherston Street, Wellington.

Submitters should state clearly if there is any information in their submission that is commercially sensitive or for some other reason the submitter does not want the information to be released to other interested parties.

7.4 How to make a submission

You may submit your comments on the NPRM Submission Form available [here](#) and email to: docket@caa.govt.nz. This form is also available at www.caa.govt.nz under "NPRMs Open for Submissions".

While you may respond using regular mail or fax, the CAA prefers to receive documents that are emailed in the MS Word format (or similar) to ensure efficient and secure cataloguing of all comments.

If you require further assistance in submitting your comments contact the Aviation Standards Specialist listed below.

7.5 Final date for submissions

Comments must be received no later than 11 January 2013.

7.6 Availability of the NPRM

Any person may obtain a copy of this NPRM from–

CAA web site: www.caa.govt.nz;

or from

Docket Clerk:

Civil Aviation Authority
Level 15, Asteron Centre
55 Featherston Street
Wellington 6011

PO Box 3555
Wellington 6140
New Zealand

Phone: 64–4–560 9603

7.7 Further information

For further information contact:

Michael Shouse
Aviation Standards Specialist

michael.shouse@caa.govt.nz

Part 1 Definitions and Abbreviations

1.1 General definitions

The following definitions are added to Part 1:

Aerial spraying means dispensing from an aircraft—

- (1) a liquid agricultural chemical; or
- (2) any other liquid substance intended for plant nourishment, soil treatment, or propagation of plant life:

Aerial topdressing means dispensing from an aircraft—

- (1) a dry agricultural chemical; or
- (2) any other dry substance intended for plant nourishment, soil treatment, or propagation of plant life:

Aerial vertebrate toxic agent (VTA) means dispensing from an aircraft toxic and non-toxic bait intended for the extermination of targeted vertebrate pests:

Dual flight instruction means flight instruction provided to a person by an appropriately licensed and rated flight instructor occupying a pilot seat:

Balloon organisation means the holder of an aviation recreation organisation certificate issued by the Director under the Act and Part 149:

Helicopter external load equipment means any equipment used to suspend a load beneath a helicopter:

Helicopter external load operation means—

- (1) a helicopter external load towing operation; or
- (2) a helicopter fast roping operation; or
- (3) a helicopter human sling load operation; or
- (4) a helicopter rappelling operation; or
- (5) a helicopter sling load operation; or
- (6) a helicopter winching operation:

Helicopter external load towing operation means the towing of an external load by a helicopter where all or part of the load remains in contact with a surface during the operation:

Helicopter fast roping operation means the deployment of a trained person that lowers him or herself to a surface by grasping and sliding down a special rope that is attached to a hovering helicopter:

Helicopter human sling load operation means the pick-up, external carriage, and put down of a person by a helicopter by means of external load equipment:

Helicopter rappelling operation means the deployment of a trained person that lowers him or herself in a controlled descent to a surface by attachment to a device and special rope that is attached to a hovering helicopter:

Helicopter sling load operation means the pick-up, external carriage, and put down of a load or cargo, other than a person, by a helicopter by means of external load equipment:

Helicopter winching operation means an operation by a helicopter where a person or cargo is lowered or raised by means of an approved winch attached to a hovering helicopter:

Technically enhanced aircraft means an aircraft approved for IFR flight in which the primary flight instruments and navigation information are displayed electronically by an integrated system that has been certified at Technical standard order TSO level and is capable of displaying critical information about an aircraft's flight path, situation, position, and progress:

The following Part 1 definitions are amended as follows:

Agricultural aircraft operation means the operation of an aircraft for any of the following purposes:

- (1) aerial spraying:
- (2) aerial topdressing:
- (3) aerial VTA:
- (4) engaging in dispensing activities affecting agriculture, horticulture, or forest preservation:
- (5) dropping farm supplies on farms in rural areas or delivering farm materials to farms in rural areas:
- (6) surveying agricultural, forest, or water areas at a height of less than 500 feet above terrain:
- (7) feeding or transferring livestock on farms in rural areas:
- (8) the reconnaissance of the proposed treatment area for the types of operation referred to in paragraphs (1) to (7):

Appropriate, in relation to a pilot licence or rating, means applicable to the same category of aircraft or operation:

Co-pilot means the holder of an appropriate pilot licence acting as a pilot, other than as pilot-in-command, of a multi-pilot aircraft or a multi-engine single-pilot aircraft that is equipped for, and operated as, a 2 pilot operation, but does not include a person receiving flight instruction:

Current means—

- (1) in respect of a licence or rating, the licence or rating is valid and the holder of the licence or rating satisfies the applicable currency or recent experience requirements and the applicable medical requirements for the holder to exercise the privileges of the licence or rating; and
- (2) in respect of a medical certificate, the medical certificate is valid:

Flight time means—

- (1) for an aircraft other than a balloon, the total time from the moment an aircraft first moves for the purpose of flight until the moment it comes to rest at the end of the flight including any associated push back, taxiing and subsequent holding time; and
- (2) for a balloon, the total time from burner on for the purpose of inflation for flight until the envelope is completely deflated at the end of a flight:

Multi-pilot aircraft means a multi-engine aircraft that is required to be operated by more than one pilot according to any of the following:

- (1) the aircraft flight manual:
- (2) the aircraft type certificate:
- (3) the Civil Aviation Rules:

Variation means an aircraft which is a derivative of a base aircraft type or master series, but has differences in equipment or procedures which require additional flight crew knowledge, skills, or abilities for safe operation:

Part 61 Pilot Licences and Ratings

Subpart A — General

61.1 Purpose

This Part prescribes—

- (1) the eligibility requirements for the issue of a pilot licence, a rating, and a validation permit under the Act; and
- (2) the eligibility requirements for the issue of an aircraft type rating, and an authorisation under this Part; and
- (3) the conditions under which a person is required to hold a pilot licence, and a rating to operate an aircraft; and
- (4) the privileges and limitations of a pilot licence, a rating, a permit, and an authorisation.

61.3 Reserved

61.5 Requirement for a pilot licence

(a) **Pilot licence – New Zealand aircraft operating in New Zealand:** Except as provided in paragraphs (d), (e), (f) and (g), a pilot of a New Zealand registered aircraft operating in New Zealand must hold an appropriate current pilot licence —

- (1) referred to in rule 61.9(a); or
- (2) issued by a pilot licensing authority of an ICAO Contracting State, and a current validation permit issued by the Director under the Act and this Part; or
- (3) issued by the Director 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 paragraphs (e), (f) and (g), a pilot of a New Zealand registered aircraft operating outside New Zealand must hold an appropriate current pilot licence —

- (1) referred to in rule 61.9(a); or
- (2) issued or validated by the pilot licensing authority of the State in which the aircraft is operated; or
- (3) issued by a pilot licensing authority of an ICAO Contracting State, and a validation permit referred to in rule 61.9(c); 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 (d), (e), (f), and (g), 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 State of registry; or
- (2) issued in accordance with this Part if the operation of the aircraft by the holder of the pilot licence is acceptable to the pilot licensing authority of the State of registry.

(d) Paragraphs (a) and (c) do not apply to a person who operates an aircraft under Subpart B

(e) Paragraphs (a), (b) and (c) do not apply to the pilot of a glider, powered glider, or microlight aircraft if—

- (1) the pilot complies with the applicable pilot requirements prescribed in Parts 103 or 104; and
- (2) the pilot is not flying the aircraft for remuneration; and
- (3) the aircraft is not being operated for hire or reward.

(f) Paragraphs (a), (b) and (c) do not apply to the pilot of a light sport aircraft if—

- (1) the pilot meets the pilot requirements prescribed in Part 103 for a microlight aircraft; and
- (2) the pilot complies with rule 103.9 regarding the use of an aeronautical radiotelephone transceiver; and
- (3) the pilot complies with rule 103.155(b)(2) and (c) regarding operating in controlled airspace or within 3 nautical miles (5.5km) from an aerodrome certificated under Part 139; and
- (4) the pilot is not flying the aircraft for remuneration; and

- (5) the aircraft is not being operated for hire or reward; and
 - (6) the aircraft is being operated under day VFR only.
- (g) Paragraphs (a), (b) and (c) do not apply to the pilot of a balloon until [*date 12 months from effective date of rule*] if—
- (1) the pilot is not flying the balloon for remuneration; and
 - (2) the balloon is not being operated for hire or reward.

61.7 Requirement for a rating

- (a) **Aircraft type rating:** Except as provided in paragraphs (f), (g), (h), (i), and (j), and rule 61.505, a pilot of a New Zealand registered aircraft, or a foreign aircraft operating in New Zealand, must hold an aircraft type rating for that aircraft—
- (1) issued under this Part; or
 - (2) attached to a pilot licence issued by another ICAO Contracting State and specified in a validation permit referred to in rule 61.9(c); or
 - (3) attached to a pilot licence issued or validated by the pilot licensing authority of the State of registry; or
 - (4) attached to a pilot licence issued or validated by the pilot licensing authority of the State in which the New Zealand registered aircraft is operated; or
 - (5) attached to a pilot licence issued on the basis of a licence issued by the Civil Aviation Safety Authority of Australia, if the Trans-Tasman Mutual Recognition Act 1997 applies to the licence.
- (b) **Instrument rating:** Except as provided in paragraph (c), a pilot of a New Zealand registered aircraft, or a foreign aircraft operating in New Zealand, operating under IFR must hold an appropriate current instrument rating—
- (1) issued by the Director under the Act and as specified in this Part; or
 - (2) attached to a pilot licence issued by another ICAO Contracting State and specified in a validation permit referred to in rule 61.9(c); or
 - (3) attached to a pilot licence issued or validated by the pilot licensing authority of the State in which the New Zealand registered aircraft is operating; or
 - (4) attached to a pilot licence issued or validated by the pilot licensing authority of the State of registry for foreign aircraft operating in New Zealand; or
 - (5) attached to a pilot licence issued by the Director on the basis of a licence issued by the Civil Aviation Safety Authority of Australia, if the Trans-Tasman Mutual Recognition Act 1997 applies to the licence.
- (c) A holder of an appropriate and current pilot licence may operate an aircraft under IFR without holding a current instrument rating if the holder of the pilot licence is receiving dual flight instruction.
- (d) **Flight instruction:** Except as provided in paragraph (e), a person must not give flight instruction in an aircraft unless the person holds an appropriate and current flight instructor rating issued by the Director under the Act and this Part, or attached to a foreign pilot licence and specified in a validation permit issued by the Director under the Act.
- (e) A person may give flight instruction, and may be remunerated for giving flight instruction in a microlight aircraft, glider, powered glider, or hang glider if the person holds an appropriate and current instructor certificate or instructor qualification issued by a microlight organisation, a gliding organisation, or a hang gliding organisation that is authorised by the Director to issue the instructor certificate or instructor qualification.
- (f) A pilot of a glider, a powered glider or a microlight aircraft is not required to hold an aircraft type rating as required by paragraph (a) if—
- (1) except as provided in paragraph (e), the pilot is not flying the aircraft for remuneration; and
 - (2) the aircraft is not being operated for hire or reward; and

- (3) the pilot meets the appropriate pilot and operating requirements under Parts 103 or 104.
- (g) A pilot who operates an aircraft under Subpart B for a student pilot is not required to hold an aircraft type rating as required by paragraph (a).
- (h) A flight instructor holding a current Category A flight instructor rating is not required to hold an aircraft type rating as required by paragraph (a) 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.
- (i) A pilot acting as a test pilot of an aircraft under rule 19.405(1) is not required to hold an aircraft type rating as required by paragraph (a).
- (j) A pilot of an aircraft when authorised by an appropriately qualified flight instructor is not required to hold an aircraft type rating as required by paragraph (a) if the pilot is gaining conversion instruction flight time experience or demonstrating competency for the issue of an aircraft type rating on the aircraft.

61.9 Pilot licences, ratings, authorisations and permits

- (a) The following types of pilot licence may be issued by the Director in accordance with this Part:

- | | |
|-------------------------------------|---------------|
| (1) recreational pilot licence | - Aeroplane: |
| (2) private pilot licence | - Aeroplane: |
| | - Helicopter: |
| | - Glider: |
| | - Balloon: |
| (3) commercial pilot licence | - Aeroplane: |
| | - Helicopter: |
| | - Glider: |
| | - Balloon: |
| | - Microlight: |
| (4) airline transport pilot licence | - Aeroplane: |
| | - Helicopter. |

- (b) The Director may issue the following ratings for a pilot licence in accordance with this Part:

- | | |
|---|---------------------|
| (1) flight instructor rating category A, B, C, D, and E | - Aeroplane: |
| | - Helicopter: |
| (2) flight instructor rating category F | - Balloon: |
| (3) airline flight instructor rating | - Aeroplane: |
| (4) flight examiner rating | - Airline: |
| | - General aviation: |
| | - Balloon: |
| | - Agricultural: |
| (5) agricultural rating grade 1 | - Aeroplane: |

- | | |
|---------------------------------|---------------|
| | - Helicopter: |
| (6) agricultural rating grade 2 | - Aeroplane: |
| | - Helicopter: |
| (7) aerobatic flight rating | - Aeroplane: |
| (8) instrument rating | - Aeroplane: |
| | - Helicopter: |
| (9) co-pilot instrument rating | - Helicopter. |

(c) The Director may issue a validation permit for a foreign pilot licence under the Act and in accordance with the applicable requirements of this Part.

(d) An aircraft type rating and the following authorisations for a holder of a pilot licence may be issued under this Part by a flight instructor, a flight examiner, or a person authorised to do so by the holder of an aviation recreation organisation certificate:

- (1) glider tow authorisation:
- (2) tow authorisation:
- (3) parachute-drop authorisation:
- (4) aid to night vision authorisation:
- (5) helicopter external load authorisation:
- (6) aerial topdressing authorisation:
- (7) aerial spraying authorisation:
- (8) aerial vertebrate toxic agent (VTA) authorisation.

61.11 Application for a pilot licence, rating or permit

An applicant for the grant of a pilot licence, a rating for a pilot licence, or a validation permit for a foreign pilot licence, must complete the applicable form CAA 24061/ and submit it to the Director with—

- (1) the applicable information as required on the form; and
- (2) if applicable, a payment of the appropriate application fee prescribed by regulations made under the Act.

61.13 Validation permits for a foreign pilot licence

(a) To be eligible for the issue of a validation permit, a person must—

- (1) hold at least a current private pilot licence issued by an ICAO Contracting State; and
- (2) hold an appropriate current medical certificate relating to the ICAO Contracting State required by paragraph (1); and
- (3) pass any written or oral examination and any flight test that the Director may require, as applicable to the type of licence; and
- (4) submit the appropriate form to the Director with the applicable fee prescribed by regulations made under the Act.

(b) A validation permit specifies—

- (1) the privileges that the holder may exercise which must not be greater than the privileges associated with the holder's foreign pilot licence; and

- (2) the aircraft type ratings to which the permit applies; and
 - (3) an expiry date for the permit which must not exceed 6 months from the date of issue.
- (c) A validation permit remains valid until the expiry date as specified in the permit unless—
- (1) it is suspended or revoked by the Director; or
 - (2) the pilot licence issued by the ICAO Contracting State or the medical certificate expires, or is suspended or revoked by the issuing State.

61.15 English language proficiency

- (a) An applicant for an English language proficiency credit required by this Part must undertake an English language proficiency assessment demonstration conducted by the Director.
- (b) To be eligible to undertake the English language proficiency assessment demonstration required by paragraph (a), an applicant must hold—
- (1) a written examination credit required by rule 61.151 for a private pilot licence; or
 - (2) a pilot licence referred to in rule 61.9(a); or
 - (3) a valid qualifications assessment conducted by the New Zealand Defence Force indicating that the person meets the equivalent criteria for the issue of a pilot licence; or
 - (4) an appropriate current pilot licence issued by another ICAO Contracting State.
- (c) The Director may issue an English language proficiency credit to an applicant if the applicant gains an English language proficiency assessment of not less than level 4 in accordance with the *ICAO Language Proficiency Rating Scale*.
- (d) An English language proficiency credit issued under paragraph (c)—
- (1) is valid—
 - (i) for a level 6 (expert) assessment, for the lifetime of the holder of the pilot licence; and
 - (ii) for a level 5 (extended) assessment, for 6 years from the date of the assessment; and
 - (iii) for a level 4 (operational) assessment, for 3 years from the date of the assessment; and
 - (2) if issued to a holder of a pilot licence, must be endorsed on the holder's pilot licence.
- (e) An English language proficiency credit to at least level 4 in accordance with *ICAO Language Proficiency Rating Scale* endorsed on a current pilot licence issued by another ICAO Contracting State is deemed to be an English language proficiency credit issued under paragraph (c).

61.17 Duration of pilot licences and ratings

- (a) A pilot licence may be issued for the lifetime of the holder of the pilot licence.
- (b) Despite paragraph (a), the Director may, subject to any condition that the Director considers necessary in the interests of aviation safety, issue a pilot licence or rating with an expiry date.

61.19 Written examinations – prerequisites and grades

- (a) An applicant for a written examination required under this Part must, before commencing the examination, provide the person conducting the examination with evidence of the applicant's identity by producing—
- (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) A person must gain at least 75% of the possible marks for a written examination required by this Part in order to pass the examination.
- (c) Except as provided in paragraph (g), a person qualifies for the written examination credit that is required for a particular licence or rating under this Part if the person passes an approved written examination for every written examination subject specified for the licence or rating within 3 years.
- (d) Except as prescribed in paragraph (e), the written examination credit referred to in paragraph (c) is valid for the following periods from the date of passing the last examination required to qualify for the written examination credit under paragraph (c):
- (1) 3 years for a recreational pilot licence, a private pilot licence, a commercial pilot licence, and an instrument rating; and
 - (2) 10 years for an airline transport pilot licence.
- (e) Despite paragraphs (d) and (g), an applicant for a pilot licence or an instrument rating must have a pass in the applicable air law written examination that is not more than 5 years old at the time of submitting the application for the licence or rating under rule 61.11.
- (f) An applicant for a written examination who fails a written examination for a particular subject 3 times within 3 months may not sit another examination in that subject for 3 calendar months following the date of the last failed examination.
- (g) An applicant for a written examination who fails a written examination for a particular subject 6 times may not sit another examination in that subject for 24 calendar months following the date of the last failed examination.

61.21 Written examinations – unauthorised conduct

- (a) During any written examination required by this Part, a person must not do, or attempt to do, any of the following —
- (1) copy from another person; or
 - (2) refer to any unauthorised source of information; or
 - (3) communicate in any way with another person, except the person administering the examination; or
 - (4) take an examination on behalf of another person; or
 - (5) take unauthorised material into an examination room; or
 - (6) remove written or printed material from the examination room, unless authorised to do so by the person administering the examination; or
 - (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 committed, attempted to commit, or has procured another person to commit, any conduct prohibited under paragraph (a), the Director may immediately suspend the release of all or part of the examination results for the person until—
- (1) the Director determines after due investigation, the action, if any, to be taken under paragraph (c); or
 - (2) if the person makes a request in writing to the Director, the Director determines after due investigation and the completion of any summary proceedings for a breach of paragraph (a) arising from the alleged conduct, the action, if any, to be taken under paragraph (c).
- (c) If the Director has reasonable grounds to believe that a person has committed, or has procured another person to commit, any conduct prohibited in paragraph (a), the Director may—
- (1) disqualify the person from the result of the examination;
 - (2) debar the person from sitting any examination for a specified period not exceeding 12 months.

(d) Before taking an action under paragraph (b) or (c), the Director must inform the person in writing of the details of the alleged conduct prohibited in paragraph (a).

(e) If the Director proposes to take an action under paragraph (c), the Director must give notice under 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.

61.23 Flight tests

- (a) To be eligible to undertake a flight test for the issue of a pilot licence or rating, a person must—
- (1) provide an appropriate aircraft that meets the requirements of paragraph (b); and
 - (2) provide adequate facilities for briefing before and after the flight test; and
 - (3) produce satisfactory evidence of his or her identity as specified in rule 61.19(a); and
 - (4) produce his or her pilot logbook containing evidence of the required flight time experience for the licence or rating to be tested that is up-to-date, summarised and certified by a flight instructor or authorised person as being accurate, and;
 - (5) produce evidence that he or she holds a current medical certificate applicable to the licence or rating to be tested; and
 - (6) produce evidence that, in accordance with rule 61.19, he or she holds a valid written examination credit for the licence or rating to be tested; and
 - (7) produce evidence from the certificated organisation or flight instructor under which the applicant has completed his or her flight training that he or she is competent to sit the flight test; and
 - (8) produce a knowledge deficiency report for each written examination required for the written examination credit in paragraph (a)(6) with evidence of knowledge improvement, certified by an appropriately qualified flight instructor for the same category of aircraft, in the topics listed as deficient; and
 - (9) except for an instrument rating flight test, produce evidence of the English language proficiency credit referred to in rule 61.15; and
 - (10) except for a flight test for the issue of a recreational pilot licence or a private pilot licence, hold an aircraft type rating on the aircraft that is used for the flight test; and
 - (11) for a flight test for the issue of a recreational pilot licence or private pilot licence, have completed the training required for an aircraft type rating on the aircraft that is used for the flight test.
- (b) Except for a balloon, any flight test required by 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 operating the aircraft without excessive parallax error; and
 - (3) a shoulder harness or a lap and single diagonal shoulder belt for each flight crew seat; and
 - (4) except for a glider that is not a powered glider, serviceable intercommunication equipment.
- (c) A flight test required by this Part for the issue of a pilot licence or rating remains valid for 6 months from the date on which the flight test was successfully completed.
- (d) A person who fails 3 flight test attempts for the issue of a licence or rating may not undertake another flight test for that licence or rating for a period of at least 12 calendar months following the date of the last failed flight test.
- (e) A person who fails 6 flight test attempts for the issue of a licence or rating may not undertake another flight test for that licence or rating for at least 24 calendar months following the date of the last failed flight test.

61.25 Flight training – general requirements

(a) A pilot may not have instrument flight time experience in VMC credited towards the instrument flight time required for the issue or currency requirements of an instrument rating unless that instrument flight time in VMC is accumulated—

- (1) in an aircraft with fully functioning dual flight controls; and
- (2) by using an acceptable means of simulating instrument flight for the pilot who is gaining instrument flight time experience; and
- (3) with a safety pilot, who occupies a pilot control seat from which the safety pilot can clearly see ahead and to both sides of the aircraft and who holds the following qualifications:
 - (i) an appropriate current pilot licence;
 - (ii) an aircraft type rating for the aircraft type;
 - (iii) if the aircraft is flying at night, a current instrument rating; and
- (4) with a competent observer who can adequately supplement the vision of the safety pilot if the safety pilot required by paragraph (3) cannot clearly see ahead and to both sides of the aircraft; and
- (5) for cross-country instrument flight time experience, on a flight conducted in accordance with an IFR flight plan.

(b) A pilot may not have instrument flight time experience in IMC credited towards the instrument flight time required for the issue or currency requirements of an instrument rating unless the instrument flight time in IMC is accumulated—

- (1) in an aircraft that is approved for IFR flight; and
- (2) for IFR cross-country flight time experience, on a flight conducted in accordance with an IFR flight plan; and
- (3) in an aircraft with fully functioning dual flight controls if 2 pilots are required to be carried; and
- (4) on a flight where the pilot is—
 - (i) undergoing instrument flight instruction under the supervision of a pilot-in-command who holds an appropriate current flight instructor rating and an instrument rating current to single pilot standards for the appropriate category of aircraft; or
 - (ii) the holder of a current instrument rating for the appropriate category of aircraft.

61.27 Status of flight examiners

A flight examiner must—

- (1) be designated as pilot-in-command of an aircraft that is being operated during a flight test for the initial issue of an instrument rating; and
- (2) assume the role of pilot-in-command of an aircraft during any other flight test or competency demonstration if the flight examiner considers such action is necessary in the interests of aviation safety.

61.29 Pilot logbooks – general requirements

(a) The following persons operating an aircraft must maintain an accurate and up-to-date pilot logbook in accordance with paragraphs (b) to (i), and rule 61.31:

- (1) a student pilot operating an aircraft under Subpart B;
- (2) a holder of –
 - (i) a pilot licence issued by the Director under the Act; or

- (ii) a pilot licence issued by the Director if the Tasman Mutual Recognition Act 1997 applies to the licence.
- (b) The logbook required by paragraph (a) must contain—
 - (1) the pilot's full name, and details of:
 - (i) the licence types held by the pilot;
 - (ii) the aircraft type ratings held by the pilot;
 - (iii) other ratings held by the pilot;
 - (iv) authorisations held by the pilot; and
 - (2) a record for^{3/4}
 - (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 flight time or completing currency requirements for a pilot licence or rating as 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.
- (c) The record required by paragraph (b)(2) must include the following flight and instrument flight details:
 - (1) the date of the flight;
 - (2) for 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, the support pilot referred to in rule 61.655, or the safety pilot referred to in rule 61.25(a)(3);
 - (3) for a synthetic flight trainer^{3/4}
 - (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) support pilot referred to in rule 61.655:
 - (iv) co-pilot:
 - (v) student:
- (5) for an instructor conducting a training flight, the name of the student:
 - (6) the purpose of the flight, including the place of departure, any intermediate landing, and the place of arrival:
 - (7) whether the flight was conducted during the day or night:
 - (8) for a flight under IFR, the number and type of instrument approach procedures flown:
 - (9) for a training flight, details of the training exercise:
 - (10) for a flight in a glider, the method of launch for the flight:
 - (11) for a flight in a balloon, any airborne tethered time.
- (d) The logbook required by paragraph (a) must
- (1) be an approved record; and
 - (2) list each flight recorded
 - (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 totalled and certified at the bottom of each page by the holder of the logbook to the effect that every entry is correct; and
 - (4) be retained permanently by the holder of the logbook unless the holder's pilot licence is revoked by the Director, in which case the log book must be retained for at least 12 months from the date of revocation.
- (e) If a computer-generated report is inserted into a logbook under paragraph (d)(2)(ii), the holder of the logbook must summarise the total flight time of the flights listed in the report in respect of each pilot function under paragraph (c).
- (f) 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.
- (g) Before a person submits his or her logbook to the Director for any reason, the person must—
- (1) on each page, total each column of entries; and
 - (2) in the spaces provided, enter his or her total flight time experience; and
 - (3) below the last entry, sign to certify the correctness of the entries.
- (h) Except as provided in paragraph (i), every entry in a pilot logbook must be made within 7 days after the completion of the flight to be recorded except for a flight on an international air transport operation, in which case the entry must be made within 14 days of the flight.
- (i) If a pilot is engaged in operations away from the base where the logbook would normally be kept, logbook entries must be made within 48 hours after return to base.

61.31 Pilot logbooks – crediting flight time

(a) A holder of a current pilot licence, when acting as co-pilot in a multi-pilot aircraft, may 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) A holder of a commercial pilot licence or senior commercial pilot licence, when acting as co-pilot on an air transport operation in a multi-pilot aircraft, may be credited with command practice flight time experience for that flight time during which the co-pilot is performing the duties and functions of a pilot-in-command under the supervision of a pilot-in-command designated for that 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 every applicable check 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 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 is not required to carry out all the duties and functions for the full duration of the flight; and
- (4) for operations conducted by automatic means, the co-pilot makes every decision relating to the use of the flight and ground systems involved; and
- (5) the co-pilot ensures that any problem arising from meteorological conditions, communications and air traffic control procedures is resolved; and
- (6) the pilot-in-command designated to supervise the co-pilot has certified an appropriate entry in that co-pilot's logbook, or a permanent record of the flight has been made by the air operator.

(c) A pilot must not log command practice flight time in a single pilot aircraft.

(d) 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 may 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.

(e) A person who acts as a safety pilot under rule 61.25(a)(3) may not be credited with the flight time.

(f) A person who acts as a support pilot under rule 61.655 may be credited with the flight time, but not instrument time, which can be credited towards the pilot's total time but not towards the flight experience requirements for a higher licence.

(g) A pilot-in-command, when supervising a co-pilot manipulating the flight controls of a multi-pilot aircraft under actual instrument meteorological conditions, may be credited with the instrument flight time.

(h) A flight instructor, when supervising a pilot manipulating the flight controls of an aircraft under actual instrument meteorological conditions, may be credited with the instrument flight time.

- (i) A flight examiner may be credited with pilot-in-command flight time while carrying out a flight test.
- (j) A flight instructor holding a Category A or B flight instructor rating may be credited with pilot-in-command flight time while carrying out a commercial pilot licence cross country flight test.
- (k) 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.
- (l) A pilot may not credit flight time recorded as pilot-in-command under supervision towards the flight time experience requirements for an airline transport pilot licence.
- (m) 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).
- (n) A pilot acting as co-pilot operating under IFR in a helicopter or multi-engine aeroplane that is certified as a single-pilot aircraft, may log the co-pilot flight time but not credit the flight time towards the flight time experience requirements for a higher licence or rating.

61.33 Pilot logbooks – crediting ground time

- (a) An applicant for the issue of a pilot licence, or the issue or renewal of a rating, or authorisation, may 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) Except as required in paragraphs (b) and (c), a person who holds a pilot licence issued by the Director under the Act, or if the Trans-Tasman Mutual Recognition Act applies to the licence, must not exercise the privileges of the licence, unless—
 - (1) the person—
 - (i) for a private pilot licence, holds at least a current class 2 medical certificate issued by the Director under the Act; and
 - (ii) for a commercial pilot licence, a senior commercial pilot licence, and an airline transport pilot licence, holds a current class 1 medical certificate issued by the Director under the Act; and
 - (iii) is complying with every condition, restriction and endorsement on the medical certificate; or
 - (2) if the person has been issued a private pilot licence by the Director under rule 61.153(a) on the basis of a pilot licence issued by an ICAO Contracting State, 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 every condition, restriction, and endorsement on the medical certificate.
- (b) A person who holds a recreational pilot licence issued by the Director under the Act must—
 - (1) not exercise the privileges of the licence beyond the medical expiry date endorsed on the licence; and
 - (2) comply with every condition, restriction and endorsement associated with the licence.
- (c) 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 that the licence holder meets the requirements prescribed in rule 61.101(a)(2).
- (d) A person who holds a validation permit issued by the Director under the Act 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 every condition, restriction and endorsement on the medical certificate.

61.37 Biennial flight review

(a) Except as provided in paragraph (b), a holder of a –

- (1) pilot licence issued by the Director under the Act; or
- (2) pilot licence issued by the Director if the Trans-Tasman Mutual Recognition Act 1997 applies to the licence,

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 of the pilot licence has an entry in the licence holder's logbook certifying that the holder of the licence has successfully completed a biennial flight review in accordance with paragraph (c) within the previous 24 months.

(b) A holder of a pilot licence referred to in paragraph (a) is not required to complete a biennial flight review required by paragraph (a) if the holder of the licence—

- (1) has an entry in the holder's logbook certifying that the holder of the licence has—
 - (i) satisfactorily met the applicable flight crew competency checks prescribed in Parts 115, 121, 125, or 135; or
 - (ii) satisfactorily met the currency requirements prescribed in rule 61.557 for an agricultural rating; or
 - (iii) satisfactorily met the applicable currency requirements prescribed in Subpart H for a holder of a flight instructor rating; or
 - (iv) satisfactorily demonstrated competence, to an appropriately qualified flight examiner, in all normal and emergency procedures in an appropriate category multi-engine aircraft in the previous 12 months; or
- (2) is in current military flying practice with New Zealand Defence Force, and the holder of the licence is only exercising the privileges applicable to a private pilot licence (aeroplane) or (helicopter).

(c) A biennial flight review must—

- (1) be conducted by an appropriately qualified flight instructor in accordance with standards acceptable to the Director; and
- (2) consist of flight instruction to review the manoeuvres and procedures applicable to the pilot licence type and the privileges that the licence holder wishes to exercise.

(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 expiry date of the flight review;
 - (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 provide a copy of the completed form to the Director and to the pilot.

(e) A holder of a pilot licence referred to in paragraph (a) who completes the biennial flight review required by paragraph (a) within 60 days before the date on which the review is required, is deemed to have completed the biennial flight review on the required date.

61.39 Senior Commercial Pilot Licence

A person who holds a valid senior commercial pilot licence that was issued in accordance with this Part that was in force before 4 December 1997—

- (1) is deemed to hold a commercial pilot licence for the same category of aircraft for the purpose of the requirements prescribed in this Part for a holder of a commercial pilot licence; and
- (2) may exercise the privileges prescribed in this Part for a holder of a commercial pilot licence; and
- (3) must comply with the limitations, and currency requirements prescribed in this Part for a holder of a commercial pilot licence.

Subpart B — Student Pilot

61.51 General

(a) A person who does not hold an appropriate current pilot licence or a validation permit may 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 under rule 61.53; or
- (3) participating in a simulated military operation under rule 115.759.

(b) A person receiving dual flight instruction under paragraph (a)(1) who logs those hours must log those hours as dual flight time.

(c) A person acting as pilot-in-command under paragraph (a)(2) must log those hours as pilot-in-command flight time.

(d) This Subpart does not apply to a person manipulating the controls of a microlight aircraft, hang glider, glider or powered glider.

61.53 Solo flight requirements

(a) To be eligible to fly an aircraft solo as pilot-in-command, a person who does not hold an appropriate current pilot licence or a validation permit must—

- (1) be at least 16 years of age; and
- (2) hold at least—
 - (i) a current class 2 medical certificate issued by the Director under the Act; or
 - (ii) an equivalent current medical certificate acceptable to the Director issued by an ICAO Contracting State; and
- (3) for an aeroplane or helicopter, be authorised to conduct the flight by a flight instructor who holds an appropriate and current Category A, B, or C flight instructor rating, except for—
 - (i) a first solo flight by day or by night which must be authorised by a flight instructor who holds a Category A or B flight instructor rating; and
 - (ii) a solo cross country flight which must be authorised by a flight instructor who holds a current Category A, or B flight instructor rating; and
- (4) for a balloon, be authorised to conduct the flight by a flight instructor who holds a current Category F flight instructor rating; and

- (5) satisfy the flight instructor authorising the flight that the person is able to read, speak, understand and communicate in English clearly enough to adequately carry out the duties of a pilot-in-command of an aircraft; and
 - (6) for a solo cross country flight, have, under rule 61.19, a valid written examination credit for the appropriate written examination subjects required by rule 61.151; and
 - (7) except as provided in paragraph (c), for an aeroplane and helicopter, have a flight instructor who holds an appropriate and current Category A or B flight instructor rating certify in the person's logbook that the person has 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) slow flight:
 - (ix) practical flight radiotelephony:
 - (x) go around procedures:
 - (xi) for an aeroplane, stall recognition and recovery in that aeroplane type:
 - (xii) for an aeroplane, emergency procedures in the event of engine failure during and after take-off:
 - (xiii) for a helicopter, hovering upwind, downwind, and crosswind:
 - (xiv) for a helicopter, emergency procedures, (including autorotative approach and landing) in that type of helicopter; and
 - (8) except as provided in paragraph (c), for a balloon, have a flight instructor who holds a current Category F flight instructor rating certify in the person's logbook that the person has received instruction and demonstrated competency in the following:
 - (i) preparation for flight:
 - (ii) inflation:
 - (iii) takeoff and landing, including selection of landing sites:
 - (iv) use of winds at altitude:
 - (v) emergency procedures:
 - (vi) practical flight radiotelephony; and
 - (9) have received dual flight instruction within the last 5 hours of flight time experience unless otherwise authorised by a flight instructor who holds an appropriate and current Category A, B or F flight instructor rating; and
 - (10) have piloting experience in an appropriate aircraft within the immediately preceding 30 days.
- (b) The flight instructor who authorises the solo flight specified in paragraph (a)(3) and (a)(4) must monitor the actions of the pilot during the solo flight.

(c) For a first solo flight by day, the certification in the person's logbook required by paragraphs (a)(7) or (a)(8) may be made after the completion of the first solo flight if the flight instructor is satisfied that the requirements in paragraphs (a)(7) or (a)(8) as appropriate have been met.

61.55 Limitations

A person operating an aircraft under this Subpart must not—

- (1) act as a pilot of an aircraft—
 - (i) for remuneration; or
 - (ii) if the aircraft is being operated for hire or reward; or
 - (iii) on an international flight; or
- (2) act as pilot-in-command of an aircraft if any other person is being carried on the aircraft other than a flight examiner.

Subpart C — Recreational Pilot Licence

61.101 Eligibility requirements

(a) Except as provided in paragraph (b), to be eligible for the issue of a recreational pilot licence (aeroplane) a person must—

- (1) be at least 17 years of age; and
- (2) produce a medical certificate, issued under rule 44(1) of the Land Transport (Driver Licensing) Rule 1999, that—
 - (i) is applicable for a Class 2, 3, 4 or 5 driver licence with passenger endorsement; and
 - (ii) was issued within the previous 60 days; and
- (3) have a minimum of 50 hours flight time experience as a pilot in aeroplanes including flight training and experience acceptable to the Director in the following:
 - (i) dual flight time in aeroplanes:
 - (ii) solo flight time in aeroplanes:
 - (iii) dual instrument instruction:
 - (iv) advanced dual flight time in aeroplanes:
 - (v) if applicable, cross-country navigation flight training; and
- (4) under rule 61.19, have a valid written examination credit, or approved equivalent, that covers the following subjects for a private pilot licence:
 - (i) PPL Air Law:
 - (ii) PPL Aircraft Technical Knowledge (aeroplane):
 - (iii) PPL Human Factors:
 - (iv) PPL Meteorology:
 - (v) PPL Air Navigation and Flight Planning:
 - (vi) PPL Principles of Flight:
 - (vii) PPL Flight Radiotelephony; and
- (5) have terrain and weather awareness training that is acceptable to the Director; and

(6) have a valid pass in the flight test under rule 61.23.

(b) A person who holds a valid recreational pilot licence (aeroplane), private pilot licence (aeroplane), commercial pilot licence (aeroplane), or airline transport pilot licence (aeroplane), is eligible for the issue of a recreational pilot licence (aeroplane) if the person—

(1) produces a medical certificate as required by paragraph (a)(2); and

(2) has, within the previous 5 years,—

(i) met the requirements of rule 61.37 regarding biennial flight review; or

(ii) passed the written examination for PPL air law required by paragraph (a)(4)(i).

(c) A recreational pilot licence issued by the Director under the Act and this Part must be issued with a medical expiry date entered on the licence, and that medical expiry date must not be more than—

(1) 5 years from the date of the issue of the medical certificate required by paragraph (a)(2); or

(2) if the person is 40 years of age or older, 2 years from the date of issue of the medical certificate required by paragraph (a)(2).

61.103 Privileges and limitations

(a) Subject to paragraph (b), a holder of a current recreational pilot licence (aeroplane) 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, and

(2) carry a passenger in the aeroplane, provided the passenger has been informed that the pilot does not hold a medical certificate issued by the Director under the Act.

(b) A holder of a recreational pilot licence (aeroplane) must not act as pilot of an aircraft—

(1) operating outside New Zealand, or

(2) for remuneration; or

(3) carrying more than 1 passenger; or

(4) if the aircraft is being operated—

(i) for hire or 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; 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.

61.105 Currency requirements

- (a) A holder of a recreational pilot licence must comply with rules 61.35 (Medical requirement) and 61.37 (Biennial flight review) before exercising the privileges of the holder's recreational pilot licence.
- (b) A holder of a recreational pilot licence must not act as pilot-in-command of an aircraft carrying a passenger unless within the immediately preceding 90 days—
 - (1) the licence holder has carried out, as pilot-in-command of an aeroplane, not less than 3 take-offs and 3 landings; or
 - (2) the licence holder has satisfactorily demonstrated to an appropriately qualified Category A or B flight instructor competence in take-off and landing manoeuvres in an aircraft of the same type; or
 - (3) the licence holder has satisfactorily demonstrated competence for the issue of the recreational pilot licence under this Subpart, in an aircraft of the same type.

Subpart D — Private Pilot Licences

61.151 Eligibility requirements

Aeroplane

- (a) Except as provided in rule 61.153, to be eligible for the issue of a private pilot licence (aeroplane) a person must—
 - (1) be at least 17 years of age; and
 - (2) hold at least a current class 2 medical certificate issued by the Director under the Act; and
 - (3) have a minimum of 40 hours flight time experience as a pilot in aeroplanes that includes flight time experience acceptable to the Director in the following areas except that the Director may accept flight time experience as a pilot in other aircraft as a component of the 40 hours:
 - (i) dual flight time in an aeroplane:
 - (ii) solo flight time in an aeroplane:
 - (iii) dual instrument instruction:
 - (iv) advanced dual flight time in an aeroplane; and
 - (4) if the person seeks to exercise the privileges of a private pilot licence on cross-country flight, have, in addition to the flight time experience required by paragraph (3), a minimum of 10 hours cross-country navigation flight training experience acceptable to the Director except that the Director may accept cross-country flight time experience in helicopters as a component of the 10 hours; and
 - (5) if the person seeks to exercise the privileges of a private pilot licence during the night, have night flight time experience acceptable to the Director, including:
 - (i) night flight training:
 - (ii) instrument flight time; and
 - (6) under rule 61.19, have a valid written examination credit, or approved equivalent, that covers the following subjects for a private pilot licence (aeroplane):
 - (i) PPL Air Law:
 - (ii) PPL Aircraft Technical Knowledge (aeroplane):
 - (iii) PPL Human Factors:
 - (iv) PPL Meteorology:

- (v) PPL Air Navigation and Flight Planning;
 - (vi) PPL Principles of Flight;
 - (vii) PPL Flight Radiotelephony; and
- (7) have terrain awareness and weather awareness training that is acceptable to the Director; and
 - (8) have a valid English language proficiency credit of at least level 4 under rule 61.15; and
 - (9) have a valid pass in the flight test under rule 61.23.
- (b) To obtain a pass in the flight test as required by paragraph (a)(9), the person must successfully demonstrate the following in a flight test for a private pilot licence (aeroplane) conducted by a flight examiner in accordance with standards acceptable to the Director:
- (1) knowledge in the ground examination subjects specified in paragraph (a)(6), which may include those topics listed in the examination knowledge deficiency reports;
 - (2) knowledge of the privileges and limitations of a private pilot licence (aeroplane);
 - (3) technical and operational knowledge relevant to the aeroplane type to be used in the flight test;
 - (4) knowledge and application of the principles of threat and error management;
 - (5) competence to operate the aeroplane within its performance capabilities and limitations in accordance with the aeroplane flight manual in normal, abnormal, and emergency conditions and procedures, while exercising appropriate levels of judgement and command;
 - (6) competence in radiotelephony (RTF) procedures and phraseology;
 - (7) competence to control the aeroplane at all times in a manner that ensures that the successful outcome of a procedure or manoeuvre is never in doubt.

Helicopter

- (c) Except as provided in rule 61.153, to be eligible for the issue of a private pilot licence (helicopter) a person must—
- (1) be at least 17 years of age; and
 - (2) hold at least a current class 2 medical certificate issued by the Director under the Act; and
 - (3) have a minimum of 40 hours flight time experience as a pilot in helicopters that includes flight time experience acceptable to the Director in the following areas except that the Director may accept flight time experience in other aircraft as a component of the 40 hours:
 - (i) dual flight time in a helicopter;
 - (ii) solo flight time in a helicopter;
 - (iii) advanced dual flight time in a helicopter;
 - (iv) instrument flight time; and
 - (4) if the person seeks to exercise the privileges of a private pilot licence on cross-country flight, have, in addition to the flight time experience required by paragraph (3), a minimum of 10 hours cross-country navigation flight training experience acceptable to the Director except that the Director may accept cross-country flight time experience in aeroplanes as a component of the 10 hours; and
 - (5) if the person seeks to exercise the privileges of a private pilot licence during the night, have night flight time experience that is acceptable to the Director, including:
 - (i) night flight training;

- (ii) instrument flight time; and
- (6) under rule 61.19, have a valid written examination credit, or approved equivalent, that covers the following subjects for a private pilot licence (helicopter):
 - (i) PPL Air Law:
 - (ii) PPL Aircraft Technical Knowledge (helicopter):
 - (iii) PPL Human Factors:
 - (iv) PPL Meteorology:
 - (v) PPL Air Navigation and Flight Planning:
 - (vi) PPL Principles of Flight (helicopter):
 - (vii) PPL Flight Radiotelephony; and
- (7) have terrain awareness and weather awareness training that is acceptable to the Director; and
- (8) have a valid English language proficiency credit to at least level 4 under rule 61.15; and
- (9) have a valid pass in the flight test under rule 61.23.
- (d) To obtain a pass in the flight test as required by paragraph (c)(9), the person must successfully demonstrate the following in a flight test for a private pilot licence (helicopter) conducted by a flight examiner in accordance with standards acceptable to the Director:
 - (1) knowledge in the ground examination subjects specified in paragraph (b)(6), including those topics listed in the examination knowledge deficiency reports:
 - (2) knowledge of the privileges and limitations of a private pilot licence (helicopter):
 - (3) technical and operational knowledge relevant to the helicopter type to be used in the flight test:
 - (4) knowledge and application of the principles of threat and error management:
 - (5) competence to operate the helicopter within its performance capabilities and limitations in accordance with the aircraft flight manual in normal, abnormal, and emergency conditions and procedures while exercising appropriate levels of judgement and command:
 - (6) competence in radiotelephony (RTF) procedures and phraseology:
 - (7) competence to control the helicopter at all times in a manner that ensures that the successful outcome of a procedure or manoeuvre is never in doubt.

Balloon

- (e) To be eligible for the issue of a private pilot licence (balloon) a person must—
 - (1) be at least 17 years of age; and
 - (2) hold at least a current class 2 medical certificate issued by the Director under the Act; and
 - (3) have a minimum of 16 hours flight time experience as a pilot of a balloon including flight time experience acceptable to the Director in the following:
 - (i) ascents by day under instruction:
 - (ii) solo ascent:
 - (iii) tethered flight; and

- (4) under rule 61.19, have a valid written examination credit, or approved equivalent, that covers the following subjects for a private pilot licence (balloon):
 - (i) PPL Air Law:
 - (ii) PPL Balloon Technical Knowledge and Aerostatics
 - (iii) PPL Balloon Human Factors:
 - (iv) PPL Meteorology:
 - (v) PPL Air Navigation and Flight Planning (balloon):
 - (vi) PPL Flight Radiotelephony; and
 - (5) have a valid English language proficiency credit to at least level 4 under rule 61.15; and
 - (6) have a valid pass in the flight test under rule 61.23.
- (f) To obtain a pass in the flight test as required by paragraph (e)(6), the person must successfully demonstrate the following in a flight test for a private pilot licence (balloon) conducted by a flight examiner in accordance with standards acceptable to the Director:
- (1) knowledge in the ground examination subjects specified in paragraph (e)(4), including those topics listed in the examination knowledge deficiency reports:
 - (2) knowledge of the privileges and limitations of a private pilot licence (balloon):
 - (3) technical and operational knowledge relevant to the balloon type to be used in the flight test:
 - (4) knowledge and application of the principles of threat and error management:
 - (5) competence to operate the balloon within its performance capabilities and limitations in accordance with the balloon flight manual while exercising appropriate levels of judgement and command:
 - (6) competence in radiotelephony (RTF) procedures and phraseology:
 - (7) competence to control the balloon at all times in a manner that ensures that the successful outcome of a procedure or manoeuvre is never in doubt.

Glider

- (g) To be eligible for the issue of a private pilot licence (glider) a person must—
- (1) be at least 17 years of age; and
 - (2) hold at least a current class 2 medical certificate issued by the Director under the Act; and
 - (3) have a valid English language proficiency credit to at least level 4 under rule 61.15; and
 - (4) hold a current glider pilot certificate issued by a gliding organisation that holds delegated authority from the Director to issue glider pilot certificates; and
 - (5) hold a flight radiotelephony examination credit.

61.153 Alternative eligibility requirements

- (a) To be eligible for the issue of a private pilot licence for the same category of aircraft, a person who holds at least a current private pilot licence and associated current medical certificate issued by an ICAO Contracting State is deemed to meet the following applicable requirements of rule 61.151:
- (1) to hold a medical certificate issued by the Director under the Act:
 - (2) to have a valid written examination credit except that the person must, within the immediately preceding 5 years, have passed the required PPL Air Law written examination:

- (3) to have a valid pass in a flight test if the person produces evidence that the person has successfully completed a biennial flight review, conducted by an appropriate Category A or B flight instructor, to meet the requirements of rule 61.37:

(b) To be eligible for the issue of a private pilot licence (aeroplane) or (helicopter), a person who holds a New Zealand Defence Force pilot qualification is deemed to meet the following eligibility requirements of rule 61.151(a) or rule 61.151(c) respectively if the person is in current military flying practice with the New Zealand Defence Force as a first or second pilot:

- (1) to have a valid written examination credit except that the person must, within the immediately preceding 5 years, have passed the required PPL Air Law written examination:
- (2) to have a valid pass in a flight test.

To be eligible for the issue of a private pilot licence (balloon), a person who, immediately before [*date of this rule coming into force*], has documented flight time experience of at least 20 hours as pilot-in-command of a balloon is deemed to meet the requirement in rule 61.151(e)(4) to have a valid written examination credit except that the person must, within the immediately preceding 5 years, have passed the required PPL Air Law written examination.

61.155 Privileges and limitations

(a) Subject to paragraph (b), a holder of a current private pilot licence may exercise the following privileges in an appropriate category of aircraft for which the pilot holds an aircraft type rating:

- (1) act as pilot-in-command of a single-pilot aircraft and may carry passengers in the aircraft:
- (2) act as a co-pilot of an aircraft that is required to be operated with a co-pilot.

(b) A 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) for an aeroplane or a helicopter, if the aircraft is being operated on a cross country flight unless an appropriately qualified flight instructor has certified in the holder's logbook that the holder has satisfactorily completed the flight training required by rule 61.151(a)(4) or (c)(4); or
- (4) for an aeroplane or helicopter, if the aircraft is being operated at night unless an appropriately qualified flight instructor has certified in the holder's logbook that the holder has satisfactorily completed the night flight training required by rule 61.151(a)(5) or (c)(5).

(c) Despite paragraph (b)(2), a 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—

- (1) tow a glider in flight, but only if—
 - (i) the pilot holds a glider tow authorisation issued under rule 61.703; and
 - (ii) the operation is under the direct control of a gliding organisation; or
- (2) carry a person intending to make a parachute descent, but only if—
 - (i) the pilot holds a parachute drop authorisation issued under rule 61.719; and
 - (ii) the operation is under the direct control of a parachute organisation.

61.157 Currency requirements

(a) A holder of a private pilot licence must not exercise the privileges of the licence unless—

- (1) the requirements of rules 61.35 (Medical requirement) and 61.37 (Biennial flight review) are met; and
- (2) for exercising the privileges of the licence outside of New Zealand, the licence is endorsed with a valid English language proficiency credit to at least level 4 under rule 61.15; and

- (3) for a licence that is endorsed with an English language proficiency credit, that English language proficiency credit is valid under rule 61.15(d).
- (b) A holder of a private pilot licence must not act as pilot-in-command of an aircraft carrying a passenger during the day, unless—
- (1) within the immediately preceding 90 days—
 - (i) the holder has carried out not less than 3 take-offs and 3 landings during the day as pilot-in-command of an aircraft of the same type; or
 - (ii) the holder has satisfactorily demonstrated to an appropriately qualified Category A, B or F flight instructor competence in take-off and landing manoeuvres during the day in an aircraft of the same type; or
 - (iii) the holder has satisfactorily passed the flight test for the issue of the appropriate pilot licence under this Part, in an aircraft of the same type; and
 - (2) for a multi-engine aircraft, the holder has, within the immediately preceding 12 months, satisfactorily demonstrated to an appropriately qualified Category A or B flight instructor or a flight examiner competency in normal and emergency manoeuvres.
- (c) A holder of a private pilot licence (aeroplane or helicopter) must not act as pilot-in-command of an aircraft carrying a passenger during the night, unless within the immediately preceding 90 days—
- (1) the holder has carried out not less than 3 take-offs and 3 landings during the night as pilot-in-command of an aircraft of the same type; or
 - (2) the holder has 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.
- (d) To comply with paragraphs (b)(1)(i), (b)(1)(ii), (c)(1), or (c)(2) a pilot of a helicopter must fly circuits between the required take-offs and landings.
- (e) To comply with paragraph (b)(1)(i), a pilot of a balloon must ascend to a height of at least 500 feet above the surface between the required lift offs and landings.
- (f) To comply with paragraph (b)(1)(i), a pilot of a glider must perform 3 launches of the appropriate type.
- (g) Except as provided in paragraph (h), a holder of a private pilot licence who has not met the requirements of rule 61.37 (Biennial flight review) for a period of 5 years or more must not exercise the privileges of the licence unless—
- (1) within the immediately preceding 5 years, the holder has passed an applicable PPL air law written examination required by rule 61.151; and
 - (2) the applicable requirements of paragraphs (a), (b), and (c) are met.
- (h) A holder of a private pilot licence to whom paragraph (g) applies is not required to comply with paragraph (g)(1) if the holder has a current pilot licence for a different category of aircraft and meets the requirements of rule 61.37(a) (Biennial flight review) for that category of aircraft.

Subpart E — Commercial Pilot Licences

61.201 Eligibility requirements

Aeroplane

- (a) Except as provided for in rule 61.203, to be eligible for the issue of a commercial pilot licence (aeroplane), a person must—
- (1) be at least 18 years of age; and
 - (2) hold a current private pilot licence (aeroplane); and
 - (3) hold a current class 1 medical certificate issued by the Director under the Act; and

- (4) have a minimum of 200 hours flight time experience as a pilot in aeroplanes that includes flight time experience acceptable to the Director in the following areas, except that the Director may accept flight time experience in other aircraft as a component of the 200 hours:
 - (i) pilot-in-command flight time in aeroplanes:
 - (ii) instrument time:
 - (iii) cross-country navigation flight training in aeroplanes; and
 - (5) if the person seeks to exercise the privileges of a commercial pilot licence during the night, have night flight time experience acceptable to the Director, which may be used to meet the requirements of paragraph (a)(4), including:
 - (i) night flight in an aeroplane:
 - (ii) instrument flight time; and
 - (6) have basic mountain flying training that is acceptable to the Director; and
 - (7) under rule 61.19, have a valid written examination credit, or approved equivalent, that covers the following subjects for a commercial pilot licence (aeroplane):
 - (i) CPL Air Law (aeroplane) or (helicopter):
 - (ii) CPL Aircraft Technical Knowledge (aeroplane):
 - (iii) CPL Flight Performance, Planning and Loading (aeroplane):
 - (iv) CPL Human Factors:
 - (v) CPL Meteorology:
 - (vi) CPL Navigation:
 - (vii) CPL Principles of Flight; and
 - (8) have a valid English language proficiency credit to at least level 4 under 61.15; and
 - (9) have a valid pass in the flight test under rule 61.23.
- (b) To obtain a pass in the flight test as required by paragraph (a)(9), the person must successfully demonstrate the following in a flight test for a commercial pilot licence (aeroplane) conducted by the Director:
- (1) knowledge in the ground examination subjects specified in paragraph (a)(7), including those topics listed in the examination knowledge deficiency reports:
 - (2) knowledge of the privileges and limitations of a commercial pilot licence (aeroplane):
 - (3) technical and operational knowledge relevant to the aeroplane type to be used in the flight test:
 - (4) knowledge and application of the principles of threat and error management:
 - (5) competence to operate the aeroplane within its performance capabilities and limitations in accordance with the aeroplane flight manual in normal, abnormal, and emergency conditions and procedures while exercising appropriate levels of judgement and command:
 - (6) competence in radiotelephony procedures and phraseology:
 - (7) competence to control the aeroplane at all times in a manner that ensures that the successful outcome of a procedure or manoeuvre is never in doubt.

Helicopter

(c) Except as provided for in rule 61.203, to be eligible for the issue of a commercial pilot licence (helicopter), a person must—

- (1) be at least 18 years of age; and
- (2) hold a current private pilot licence (helicopter); and
- (3) hold a current class 1 medical certificate issued by the Director under the Act; and
- (4) have a minimum of 150 hours flight time experience as a pilot in helicopters that includes flight time experience acceptable to the Director in the following areas, except that the Director may accept flight time experience in other aircraft as a component of the 150 hours:
 - (i) dual flight instruction in a helicopter:
 - (ii) pilot-in-command flight time in a helicopter:
 - (iii) cross-country navigation flight training in helicopters:
- (5) if the person seeks to exercise the privileges of a commercial pilot licence during the night, have night flight time experience acceptable to the Director, including:
 - (i) night flight in a helicopter:
 - (ii) instrument flight time; and
- (6) have basic mountain flying training that is acceptable to the Director; and
- (7) under rule 61.19, have a valid written examination credit, or approved equivalent, that covers the following subjects for a commercial pilot licence (helicopter):
 - (i) CPL Air Law (aeroplane) or (helicopter):
 - (ii) CPL Aircraft Technical Knowledge (helicopter):
 - (iii) CPL Flight Performance, Planning and Loading (helicopter):
 - (iv) CPL Human Factors:
 - (v) CPL Meteorology:
 - (vi) CPL Navigation:
 - (vii) CPL Principles of Flight (helicopter); and
- (8) have a valid English language proficiency credit to at least level 4 under rule 61.15; and
- (9) have a valid pass in the flight test under rule 61.23.

(d) To obtain a pass in the flight test as required by paragraph (c)(9), the person must successfully demonstrate the following in a flight test for a commercial pilot licence (helicopter) conducted by the Director:

- (1) knowledge in the ground examination subjects specified in paragraph (c)(7), including those topics listed in the examination knowledge deficiency reports:
- (2) knowledge of the privileges and limitations of a commercial pilot licence (helicopter):
- (3) technical and operational knowledge relevant to the helicopter type to be used in the flight test:
- (4) knowledge and application of the principles of threat and error management:

- (5) competence to operate the helicopter within its performance capabilities and limitations in accordance with the helicopter flight manual in normal, abnormal, and emergency conditions and procedures while exercising appropriate levels of judgement and command:
- (6) competence in radiotelephony procedures and phraseology:
- (7) competence to control the helicopter at all times in a manner that ensures that the successful outcome of a procedure or manoeuvre is never in doubt.

Glider

(e) Except as provided in rule 61.203(a) and (b), to be eligible for the issue of a commercial pilot licence (glider), a person must—

- (1) be at least 18 years of age; and
- (2) hold—
 - (i) a current glider pilot certificate issued by a gliding organisation; or
 - (ii) a current private pilot licence (glider); and
- (3) hold a current class 1 medical certificate issued by the Director under the Act; and
- (4) have a minimum of 150 hours flight time experience as a pilot in gliders that includes flight time experience acceptable to the Director in the following areas, except that the Director may accept flight time experience in other aircraft as a component of the 150 hours:
 - (i) pilot-in-command flight time in gliders:
 - (ii) cross-country navigation flight training in gliders:
 - (iii) glider launches as pilot-in-command:
 - (iv) instrument flight instruction in aircraft; and
- (5) under rule 61.19, have a valid written examination credit, or approved equivalent, that covers the following subjects for a commercial pilot licence (glider):
 - (i) CPL Air Law:
 - (ii) CPL Aircraft Technical Knowledge (glider):
 - (iii) CPL Flight Performance, Planning and Loading (glider):
 - (iv) CPL Human Factors:
 - (v) CPL Meteorology (gliding):
 - (vi) CPL Navigation (gliding):
 - (vii) CPL Principles of Flight (glider); and
- (6) hold a flight radiotelephone examination credit that is required by rule 61.151 for a private pilot licence if the person does not hold a private pilot licence as required by paragraph (e)(2)(ii); and
- (7) have a valid English language proficiency credit to at least level 4 under rule 61.15; and
- (8) have a valid pass in the flight test under rule 61.23.

(f) To obtain a pass in the flight test as required by paragraph (e)(8), the person must successfully demonstrate the following in a flight test for a commercial pilot licence (glider) conducted by the Director:

- (1) knowledge in the ground examination subjects specified in paragraph (e)(5), including those topics listed in the examination knowledge deficiency reports:

- (2) knowledge of the privileges and limitations of a commercial pilot licence (glider):
- (3) technical and operational knowledge relevant to the glider type to be used in the flight test:
- (4) knowledge and application of the principles of threat and error management:
- (5) competence to operate the glider within its performance capabilities and limitations in accordance with the glider flight manual in normal, abnormal, and emergency conditions and procedures while exercising appropriate levels of judgement and command:
- (6) competence in radiotelephony procedures and phraseology:
- (7) competence to control the glider at all times in a manner that ensures that the successful outcome of a procedure or manoeuvre is never in doubt.

Balloon

(g) Except as provided in rule 61.203(a), to be eligible for the issue of a commercial pilot licence (balloon), a person must—

- (1) be at least 18 years of age; and
- (2) hold a current private pilot licence (balloon); and
- (3) hold a current class 1 medical certificate issued by the Director under the Act; and
- (4) have a minimum of 50 hours flight time experience as a pilot in balloons that includes flight time experience acceptable to the Director in the following areas, except that the Director may accept flight time experience in other aircraft as a component of the 50 hours:
 - (i) pilot-in-command flight time:
 - (ii) cross-country flight time:
 - (iii) tethered flight; and
- (5) under rule 61.19, have a valid written examination credit, or approved equivalent, that covers the following subjects for a commercial pilot licence (balloon):
 - (i) CPL Air Law:
 - (ii) CPL Balloon Technical Knowledge and Aerostatics:
 - (iii) CPL Flight Performance, Planning and Loading (balloon):
 - (iv) CPL Balloon Human Factors:
 - (v) CPL Meteorology (balloon):
 - (vi) CPL Navigation (balloon); and
- (6) have a valid English language proficiency credit to at least level 4 under rule 61.15; and
- (7) have a valid pass in the flight test under rule 61.23.

(h) To obtain a pass in the flight test as required by paragraph (g)(7), the person must successfully demonstrate the following in a flight test for a commercial pilot licence (balloon) conducted by the Director:

- (1) knowledge in the ground examination subjects specified in paragraph (g)(5), including those topics listed in the examination knowledge deficiency reports:
- (2) knowledge of the privileges and limitations of a commercial pilot licence (balloon):
- (3) technical and operational knowledge relevant to the balloon type to be used in the flight test:

- (4) knowledge and application of the principles of threat and error management:
- (5) competence to operate the balloon within its performance capabilities and limitations in accordance with the balloon flight manual in normal, abnormal, and emergency conditions and procedures while exercising appropriate levels of judgement and command:
- (6) competence in radiotelephony procedures and phraseology:
- (7) competence to control the balloon at all times in a manner that ensures that the successful outcome of a procedure or manoeuvre is never in doubt.

Microlight

(i) Except as provided in rule 61.203(a), to be eligible for the issue of a commercial pilot licence (microlight), a person must—

- (1) be at least 18 years of age; and
- (2) hold a current microlight pilot certificate issued by a microlight organisation; and
- (3) hold a current class 1 medical certificate issued by the Director under the Act; and
- (4) have a minimum of 200 hours flight time experience as a pilot in microlight aircraft that includes flight time experience acceptable to the Director in the following areas, except that the Director may accept flight time experience in other aircraft as a component of the 200 hours:
 - (i) pilot-in-command flight time in microlight aircraft:
 - (ii) cross-country navigation flight training in microlight aircraft; and
- (5) under rule 61.19, have a valid written examination credit, or approved equivalent, that covers the following subjects for a commercial pilot licence (microlight):
 - (i) CPL Air Law:
 - (ii) CPL Aircraft Technical Knowledge (microlight):
 - (iii) CPL Flight Performance, Planning and Loading (microlight):
 - (iv) CPL Human Factors:
 - (v) CPL Meteorology (microlight):
 - (vi) CPL Navigation (microlight):
 - (vii) CPL Principles of Flight; and
- (6) have a valid English language proficiency credit to at least level 4 under rule 61.15; and
- (7) have a valid pass in the flight test under rule 61.23.

(j) To obtain a pass in the flight test as required by paragraph (i)(7), the person must successfully demonstrate the following in a flight test for a commercial pilot licence (microlight) conducted by the Director:

- (1) knowledge in the ground examination subjects specified in paragraph (i)(5), including those topics listed in the examination knowledge deficiency reports:
- (2) knowledge of the privileges and limitations of a commercial pilot licence (microlight):
- (3) technical and operational knowledge relevant to the microlight aircraft type to be used in the flight test:
- (4) knowledge and application of the principles of threat and error management:

- (5) competence to operate the microlight aircraft within its performance capabilities and limitations in accordance with the microlight flight manual in normal, abnormal, and emergency conditions and procedures while exercising appropriate levels of judgement and command:
- (6) competence in radiotelephony procedures and phraseology:
- (7) competence to control the microlight aircraft at all times in a manner that ensures that the successful outcome of a procedure or manoeuvre is never in doubt.

61.203 Alternative eligibility requirements

(a) To be eligible for the issue of a commercial pilot licence, a person who holds a current commercial pilot licence and associated current medical certificate issued by another ICAO Contracting State is deemed to meet the eligibility requirements specified in rule 61.201 for the equivalent category of aircraft if the person has –

- (1) an Australian commercial pilot licence that is recognised in New Zealand under the Trans-Tasman Mutual Recognition Act 1997; or
- (2) a minimum of 250 hours flight time experience exercising the privileges of the commercial pilot licence under the authority of the issuing State:
 - (i) to hold a private pilot licence or equivalent pilot certificate:
 - (ii) to have a valid written examination credit, except that the person must, within the immediately preceding 5 years, have passed the required CPL Air Law written examination.

(b) To be eligible for the issue of a commercial pilot licence (glider), a person who holds Fédération Aéronautique Internationale (FAI) Gold Badge for gliding is deemed to meet the requirement specified in rule 61.201(e)(5) to have a valid written examination credit, except that the person must, within the immediately preceding 5 years, have passed the required CPL Air Law written examination.

(c) To be eligible for the issue of a commercial pilot licence (aeroplane) or (helicopter), a person who holds a New Zealand Defence Force pilot qualification is deemed to meet the following eligibility requirements if the person is in current military flying practice in the appropriate category of aircraft with the New Zealand Defence Force as a first or second pilot:

- (1) hold a current private pilot licence (aeroplane) or private pilot licence (helicopter) under rules 61.201(a)(2) or (c)(2):
- (2) have a valid written examination credit under rules 61.201(a)(7) or (c)(7) except that the person must, within the immediately preceding 5 years, have passed the required CPL Air Law written examination:
- (3) have a valid pass in the required flight test under rules 61.201(a)(9) or (c)(9).

61.205 Privileges and limitations

(a) Subject to paragraphs (b) and (c), a holder of a current commercial pilot licence may exercise the following privileges in an appropriate category of aircraft for which the pilot holds an aircraft type rating:

- (1) any of the privileges specified in rule 61.155(a) for a private pilot licence:
- (2) act as a pilot of an aircraft for remuneration:
- (3) act as pilot-in-command of a single-pilot aircraft carrying passengers:
- (4) act as pilot-in-command of a single-pilot aircraft engaged on an operation for hire or reward:
- (5) act as pilot-in-command of a multi-pilot aircraft engaged on an operation for hire or reward but not on an air transport operation:
- (6) act as co-pilot of a multi-pilot aircraft engaged on an operation for hire or reward.

(b) A holder of a commercial pilot licence must not act as pilot-in-command or as co-pilot of an aircraft at night, unless an appropriately qualified flight instructor has certified in the holder's logbook that the holder has satisfactorily completed the required night flight training.

(c) A holder of a commercial pilot licence (glider) must not use a specific launch method (winch, aero-tow or auto-tow) while carrying passengers, unless an instructor authorised by a gliding organisation has certified in the pilot's logbook that the pilot has performed 25 launches as pilot-in-command using the specified launch method.

61.207 Currency requirements

- (a) A holder of a commercial pilot licence must not exercise the privileges of the licence unless—
- (1) the holder complies with rules 61.35 (Medical requirement) and 61.37 (Biennial flight review); and
 - (2) for exercising the privileges of the licence outside of New Zealand, the licence is endorsed with a valid English language proficiency credit to at least level 4 under rule 61.15; and
 - (3) for a licence that is endorsed with an English language proficiency credit, that English language proficiency credit is valid under rule 61.15(d).
- (b) A holder of a commercial pilot licence must not act as pilot-in-command of an aircraft on an air operation during the day or carrying a passenger during the day, unless—
- (1) within the immediately preceding 90 days—
 - (i) the holder has 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
 - (ii) the holder has satisfactorily demonstrated to an appropriately qualified Category A or B flight instructor competence in take-off and landing manoeuvres in an aircraft of the same type during the day; or
 - (iii) the holder has satisfactorily demonstrated competence for the issue of the appropriate commercial pilot licence in accordance with this Subpart, in an aircraft of the same type; and
 - (2) for a multi-engine aircraft, the holder has, within the immediately preceding 12 months, satisfactorily demonstrated to an appropriately qualified Category A or B flight instructor or a flight examiner competency in normal and emergency manoeuvres.
- (c) A holder of a commercial pilot licence must not act as pilot-in-command of an aircraft on an air operation at night or carrying a passenger at night, unless within the immediately preceding 90 days—
- (1) the holder has 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) the holder has satisfactorily demonstrated to an appropriately qualified Category A or B flight instructor competence in take-off and landing manoeuvres in an aircraft of the same type during the night.
- (d) To comply with paragraphs (b)(1) and (c)(1), the holder of a commercial pilot licence (helicopter) must fly circuits between the required take-offs and landings.
- (e) To comply with paragraph (b)(1), the holder of a commercial pilot licence (balloon) must ascend to at least 500 feet between the required lift offs and landings:
- (f) To comply with paragraph (b)(1), the holder of a commercial pilot licence (glider) must perform 3 launches of the appropriate type.
- (g) Except as provided in paragraph (h), a holder of a commercial pilot licence who has not complied with rule 61.37 (Biennial flight review) for a period of 5 years or more must not exercise the privileges of the licence unless—
- (1) within the immediately preceding 5 years, the holder has passed an approved CPL Air Law written examination; and
 - (2) complies with paragraph (a).

(h) A holder of a commercial pilot licence to whom paragraph (g) applies is not required to comply with paragraph (g)(1) if the holder has a current commercial pilot licence for a different category of aircraft and complies with rule 61.37 (Biennial flight review) for that category of aircraft.

(i) A holder of a commercial pilot licence who does not hold a current class 1 medical certificate, but who holds a current class 2 medical certificate, may exercise the privileges specified in rule 61.155 for a private pilot licence if the pilot complies with rule 61.157.

(j) A holder of a commercial pilot licence who does not meet the applicable currency requirements of paragraphs (a) to (g), but who meets the currency requirements of rule 61.157 for a private pilot licence, may exercise the privileges specified in rule 61.155.

Subpart F — Reserved

Subpart G — Airline Transport Pilot Licence

61.301 Eligibility requirements

Aeroplane

(a) Except as provided in rule 61.303, to be eligible for the issue of an airline transport pilot licence (aeroplane), a person must—

- (1) be at least 21 years of age; and
- (2) hold a current commercial pilot licence (aeroplane); and
- (3) hold a current class 1 medical certificate issued by the Director under the Act; and
- (4) hold an aircraft type rating on a multi-engine turbine powered aeroplane; and
- (5) hold a current instrument rating; and
- (6) have a minimum of 1500 hours flight time experience as a pilot in aeroplanes that includes flight time experience acceptable to the Director in the following areas, except that the Director may accept flight time experience in other aircraft as a component of the 1500 hours:
 - (i) pilot-in-command flight time:
 - (ii) if applicable, command practice flight time:
 - (iii) if applicable, co-pilot flight time:
 - (iv) cross-country navigation flight time:
 - (v) night flight time:
 - (vi) instrument flight time; and
- (7) under rule 61.19, have a valid written examination credit, or approved equivalent, that covers the following subjects for an airline transport pilot licence:
 - (i) ATPL Air Law:
 - (ii) ATPL Aircraft Technical Knowledge (aeroplane):
 - (iii) ATPL Flight Performance, Planning and Loading (aeroplane):
 - (iv) ATPL Human Factors:
 - (v) ATPL Meteorology:
 - (vi) ATPL Navigation:
 - (vii) ATPL Principles of Flight; and

- (8) have an English language proficiency credit to at least level 4 under rule 61.15; and
 - (9) have a valid pass in the flight test under rule 61.23.
- (b) To obtain a pass in the flight test as required by paragraph (a)(9), the person must, subject to paragraph (c), successfully demonstrate the following in a flight test to the Director or to an appropriately authorised airline flight examiner:
- (1) knowledge in the ground examination subjects specified in paragraph (a)(7), including those topics listed in the examination knowledge deficiency reports:
 - (2) knowledge of the privileges and limitations of an airline transport pilot licence (aeroplane):
 - (3) technical and operational knowledge relevant to the aeroplane type used in the flight test:
 - (4) knowledge and application of the principles of threat and error management:
 - (5) competence to operate the aeroplane within its performance capabilities and limitations in accordance with the aeroplane flight manual in normal, abnormal and emergency conditions and procedures whilst exercising appropriate levels of judgement and command:
 - (6) competence in ATS procedures and phraseology:
 - (7) competence to control the aeroplane at all times in a manner that ensures that the successful outcome of a procedure or manoeuvre is never in doubt.
- (c) The flight test required by paragraph (b) must be a cross country flight conducted under IFR in—
- (1) a multi-engine turbine powered aeroplane with a MCTOW of 5700 kg or more; or
 - (2) a synthetic flight trainer that represents an aeroplane type specified in paragraph (1) and is approved for airline transport pilot licence issue flight tests.

Helicopter

- (d) Except as provided in rule 61.303, to be eligible for the issue of an airline transport pilot licence (helicopter), a person must—
- (1) be at least 21 years of age; and
 - (2) hold a current commercial pilot licence (helicopter); and
 - (3) hold a current class 1 medical certificate issued by the Director under the Act; and
 - (4) hold an aircraft type rating on a multi-engine turbine powered helicopter; and
 - (5) hold a current instrument rating; and
 - (6) have a minimum of 1000 hours flight time experience as a pilot in helicopters that includes flight time experience acceptable to the Director in the following areas, except that the Director may accept flight time experience in other aircraft as a component of the 1000 hours:
 - (i) pilot-in-command flight time:
 - (ii) if applicable, command practice flight time:
 - (iii) cross-country navigation flight time:
 - (iv) night flight time:
 - (v) instrument flight time; and
 - (7) have a valid written examination credit, or approved equivalent, that covers the following subjects for an airline transport pilot licence under rule 61.19:

- (i) ATPL Air Law (helicopter):
 - (ii) ATPL Aircraft Technical Knowledge (helicopter):
 - (iii) ATPL Flight Performance, Planning and Loading (helicopter):
 - (iv) ATPL Human Factors:
 - (v) ATPL Meteorology:
 - (vi) ATPL Navigation
 - (vii) ATPL Principles of Flight (helicopter); and
- (8) have an English language proficiency credit to at least level 4 under rule 61.15; and
- (9) have a valid pass in the flight test required by paragraph (e) under rule 61.23.
- (e) To obtain a pass in the flight test as required by paragraph (d)(9), the person must, subject to paragraph (f), successfully demonstrate the following in a flight test to the Director or to an appropriately authorised airline flight examiner:
- (1) knowledge in the ground examination subjects specified in paragraph (d)(7), including those topics listed in the examination knowledge deficiency reports:
 - (2) knowledge of the privileges and limitations of an airline transport pilot licence (helicopter):
 - (3) technical and operational knowledge relevant to the helicopter type used in the flight test:
 - (4) knowledge and application of the principles of threat and error management:
 - (5) competence to operate the helicopter within its performance capabilities and limitations in accordance with the helicopter flight manual in normal, abnormal and emergency conditions and procedures whilst exercising appropriate levels of judgement and command:
 - (6) competence in ATS procedures and phraseology:
 - (7) control of the helicopter at all times in a manner that ensures that the successful outcome of a procedure or manoeuvre is never in doubt.
- (f) The flight test required by paragraph (e) must be a cross country flight conducted under IFR in—
- (1) a multi-engine turbine powered helicopter with a MCTOW of 5700 kg or more; or
 - (2) a multi-engine turbine powered helicopter acceptable to the Director; or
 - (3) a synthetic flight trainer that represents a helicopter type specified in paragraphs (1) or (2) and is approved for airline transport pilot licence (helicopter) issue flight tests.

61.303 Alternative eligibility requirements

(a) To be eligible for the issue of an airline transport pilot licence, a person who holds a current airline transport pilot licence and associated current medical certificate issued by another ICAO Contracting State is deemed to meet the eligibility requirements specified in rule 61.301 for the equivalent category of aircraft if the person has –

- (1) an Australian airline transport pilot licence that is recognised in New Zealand under the Trans-Tasman Mutual Recognition Act 1997; or
- (2) a minimum of 500 hours flight time experience as pilot-in-command or 1000 hours flight time experience as a co-pilot on commercial IFR multi-crew operations in multi-engine, multi-crew aircraft exercising the privileges of the airline transport pilot licence under the authority of the issuing State:
 - (i) to hold a current commercial pilot licence under rule 61.301(a)(2) or (d)(2):

- (ii) to hold an aircraft type rating on a multi-engine turbine powered aircraft if the person holds an equivalent aircraft type rating that is associated with the foreign pilot licence under rule 61.301(a)(4) or (d)(4):
- (iii) to hold a current instrument rating if the person holds a current instrument rating associated with the foreign pilot licence under rule 61.301(a)(5) or (d)(5):
- (iv) to hold a valid written examination credit under rule 61.301(a)(7) or (d)(7) except that the person must, within the immediately preceding 5 years, have passed the ATPL Air Law written examination specified in rule 61.301(a)(7)(i) or (d)(7)(i).

(b) To be eligible for the issue of an airline transport pilot licence (aeroplane) or (helicopter), a person who holds a New Zealand Defence Force pilot qualification is deemed to comply with the following eligibility requirements for the equivalent category of aircraft if the person has within the immediately preceding 12 months logged flight time flying with the New Zealand Defence Force at first pilot day/night level in an appropriate category of 2 pilot aircraft:

- (1) to hold a current commercial pilot licence under rule 61.301(a)(2) or (d)(2):
- (2) to hold an aircraft type rating on a multi-engine turbine powered aircraft under rule 61.301(a)(4) or (d)(4):
- (3) to hold a current instrument rating if the person has passed a New Zealand Defence Force Instrument Rating test at green level within the previous 3 months under rule 61.301(a)(5) or (d)(5):
- (4) to hold a valid written examination credit under rule 61.301(a)(7) or (d)(7), except that the person must, within the immediately preceding 5 years, have passed the ATPL Air Law written examination specified in rule 61.301(a)(7)(i) or (d)(7)(i)

61.305 Privileges and limitations

A holder of a current airline transport pilot licence may exercise the following privileges in an appropriate category of aircraft for which the pilot holds an aircraft type rating:

- (1) any of the privileges specified in rule 61.205 for a commercial pilot licence:
- (2) act as pilot-in-command of a multi-pilot aircraft.

61.307 Currency requirements

- (a) A holder of an airline transport licence must not exercise the privileges of the licence unless—
 - (1) the holder complies with rules 61.35 (Medical requirement) and 61.37 (Biennial flight review) ; and
 - (2) for exercising the privileges of the licence outside of New Zealand, the licence is endorsed with a valid English language proficiency credit under rule 61.15; and
 - (3) for a licence that is endorsed with an English language proficiency credit, that English language proficiency credit is valid under rule 61.15(d).
- (b) Subject to paragraphs (c) and (d), a holder of an airline transport pilot licence must not act as pilot-in-command of a multi-pilot aircraft on an air operation unless, within the immediately preceding 90 days,—
 - (1) the holder has carried out (as pilot-in-command of an aircraft of the same type or an approved synthetic flight trainer for the aircraft type) not less than 3 take-offs and 3 landings; or
 - (2) the holder has satisfactorily demonstrated to an appropriately authorised flight examiner continued competency in an aircraft of the same type; or
 - (3) the holder has demonstrated to an appropriately qualified flight instructor competence in take-off and landing manoeuvres in an aircraft of the same type.
- (c) One of the landings required by paragraphs (b)(1) and (b)(3) may be a monitored landing using the automatic landing facility of the autopilot.
- (d) To comply with paragraphs (b)(1) and (b)(3), a holder of an airline transport pilot licence (helicopter) must fly circuits between the required take-offs and landings.

(e) Except as provided in paragraph (f), a holder of an air transport pilot licence who has not met the requirements of rule 61.37 for 5 years or more must not exercise the privileges of the licence unless—

- (1) within the immediately preceding 5 years, the holder has passed an approved ATPL air law written examination; and
- (2) complies with paragraph (a).

(f) A holder of an airline transport pilot licence to whom paragraph (e) applies, is not required to meet paragraph (e)(1) if the holder has a current airline transport licence for a different category of aircraft and complies with rule 61.37 for that category of aircraft.

(g) A holder of an airline transport pilot licence who does not hold a current class 1 medical certificate, but who holds a current class 2 medical certificate, may exercise the privileges specified in rule 61.155 for a private pilot licence if the holder complies with rule 61.157.

(h) A holder of an airline transport pilot licence who does not meet the applicable currency requirements of paragraphs (a) to (e) but who meets the currency requirements specified in rule 61.207 for a commercial pilot licence or rule 61.157 may exercise the privileges of the appropriate pilot licence.

(i) A holder of an airline transport pilot licence who is exercising the privileges of a commercial pilot licence or a private pilot licence in a multi-engine aircraft must have demonstrated competence in normal and emergency manoeuvres to an appropriately qualified flight instructor or flight examiner in an aircraft of the same type within the immediately preceding 12 months.

Subpart H — Flight Instructor Ratings

Category F flight instructor rating (Balloon)

61.351 Eligibility requirements

- (a) To be eligible for the issue of a Category F flight instructor rating, a person must—
- (1) hold a current commercial pilot licence (balloon); and
 - (2) have a minimum of 150 hours flight time experience as pilot-in-command in balloons; and
 - (3) if not already the holder of a current flight instructor rating, must have satisfactorily completed an approved instructional techniques course within the immediately preceding 12 months or such other period acceptable to the Director; and
 - (4) have a valid pass in the flight test required by paragraph (b) under rule 61.23.
- (b) To obtain a pass in the flight test as required by paragraph (a)(4), the person must successfully demonstrate to the Director, by means of an oral examination and a flight test, the person's ability to give flight instruction in a balloon in normal and emergency flight manoeuvres.

61.353 Privileges and limitations

A flight instructor holding a current Category F flight instructor rating may carry out the following flight instructor privileges:

- (1) give flight instruction in a balloon, for which the flight instructor holds an aircraft type rating, during the day:
- (2) authorise a student pilot to perform a solo flight in a balloon during the day under Subpart B:
- (3) conduct a biennial flight review for a holder of a private pilot licence (balloon) or a commercial pilot licence (balloon):
- (4) certify a knowledge deficiency report associated with a written examination for a balloon pilot licence:
- (5) issue an aircraft type rating for a balloon provided the instructor has an aircraft type rating on the same balloon type, and has—
 - (i) 10 hours flight time in the same type of balloon including 5 ascents and 5 descents; or

- (ii) completed an approved manufacturer's aircraft type rating course for the same type of balloon:
- (6) in accordance with the privileges being exercised by the instructor, make an entry in a balloon pilot's logbook certifying that the pilot has complied with a prescribed requirement for a balloon pilot that requires a logbook certification:

61.355 Currency requirements

- (a) A flight instructor holding a Category F flight instructor rating must not give flight instruction unless—
 - (1) the flight instructor meets the currency requirements specified in rule 61.207 for a holder of a commercial pilot licence (balloon); and
 - (2) within the preceding 24 months—
 - (i) the flight instructor has demonstrated competency to an appropriately authorised flight examiner in accordance with flight test standards acceptable to the Director; and
 - (ii) the flight examiner who conducted the competency demonstration required by paragraph (2)(i) has certified the successful completion of the demonstration in the flight instructor's logbook under rule 61.29.
- (b) A flight instructor who completes the competency demonstration required by paragraph (a)(2)(i) within 60 days before the date on which the demonstration is required is deemed to have completed the demonstration on the required date.
- (c) The flight examiner who conducted the competency demonstration required by paragraph (a)(2)(i) must submit a copy of the completed flight test report to the Director.

Category E flight instructor rating (Agricultural)

61.357 Eligibility requirements

- (a) To be eligible for the issue of a Category E flight instructor rating, a person must—
 - (1) hold 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 an authorisation to conduct aerial topdressing, aerial spraying, or aerial VTA s as appropriate; and
 - (3) have a minimum of 2000 hours productive flight time experience on agricultural aircraft operations which must include—
 - (i) if the person seeks to instruct in aerial topdressing, have 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, have 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, have a minimum of 100 hours flight time experience as a pilot in the appropriate category of aircraft, comprising productive flight time experience on aerial topdressing operations and at least 50 hours of productive flight time experience on aerial VTA operations; and
 - (4) if not already the holder of a current flight instructor rating, have satisfactorily completed an approved instructional techniques course within the immediately preceding 12 months or such other period acceptable to the Director; and
 - (5) have a valid pass in the flight test under rule 61.23.
- (b) To obtain a pass in the flight test as required by paragraph (a)(5), the person must successfully demonstrate to the Director by means of an oral examination and a flight test, that the person has an adequate technical knowledge of the following agricultural aircraft operations that are relevant to the types of agricultural aircraft operations that the person wishes to instruct in:
 - (1) aerial topdressing;

- (2) aerial spraying:
- (3) aerial VTA.

61.359 Privileges and limitations

(a) Subject to paragraph (b), a flight instructor holding a current Category E flight instructor rating may carry out the following flight instructor privileges:

- (1) give flight instruction in agricultural aircraft operations for the purpose of aerial topdressing, aerial spraying, or aerial VTA to the holder of a current pilot licence:
- (2) give conversion instruction and issue an aircraft type rating under rule 61.503 if the instructor has at least 50 hours flight time experience as pilot-in-command in the same type of aircraft to be used:
- (3) conduct competency checks for agricultural ratings under rule 61.557(a)(1); and
- (4) conduct competency checks for aerial topdressing, aerial spraying, and aerial VTA authorisations under Subpart N:
- (5) in accordance with the privileges being exercised by the instructor, make an entry in a pilot's logbook certifying that the pilot has complied with a prescribed requirement for a pilot that requires a logbook certification:

(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 61.505 for the type of aircraft being used; and
- (2) paragraphs (a)(1), and (a)(4) unless the flight instructor holds an appropriate and current aerial authorisation issued under Subpart N.

61.361 Currency requirements

(a) A flight instructor holding a Category E flight instructor rating must not exercise the privileges of the rating unless—

- (1) the flight instructor holds a current grade 1 agricultural rating for the same category of aircraft; and
- (2) within the preceding 24 months—
 - (i) the flight instructor has demonstrated competency to an appropriately authorised agricultural flight examiner in accordance with flight test standards acceptable to the Director; and
 - (ii) the agricultural flight examiner who conducted the competency demonstration required by paragraph (2)(i) has certified the successful completion of the demonstration in the flight instructor's logbook under rule 61.29.

(b) A flight instructor holding a Category E instructor rating who completes the demonstration required by paragraph (a)(2)(i) within 60 days before the date on which the demonstration is required is deemed to have completed the demonstration on the required date.

(c) A flight instructor holding a Category E flight instructor rating when giving flight instruction on agricultural aircraft may count the time as productive flight time to meet the requirements of paragraph (a)(1).

(d) The agricultural flight examiner who conducted the competency demonstration required by paragraph (a)(2)(i) must submit a copy of the completed flight test report to the Director.

Category D flight instructor rating

61.363 Eligibility requirements

(a) To be eligible for the issue of a Category D flight instructor rating, a person must—

- (1) hold at least a current commercial pilot licence for the appropriate category of aircraft; and

- (2) have a minimum of 700 hours flight time experience that is acceptable to the Director, including pilot-in-command flight time in the appropriate category of aircraft; and
- (3) if not already the holder of a current instructor rating, have satisfactorily completed an approved instructional techniques course within the immediately preceding 12 months or such other period acceptable to the Director; and
- (4) have a valid pass in the flight test under rule 61.23.

(b) To obtain a pass in the flight test as required by paragraph(a)(4), the person must successfully demonstrate to the Director by means of an oral examination and a flight test in the following subject areas, the person's ability to give flight instruction in the appropriate category of aircraft in normal and emergency flight manoeuvres appropriate to the flight instructor privileges being sought:

- (1) techniques of applied flight instruction:
- (2) aeroplane or helicopter principles of flight and performance, as appropriate:
- (3) meteorology:
- (4) cross-country navigation techniques:
- (5) the practice and theory of flight instruction:
- (6) knowledge and application of the principles of threat and error management:
- (7) knowledge of this Part and any other applicable civil aviation rule.

61.365 Privileges and limitations

(a) Subject to paragraphs (b) to (k), a flight instructor holding a current Category D flight instructor rating may carry out the following flight instructor activities:

- (1) conduct an aircraft type rating for an aircraft with a MCTOW of 5700 kg or less, except that for a multi-engine aircraft, the instructor must have not less than 10 hours flight time experience as pilot-in-command on the same type of aircraft:
- (2) give the holder of a current pilot licence instrument flight instruction to the standard required for an instrument rating using radio navigation aids, GNSS, or other forms of approved instrument navigation:
- (3) give the holder of a current pilot licence flight instruction in aerobatic manoeuvres towards an aerobatic rating and conduct the competency demonstration required by rule 61.601(a)(3):
- (4) give the holder of a pilot licence conversion instruction at night:
- (5) give the holder of a pilot licence flight instruction in a multi-engine aircraft:
- (6) give the holder of a pilot licence flight instruction in advanced mountain flying:
- (7) give the holder of a commercial pilot licence (helicopter) flight instruction towards an airline transport pilot licence (helicopter):
- (8) give the holder of a pilot licence (helicopter) flight instruction in helicopter external load operations:
- (9) conduct competency checks for the issue of the following authorisations under Subpart N:
 - (i) helicopter external load authorisation:
 - (ii) aid to night vision authorisation:
 - (iii) tow authorisation:
- (10) certify a knowledge deficiency report for a written examination required under this Part if—

- (i) the instructor is certified by an appropriately authorised flight examiner under paragraph (c) to conduct the type of flight instruction that relates to the knowledge deficiency report to be certified; and
 - (ii) for a knowledge deficiency report for a basic turbine knowledge written examination, the instructor holds an aircraft type rating for a turbine powered aircraft:
- (11) in accordance with the privileges being exercised by the instructor, make an entry in a pilot's logbook certifying that the pilot has complied with a prescribed requirement for a pilot that requires a logbook certification.
- (b) A flight instructor holding a Category D flight instructor rating must not exercise the privileges specified in paragraph (a) unless the flight instructor holds an appropriate category of pilot licence and where applicable an aircraft type rating or is authorised under rule 61.505, for the type of aircraft being used.
- (c) A flight instructor holding a Category D flight instructor rating must not give flight instruction in spinning or aerobatic flight unless—
- (1) the flight instructor holds a current aerobatic flight rating; and
 - (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) flight time experience in aerobatic flight that is acceptable to the Director; and
 - (ii) demonstrated competence to instruct in aerobatic flight.
- (d) A flight instructor holding a Category D flight instructor rating must not give flight instruction in a multi-engine aircraft unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
- (1) flight time experience in multi-engine aircraft that is acceptable to the Director; and
 - (2) demonstrated competence to instruct in multi-engine aircraft.
- (e) A flight instructor holding a Category D flight instructor rating must not give conversion instruction for a multi-engine aircraft unless the flight instructor has a minimum of 10 hours flight time experience as pilot-in-command of the same type of multi-engine aircraft.
- (f) A flight instructor holding a Category D flight instructor rating must not give flight instruction at night unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
- (1) night flight time experience acceptable to the Director; and
 - (2) demonstrated competence to instruct at night.
- (g) A flight instructor holding a Category D flight instructor rating must not give flight instruction in advanced mountain flying unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
- (1) completed a course in mountain flying; and
 - (2) flight time experience acceptable to the Director including flight instruction time and flight time in mountainous terrain; and
 - (3) demonstrated competence to instruct in advanced mountain flying.
- (h) A flight instructor holding a Category D flight instructor rating must not give instrument flight instruction in IMC or under IFR unless—
- (1) the flight instructor holds an instrument rating current to single pilot standard for—
 - (i) the appropriate category of aircraft; and
 - (ii) the type of instrument flight procedure being used for the instruction; and

- (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) IFR flight time experience acceptable to the Director; and
 - (ii) demonstrated competence to give instrument flight instruction to the standard required for an instrument rating using radio navigation aids, GNSS, or other forms of approved instrument navigation.
- (i) A flight instructor holding a Category D flight instructor rating must not give flight instruction in IFR cross-country navigation unless—
 - (1) the flight instructor holds a current instrument rating for the appropriate category of aircraft; and
 - (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) at least 50 hours flight time experience as pilot-in-command of an aircraft on IFR cross-country operations; and
 - (ii) demonstrated competence to instruct in IFR cross-country navigation.
- (j) A flight instructor holding a Category D flight instructor rating must not give flight instruction or conduct competency checks in helicopter external load operations unless—
 - (1) the flight instructor holds an appropriate and current helicopter external load authorisation issued under Subpart N; and
 - (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) applicable helicopter external load flight time experience acceptable to the Director; and
 - (ii) demonstrated competence to instruct in helicopter external load operations.
- (k) A flight instructor holding a Category D flight instructor rating must not give flight instruction or conduct competency checks in aid to night vision operations unless—
 - (1) the flight instructor holds a current aid to night vision authorisation issued under Subpart N; and
 - (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) flight time experience acceptable to the Director using the appropriate aid to night vision; and
 - (ii) demonstrated competence to instruct in aid to night vision operations.

61.367 Currency requirements

- (a) Except as provided in paragraph (b), a flight instructor holding a Category D flight instructor rating must not exercise the privileges of the rating unless—
 - (1) the flight instructor meets the applicable pilot licence currency requirements prescribed by this Part; and
 - (2) within the immediately preceding 24 months the flight instructor has demonstrated competency in the applicable flight instruction activities to an appropriately authorised flight examiner in accordance with flight test standards acceptable to the Director; and
 - (3) the flight examiner who conducted the competency demonstration required by paragraph (2) has certified the successful completion of the demonstration in the flight instructor's logbook under rule 61.29.
- (b) A flight instructor holding a Category D flight instructor rating who completes the competency demonstration required by paragraph (a)(2) within 60 days before the date on which the demonstration is required is deemed to have completed the demonstration on the required date.

(c) The flight examiner who conducted the competency demonstration required by paragraph (a)(2) must submit a copy of the completed flight test report to the Director.

Category C flight instructor rating

61.369 Eligibility requirements

- (a) To be eligible for the issue of a Category C flight instructor rating, a person must—
- (1) hold 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 the following flight time experience as acceptable to the Director:
 - (i) pilot-in-command flight time;
 - (ii) instrument time;
 - (iii) cross-country flight time; and
 - (3) for aeroplanes, have a logbook entry made by an appropriately authorised Category A or B flight instructor certifying that the person is competent in spin recovery; and
 - (4) have satisfactorily completed an approved instructional techniques course within the immediately preceding 12 months or such other period acceptable to the Director; and
 - (5) have received a minimum of 25 hours dual flight time instructor training in the appropriate category of aircraft which must include at least 5 hours dual flight time training from a Category A flight instructor; and
 - (6) have a valid pass in the flight test under rule 61.23.
- (b) To obtain a pass in the flight test as required by paragraph (a)(6), the person must successfully demonstrate to the Director, by means of a flight test and oral examination in the following subjects, the person's ability to give flight instruction in the appropriate category of aircraft in normal and emergency flight manoeuvres appropriate to the flight instructor privileges being sought:
- (1) techniques of applied flight instruction;
 - (2) aeroplane or helicopter principles of flight and performance, as appropriate;
 - (3) meteorology;
 - (4) cross-country navigation techniques;
 - (5) the practice and theory of flight instruction;
 - (6) knowledge and application of the principles of threat and error management;
 - (7) knowledge of this Part and any other applicable Civil Aviation Rule.

61.371 Alternative eligibility requirements

- (a) A person who holds an unrestricted equivalent category, grade or class of flight instructor rating attached to a current pilot licence issued by an ICAO Contracting State may be accepted by the Director complying with rule 61.369(a)(4) regarding the completion of an instructional techniques course for the issue of a Category C flight instructor rating.
- (b) A person who holds a current New Zealand Defence Force flight instructor qualification may be accepted by the Director as complying with the following eligibility requirements of rule 61.369 for the issue of a Category C flight instructor rating:
- (1) the flight time experience required by rule 61.369(a)(2);
 - (2) the logbook certification regarding spin recovery required by rule 61.369(a)(3) if the person's New Zealand Defence Force instructor qualification is for aeroplanes;
 - (3) the instructional techniques course required by rule 61.369(a)(4);

- (4) the dual flight time instructor training required by rule 61.369(a)(5).

61.373 Privileges and limitations

(a) Subject to paragraphs (b) to (l), a flight instructor holding an appropriate current Category C flight instructor rating may carry out the following flight instructor activities, but only if the flight instructor is under the supervision of the holder of an appropriate current Category A or B flight instructor rating:

- (1) give flight instruction:
- (2) authorise a student pilot to conduct a solo flight by day in accordance with rule 61.53 except for a student's first solo flight or a solo cross-country flight:
- (3) authorise a student pilot to conduct a solo flight at night in accordance with rule 61.53 except for a student's first solo flight at night or a solo cross-country flight at night:
- (4) conduct an aircraft type rating for an aircraft with a MCTOW of 5700 kg or less, except that for a multi-engine aircraft the instructor must have a minimum of 10 hours flight time experience as pilot-in-command of the same type of multi-engine aircraft:
- (5) in accordance with the privileges being exercised by the flight instructor, make an entry in a pilot's logbook certifying that the pilot has complied with a prescribed requirement for a pilot that requires a logbook certification.

(b) A flight instructor holding a Category C flight instructor rating must not exercise the privileges specified in paragraphs (a) unless the flight instructor holds an appropriate category of pilot licence, and where applicable an aircraft type rating or is authorised under rule 61.505 for the type of aircraft being used.

(c) A flight instructor holding a Category C flight instructor rating must not exercise the privileges specified in paragraph (a) unless for at least the first 6 consecutive months and for a minimum of the first 100 hours of flight instruction, the Category C flight instructor is under the direct supervision of the holder of a current Category A or B flight instructor rating who—

- (1) is present on the same aerodrome during the periods that the Category C flight instructor is exercising any of the privileges specified in paragraph (a); and
- (2) is directly responsible for the flight instruction actions of the Category C flight instructor under supervision; and
- (3) if applicable, operates under the authority of the same aviation training organisation certificate as the Category C flight instructor.

(d) A flight instructor holding a Category C flight instructor rating must not give flight instruction in spinning or aerobatic flight unless—

- (1) the flight instructor holds a current aerobatic flight rating; and
- (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) flight time experience acceptable to the Director; and
 - (ii) demonstrated competence to instruct in spinning and aerobatic flight.

(e) A flight instructor holding a Category C flight instructor rating must not give flight instruction in a multi-engine aircraft unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—

- (1) flight time experience in multi-engine aircraft that is acceptable to the Director; and
- (2) demonstrated competence to instruct in multi-engine aircraft.

(f) A flight instructor holding a Category C flight instructor rating must not give conversion instruction for a multi-engine aircraft unless the flight instructor has a minimum of 10 hours of flight time experience as pilot-in-command of the same type of aircraft.

- (g) A flight instructor holding a Category C flight instructor rating must not give flight instruction at night unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
- (1) night flight time experience acceptable to the Director; and
 - (2) demonstrated competence to instruct at night.
- (h) A flight instructor holding a Category C flight instructor rating must not give flight instruction in terrain awareness unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that—
- (1) the supervision requirements of paragraphs (c) have been completed; and
 - (2) the flight instructor has—
 - (i) completed an approved course in terrain awareness; and
 - (ii) low flying and terrain awareness experience acceptable to the Director, within the flight time experience in rule 61.369(a)(2); and
 - (iii) demonstrated competence to instruct in terrain awareness.
- (i) A flight instructor holding a Category C flight instructor rating must not give flight instruction in basic mountain flying unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that—
- (1) the supervision requirements of paragraph (c) have been completed; and
 - (2) the flight instructor has—
 - (i) completed an approved course in mountain flying; and
 - (ii) flight time experience acceptable to the Director; and
 - (iii) demonstrated competence to instruct in basic mountain flying.
- (j) A flight instructor holding a Category C flight instructor rating must not give instrument flight instruction in IMC or under IFR unless—
- (1) the flight instructor holds an instrument rating current to single pilot standard for—
 - (i) the appropriate category of aircraft; and
 - (ii) the type of instrument procedure being used for the instruction; and
 - (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that—
 - (i) the supervision requirements of paragraph (c) have been completed; and
 - (ii) the instructor has IFR flight experience acceptable to the Director; and
 - (iii) the flight instructor has demonstrated competence to give instrument flight instruction to the standard required for an instrument rating using radio aids, GNSS, or other forms of approved instrument navigation.
- (k) A flight instructor holding a Category C flight instructor rating must not give flight instruction in IFR cross-country navigation unless—
- (1) the flight instructor holds a current instrument rating for the appropriate category of aircraft; and
 - (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the instructor has at least 50 hours flight time experience as pilot-in-command of an aircraft on IFR cross-country operations.

61.375 Currency requirements

- (a) Except as provided in paragraphs (b), a flight instructor holding a Category C flight instructor rating must not exercise the privileges of the rating unless—

- (1) the flight instructor meets the applicable pilot licence currency requirements prescribed in this Part; and
 - (2) within the preceding 12 months, the flight instructor has demonstrated competency to an appropriately authorised flight examiner in accordance with flight test standards acceptable to the Director; and
 - (3) the flight examiner who conducted the competency demonstration required by paragraph (2) has certified the successful completion of the demonstration in the holder's logbook under rule 61.29(b)(3).
- (b) A flight instructor who completes the competency demonstration required by paragraph (a)(2) within 60 days before the date on which the demonstration is required is deemed to have completed the demonstration on the required date.
- (c) The flight examiner who conducted the competency demonstration required by paragraph (a)(2) must submit a copy of the completed flight test report to the Director.

Category B flight instructor rating

61.377 Eligibility requirements

- (a) To be eligible for the issue of a Category B flight instructor rating, a person must—
- (1) hold of at least a current commercial pilot licence for the appropriate category of aircraft; and
 - (2) hold 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 the following flight time experience as acceptable to the Director:
 - (i) pilot-in-command flight time:
 - (ii) dual flight time:
 - (iii) flight instruction time:
 - (iv) instrument time:
 - (v) cross-country flight instruction time:
 - (vi) for aeroplanes, flight instruction in spin recovery; and
 - (4) have satisfactorily completed an approved Category B instructional techniques course within the immediately preceding 12 months or such other period acceptable to the Director; and
 - (5) have a valid pass in the flight test under rule 61.23.
- (b) To obtain a pass in the flight test as required by paragraph (a)(5), the person must successfully demonstrate to the Director, by means of a flight test and an oral examination in the following subjects, the person's ability to give flight instruction in the appropriate category of aircraft in all normal and emergency flight manoeuvres:
- (1) techniques of applied flight instruction:
 - (2) aeroplane or helicopter principles of flight and performance, as appropriate:
 - (3) meteorology:
 - (4) cross-country navigation techniques:
 - (5) the practice and theory of flight instruction:
 - (6) knowledge and application of the principles of threat and error management:
 - (7) knowledge of the provisions of this Part and any other applicable Civil Aviation Rule.

61.379 Alternative eligibility requirements

(a) A person who holds an unrestricted category, grade or class of flight instructor rating that is equivalent to the Category B flight instructor rating and is attached to a current pilot licence issued by an ICAO Contracting State may be accepted by the Director as complying with rule 61.377(a)(4).

(b) A person who holds a current New Zealand Defence Force (NZDF) flight instructor qualification may be accepted by the Director as complying with rule 61.377 for the issue of a Category B flight instructor rating:

- (1) the flight time experience required by rule 61.377(a)(3):
- (2) the instructional techniques course required by rule 61.377(a)(4).

61.381 Privileges and limitations

(b) Subject to paragraphs (b) to (m), a flight instructor holding an appropriate current Category B flight instructor rating may carry out the following flight instructor activities:

- (1) give flight instruction:
- (2) authorise a student pilot to conduct a solo flight under rule 61.53:
- (3) conduct an aircraft type rating, except that for a multi-engine aircraft, the instructor must have a minimum of 10 hours flight time experience as pilot-in-command of the same type of multi-engine aircraft:
- (4) certify a knowledge deficiency report for a written examination required by this Part if—
 - (i) the flight instructor holds the appropriate category of licence and applicable ratings that the examination is required for; and
 - (ii) for a knowledge deficiency report for a basic turbine knowledge written examination, the flight instructor holds a type rating for a turbine powered aircraft:
- (5) conduct a biennial flight review under rule 61.37:
- (6) conduct a commercial pilot licence cross-country flight test:
- (7) conduct competency checks for the issue of the following authorisations under Subpart N:
 - (i) helicopter external load authorisation:
 - (ii) aid to night vision authorisation:
 - (iii) tow authorisation:
- (8) provide supervision to the holder of a Category C flight instructor rating under rule 61.373(a) and (c):
- (9) in accordance with the privileges being exercised by the flight instructor, make an entry in a pilot's logbook certifying that the pilot has complied with a requirement prescribed for a pilot that requires a logbook certification.

(c) A flight instructor holding a Category B flight instructor rating must not exercise the privileges specified in paragraph (a) unless the flight instructor holds an appropriate category of pilot licence and where applicable an aircraft type rating or is authorised under rule 61.505, for the type of aircraft being used.

(d) A flight instructor holding a Category B flight instructor rating must not give flight instruction in spinning or aerobatic flight unless the flight instructor holds a current aerobatic flight rating.

(e) A flight instructor holding a Category B flight instructor rating must not give flight instruction in a multi-engine aircraft unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—

- (1) flight time experience in multi-engine aircraft that is acceptable to the Director; and
- (2) demonstrated competence to instruct in multi-engine aircraft.

(f) A flight instructor holding a Category B flight instructor rating must not give conversion instruction for a multi-engine aircraft unless the flight instructor has a minimum of 10 hours flight time experience as pilot-in-command of the same type of multi-engine aircraft.

(g) A flight instructor holding a Category B flight instructor rating must not give flight instruction at night unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—

- (1) night flight time experience acceptable to the Director; and
- (2) demonstrated competence to instruct at night.

(h) A flight instructor holding a Category B flight instructor rating must not give flight instruction in terrain awareness unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—

- (1) completed a course in terrain awareness and weather awareness; and
- (2) flight time experience acceptable to the Director including flight instruction time in low flying; and
- (3) demonstrated competence to instruct in terrain awareness and low flying.

(i) A flight instructor holding a Category B flight instructor rating must not give flight instruction in basic mountain flying unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—

- (1) completed a course in mountain flying; and
- (2) flight time experience acceptable to the Director including flight instruction time in terrain awareness; and
- (3) demonstrated competence to instruct in basic mountain flying.

(j) A flight instructor holding a Category B flight instructor rating must not give flight instruction in advanced mountain flying unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—

- (1) completed a course in mountain flying; and
- (2) flight time experience acceptable to the Director including flight instruction time and flight time in mountainous terrain; and
- (3) demonstrated competence to instruct in advanced mountain flying.

(k) A flight instructor holding a Category B flight instructor rating must not give instrument flight instruction in IMC or under IFR unless—

- (1) the flight instructor holds an instrument rating current to single pilot standard for—
 - (i) the appropriate category of aircraft; and
 - (ii) the type of instrument flight procedure being used for the instruction; and
- (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) IFR flight time experience acceptable to the Director; and
 - (ii) demonstrated competence to give instrument flight instruction to the standard required for an instrument rating using radio navigation aids, GNSS, or other forms of approved instrument navigation.

(l) A flight instructor holding a Category B flight instructor rating must not give flight instruction in IFR cross-country navigation unless—

- (1) the flight instructor holds a current instrument rating for the appropriate category of aircraft; and

- (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) at least 50 hours flight time experience as pilot-in-command of an aircraft on IFR cross-country operations; and
 - (ii) demonstrated competence to instruct in IFR cross-country navigation.
- (m) A flight instructor holding a Category B flight instructor rating must not give flight instruction or conduct competency checks in helicopter external load operations unless—
 - (1) the flight instructor holds an appropriate and current helicopter external load authorisation issued under Subpart N; and
 - (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) applicable helicopter external load flight time experience acceptable to the Director; and
 - (ii) demonstrated competence to instruct in helicopter external load operations.
- (n) A flight instructor holding a Category B flight instructor rating must not give flight instruction or conduct competency checks in aid to night vision operations unless—
 - (1) the flight instructor holds a current aid to night vision authorisation issued under Subpart N; and
 - (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) flight time experience acceptable to the Director using the appropriate aid to night vision; and
 - (ii) demonstrated competence to instruct in aid to night vision operations.

61.383 Currency requirements

- (a) Except as provided in paragraph (b), a flight instructor holding a Category B flight instructor rating must not exercise the privileges of the rating unless—
 - (1) the flight instructor meets the applicable pilot licence currency requirements prescribed in this Part; and
 - (2) within the immediately preceding 12 months, the flight instructor has demonstrated competency to an appropriately authorised flight examiner in accordance with flight test standards acceptable to the Director; and
 - (3) the flight examiner who conducted the competency demonstration required by paragraph (a)(2) has certified the successful completion of the demonstration in the flight instructor's logbook under rule 61.29(b)(3).
- (b) A person who completes the competency demonstration required by paragraph (a)(2) within 60 days before the date on which the demonstration is required is deemed to have completed the demonstration on the required date.
- (c) The flight examiner who conducted the competency demonstration required by paragraph (a)(2) must submit a copy of the flight test report to the Director.

Category A flight instructor rating

61.385 Eligibility requirements

To be eligible for the issue of a Category A flight instructor rating, a person must—

- (1) hold at least a current commercial pilot licence for the appropriate category of aircraft; and
- (2) hold a Category B flight instructor rating, or approved equivalent, for the appropriate category of aircraft; and
- (3) for an aeroplane, hold a current instrument rating; and

- (4) have successfully completed an approved course in terrain awareness, weather awareness, and basic mountain flying; and
- (5) have a minimum of 1250 hours flight time experience as a pilot in the appropriate category of aircraft comprising the following flight time experience as acceptable to the Director:
 - (i) pilot-in-command flight time:
 - (ii) flight instruction time:
 - (iii) instrument time:
 - (iv) cross-country flight instruction time:
 - (v) night flight time:
 - (vi) flight instruction time at night:
 - (vii) flight instruction time in low flying, terrain awareness, and basic mountain flying:
 - (viii) aerobatic flight time:
 - (ix) if applicable, flight time in mountainous terrain; and
- (6) have a valid pass in the flight test under rule 61.23.

(b) To obtain a pass in the flight test as required by paragraph (a)(6), the person must successfully demonstrate to the Director, by means of a flight test and oral examination in the following subjects, the person's ability to give flight instruction in the appropriate category of aircraft during the day and night as applicable, in all normal and emergency flight manoeuvres (including for an aeroplane, spinning and aerobatic manoeuvres):

- (1) techniques of applied flight instruction:
- (2) aeroplane or helicopter principles of flight and performance as appropriate:
- (3) meteorology:
- (4) cross-country navigation techniques:
- (5) the practice and theory of flight instruction:
- (6) knowledge and application of the principles of threat and error management:
- (7) knowledge of this Part and any other applicable Civil Aviation Rule.

61.387 Privileges and limitations

(a) Subject to paragraphs (b) to (k), a flight instructor holding an appropriate current Category A flight instructor rating may carry out the following flight instructor activities:

- (1) give flight instruction during the day or night:
- (2) authorise a student pilot to conduct a solo flight under rule 61.53:
- (3) conduct an aircraft type rating, except that for a multi-engine aircraft the instructor must have a minimum of 10 hours flight time experience as pilot-in-command of the same type of multi-engine aircraft:
- (4) certify a knowledge deficiency report for a written examination required under this Part if—
 - (i) the flight instructor holds the appropriate category of licence and ratings that the examination is required for; and
 - (ii) in the case of knowledge deficiency report for the basic turbine knowledge written examination, the flight instructor holds a type rating for a turbine powered aircraft; and
- (5) give spinning and aerobatic flight instruction:

- (6) conduct a biennial flight review under rule 61.37:
 - (7) conduct a commercial pilot licence cross-country flight test:
 - (8) conduct competency checks for the issue of the following authorisations under Subpart N:
 - (i) helicopter external load authorisation:
 - (ii) aid to night vision authorisation:
 - (iii) tow authorisation:
 - (9) provide supervision to the holder of a Category C flight instructor rating under rule 61.373(a) and (c):
 - (10) in accordance with the privileges being exercised by the flight instructor, make an entry in a pilot's logbook certifying that the pilot has complied with a requirement prescribed for a pilot that requires a logbook certification:
- (b) A flight instructor holding a Category A flight instructor rating must not exercise the privileges specified in paragraph (a) unless the flight instructor holds an appropriate category of pilot licence, and where applicable an aircraft type rating, or is authorised under rule 61.505 for the type of aircraft being used.
- (c) A flight instructor holding a Category A flight instructor rating must not give flight instruction in a multi-engine aircraft unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
- (1) flight time experience in multi-engine aircraft that is acceptable to the Director; and
 - (2) demonstrated competence to instruct in multi-engine aircraft.
- (d) A flight instructor holding a Category A flight instructor rating must not give conversion instruction for a multi-engine aircraft unless the flight instructor has a minimum of 10 hours flight time experience as pilot-in-command of the same type of multi-engine aircraft.
- (e) A flight instructor holding a Category A flight instructor rating must not give flight instruction in terrain awareness unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
- (1) completed an approved course in terrain awareness; and
 - (2) flight time experience acceptable to the Director including flight instruction time in low flying; and
 - (3) demonstrated competence to instruct in terrain awareness and low flying.
- (f) A flight instructor holding a Category A flight instructor rating must not give flight instruction in basic mountain flying unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
- (1) completed an approved course in mountain flying; and
 - (2) flight time experience acceptable to the Director including flight instruction time in terrain awareness; and
 - (3) demonstrated competence to instruct in basic mountain flying.
- (g) A flight instructor holding a Category A flight instructor rating must not give flight instruction in advanced mountain flying unless an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
- (1) completed an approved course in mountain flying; and
 - (2) flight time experience acceptable to the Director including flight instruction time and flight time in mountainous terrain; and
 - (3) demonstrated competence to instruct in advanced mountain flying.

(h) A flight instructor holding a Category A flight instructor rating must not give instrument flight instruction in IMC or under IFR unless—

- (1) the flight instructor holds an instrument rating current to single pilot standard for—
 - (i) the appropriate category of aircraft; and
 - (ii) the type of instrument flight procedure being used for the instruction; and
- (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) IFR flight time experience acceptable to the Director; and
 - (ii) demonstrated competence to give instrument flight instruction to the standard required for an instrument rating using radio navigation aids, GNSS, or other forms of approved instrument navigation.

(i) A flight instructor holding a Category A flight instructor rating must not give flight instruction in IFR cross-country navigation unless—

- (1) the flight instructor holds a current instrument rating for the appropriate category of aircraft; and
- (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) at least 50 hours flight time experience as pilot-in-command of an aircraft on IFR cross-country operations; and
 - (ii) demonstrated competence to instruct in IFR cross-country navigation.

(j) A flight instructor holding a Category A flight instructor rating must not give flight instruction or conduct competency checks in helicopter external load operations unless—

- (1) the flight instructor holds an appropriate and current helicopter external load authorisation issued in accordance with Subpart N; and
- (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) applicable helicopter external load flight time experience acceptable to the Director; and
 - (ii) demonstrated competence to instruct in helicopter external load operations.

(k) A flight instructor holding a Category A flight instructor rating must not give flight instruction or conduct competency checks in aid to night vision operations unless—

- (1) the flight instructor holds a current aid to night vision authorisation issued in accordance with Subpart N; and
- (2) an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has—
 - (i) flight time experience acceptable to the Director using the appropriate aid to night vision; and
 - (ii) demonstrated competence to instruct in aid to night vision operations.

61.389 Currency requirements

(a) Except as provided in paragraph (b), a flight instructor holding a Category A flight instructor rating must not exercise the privileges of the rating unless—

- (1) the flight instructor meets the applicable pilot licence currency requirements prescribed by this Part; and

- (2) within the immediately preceding 24 months, the flight instructor has demonstrated competency to the Director; and
- (3) the Director has certified the successful completion of the demonstration required by paragraph (2) in the instructor's logbook under rule 61.29.

(b) A flight instructor who completes the competency demonstration required by paragraph (a)(2) within 60 days before the date on which the demonstration is required is deemed to have completed the demonstration on the required date.

(c) For the purpose of accumulating the 3 take-offs and 3 landings required by rule 61.207 or rule 61.307 for currency of a flight instructor's pilot licence, a flight instructor holding a current Category A flight instructor rating may count each take-off and landing whether during the day or night.

Airline flight instructor rating

61.391 Eligibility requirements

(a) Except as provided in paragraph (d) and subject to paragraph (c), to be eligible for the issue of an airline flight instructor rating, a person must—

- (1) hold at least a current Airline Transport pilot licence (aeroplane); and
- (2) hold a current instrument rating; and
- (3) have a minimum of 2000 hours flight time experience as a pilot in aeroplanes comprising the following flight time experience as acceptable to the Director:
 - (i) pilot-in-command flight time;
 - (ii) line-operating flight time;
 - (iii) instrument time; and
- (4) if not already the holder of an instructor rating, have satisfactorily completed an approved instructional techniques course within the immediately preceding 12 months or such other period acceptable to the Director; and
- (5) pass an oral examination in the following subjects –
 - (i) techniques of applied instruction;
 - (ii) legislation relevant to an airline flight instructor rating;
 - (iii) the privileges of an airline flight instructor rating;
 - (iv) aeroplane performance and limitations;
 - (v) aeroplane weight and balance loading; and
- (6) have a valid pass in the flight test under rule 61.23.

(b) To obtain a pass in the flight test as required by paragraph (a)(6), the person must successfully demonstrate to the Director by means of a flight test and oral examination the person's ability to give –

- (i) circuit and line training by day and by night in accordance with an airline air operator's training programme as required by Part 121 or Part 125;
- (ii) supervision and/or consolidation training to a pilot during line flying in accordance with an airline air operator's training programme as required by Part 121 or Part 125.

(c) The demonstration required by paragraph (b) must be conducted in a multi-engine aircraft or approved synthetic flight trainer operated in under Part 121 or Part 125, as applicable, by the holder of an airline air operator certificate.

(d) A person who holds a current Category D flight instructor rating issued under Part 61 that were in force immediately before [*date that rule comes into force*] and who immediately before [*date rule comes into force*] was

exercising the privileges of the Category D flight instructor rating on air operations conducted by the holder of an airline air operator certificate under Parts 121 or 125—

- (1) is deemed to comply with rule 61.391 for the issue of an airline flight instructor rating; and
- (2) until [*date 2 years after rule comes into force*], is deemed to hold an airline flight instructor rating referred to in paragraph (a).

61.393 Privileges and limitations

(a) Subject to paragraphs (b), (c) and (d), a flight instructor holding a current airline flight instructor rating may conduct the following flight instructor activities:

- (1) give flight instruction as part of an airline air operator's crew member training programme required by Part 121 or Part 125 as applicable;
- (2) give flight instruction while operating on an IFR flight plan during day or night as part of an airline air operator's crew member training programme required by Part 121 or Part 125 as applicable;
- (3) conduct an aircraft type rating for an aeroplane that is operated under the authority of an airline air operator certificate for air operations conducted under Part 121 or Part 125;
- (4) certify a knowledge deficiency report for a written examination required for an instrument rating, basic turbine knowledge examination, and airline transport pilot licence.

(b) A flight instructor holding an airline flight instructor rating must not exercise the privileges specified in paragraph (a) unless the flight instructor holds an aircraft type rating for the aircraft being used.

(c) A flight instructor holding an airline flight instructor rating must not conduct an aircraft type rating for an aeroplane that is operated under Part 121 or 125 as applicable unless the flight instructor holds an aircraft type rating for the aeroplane and an appropriately authorised flight examiner has certified in the flight instructor's logbook that the flight instructor has demonstrated competence in that activity.

(d) A flight instructor holding an airline flight instructor rating must not give instrument flight instruction unless the flight instructor holds a current instrument rating that is applicable to the type of instrument flight procedure that the flight instruction relates to.

61.395 Currency requirements

(a) Except as provided in paragraph (b), a flight instructor holding an airline flight instructor rating must not exercise the privileges of the rating unless—

- (1) the flight instructor meets the applicable pilot licence currency requirements prescribed by this Part; and
- (2) within the immediately preceding 24 months, the flight instructor has demonstrated competency to an appropriately authorised flight examiner in accordance with flight test standards acceptable to the Director; and
- (3) the flight examiner who conducted the competency demonstration required by paragraph (a)(2) has certified the successful completion of the demonstration in the flight instructor's logbook under rule 61.29.

(b) A flight instructor who completes the competency demonstration required by paragraph (a)(2) within 60 days before the date on which the demonstration is required is deemed to have completed the demonstration on the required date.

Subpart I — Flight Examiner Ratings

General aviation flight examiner rating

61.451 Eligibility requirements

To be eligible for the issue of a general aviation flight examiner rating, a person must—

- (1) hold at least a current commercial pilot licence for the appropriate category of aircraft; and
- (2) hold an appropriate current Category A flight instructor rating; and

- (3) have flight time experience in the appropriate category of aircraft acceptable to the Director, including:
 - (i) total flight time:
 - (ii) pilot-in-command flight time:
 - (iii) if applicable, multi-engine flight time:
 - (iv) if applicable, flight time in mountainous terrain:
 - (v) if applicable, IFR cross-country navigation flight time:
 - (vi) if applicable, instrument flight time:
 - (vii) if applicable, IFR flight instruction time; and
- (4) have satisfactorily completed an approved flight examiner training course within the immediately preceding 12 months or such other period acceptable to the Director; and
- (5) demonstrate to the Director the person's ability to perform the functions of a general aviation flight examiner.

61.453 Privileges and limitations

(a) Subject to paragraph (b), a holder of a current general aviation flight examiner rating may conduct the following flight examiner activities if the flight examiner holds a current authorisation from the Director to conduct the particular type of flight test or competency check:

- (1) flight test required by this Part for the issue of a recreational pilot licence or a private pilot licence:
- (2) flight test required by this Part for the issue of a rating:
- (3) competency check required by this Part for the continued currency of a rating:
- (4) flight crew member competency check in accordance with an air operator's operational competency assessment programme as required by Part 115 or Part 135.

(b) Except when a flight examiner is not acting as a required flight crew member, a holder of a current general aviation flight examiner rating must not exercise the privileges specified in paragraph (a) unless the flight examiner holds an aircraft type rating for the aircraft being used.

61.455 Currency requirements

(a) Except as provided in paragraphs (b) and (c), a flight examiner holding a general aviation flight examiner rating must not exercise the privileges of the rating unless—

- (1) the flight examiner meets the applicable pilot licence currency requirements prescribed by this Part; and
- (2) the flight examiner meets the applicable currency requirements for a Category A Flight Instructor rating; and
- (3) within the immediately preceding 24 months the flight examiner has demonstrated to the Director the flight examiner's continued competence to exercise the privileges of the flight examiner rating.

(b) A flight examiner who completes the competency demonstration required by paragraph (a)(3) within 60 days before the date on which the demonstration is required, is deemed to have completed the demonstration on the required date.

(c) A flight examiner holding a general aviation flight examiner rating is not required to hold a current medical certificate or meet the currency requirements of paragraphs (a)(1) and (2) if the flight examiner is not acting as a required flight crew member.

Airline flight examiner rating

61.457 Eligibility requirements

To be eligible for the issue of an airline flight examiner rating, a person must—

- (1) for air operations conducted under Part 121, hold a current airline transport pilot licence (aeroplane); and
- (2) for air operations conducted under Part 125 or Part 135, hold at least an appropriate current commercial pilot licence; and
- (3) for air operations conducted under Parts 121 or 125, hold a current airline flight instructor rating; and
- (4) for air operations conducted under Part 135, hold a current Category A, B or D flight instructor rating; and
- (5) have flight time experience that is acceptable to the Director, including:
 - (i) total flight time:
 - (ii) pilot-in-command flight time:
 - (iii) if applicable, multi-engine flight time:
 - (iv) if applicable, flight time in mountainous terrain:
 - (v) if applicable, IFR cross-country navigation flight time:
 - (vi) if applicable, instrument flight time:
 - (vii) if applicable, IFR flight instruction time; and
- (6) have satisfactorily completed an approved flight examiner training course within the immediately preceding 12 months or such other period acceptable to the Director; and
- (7) demonstrate to the Director the person's ability to perform the functions of an airline flight examiner.

61.459 Privileges and limitations

(a) Subject to paragraph (b), a flight examiner holding a current airline flight examiner rating may conduct the following flight examiner activities if the flight examiner holds a current authorisation from the Director to conduct the particular flight test or competency check:

- (1) flight test required by this Part for the issue of a recreational pilot licence or a private pilot licence:
- (2) flight test required by this Part for the issue of a rating:
- (3) competency check required by this Part for the continued currency of a rating:
- (4) flight crew member competency check in accordance with an air operator's operational competency assessment programme as required by –
 - (i) Part 121 or Part 125 if the flight examiner holds an airline flight instructor rating as required by rule 61.457(3); or
 - (ii) Part 135 if the flight examiner holds a Category A, B or D flight instructor rating as required by rule 61.457(4); or
 - (iii) Part 115 if the flight examiner holds a Category A or B flight instructor rating.

(b) Except when a flight examiner is not acting as a required flight crew member, a holder of a current airline flight examiner rating must not exercise the privileges specified in paragraph (a) unless the flight examiner holds an aircraft type rating for the aircraft being used.

61.461 Currency requirements

(a) Subject to paragraph (b), and except as provided in paragraphs (c) and (d), a flight examiner holding an airline flight examiner rating must not exercise the privileges of the rating unless—

- (1) the flight examiner meets the applicable pilot licence currency requirements prescribed by this Part; and
- (2) the flight examiner meets the applicable currency requirements for the instructor rating that is required by rule 61.457(3) or (4); and

- (3) within the immediately preceding 24 months the flight examiner has demonstrated to the Director the flight examiner's continued competency to exercise the privileges of the flight examiner rating.
- (b) The demonstration of competence required by paragraph (a)(3) must include a segment in an approved synthetic flight trainer or a flight segment, or both if required by the Director,—
- (1) on the heaviest aircraft type (MCTOW) on which the flight examiner exercises the flight examiner privileges, or on another such aircraft type that is acceptable to the Director; and
 - (2) conducted under Parts 121, 125 or 135 as appropriate to the privileges being exercised.
- (c) A flight examiner who completes the competency demonstration required by paragraph (a)(3) within 60 days before the date on which the demonstration is required, is deemed to have completed the demonstration on the required date.
- (d) A flight examiner holding an airline flight examiner rating is not required to hold a current medical certificate or meet the currency requirements of paragraphs (a)(1) and (2) if the flight examiner is not acting as a required flight crew member.

Agricultural flight examiner rating

61.465 Eligibility requirements

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) have completed an approved flight examiner training course within the immediately preceding 12 months or such other period acceptable to the Director; and
- (5) demonstrate to the Director the person's ability to perform the functions of an agricultural flight examiner.

61.467 Privileges and limitations

- (a) Subject to paragraph (b), a flight examiner holding a current agricultural flight examiner rating may conduct competency checks for the following if the flight examiner holds a current authorisation from the Director to conduct the particular type of competency check:
- (1) competency check required by this Part for the issue of an agricultural rating;
 - (2) competency check required by this Part for the continued currency of an agricultural rating;
 - (3) competency check required by this Part for the continued currency of a Category E flight instructor rating.
- (b) Except when a flight examiner is not acting as a required flight crew member, a flight examiner holding a current agricultural flight examiner rating must not exercise the privileges specified in paragraph (a) unless the flight examiner holds an aircraft type rating for the aircraft being used.

61.469 Currency requirements

(a) Except as provided in paragraphs (b) and (c), a flight examiner holding an agricultural flight examiner rating must not exercise the privileges of the rating unless—

- (1) the flight examiner meets the applicable pilot licence currency requirements prescribed by this Part; and
- (2) the flight examiner meets the applicable currency requirements for a Category E flight instructor rating; and
- (3) within the immediately preceding 24 months, the flight examiner has demonstrated to the Director the flight examiner's continued competence to exercise the privileges of the agricultural flight examiner rating.

(b) A flight examiner who completes the demonstration required by paragraph (a)(3) within 60 days before the date on which it is required, is deemed to have completed the demonstration on the required date.

(c) A flight examiner holding an agricultural flight examiner rating is not required to hold a current medical certificate or meet the currency requirements of paragraphs (a)(1) and (2) if the flight examiner is not acting as a required flight crew member.

Balloon flight examiner rating**61.471 Eligibility requirements**

(a) To be eligible for the issue of a balloon flight examiner rating a person must—

- (1) hold at least a current commercial pilot licence (balloon); and
- (2) hold a current Category F flight instructor rating; and
- (3) hold a current aircraft type rating for the balloon in use; and
- (4) have flight time experience that is acceptable to the Director, including:
 - (i) total flight time;
 - (ii) pilot-in-command flight time;
 - (iii) flight time on commercial operations;
 - (iv) flight instruction time; and
- (5) have completed an approved flight examiner training course within the immediately preceding 12 months or such other period acceptable to the Director; and
- (6) demonstrate to the Director the person's ability to perform the functions of a balloon flight examiner.

61.473 Privileges and limitations

(a) Subject to paragraphs (b), a flight examiner holding a current balloon flight examiner rating may conduct the following flight examiner activities if the flight examiner holds a current authorisation from the Director to conduct the particular flight test or competency check:

- (1) flight test required by this Part for the issue of a private pilot licence (balloon);
- (2) competency check required by this Part for the continued currency of a Category F flight instructor rating;
- (3) flight crew competency check required by Part 115 for a balloon adventure aviation operation.

(b) Except when a flight examiner is not acting as a required flight crew member of a balloon, a flight examiner holding a current balloon flight examiner rating must not exercise the privileges specified in paragraph (a) unless the flight examiner holds an aircraft type rating for the balloon type being used.

61.475 Currency requirements

(a) Except as provided in paragraphs (b) and (c), a flight examiner holding a balloon flight examiner rating must not exercise the privileges of the rating unless—

- (1) the flight examiner meets the applicable pilot licence currency requirements prescribed by this Part; and

- (2) the flight examiner meets the currency requirements for a Category F flight instructor rating; and
 - (3) within the immediately preceding 24 months, the flight examiner has demonstrated to the Director the flight examiner's competence to exercise the privileges of the balloon flight examiner rating.
- (b) A flight examiner who completes the demonstration required by paragraph (a)(3) within 60 days before the date on which it is required, is deemed to have completed the demonstration on the required date.
- (c) A holder of a balloon flight examiner rating is not required to hold a current medical certificate or meet the currency requirements of paragraphs (a)(1) and (2) if the flight examiner is not acting as a required flight crew member.

Restricted flight examiner rating

61.477 Privileges and limitations

- (a) A flight examiner holding a current restricted flight examiner rating that was issued under this Part before 11 May 2006 may exercise the privileges of that rating in accordance with the authorisations granted by the Director for the flight examiner.
- (b) Except when a flight examiner is not acting as a required flight crew member of an aircraft, a flight examiner holding a current restricted flight examiner rating must not exercise the privileges of the rating unless the flight examiner holds an aircraft type rating for the aircraft in use.

61.479 Currency requirements

- (a) Except as provided in paragraphs (b) and (c), a flight examiner holding a restricted flight examiner rating must not exercise the privileges of the rating unless—
- (1) the flight examiner meets the applicable pilot licence currency requirements prescribed by this Part; and
 - (2) the flight examiner meets the applicable flight instructor rating currency requirements prescribed by this Part; and
 - (3) within the immediately preceding 24 months, the flight examiner has demonstrated to the Director the flight examiner's competence to exercise the privileges of the restricted flight examiner rating.
- (b) A flight examiner who completes the competency demonstration required by paragraph (a)(3) within 60 days before the date on which the demonstration is required, is deemed to have completed the demonstration on the required date.
- (c) A flight examiner holding a restricted flight examiner rating is not required to hold a current medical certificate or meet the currency requirements of paragraphs (a)(1) and (2) if the flight examiner is not acting as a required flight crew member.

Subpart J — Aircraft Type Ratings

61.501 Eligibility requirements

To be eligible for the issue of 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 time experience accumulated either in flight or in an approved synthetic flight trainer; and
- (3) for a turbine powered aircraft—
 - (i) have training in the appropriate turbine powered aircraft; and
 - (ii) have—
 - (A) an aircraft type rating for a turbine powered aircraft; or
 - (B) under rule 61.19, a valid written examination credit in basic turbine knowledge; and
- (4) for an aircraft less than 1500kg MCTOW, pass a written or oral examination on –

- (i) the normal, abnormal, and emergency procedures for the operation of the aircraft systems; and
 - (ii) the aircraft performance; and
 - (iii) the weight and balance of the aircraft; and
- (5) for an aircraft of greater than 1500kg MCTOW but not exceeding 5700kg MCTOW, have a valid written examination credit under rule 61.19 –
- (i) the normal, abnormal, and emergency procedures for the operation of the aircraft systems; and
 - (ii) the aircraft performance; and
 - (iii) the weight and balance of the aircraft; and
- (6) for an aircraft greater than 5700 kg MCTOW, a multi-engine helicopter, or a multi-engine turbine powered aeroplane—
- (i) complete an approved course of technical training on the aircraft for which the aircraft type rating is required; and
 - (ii) have a valid written examination credit under rule 61.19;
 - (A) the normal, abnormal and emergency procedures for the operation of the aircraft systems; and
 - (B) the aircraft performance; and
 - (C) the weight and balance of the aircraft;
- (7) demonstrate to an appropriately qualified flight instructor a satisfactory technical knowledge of the aircraft type for which the rating is required, including knowledge deficiency reports for the examination credits required by paragraphs (3)(ii)(B), (5), and (6)(ii); and
- (8) demonstrate to an appropriately qualified flight instructor in an aircraft type competency demonstration the ability to perform competently normal, abnormal, and emergency manoeuvres appropriate to the aircraft type for which the rating is required; and
- (9) demonstrate to a Category F flight instructor or a balloon flight examiner in a balloon or airship type competency demonstration the ability to perform competently normal, abnormal, and emergency manoeuvres that are appropriate to the following categories of balloon or airship:
- (i) larger than 240,000 cubic foot hot air balloon envelope:
 - (ii) larger than 120,000 cubic foot hot air balloon envelope but less than 240,000 cubic foot hot air balloon envelope:
 - (iii) hot air airships:
 - (iv) gas balloons or gas airships:
 - (v) balloons or airships requiring multi-crew operation.

61.503 Issue

- (a) When the flight instructor who conducted the aircraft type competency demonstration required by rule 61.501(a)(8) or (a)(9) is satisfied that the pilot meets the eligibility requirements of rule 61.501, the flight instructor—
- (1) may issue the aircraft type rating by entering the type rating in the pilot's logbook in a form acceptable to the Director; and
 - (2) must submit a completed copy of the type competency demonstration record to the Director.
- (b) The Director may endorse an aircraft type rating on a pilot's licence if—
- (1) the pilot applies to the Director with a payment of the appropriate fee prescribed by regulations made under the Act; and

- (2) the aircraft type is listed in the New Zealand Register of Aircraft; and
- (3) the holder of the pilot licence provides evidence of having met one of the following applicable requirements:
 - (i) the aircraft type rating has been issued under paragraph (a);
 - (ii) 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 as being equivalent to the requirements prescribed in rule 61.501;
 - (iii) the holder of the pilot licence has successfully completed a type conversion course that has been approved by the Director on an aircraft type weighing more than 5700kg MCTOW;
 - (iv) 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 has completed test flight time experience on the aircraft acceptable to the Director;
 - (v) 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 referred to in rule 61.7(h) and the flight instructor has completed flight time experience on the aeroplane acceptable to the Director;
 - (vi) the holder of the pilot licence is authorised under rule 61.505 to act as a pilot or pilot-in-command of the aircraft type and has completed flight time experience on the aircraft acceptable to the Director;
 - (vii) the holder of the pilot licence has appropriate military flight experience on the aircraft type acceptable to the Director with the New Zealand Defence Force or a foreign military force.
- (c) Despite paragraph (a), an appropriately qualified flight instructor may enter an aircraft type rating in a pilot's logbook in accordance with paragraph (a)(1) if—
 - (1) the aircraft type is so similar to an existing aircraft type rating held by a pilot; and
 - (2) the flight instructor is satisfied that no further conversion instruction or type competency demonstration is necessary; and
 - (3) the flight instructor submits a certified copy of the logbook entry to the Director.

61.505 First of type authorisation

The Director may—

- (1) authorise a holder of a current flight instructor rating to act as a pilot or pilot-in-command of an aircraft for which the instructor does not hold an aircraft type rating; and
- (2) in the interests of aviation safety, impose conditions on the flight instructor's use of that authorisation.

Subpart K — Agricultural Ratings

61.551 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) satisfactorily complete a course of agricultural ground and flight training; and
 - (4) hold a National Certificate in Aerial Agrichemical Application issued by the New Zealand Qualifications Authority, or other equivalent qualification acceptable to the Director; and
 - (5) satisfactorily complete a training course in one or more of the following authorisations in accordance with the appropriate requirements of Subpart N:

- (i) aerial topdressing authorisation:
 - (ii) aerial spraying authorisation:
 - (iii) aerial VTA authorisation; and
- (6) demonstrate competency (orally and in flight) 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, including a minimum of 200 hours as pilot-in-command of the appropriate category of aircraft; and
 - (3) demonstrate competency (orally and in flight) in agricultural aircraft operations to a flight examiner holding an appropriate current agricultural flight examiner rating.
- (c) The training required by paragraphs (a)(3) and (a)(5), and the demonstration of competency required by paragraphs (a)(6) and (b)(3) must be conducted under the authority of—
- (1) an agricultural aircraft operator certificate issued by the Director under the Act and Part 137, if the certificate authorises the operator to conduct the training or competency assessment; or
 - (2) an aviation training organisation certificate issued by the Director under the Act and Part 141, if the certificate authorises the organisation to conduct the training or competency assessment.

61.553 Issue

- (a) If the flight examiner who conducted the demonstration of competency required by rule 61.551(a)(6) or (b)(3) is satisfied that the person is competent to perform agriculture aircraft operations, the flight examiner must—
- (1) submit a copy of the competency flight test report to the Director; and
 - (2) under rule 61.29, 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 Civil Aviation Rule (61.551(a)(6)) (61.551(b)(3))* for the issue of a (grade 2)* (grade 1)* agricultural rating (aeroplane)* (helicopter)* with an (aerial topdressing authorisation)* (aerial spraying authorisation)* (aerial VTA authorisation)*. [date of entry, full name, signature and licence number of flight examiner].*

** delete as applicable*

- (b) A person who meets the eligibility requirements of rule 61.551 for the issue of an agricultural rating and who has a logbook entry made in accordance with paragraph (a)(2) may apply to the Director under rule 61.11 for the issue of the agricultural rating.
- (c) Despite paragraph (b), a person who, under Subparts O and P of this Part that was in force immediately before [date rule comes into force] holds a current agricultural rating that is not already endorsed on the person's pilot licence and a current pilot chemical rating, may, before the expiry of the currency period for that agricultural rating or pilot chemical rating whichever occurs first, apply to the Director under rule 61.11 for the issue of an agricultural rating.
- (d) Despite paragraph (b), a person who holds a current validation permit for a foreign pilot licence equivalent to the pilot licence required by rule 61.551(a) or (b) and who holds a qualification that the Director accepts as equivalent to an agricultural rating under rule 61.551 may apply to the Director under rule 61.11 to have the equivalent agricultural rating endorsed on the validation permit.
- (e) A person who, under Subparts O and P of this Part that was in force immediately before [date rule comes into force] holds a current agricultural rating that is already endorsed on the person's pilot licence and a current pilot chemical rating, is deemed to hold an agricultural rating issued by the Director under the Act and this Subpart.

61.555 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 to perform 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.
- (c) A person to whom rule 61.553(c) applies and who has not had an agricultural rating issued by the Director under the Act as provided for in rule 61.553(c), may continue to exercise the privileges of the agricultural rating and pilot chemical rating until the currency period for either the agricultural rating or the pilot chemical rating expires under Subparts O or P of this Part that was in force immediately before *[date rule comes into force]*.

61.557 Currency requirements

(a) Subject to paragraph (d) and except as provided in paragraph (c), 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 rating and the aerial authorisations being exercised; and
- (2) under rule 61.29, the flight instructor or flight examiner who conducted the competency demonstration required by paragraph (a)(1) 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 Civil Aviation Rule 61.557(a)(1) 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) The flight instructor or flight examiner who conducted the competency demonstration required by paragraph (a)(1) must complete the appropriate CAA Annual Competency Check Form and submit a copy of the completed form to the Director and to the pilot.

(c) A pilot who completes the competency demonstration required by paragraph (a)(1) within 60 days before the date on which the demonstration is required, is deemed to have completed the demonstration on the required date.

(d) Except as provided in paragraph (e), a holder of an agricultural rating must not disperse an agricultural chemical from an aircraft on an agricultural aircraft operation unless within the previous 5 years—

- (1) the pilot has been issued with a National Certificate in Aerial Agrichemical Application by the New Zealand Qualifications Authority, or other qualification acceptable to the Director; or
- (2) the pilot has—
 - (i) completed the GROWSAFE® Pilots Chemical Rating Revalidation Course, or an equivalent revalidation course acceptable to the Director; and
 - (ii) the person who conducted the course required by paragraph (2)(i) has certified the successful completion of the course in the pilot's logbook by entering the following statement:

I certify that [name of pilot] has successfully completed an agrichemical aerial application revalidation course. [Enter the date, full name and signature of the person making the certification, and the name of the training organisation].

(e) A pilot who completes the revalidation course required by paragraph (d)(2)(i) within 90 days before the date on which it is required, is deemed to have completed the course on the required date.

(f) 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 productive flight time experience as a pilot-in-command on the type of aircraft being used; and
- (2) 10 of the hours required by paragraph (1) have been accumulated within the immediately preceding 12 months.

Subpart L — Aerobatic Flight Rating

61.601 Eligibility requirements

- (a) Except as provided in paragraph (c), to be eligible for the issue of an aerobatic flight rating a person must—
 - (1) hold a current pilot licence; and
 - (2) satisfactorily complete an aerobatics ground training course; and
 - (3) satisfactorily complete an aerobatics flight training course; and
 - (4) demonstrate competency in aerobatics, including spinning, to an appropriately qualified flight instructor in accordance with standards acceptable to the Director.
- (b) The training courses required by paragraphs (a)(2) and (a)(3) and the demonstration of competence required by paragraph (a)(4) must be conducted under the authority of—
 - (1) an aviation training organisation certificate issued by the Director under the Act and Part 141 if the certificate authorises the holder to conduct the aerobatic training and competency assessment; or
 - (2) an aviation recreation organisation certificate issued by the Director under the Act and Part 149 if the certificate authorises the holder to conduct the aerobatic training and competency assessment.
- (c) A person who holds either of the following is deemed to meet the eligibility requirements of paragraphs (a)(2) and (a)(3):
 - (1) a current aerobatic rating issued by an ICAO Contracting State;
 - (2) a New Zealand Defence Force pilot qualification.

61.603 Issue

- (a) If the flight instructor who conducted the demonstration of competency required by rule 61.601(a)(4) is satisfied that the person is competent to perform aerobatic flight manoeuvres, the flight instructor must—
 - (1) submit a copy of the competency flight test report to the Director; and
 - (2) under rule 61.29, 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 aerobatic flight manoeuvres in accordance with Civil Aviation Rule 61.601(a)(4) for the issue of an aerobatic flight rating. [enter date of logbook entry, and full name, signature and licence number of flight instructor].
- (b) A person who meets the eligibility requirements of rule 61.601 for the issue of an aerobatic flight rating and who has a logbook entry made under paragraph (a) may apply to the Director under rule 61.11 for the issue of the aerobatic flight rating.
- (c) A person who holds a current pilot license and has passed a New Zealand Defence Force aerobatic assessment within the previous 2 years is deemed to meet the eligibility requirements of rule 61.601(a) for the issue of an aerobatic flight rating and may apply to the Director under rule 61.11 for the issue of the aerobatic flight rating.
- (d) A person who holds a current aerobatic flight rating issued under Part 61 that was in force before [date this rule comes into force] is deemed to meet the eligibility requirements of rule 61.601(a) and may apply to the Director under rule 61.11 for the issue of an aerobatic flight rating.

61.605 Privileges and limitations

Subject to Part 91 and the privileges and limitations of the holder's pilot licence, a holder of a current aerobatic flight rating may act as pilot-in-command of an aircraft performing an aerobatic flight manoeuvre in any one of the following circumstances —

- (1) at a minimum height of 3000 feet above the surface while carrying a passenger:
- (2) below a height of 3000 feet above the surface but not less than 1500 feet above the surface while not carrying a passenger:
- (3) below a height of 1500 feet above the surface if—
 - (i) an appropriately authorised flight instructor, or a person who is authorised by a holder of an aviation recreation organisation certificate issued by the Director under the Act and Part 149 whose certificate authorises the approval of an aviation event, has assessed the rating holder's competency to conduct an aerobatic flight manoeuvre to a height less than 1500 feet above the surface; and
 - (ii) the flight instructor or authorised person referred to in paragraph (i) has entered the following details in the rating holder's logbook under rule 61.29—
 - (A) the minimum height below which the pilot must not conduct an aerobatic flight manoeuvre; and
 - (B) if applicable, any condition that the rating holder must comply with for conducting an aerobatic flight manoeuvre below a height of 1500 feet above the surface; and
 - (C) if applicable, any expiry date for the details entered under paragraphs (A) or (B); and
 - (iii) the aerobatic flight manoeuvre is performed at a height above the surface of not less than the height entered in the pilot's logbook under paragraph (ii)(A) and in accordance with any condition entered in the pilot's logbook under paragraph (ii)(B).

61.607 Currency requirements

- (a) Except as provided in paragraph (b), a holder of an aerobatic flight rating must not exercise the privileges of the rating unless—
 - (1) within the previous 24 months, the holder of the rating has demonstrated competency in accordance with rule 61.601(a)(4); and
 - (2) the flight instructor who conducted the competency demonstration required by paragraph (1) has certified the successful completion of the demonstration in the pilot's logbook under rule 61.29.
- (b) A pilot who completes the competency demonstration required by paragraph (a)(1) within 60 days before the date on which the demonstration is required, is deemed to have completed the demonstration on the required date.
- (c) A flight instructor who conducts an aerobatic flight competency demonstration for a pilot under paragraph (a) must submit a copy of the competency flight test report to the Director.

Subpart M — Instrument Ratings**Aeroplane or Helicopter****61.651 Eligibility requirements**

- (a) Except as provided in rule 61.653 and subject to paragraph (c), to be eligible for the issue of an instrument rating (aeroplane) or (helicopter), a person must—
 - (1) hold a current pilot licence for the appropriate category of aircraft; and
 - (2) have flight time experience that is acceptable to the Director, including:
 - (i) cross-country flight time:
 - (ii) IFR cross-country flight time:

- (iii) instrument dual flight instruction:
 - (iv) night flight time:
 - (v) instrument time; and
- (3) satisfactorily complete a ground training course that covers the subject areas listed in paragraph (4); and
- (4) under rule 61.19, have a valid written examination credit, or approved equivalent, that covers the following subject areas:
- (i) IFR Air Law:
 - (ii) IFR Instruments and Nav aids:
 - (iii) CPL Human Factors:
 - (iv) CPL Meteorology:
 - (v) IFR Navigation; and
- (5) satisfactorily complete a flight training course conducted by an appropriately qualified flight instructor comprising a minimum 10 hours of dual flight 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 AIP 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 operating under IFR in normal, abnormal, and emergency conditions:
 - (iv) in-flight manoeuvres and particular flight characteristics:
 - (v) knowledge and application of the principles of threat and error management:
 - (vi) for multi-engine aircraft, the operation of the aircraft solely by reference to instruments with 1 engine inoperative or simulated inoperative; and
- (6) have a valid pass in the flight test under rule 61.23.
- (b) To obtain a pass in the flight test as required by paragraph (a)(6), the person must successfully demonstrate the following in a flight check conducted by the Director in an appropriate aircraft or in an approved synthetic flight trainer:
- (1) competence to perform the procedures, manoeuvres, and operations specified in paragraph (a)(5) that are applicable to the navigation systems on which the applicant is being tested; and
 - (2) competence to operate the aircraft within its limitations; and
 - (3) competence to complete the manoeuvres smoothly and accurately; and
 - (4) competence to exercise good judgement and airmanship; and
 - (5) competence to apply aeronautical knowledge; and
 - (6) competence to control the aircraft at all times in a manner that ensures that the successful outcome of a procedure or manoeuvre is never in doubt.
- (c) A person who holds only a class 2 medical certificate must meet the hearing standards prescribed in Part 67 for a class 1 medical certificate and this class 1 hearing standard must be endorsed on the person's class 2 medical certificate.
- (d) To be eligible for a GNSS endorsement on an instrument rating, the holder of the instrument rating must successfully complete a ground training course on GNSS.

61.653 Alternative eligibility requirements

(a) A person who holds a current unrestricted equivalent instrument rating issued by an ICAO Contracting State is deemed to meet the following eligibility requirements of rule 61.651 for the issue of an instrument rating:

- (1) paragraph (a)(2) regarding flight time experience:
- (2) paragraph (a)(3) regarding the ground training course:
- (3) paragraph (a)(4) regarding the written examination credit except that within the immediately preceding 5 years, the person must have passed the written examination for IFR Air Law required by rule 61.651(a)(4)(i):
- (4) paragraph (a)(5) regarding the flight training course.

(b) A person who holds a green standard instrument rating issued by the New Zealand Defence Force is deemed to meet the following eligibility requirements of rule 61.651 for the issue of an instrument rating:

- (1) paragraph (a)(2) regarding flight time experience:
- (2) paragraph (a)(3) regarding the ground training course:
- (3) paragraph (a)(4) regarding the written examination credit:
- (4) paragraph (a)(5) regarding the flight training course:
- (5) paragraph (a)(6) regarding the pass for a flight test if the person has passed a New Zealand Defence Force instrument flight assessment within the previous 3 months.

61.655 Privileges and limitations

(a) A holder of a current instrument rating may act as a pilot-in-command or as a support pilot of an appropriate category of aircraft operating under IFR to two-pilot standard in a single engine aircraft.

(b) To exercise the following additional privileges of an instrument rating, the holder of the instrument rating must:

- (1) for an aircraft equipped for single-pilot operations under IFR,—
 - (i) operate the aircraft with an appropriate support pilot; or
 - (ii) pass a flight test to single pilot standard that complies with rule 61.651(b) conducted by an appropriately qualified flight examiner; and
 - (iii) have a logbook entry, made by the flight examiner who conducted the flight test required by paragraph (ii), certifying that the pilot is authorised to operate the aircraft under IFR as a single pilot:
- (2) for a non-centrelines-thrust multi-engine aeroplane,—
 - (i) pass a flight test that complies with rule 61.651(b) conducted by an appropriately qualified flight examiner in a non-centrelines-thrust multi-engine aeroplane; and
 - (ii) have a logbook entry, made by the flight examiner who conducted the flight test required by paragraph (i), certifying that the pilot is authorised to operate a non-centrelines-thrust multi-engine aeroplane under IFR:
- (3) for a centrelines-thrust multi-engine aircraft,—
 - (i) pass a flight test that complies with rule 61.651(b) conducted by an appropriately qualified flight examiner in a centrelines-thrust multi-engine aircraft; and
 - (ii) have a logbook entry, made by the flight examiner who conducted the flight test required by paragraph (i), certifying that the pilot is authorised to operate a centrelines-thrust multi-engine aircraft under IFR:
- (4) for a technically enhanced aircraft,—

- (i) pass a flight test that complies with rule 61.651(b) conducted by an appropriately qualified flight examiner in a technically enhanced aircraft; and
 - (ii) have a logbook entry, made by the flight examiner who conducted the flight test required by paragraph (i), certifying that the pilot is authorised to operate a technically enhanced aircraft under IFR; and
- (5) for an instrument approach procedure,—
- (i) pass a flight test that complies with rule 61.651(b) conducted by an appropriately qualified flight examiner using a particular type of instrument approach procedure; and
 - (ii) have a logbook entry, made by the flight examiner who conducted the flight test required by paragraph (i), certifying that the pilot is authorised to conduct the specified instrument approach procedure.
- (c) A holder of an instrument rating who is authorised under paragraph (b)(2) to operate a non-centrelines-thrust multi-engine aircraft under IFR is deemed to be authorised as required by paragraph (b)(3) to operate a centrelines-thrust multi-engine aircraft under IFR.
- (d) For the purposes of paragraphs (a) and (b)(1)(i), a support pilot must hold—
- (1) an appropriate current pilot licence; and
 - (2) an aircraft type rating for the aircraft being operated; and
 - (3) an appropriate current instrument rating.

61.657 Currency requirements

- (a) Except as provided in paragraphs (b), (c), and (d), a holder of an instrument rating must not exercise the privileges of the rating unless—
- (1) within the immediately preceding 3 months, the holder has—
 - (i) either complied with paragraph (a)(2), or completed at least 3 hours of 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
 - (2) within the immediately preceding 12 months,—
 - (i) the holder has successfully demonstrated the holder's competency to a flight examiner in the matters specified in rule 61.651(b) for the appropriate category of aircraft; and
 - (ii) the flight examiner who conducted the competency demonstration required by paragraph (i) has certified the successful completion of the demonstration in the holder's logbook; and
 - (3) if acting as a pilot-in-command of a single-pilot aircraft operating under IFR, the competency demonstration required by paragraph (2)(i) has been conducted to a single-pilot standard; and
 - (4) if acting as a pilot of a non-centrelines-thrust multi-engine aircraft operating under IFR, the competency demonstration required by paragraph (2)(i) has been conducted in a non-centrelines-thrust multi-engine aircraft; and
 - (5) if acting as a pilot of a technically enhanced aircraft operating under IFR, the competency demonstration required by paragraph (2)(i) has been conducted in a technically enhanced aircraft; and
 - (6) if carrying out an instrument approach procedure under IFR, the holder has, within the immediately preceding 3 months, performed at least 1 similar type of published instrument approach procedure in flight or in an approved synthetic flight trainer.
- (b) Paragraph (a) does not apply to a holder of an instrument rating if the holder of the rating—

- (1) is conducting an IFR operation under the authority of an airline air operator certificate under Part 121 or Part 125; and
 - (2) has successfully completed the air operator's flight crew member competency check as required by Part 121 or Part 125 for a pilot acting as a flight crew member of an aeroplane operating under IFR.
- (c) A holder of an instrument rating who does not comply with paragraph (a)(1) may act as support pilot required by rule 61.655(b)(1)(i) for an aircraft being operated under IFR if the aircraft is not performing an air operation.
- (d) A pilot who completes the competency demonstration required by paragraph (a)(2) within 60 days before the date on which it is required, is deemed to have completed the demonstration on the required date.

Co-pilot Instrument Rating (Helicopter)

61.659 Eligibility requirements

- (a) Subject to paragraph (b), to be eligible for the issue of a co-pilot instrument rating (helicopter), a person must—
- (1) hold a current pilot licence (helicopter); and
 - (2) have flight time experience that is acceptable to the Director, including:
 - (i) cross-country flight time:
 - (ii) instrument dual flight instruction:
 - (iii) night flight time:
 - (iv) instrument time; and
 - (3) satisfactorily complete a ground training course that covers the subjects listed in paragraph (4); and
 - (4) have a valid written examination credit, or approved equivalent, that covers the following subjects under rule 61.19:
 - (i) IFR Air Law:
 - (ii) IFR Instruments and Nav aids:
 - (iii) CPL Human Factors:
 - (iv) CPL Meteorology:
 - (v) IFR Navigation; and
 - (5) satisfactorily complete a flight training course conducted by an appropriately qualified flight instructor comprising a minimum 10 hours of dual flight instruction in a helicopter in the following subject areas:
 - (i) pre-flight procedures, including the use of the flight manual or equivalent document, and appropriate AIP documents in the preparation of an IFR flight plan:
 - (ii) pre-flight inspection, use of checklists, taxiing and pre-take-off checks:
 - (iii) knowledge and application of the principles of threat and error management:
 - (iv) procedures and manoeuvres for air operations under IFR in normal, abnormal, and emergency conditions covering at least the following:
 - (A) transition to instrument flight on take-off:
 - (B) standard instrument departures and arrivals:
 - (C) en-route IFR procedures:
 - (D) holding procedures:

- (E) instrument approaches to specified minima:
 - (F) missed approach procedures:
 - (G) landings from instrument approaches:
 - (v) in-flight manoeuvres and particular flight characteristics:
 - (vi) for multi-engine helicopters, the operation of the helicopter solely by reference to instruments with 1 engine inoperative or simulated inoperative; and
- (6) have a valid pass for a co-pilot instrument rating (helicopter) issue flight test under rule 61.23 conducted by a flight examiner in accordance with standards acceptable to the Director,.

(b) A person who holds only a class 2 medical certificate must meet the hearing standards prescribed in Part 67 for a class 1 medical certificate and this class 1 hearing standard must be endorsed on the person's class 2 medical certificate.

61.661 Privileges and limitations

(a) A holder of a current co-pilot instrument rating (helicopter) may act as a co-pilot of a multi-pilot helicopter conducting an air operation under IFR.

(b) A holder of a current co-pilot instrument rating (helicopter) acting as a co-pilot of a helicopter that is certificated as a single-pilot aircraft and operating under IFR must log the flight time under rule 61.31(n).

61.663 Currency requirements

(a) Except as provided in paragraph (b), a holder of a co-pilot instrument rating (helicopter) must not exercise the privileges of the rating unless—

- (1) within the immediately preceding 3 months, the holder has—
 - (i) either complied with paragraph (a)(2), or completed at least 3 hours of 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
- (2) within the immediately preceding 12 months,—
 - (i) the holder has successfully demonstrated the holder's competency to a flight examiner in the matters associated with a flight test specified in rule 61.659(a)(6); and
 - (ii) the flight examiner who conducted the competency demonstration required by paragraph (2)(i) has certified the successful completion of the demonstration in the holder's logbook under rule 61.29; and
- (3) if carrying out an instrument approach procedure under IFR, the holder has, within the immediately preceding 3 months, performed at least 1 similar type of published instrument approach procedure in flight or in an approved synthetic flight trainer.

(b) A pilot who completes the competency demonstration required by paragraph (a)(2) within 60 days before the date on which it is required, is deemed to have completed the demonstration on the required date.

Subpart N —Authorisations

Glider Tow Authorisation

61.701 Eligibility requirements

(a) Except as provided in paragraph (b), to be eligible for a glider tow authorisation a pilot must—

- (1) hold at least a current private pilot licence; and
- (2) have a minimum of 100 hours flight time experience as pilot-in-command of an aeroplane; and

- (3) satisfactorily complete a training course in towing gliders conducted by a gliding organisation if the organisation's aviation recreation organisation certificate authorises the gliding organisation to conduct glider tow authorisation training courses; and
- (4) demonstrate competence in towing a glider in flight to a person authorised by a gliding organisation if the organisation's aviation recreation organisation certificate authorises the gliding organisation to conduct glider tow authorisation competency demonstrations.

(b) A holder of a current glider tow rating issued by an ICAO Contracting State is deemed to comply with paragraph (a)(3).

61.703 Issue

(a) If the person who conducted the competency demonstration required by rule 61.701(a)(4) is satisfied that the pilot meets the eligibility requirements of rule 61.701, that person may—

- (1) issue the glider tow authorisation by entering the following statement in the pilot's logbook under rule 61.29:

I certify that [name of pilot and licence number] has satisfied the requirements of Civil Aviation Rule Part 61 for the issue of a glider tow authorisation [enter date, full name, signature, and licence or certificate number of the authorised person issuing the glider tow authorisation]; and

- (2) submit a copy of the logbook entry required by paragraph (1) to the Director.

(b) A pilot who holds a glider tow rating issued under this Part before [date rules comes into force] is deemed to hold a glider tow authorisation issued under paragraph (a).

61.705 Privileges and limitations

Subject to Part 91 and the privileges and limitations of the holder's pilot licence, a holder of a current glider tow authorisation may act as pilot-in-command of an aircraft towing a glider in flight.

61.707 Currency requirements

(a) Except as provided in paragraph (b), a holder of a glider tow authorisation must not exercise the privileges of the authorisation unless—

- (1) within the previous 12 months, the holder has acted as pilot-in-command of an aircraft on at least 6 operations towing a glider in flight; and
- (2) within the previous 24 months,—
 - (i) the holder has demonstrated competency under rule 61.701(a)(4); and
 - (ii) the person who conducted the competency demonstration required by paragraph (2)(i) has certified the successful completion of the demonstration in the holder's logbook under rule 61.29.

(b) A pilot who completes the competency demonstration required by paragraph (a)(2)(i) within 60 days before the date on which it is required, is deemed to have completed the demonstration on the required date.

Tow Authorisation

61.709 Eligibility requirements

(a) To be eligible for a tow authorisation, other than a glider tow authorisation, a pilot must—

- (1) hold at least a current private pilot licence; and
- (2) have a minimum of 100 hours flight time experience as pilot-in-command in an aircraft of the same category in which the pilot will be conducting towing operations ; and
- (3) satisfactorily complete a training course in towing objects other than a glider; and
- (4) demonstrate competence in towing an object in flight, other than a glider, to an appropriately authorised flight instructor.

(b) A holder of a current tow rating or authorisation issued by an ICAO Contracting State is deemed to meet the eligibility requirements of paragraph (a)(3).

61.711 Issue

(a) If the flight instructor who conducted the competency demonstration required by rule 61.709(a)(4) is satisfied that the pilot complies with rule 61.709, the flight instructor may—

- (1) issue the tow authorisation by entering the following statement in the pilot's logbook under rule 61.29:

I certify that [name of pilot and licence number] has satisfied the requirements of Civil Aviation Rule Part 61 for the issue of a tow authorisation [enter date, full name, signature, and licence number of the flight instructor issuing the authorisation]; and

- (2) submit a copy of the logbook entry required by paragraph (1) to the Director.

(b) A pilot who, on [date rule comes into force], has at least 100 hours flight time experience as pilot-in-command of an appropriate category of aircraft with at least 10 hours of flight time experience conducting a banner tow or drogue tow operation including at least 5 pickups is deemed to comply with rule 61.709 and may present his or her logbook to an appropriately authorised flight instructor who may issue a tow authorisation under paragraph (a)(1).

61.713 Privileges and limitations

Subject to Part 91 and the privileges and limitations of the holder's pilot licence, a holder of a current tow authorisation may act as pilot-in-command of an aircraft towing an object in flight other than a glider.

61.715 Currency requirements

(a) Except as provided in paragraph (b), a holder of a tow authorisation must not exercise the privileges of the authorisation unless—

- (1) within the previous 12 months, the holder has acted as pilot-in-command of an aircraft on at least 3 operations towing an object in flight other than a glider; and
- (2) within the previous 24 months,—
 - (i) the holder has demonstrated competency under rule 61.709(a)(4); and
 - (ii) the flight instructor who conducted the competency demonstration required by paragraph (i) has certified the successful completion of the demonstration in the holder's logbook under rule 61.29.

(b) A pilot who completes the competency demonstration required by paragraph (a)(2)(i) within 60 days before the date on which it is required, is deemed to have completed the demonstration on the required date.

Parachute Drop Authorisation

61.717 Eligibility requirements

(a) To be eligible for a parachute-drop authorisation, a pilot must—

- (1) hold 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) satisfactorily complete a training course in dropping parachutists conducted by a parachute organisation if the organisation's aviation recreation organisation certificate authorises the parachute organisation to conduct parachute drop authorisation training courses; and
- (4) demonstrate competence in dropping parachutists to a person authorised by a parachute organisation if the organisation's aviation recreation organisation certificate authorises the parachute organisation to conduct parachute drop authorisation competency demonstrations.

(b) A pilot who holds a current parachute-drop rating issued by an ICAO Contracting State is deemed to comply with paragraph (a)(3).

61.719 Issue

(a) If the person who conducted the competency demonstration required by rule 61.717(a)(4) is satisfied that the pilot complies with rule 61.717, that person may—

- (1) issue the parachute-drop authorisation by entering the following statement in the pilot's logbook under rule 61.29:

I certify that [name of pilot and licence number] has satisfied the requirements of Civil Aviation Rule Part 61 for the issue of a parachute drop-authorisation [enter date, full name, signature, and licence or certificate number of the authorised person issuing the authorisation]; and

- (2) submit a copy of the logbook entry required by paragraph (1) to the Director.

(b) A pilot who holds a parachute-drop rating issued under this Part before [date rules comes into force] is deemed to hold a parachute-drop authorisation issued under paragraph (a).

61.721 Privileges and limitations

Subject to Part 91 and the privileges and limitations of the holder's pilot licence, a holder of a current parachute-drop authorisation may act as pilot-in-command of an aircraft on a parachute-drop operation.

61.723 Currency requirements

(a) Except as provided in paragraph (b), a holder of a parachute-drop authorisation must not exercise the privileges of the authorisation unless—

- (1) within the previous 12 months, the holder has acted as pilot-in-command of an aircraft on at least 6 parachute-drop operations; and
- (2) within the previous 24 months,—
 - (i) the holder has demonstrated competency under rule 61.717(a)(4); and
 - (ii) the authorised person who conducted the competency demonstration required by paragraph (2)(i) has certified the successful completion of the demonstration in the holder's logbook under rule 61.29.

(b) A pilot who completes the demonstration required by paragraph (a)(2)(i) within 60 days before the date on which it is required, is deemed to have completed the demonstration on the required date.

Aid to Night Vision Authorisation**61.725 Eligibility requirements**

(a) To be eligible for an aid to night vision authorisation a pilot must—

- (1) hold at least a current private pilot licence (helicopter); and
- (2) have flight time experience, including night flight time, that is acceptable to the Director; and
- (3) satisfactorily complete an approved training course, comprising flight training in the appropriate aid to night vision; and
- (4) demonstrate competence in the use of the appropriate aid to night vision to an appropriately authorised flight instructor.

(b) The holder of a current aid to night vision authorisation issued by an ICAO Contracting State for the appropriate aid to night vision equipment is deemed to comply with paragraph (a)(3).

61.727 Issue

If the flight instructor who conducted the competency demonstration required by rule 61.725(a)(4) is satisfied that the pilot complies with rule 61.725, the flight instructor may—

- (1) issue the aid to night vision authorisation by entering the following statement in the pilot's logbook under rule 61.29:

I certify that [name of pilot and licence number] has satisfied the requirements of Civil Aviation Rule Part 61 for the issue of an aid to night vision authorisation for the following equipment [type of equipment pilot has demonstrated competency in such as night vision goggles, date, full name, signature, and licence number of the flight instructor issuing authorisation]; and

- (2) submit a copy of the log book entry required by paragraph (1) to the Director.

61.729 Privileges and limitations

Subject to Part 91 and the privileges and limitations of the holder's pilot licence, a current aid to night vision authorisation authorises the holder to act as pilot-in-command of a helicopter on a night VFR operation using an authorised night vision imaging system installed in the helicopter.

61.731 Currency requirements

(a) Except as provided in paragraph (b), a holder of an aid to night vision authorisation must not exercise the privileges of the authorisation unless—

- (1) within the previous 12 months, the holder has demonstrated competency under rule 61.725(a)(4); and
- (2) the flight instructor who conducted the competency demonstration required by paragraph (a)(1) has certified the successful completion of the demonstration in the holder's logbook under rule 61.29.

(b) A pilot who 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.

Helicopter External Load Authorisation

61.733 Eligibility requirements

(a) To be eligible for a helicopter external load authorisation a pilot must—

- (1) except as required in paragraph (2), hold at least a current private pilot licence (helicopter); and
- (2) for a helicopter winching, rappelling, or human sling load authorisation, hold a current commercial pilot licence (helicopter); and
- (3) satisfactorily complete an approved training course in helicopter external load operations applicable to the type of helicopter external load authorisation to be issued, consisting of a minimum of 10 hours flight time experience in helicopter external load flight training, including 7 hours dual flight instruction; and
- (4) demonstrate competence in the type of helicopter external load operation to an appropriately authorised flight instructor.

(b) A holder of a current helicopter external load rating or authorisation, for the appropriate type of helicopter external load operation, issued by an ICAO Contracting State is deemed to comply with paragraph (a)(3).

61.735 Issue

(a) If the flight instructor who conducted the competency demonstration required by rule 61.733(a)(4) is satisfied that the pilot complies with rule 61.733, the flight instructor may—

- (1) issue the helicopter external load authorisation by entering the following statement in the pilot's logbook under rule 61.29:

I certify that [name of pilot and licence number] has satisfied the requirements of Civil Aviation Rule Part 61 for the issue of a helicopter external load authorisation for [enter type of helicopter external load operation as: external load towing, human sling load, rappelling, sling load, or winching (refer to Part 1 definition) and the date, full name, signature, and licence number of the flight instructor issuing authorisation]; and

- (2) submit a copy of the logbook entry required by paragraph (1) to the Director.

(b) A holder of a current private pilot licence (helicopter) who—

- (1) immediately before [date rule comes into force], has flight time experience conducting helicopter load towing operations or helicopter sling load operations; and

- (2) has a logbook entry regarding flight training made by a helicopter flight instructor in accordance with rule 133.5(a)(2) that was in force immediately before [*date rule comes into force*]; and
- (3) provides evidence of having a current competency check under rule 133.75—

is deemed to comply with rule 61.733(a) and may present his or her logbook to an appropriately authorised flight instructor who may issue, under paragraph (a), a helicopter external load authorisation for helicopter load towing or helicopter sling load operations as applicable to the flight experience identified under paragraph (b)(1).

(c) A holder of a current commercial pilot licence (helicopter) or a current airline transport pilot licence (helicopter) who—

- (1) immediately before [*date rules comes into force*], has flight time experience conducting helicopter load towing operations, helicopter human sling load operations, helicopter rappelling operations, helicopter sling load operations, or helicopter winching operations; and
- (2) provides evidence of having a current competency check in under rule 133.75—

is deemed to comply with rule 61.733(a) and may present his or her logbook to an appropriately authorised flight instructor who may issue, under paragraph (a), a helicopter external load authorisation applicable to the type of flight experience identified under paragraph (c)(1).

61.737 Privileges and limitations

Subject to Part 133 and the privileges and limitations of the holder's pilot licence, a holder of a current helicopter external load authorisation may act as pilot-in-command of a helicopter performing a helicopter external load operation of the same type for which the external load authorisation is issued.

61.739 Currency requirements

(a) Except as provided in paragraph (b), a holder of a helicopter external load authorisation must not exercise the privileges of the authorisation unless—

- (1) within the previous 12 months, the holder has acted as pilot-in-command of a helicopter on at least 12 external load operations applicable to the type of helicopter external load authorisation held; and
- (2) within the previous 24 months,—
 - (i) the holder has demonstrated competency, in the applicable type of helicopter external load authorisation held, in accordance with rule 61.733(a)(4); and
 - (ii) the flight instructor who conducted the competency demonstration required by paragraph (a)(2)(i) has certified the successful completion of the demonstration in the holder's logbook under rule 61.29.

(b) A pilot who completes the demonstration required by paragraph (a)(2)(i) within 60 days before the date on which it is required, is deemed to have completed the demonstration on the required date.

Aerial Topdressing Authorisation

61.741 Eligibility requirements

To be eligible for an aerial topdressing authorisation 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 topdressing operations, conducted under the authority of an aviation training organisation certificate issued by the Director under the Act and Part 141 or an agricultural aircraft operator certificate issued by the Director under the Act and Part 137 if the certificate authorises the holder to conduct aerial topdressing training courses; and
- (3) demonstrate competence in aerial topdressing operations to a holder of a Category E flight instructor rating operating under the authority of an aviation training organisation certificate issued by the Director under the Act and Part 141 or an agricultural aircraft operator certificate issued by the Director under the Act and Part 137 if the certificate authorises the holder to conduct aerial topdressing authorisation competency assessments.

61.743 Issue

(a) If the flight instructor who conducted the competency demonstration required by rule 61.741(3) is satisfied that the pilot complies with rule 61.741, the flight instructor may issue the aerial topdressing authorisation by entering the following statement in the pilot's logbook under rule 61.29:

I certify that on [date of assessment] [name of pilot and licence number] satisfied the requirements of Civil Aviation Rule Part 61 for the issue of an aerial topdressing authorisation for (aeroplanes) (helicopters)*. [enter the date, full name, signature, and licence number of the flight instructor issuing the authorisation].*

** delete as applicable*

(b) A pilot who holds a current agricultural rating (grade 1 or grade 2) that was issued or deemed to have been issued under this Part that was in force immediately before [date rules comes into force]—

- (1) is deemed to comply with rule 61.741(1) and (2); and
- (2) on successfully completing the demonstration of competency required by rule 61.747(a) may be issued with an aerial topdressing authorisation under paragraph (a).

61.745 Privileges and limitations

(a) Subject to the privileges and limitations of the holder's pilot licence, a holder of a current agricultural rating and a current aerial topdressing authorisation may act as pilot-in-command of an appropriate category of aircraft performing an aerial topdressing operation.

(b) A pilot who holds a current agricultural rating (grade 1 or grade 2) that was issued or deemed to have been issued under this Part that was in force immediately before [date rules comes into force] may exercise the privileges specified in paragraph (a) without holding an aerial topdressing authorisation issued under rule 61.743 until the expiry of the currency period for that agricultural rating as specified in rule 61.707(a) that was in force immediately before [date rules come into force].

61.747 Currency requirements

(a) Except as provided in paragraph (b), a holder of an aerial topdressing authorisation must not exercise the privileges of the authorisation unless within the previous 12 months the holder has demonstrated under rule 61.741(3); and the flight instructor who conducted the competency demonstration has certified the successful completion of the demonstration in the holder's logbook under rule 61.29.

(b) A pilot who completes the competency 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.

Aerial Spraying Authorisation**61.749 Eligibility requirements**

To be eligible for an aerial spraying authorisation 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 by the Director under the Act and Part 141 or an agricultural aircraft operator certificate issued by the Director under the Act and Part 137 if the certificate authorises the holder to conduct aerial spraying authorisation training courses; and
- (3) demonstrate competence in conducting agricultural aircraft operations on aerial spraying to a holder of a Category E flight instructor rating operating under the authority of an aviation training organisation certificate issued under the Act and Part 141 or an agricultural aircraft operator certificate issued under the Act and Part 137 if the certificate authorises the holder to conduct aerial spraying authorisation competency assessments.

61.751 Issue

(a) If the flight instructor who conducted the competency demonstration required by rule 61.749(3) is satisfied that the pilot complies with rule 61.749, the flight instructor may issue the aerial spraying authorisation by entering the following statement in the pilot's logbook under rule 61.29:

I certify that on [date of assessment] [name of pilot and client number] satisfied the requirements of Civil Aviation Rule Part 61 for the issue of an aerial spraying authorisation for (aeroplanes) (helicopters)*. [enter the date, full name, signature, and licence number of the flight instructor issuing the authorisation].*

** delete as applicable*

(b) A pilot who holds a current agricultural rating (grade 1 or grade 2) that was issued or deemed to have been issued under this Part that was in force immediately before [date rules comes into force]—

- (1) is deemed to comply with rules 61.749(1) and (2); and
- (2) on successfully completing the demonstration of competency required by rule 61.755(a) may be issued with an aerial spraying authorisation under paragraph (a).

61.753 Privileges and limitations

(a) A holder of a current agricultural rating and a current aerial spraying authorisation may act as pilot-in-command of an appropriate category of aircraft performing an agricultural aircraft operation on aerial spraying, if authorised under the holder's pilot licence.

(b) A pilot who holds a current agricultural rating (grade 1 or grade 2) that was issued or deemed to have been issued under this Part that was in force immediately before [date rules comes into force] may exercise the privileges specified in paragraph (a) without holding an aerial spraying authorisation issued under rule 61.751 until the expiry of the currency period for that agricultural rating as specified in rule 61.707(a) that was in force immediately before [date rules come into force].

61.755 Currency requirements

(a) Except as provided in paragraph (b), a holder of an aerial spraying authorisation must not exercise the privileges of the authorisation unless within the previous 12 months the holder has demonstrated under rule 61.749(3) and the flight instructor who conducted the competency demonstration has certified the successful completion of the demonstration in the holder's logbook under rule 61.29.

(b) A pilot who 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.

Aerial VTA Authorisation

61.757 Eligibility requirements

To be eligible for an aerial VTA authorisation 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 in aerial VTA operations consisting of both ground and flight instruction, conducted under the authority of an aviation training organisation certificate issued under the Act and Part 141 or an agricultural aircraft operator certificate issued under the Act and Part 137, if the certificate authorises the holder to conduct aerial VTA authorisation training courses; and
- (3) demonstrate competence in aerial VTA operations to a holder of a Category E flight instructor rating operating under the authority of an aviation training organisation certificate issued under the Act and Part 141 or an agricultural aircraft operator certificate issued under the Act and Part 137 if the certificate authorises the holder to conduct aerial VTA authorisation competency assessments.

61.759 Issue

(a) If the flight instructor who conducted the competency demonstration required by rule 61.757(3) is satisfied that the pilot complies with rule 61.757, the flight instructor may issue the aerial VTA authorisation by entering the following statement in the pilot's logbook under rule 61.29:

I certify that on [date of assessment] [name of pilot and client number] satisfied the requirements of Civil Aviation Rule Part 61 for the issue of an aerial VTA authorisation for (aeroplanes) (helicopters)*. [enter the date, , full name, signature, and licence number of the flight instructor issuing the authorisation].*

**delete as applicable*

(b) A pilot who holds a current agricultural rating (grade 1 or grade 2) that was issued or deemed to have been issued under this Part that was in force immediately before [*date rules comes into force*]~~—~~

- (1) is deemed to comply with rules 61.757(1) and (2); and
- (2) on successfully completing the demonstration of competency required by rule 61.763(a), may be issued with an aerial VTA authorisation under paragraph (a).

61.761 Privileges and limitations

(a) Subject to the privileges and limitations of the holder's pilot licence, a holder of a current agricultural rating and a current aerial VTA authorisation may act as pilot-in-command of an appropriate category of aircraft performing an agricultural aircraft operation on aerial VTA.

(b) A pilot who holds a current agricultural rating (grade 1 or grade 2) that was issued or deemed to have been issued under this Part that was in force immediately before [*date rules comes into force*] may exercise the privileges specified in paragraph (a) without holding an aerial VTA authorisation issued under rule 61.759 until the expiry of the currency period for that agricultural rating as specified in rule 61.707(a) that was in force immediately before [*date rules come into force*].

61.763 Currency requirements

(a) Except as provided in paragraph (b), a holder of an aerial VTA authorisation must not exercise the privileges of the authorisation unless within the previous 12 months the holder has demonstrated competency under rule 61.757(3) and the flight instructor who conducted the competency demonstration has certified the successful completion of the demonstration in the holder's logbook under rule 61.29.

(b) A pilot who completes the competency 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.

Part 91 General operating and flight rules

Subpart B — Operating Rules

91.111 Documents to be carried

Except as provided in Parts 103, 104, and 106, a person must not operate an aircraft unless the following documents are carried in the aircraft:

- (1) except if rule 91.101(c) applies, the current airworthiness certificate or a certified copy of the current airworthiness certificate:
- (2) the aircraft flight manual or an equivalent document acceptable to the Director:
- (3) for New Zealand registered aircraft:
 - (i) the technical log required by rule 91.619, unless for aircraft operating under an air operator certificate from a fixed base an alternative means acceptable to the Director is used to inform the pilot of the maintenance status of the aircraft:
 - (ii) a completed form CAA 2173 Weight and Balance Data or equivalent:
 - (iii) a completed form CAA 2129 Aircraft Radio Station Equipment Approval Levels:
- (4) for New Zealand registered aircraft operating outside of New Zealand:
 - (i) a copy of the General Radio User's Licence issued by the Ministry of Economic Development:
 - (ii) the current certificate of registration for the aircraft, or a certified copy of the certificate of registration:
 - (iii) evidence that each flight crew member holds an applicable and current flight crew member licence and medical certificate:
- (5) for foreign aircraft operating within New Zealand:
 - (i) the current certificate of registration for the aircraft, or a certified copy of the certificate of registration:
 - (ii) written evidence that the aircraft complies with rule 91.803(a)(2) regarding aircraft noise level compliance, and rule 91.807(2) regarding engine emission compliance:
 - (iii) evidence that each flight crew member holds an applicable and current flight crew member licence and medical certificate.

Subpart H — Special Flight Operations

91.701 Aerobatic flight

- (a) A pilot-in-command of an aircraft carrying a passenger must not operate the aircraft in aerobatic flight unless—
 - (1) the pilot holds a current aerobatic flight rating issued under Part 61; and
 - (2) every aerobatic flight manoeuvre is conducted at a height not less than 3000 feet above the surface.
- (b) Except as provided in paragraph (e), a pilot-in-command of an aircraft that is not carrying a passenger may operate the aircraft in aerobatic flight—
 - (1) below a height of 3000 feet above the surface but not less than 1500 feet above the surface if the pilot holds a current aerobatic flight rating referred to in paragraph (a); and
 - (2) below a height of 1500 feet above the surface if the pilot—
 - (i) holds a current aerobatic flight rating referred to in paragraph (a); and

- (ii) holds a current logbook certification made under rule 61.605(3) that authorises the pilot to perform aerobatic flight manoeuvres to a specified height below 1500 feet above the surface; and
 - (iii) performs the aerobatic flight manoeuvres at a height that is not less than the minimum height specified in the logbook certification referred to in paragraph (ii); and
 - (iv) performs the aerobatic flight manoeuvres in accordance with any condition specified in the logbook certification referred to in paragraph (ii).
- (c) Except as provided in paragraph (d), a pilot-in-command of an aircraft must not operate the aircraft in aerobatic flight—
- (1) over an area that is within a horizontal distance of 600 metres of a congested area of a city, town, or settlement; or
 - (2) over an area that is within a horizontal distance of 600 metres of an open air assembly of persons; or
 - (3) within any controlled airspace except with the authorisation of ATC.
- (d) Subject to paragraph (b)(2), a pilot-in-command may operate an aircraft in aerobatic flight over an area that is within a horizontal distance of 600 metres of spectators at an aviation event if the pilot is participating in that aviation event under rule 91.703.
- (e) A pilot of a glider may operate the glider in aerobatic flight below a height of 3000 feet above the surface without holding an aerobatic rating issued under Part 61 if—
- (1) the aerobatic flight is for the purpose of spin training; and
 - (2) the flight is conducted at a height not less than 1000 feet above the surface.

91.705 Parachute-drop operations

- (a) A pilot-in-command of an aircraft must not perform a parachute-drop operation unless the pilot holds a parachute-drop authorisation issued under Part 61.
- (b) A pilot of an aircraft performing a parachute-drop operation must ensure that—
- (1) the aircraft used for the parachute-drop operation has a valid standard category airworthiness certificate; and
 - (2) the configuration of the aircraft is appropriate for the parachute-drop operation; and
 - (3) the aircraft has adequate interior room and satisfactory egress for the parachutists to be carried; and
 - (4) the aircraft cabin does not have handles or fittings which could cause the inadvertent opening of a parachute in the aircraft or during egress by any parachutist; and
 - (5) suitable points on the aircraft are used for the attachment of static lines; and
 - (6) the aircraft flight manual authorises flight with a door removed, or open, in flight; and
 - (7) each person carried in the aircraft, other than a person intending to make a parachute descent,—
 - (i) occupies a seat and fastens his or her safety belt during take-off and landing; and
 - (ii) wears an emergency or reserve parachute assembly; and
 - (iii) is trained in the use of the emergency or reserve parachute assembly; and
 - (iv) is briefed on the general procedures to be followed in the event of an aircraft emergency including the method to be used for exiting the aircraft; and
 - (8) each person carried in the aircraft intending to make a parachute descent—
 - (i) is not in a position in the aircraft that could affect the safety of the aircraft or its occupants through inadvertent interference with the controls; and

- (ii) is briefed on the general procedures to be followed in the event of an aircraft emergency including the method to be used for exiting the aircraft.
- (c) A pilot of an aircraft performing a parachute-drop operation must not permit a person to make a parachute descent from the aircraft unless—
- (1) the person or persons making the descent have provided the pilot with the details of the proposed descent prior to take-off; and
 - (2) the pilot is satisfied that each person's descent is—
 - (i) authorised by a parachute organisation; or
 - (ii) authorised by a holder of an adventure aviation operator certificate issued under the Act and Part 115 if the certificate authorises tandem parachute operations; or
 - (i) approved by the Director.

91.709 Towing gliders

- (a) A pilot-in-command of an aircraft must not tow a glider in flight unless—
- (1) the pilot holds a current glider tow authorisation issued under Part 61; and
 - (2) the aircraft towing the glider is operated at airspeeds below the maximum airspeed specified for aero-tow in the glider flight manual; and
 - (3) the towing load does not exceed the maximum load specified in the aircraft flight manual; and
 - (4) the pilot has checked the operation of the tow hook of the aircraft before the flight; and
 - (5) the pilot uses the take-off, glider release, airspeed, and emergency signals established by a gliding organisation for the pilots of tow aircraft and gliders; and
 - (6) the take-off distance to clear a 50 foot obstacle with the glider, or gliders in tow does not exceed 85% of the take-off run available; and
 - (7) the aircraft is capable of maintaining a rate of climb of at least 200 feet per minute at 1000 feet above the aerodrome with the glider, or gliders in tow.
- (b) A person must not operate an aircraft to tow a glider in flight unless—
- (1) the aircraft used for the tow operation is equipped with—
 - (i) a tow hook and attachment assembly; and
 - (ii) a pilot-activated quick release capable of releasing the tow line from the tow hook with the glider in tow while the tow aircraft is in flight; and
 - (2) the tow line used meets the requirements of Appendix A.26; and
 - (3) if more than one glider is being towed, the tow lines used are—
 - (i) one for each glider; and
 - (ii) of a length that provides a distance of not less than 50 m between any glider and the towing aircraft; and
 - (iii) of a length that provides a trailing separation of not less than 30 m between each glider; and
 - (iv) attached to a single tow ring to the aircraft, and capable of separation on release from the aircraft.
- (c) Paragraphs (a) and (b) do not include the towing of a hang glider in flight.

91.711 Towing objects other than gliders

(a) Except for a pilot of an aircraft towing a glider in flight under rule 71.709 and a pilot of a microlight aircraft towing a hang glider in flight under rule 103.157, a pilot-in-command of an aircraft must not tow an object in flight unless—

- (1) the pilot holds a current tow authorisation issued under Part 61; and
- (2) the aircraft—
 - (i) is equipped with a tow hook and attachment assembly which has a quick release mechanism; and
 - (ii) has a positive rate of climb at the altitudes to be operated; and
- (3) the tow operation is conducted during the day in visual meteorological conditions; and
- (4) no other person is carried in the aircraft except for a required crew member or a person undergoing training for a tow operation.

91.713 Operations using an aid to night vision

(a) A pilot-in-command of an aircraft must not operate the aircraft on a night flying operation using an aid to night vision unless—

- (1) the aircraft is equipped with an authorised night vision imaging system; and
 - (2) the pilot holds a current aid to night vision authorisation, issued under Part 61, that is applicable to the night vision imaging system installed in the aircraft; and
 - (3) the operation is conducted under night VFR.
- (b) For the purpose of paragraph (a)(1), authorised night vision imaging systems include:
- (1) Night Vision Imaging Systems:
 - (2) Night Sun equipment:
 - (3) Forward Looking Infrared equipment:
 - (4) Synthetic Vision Systems.

Part 103 Microlight Aircraft – Operating Rules**Subpart A — General****103.5 Pilot requirements**

- (a) Each person acting as the pilot of a microlight aircraft shall—
- (1) hold an appropriate current microlight pilot certificate with an appropriate type rating; or
 - (2) hold an appropriate current pilot licence issued by the Director under the Act and Part 61, with an appropriate type rating; or
 - (3) operate under the direct supervision of the holder of a microlight pilot instructor certificate meeting the requirements of 103.7.
- (b) Each pilot shall comply with the privileges and limitations of the licence or certificate, and any applicable ratings.

103.7 Flight instruction

A person must not exercise the privileges of a flight instructor operating a microlight unless the person holds a type rating for the microlight aircraft being used, and holds the qualification being taught, and –

- (1) the person –
 - (i) holds a microlight pilot instructor certificate; and

- (ii) complies with the procedures established in the exposition of the microlight organization controlling the operation; or
- (2) the person –
 - (i) holds an appropriate current Category A, B or C flight instructor rating issued by the Director under the Act and Part 61; and
 - (ii) has demonstrated competence in the piloting of a microlight aircraft to a microlight pilot instructor specified in paragraph (1).

Part 133 Helicopter external load operations

Subpart A — General

133.3 Reserved

133.5 Pilot licence requirements

(a) Except as provided in paragraph (c), a pilot-in-command of a helicopter performing a helicopter external load towing operation or a helicopter sling load operation must hold—

- (1) at least a current private pilot licence (helicopter); and
- (2) a current helicopter external load authorisation, issued under Part 61, that is applicable to the type of helicopter external load operation being performed.

(b) A pilot-in-command of a helicopter performing a helicopter winching operation, a helicopter rappelling operation, or a helicopter human sling load operation must hold—

- (1) at least a current commercial pilot licence (helicopter); and
- (2) a current helicopter external load authorisation, issued under Part 61, that is applicable to the type of helicopter external load operation being performed.

(c) A pilot under training may act as pilot-in-command of a helicopter performing a helicopter external load towing operation or a helicopter sling load operation without holding a current helicopter external load authorisation if the pilot is authorised to do so immediately before the operation by an appropriately authorised flight instructor.

Part 137 Agricultural Aircraft Operations

Subpart A — General

137.3 Pilot qualifications

(a) A pilot of an aircraft performing an agricultural aircraft operation for the purpose of aerial topdressing, aerial spraying, or aerial VTA must hold—

- (1) a current and appropriate agricultural rating issued by the Director under the Act and in accordance with Part 61; and
- (2) a current and appropriate authorisation issued under Part 61.

(b) Paragraph (a) does not apply to a pilot training for an agricultural rating or an aerial authorisation under the direct supervision of a holder of a category E flight instructor rating issued by the Director under the Act and in accordance with Part 61.

137.63 Operations over non-congested areas

(a) Despite rule 91.311(a)(2), a pilot performing, or being trained to perform, an agricultural aircraft operation over any area other than a congested area of a city, town, or settlement, may fly at any height above the surface and at any distance from an obstruction if—

- (1) the pilot takes reasonable care to perform the operation without creating a hazard to any person or property on the surface; and

- (2) the height flown and the distance from any obstruction for an approach, turnaround, and departure is not less than that necessary for the effective and safe conduct of the operation.

(b) Despite rule 91.311(a)(2), a pilot performing, or being trained to perform, an agricultural aircraft operation over any area other than a congested area of a city, town, or settlement, may fly between a loading area and the associated treatment area, or between one treatment area and the next at a height less than that required by rule 91.311(a)(2) if—

- (1) the distance is less than 5 nautical miles; and
- (2) the pilot takes reasonable care to conduct the flight without creating a hazard to any person or property on the surface.

Appendix

Table of Amendments to Civil Aviation (Offences) Regulations

Amendments will be required to the Civil Aviation (Offences) Regulations 2006. Largely these will be to ensure that existing requirements, which may be renumbered and or restated in the proposed rule, can continue to be enforced. Penalties for existing offences will not change.

In addition, it is intended that new requirements in the proposed Rule will also be covered by the Civil Aviation (Offences) Regulations 2006. Penalties for breach will be based on those for equivalent offences for breaches of the current Part 61 as follows:

Provision	Brief description	Fines and fees (\$)			
		Summary conviction		Infringement fee	
		Individual	Body corporate	Individual	Body corporate
Part 61 Pilot licences and ratings					
Rule 61.XX	Pilot of New Zealand registered aircraft operating in New Zealand must hold prescribed pilot licence.	10,000		2,000	
Rule 61.XX	Pilot of New Zealand registered aircraft operating outside New Zealand must hold prescribed pilot licence.	10,000		2,000	
Rule 61.XX	Pilot of foreign registered aircraft operating in New Zealand must hold prescribed pilot licence.	10,000		2,000	
Rule 61.XX	Pilot of New Zealand registered aircraft, or foreign registered aircraft operating in New Zealand, must hold prescribed current type rating for the aircraft.	5,000		1,000	
Rule 61.XX	Pilot of New Zealand registered aircraft, or foreign registered aircraft in New Zealand, operating under IFR, must hold prescribed current instrument rating.	5,000		1,000	
Rule 61.XX	Person exercising privileges of flight instructor must hold appropriate current flight instructor rating.	5,000		1,000	
Rule 61.XX	Person exercising privileges of flight examiner must hold appropriate current flight examiner rating.	5,000		1,000	
Rule 61.XX	Person may not perform a prescribed act of unauthorised conduct in relation to a written examination.	5,000		1,000	
Rule 61.XX	Dual flight instruction or flight testing must be carried out in aircraft equipped with prescribed controls, instruments, safety harness, and equipment.	5,000	30,000	1,000	6,000
Rule 61.XX	Responsibilities of pilot when accumulating instrument flight experience in VMC toward required instrument flight time.	5,000		1,000	
Rule 61.XX	Responsibilities of pilot when accumulating instrument flight experience in IMC toward required instrument flight time.	5,000		1,000	
Rule 61.XX	Responsibility of flight examiner to be pilot-in-command in prescribed circumstances.	2,500		1,000	
Rule 61.XX	Responsibility of pilot to maintain accurate logbook with the prescribed information and in the prescribed manner.	2,500		500	

Rule 61.XX	Person may not exercise privileges of pilot licence unless person holds prescribed medical certificate and complies with conditions, restrictions, and endorsements on medical certificate.	5,000		1,000	
Rule 61.XX	Person may not exercise privileges of validation permit unless person holds prescribed medical certificate and complies with conditions, restrictions, and limitations on medical certificate.	5,000		1,000	
Rule 61.XX	Recent flight experience requirements for airline transport pilot.	5,000		1,000	
Rule 61.XX	Recent flight experience requirements for senior commercial pilot, commercial pilot, private pilot—day flight.	5,000		1,000	
Rule 61.XX	Recent flight experience requirements for senior commercial pilot, commercial pilot, private pilot—night flight.	5,000		1,000	
Rule 61.XX	Flight instructor must meet recent flight experience requirements before giving flight instructions.	5,000		1,000	
Rule 61.XX	Prescribed requirements for pilot who has not met biennial flight review requirements for 5 years or more.	5,000		1,000	
Rule 61.XX	Pilot may not exercise privileges of licence without biennial flight review.	10,000		2,000	
Rule 61.XX	Holder of licence or rating must take prescribed examination or test when required by Director.	2,500		500	
Rule 61.XX	Person who does not hold a current pilot licence may not manipulate the controls of an aircraft unless prescribed requirements are met.	10,000		2,000	
Rule 61.XX	Person who does not hold current pilot licence may not fly aircraft solo unless prescribed requirements are met.	10,000		2,000	
Rule 61.XX	Responsibilities of flight instructor who authorises a pilot for solo flight.	5,000		1,000	
Rule 61.XX	Person who does not hold a current pilot licence may not act as pilot-in-command of an aircraft in prescribed circumstances.	10,000		2,000	
Rule 61.XX	Holder of private pilot licence may not act as pilot-in-command or co-pilot in prescribed circumstances.	5,000		1,000	
Rule 61.XX	Responsibilities of private pilot licence holder: complying with prescribed currency requirements.	5,000		1,000	
Rule 61.XX	Holder of commercial or senior commercial pilot licence may not act as pilot-in-command or co-pilot of aircraft at night unless prescribed requirements have been met.	5,000		1,000	
Rule 61.XX	Responsibilities of commercial and senior commercial pilot licence holder: complying with prescribed currency requirements.	5,000		1,000	
Rule 61.XX	Responsibilities of airline transport pilot licence holder: complying with prescribed currency requirements.	5,000		1,000	
Rule 61.XX	Holder of Category E flight instructor rating may not instruct in top-dressing or spraying unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Category D flight instructor rating may not give instrument flight instruction unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Category D flight instructor rating may not instruct at night, in multi-engine aircraft, or in instrument flight unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Category C flight instructor rating may not exercise Category C flight instructor privileges for first 6 months or 100 hours of instructional flying unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Category C flight instructor rating may not give instrument flight instruction under prescribed conditions unless prescribed requirements are met.	5,000		1,000	

Rule 61.XX	Holder of Category C flight instructor rating may not instruct at night, in multi-engine aircraft, or in aeroplane spinning or aerobatics unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Category B flight instructor rating may not instruct at night, in multi-engine aircraft, or in aeroplane spinning or aerobatics unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Category A flight instructor rating may not give instrument flight instruction under prescribed conditions unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Category A flight instructor rating may not instruct in multi-engine aircraft unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Category E flight instructor rating may not give agricultural flight instruction unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Category D flight instructor rating may not give instrument flight instruction unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Category D, C, B or A flight instructor rating may not give IFR cross-country navigation instruction unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Category C or B flight instructor rating may not give flight instruction unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Category A flight instructor rating may not give flight instruction unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of a recreational pilot licence may not act as pilot-in-command or co-pilot in prescribed circumstances.	5,000		1,000	
Rule 61.XX	Holder of recreational pilot licence must not exercise privileges of licence if licence holder is aware of or suspects change in medical condition.	5,000		1,000	
Rule 61.XX	Responsibility of recreational pilot licence holder: complying with prescribed currency requirements.	5,000		1,000	
Rule 61.XX	Holder of aerobatic flight rating may not exercise privileges of that rating unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of glider tow rating may not exercise privileges of that rating unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of parachute drop rating may not exercise privileges of that rating unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Grade 2 agricultural rating may not act as pilot-in-command of aircraft on agricultural aircraft operations that create hazard to third parties.	5,000		1,000	
Rule 61.XX	Holder of agricultural rating may not exercise privileges of that rating unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of Grade 1 agricultural rating may not act as pilot-in-command of aircraft on agricultural aircraft operations that create hazard to third parties unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of pilot chemical rating may not exercise privileges of that rating unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of instrument rating may not exercise privileges of that rating unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of flight examiner rating may not exercise privileges of that rating unless prescribed requirements are met.	5,000		1,000	
Rule 61.XX	Holder of an aerial topdressing authorisation must not exercise privileges of the authorisation unless prescribed requirements are met.	625	3,750	250	1,500
Rule 61.XX	Holder of an aerial spraying authorisation must not exercise privileges of the authorisation unless prescribed requirements are met.	625	3,750	250	1,500

Rule 61.XX	Holder of an aerial VTA authorisation must not exercise privileges of the authorisation unless prescribed requirements are met.	625	3,750	250	1,500
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