



**WELLINGTON NEW ZEALAND**

**PURSUANT** to Section 28 of the Civil Aviation Act 1990

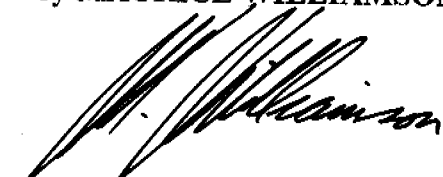
**I, MAURICE WILLIAMSON**, Minister of Transport,

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This *15* day of *September* 1994

by **MAURICE WILLIAMSON**

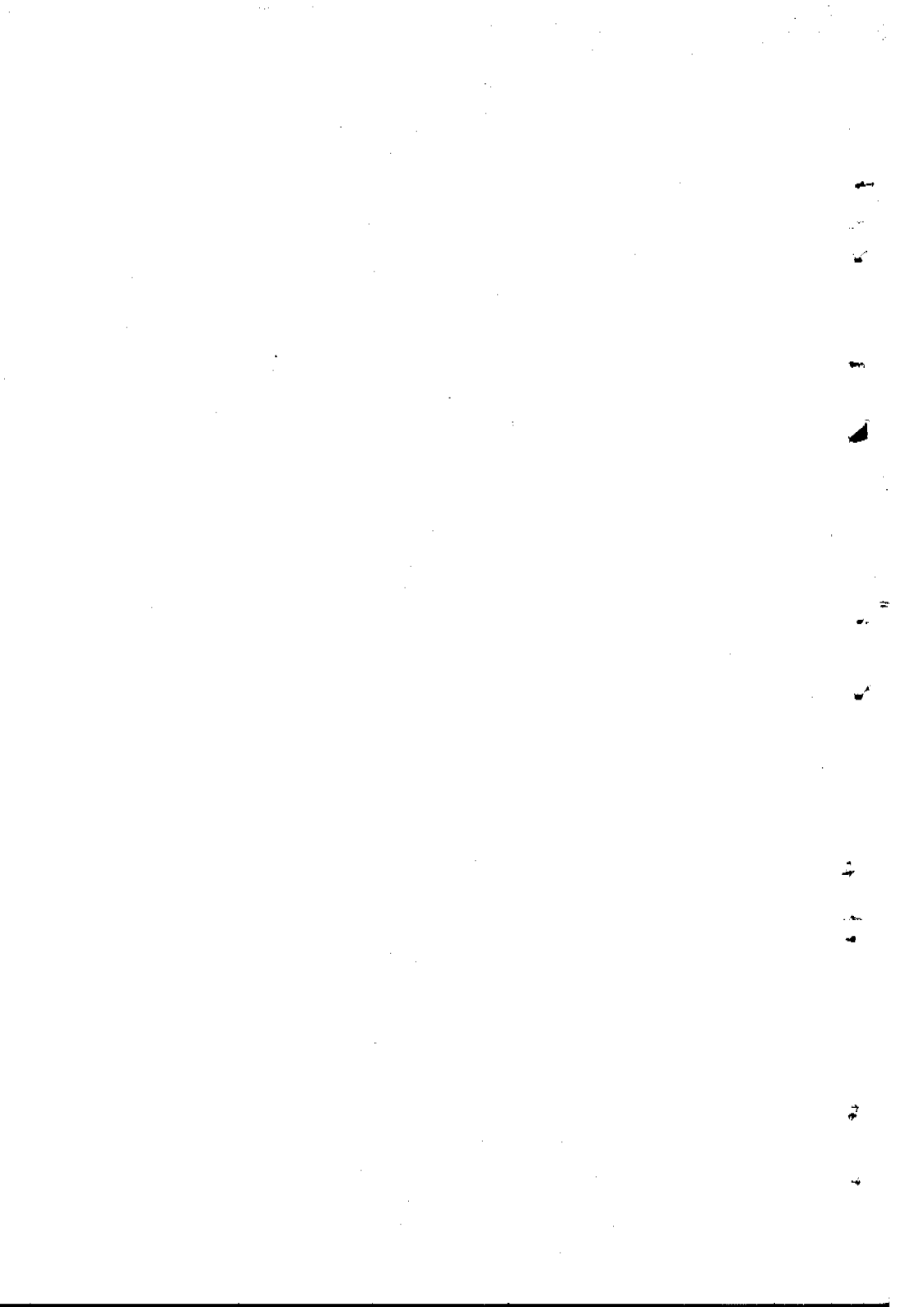
  
Minister of Transport

**Civil Aviation Rules**

**Part 61 Amendment No 1**

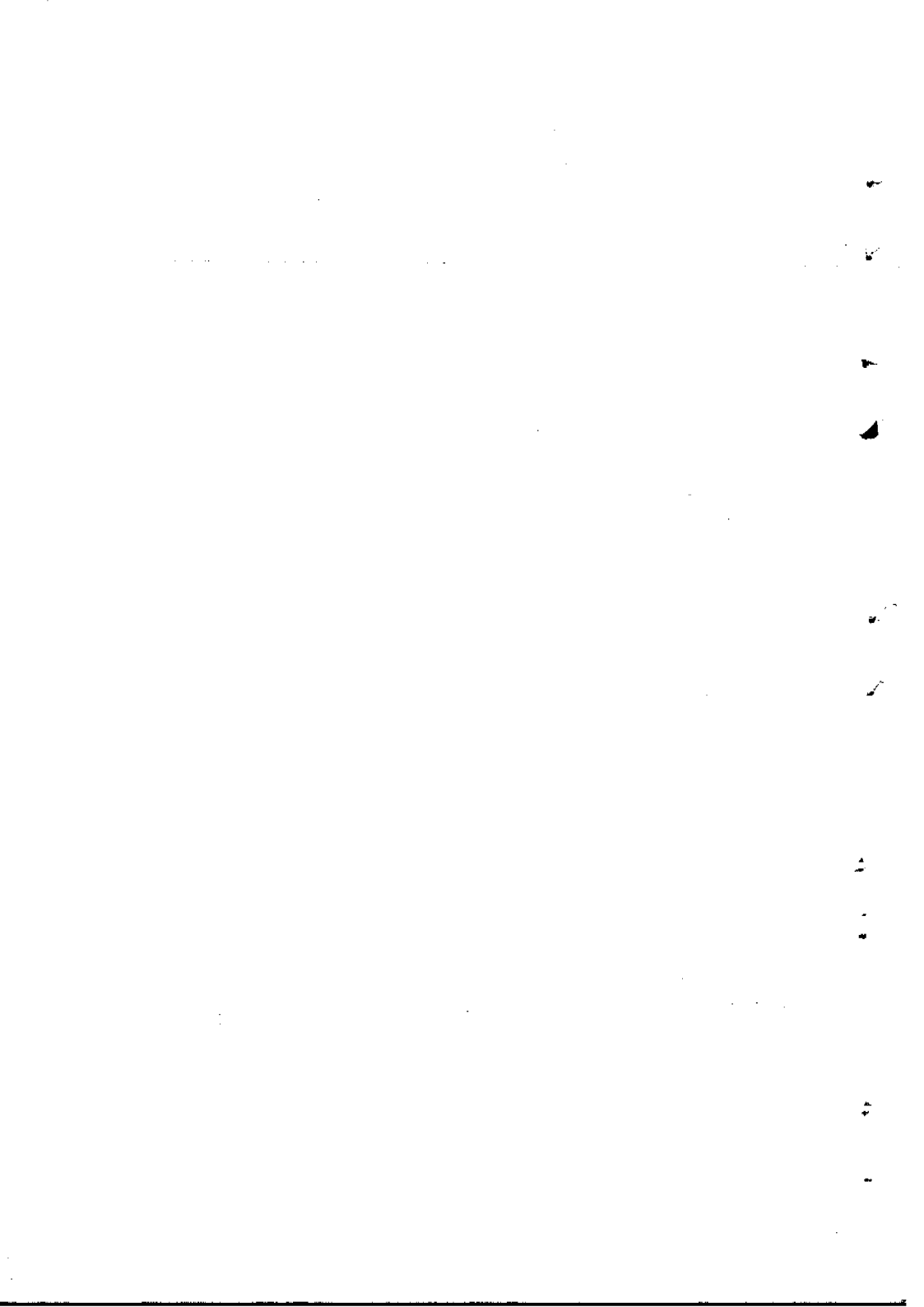
**PILOT LICENCES AND RATINGS**

*Docket Nr. 1033*



**Civil Aviation Rules  
Part 61 Amendment No 1**

**PILOT LICENCES AND RATINGS**



## **RULE OBJECTIVE, EXTENT OF CONSULTATION, AND COMMENCEMENT**

The objective of Part 61 Amendment No. 1 is to prescribe the requirements for the agricultural and chemical ratings that result from Part 137 coming into force.

In May 1990, the Air Transport Division of the Ministry of Transport published a notice of intention to carry out a complete review of the aviation regulatory system. This notice, in Civil Aviation Information Circular Air 3, listed the areas in which rules would be made and invited interested parties to register their wish to be part of the consultative process. This register was identified as the Regulatory Review Consultative Group.

A draft document of Part 137, including the requirements for the ratings, was developed by the rules rewrite team in consultation with the members of the consultative group. An informal draft was published and distributed for comment in April 1992.

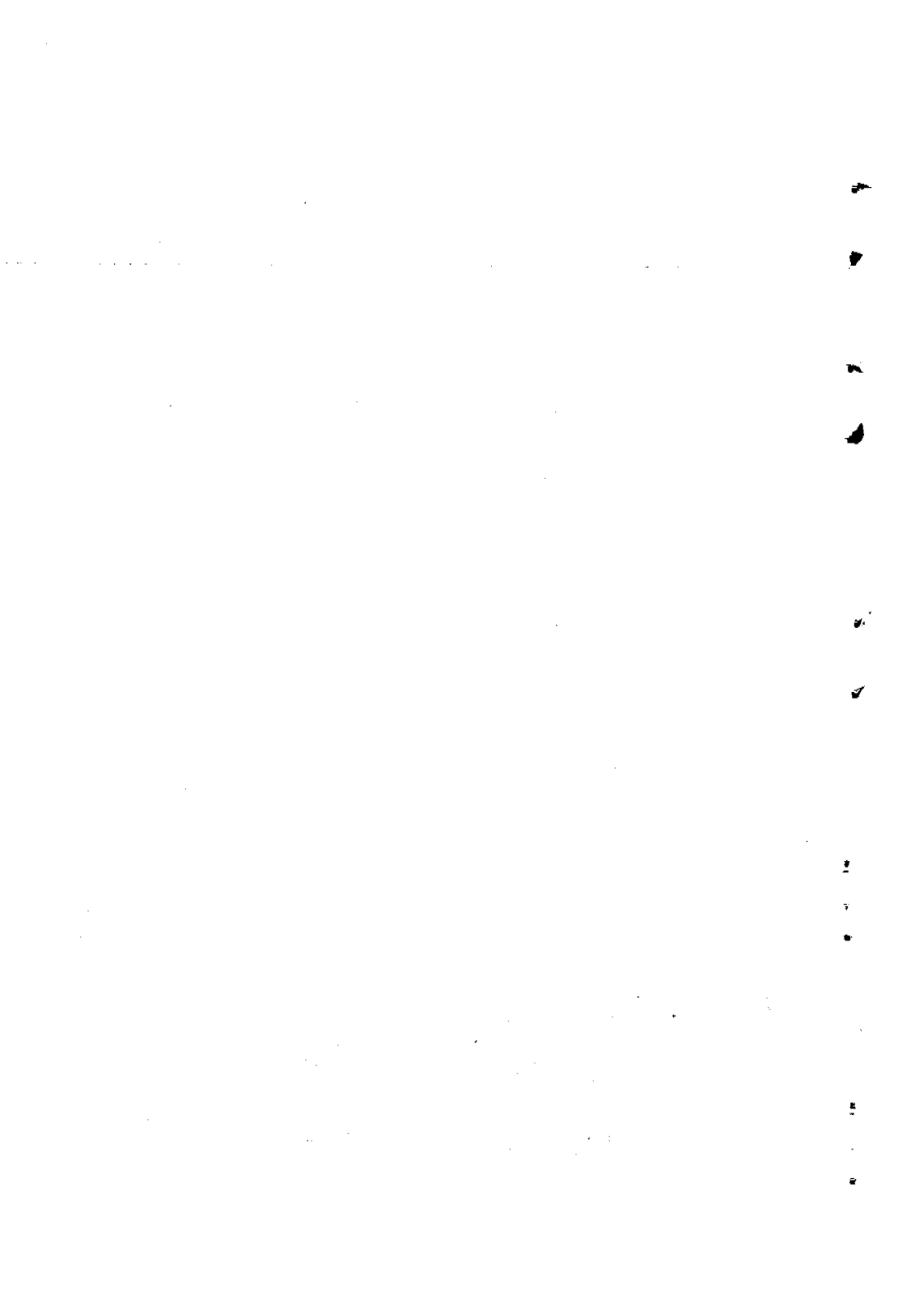
A period of informal consultation followed. This included some written comments, telephone discussions and meetings with industry representatives. The informal consultative process culminated in the issue of Notice of Proposed Rule Making 92-7 under Docket No 1033 on 25 November 1992. The publication of this notice was advertised in the daily newspapers in the five main provincial centres on 25 November 1992.

The notice was mailed to members of the Regulatory Review Consultative Group and to other parties who were considered likely to have an interest in the proposal.

A period of 60 days was allowed for comment on the proposed Rule. Eight written submissions were received in response to this notice. Further meetings and discussions were held with members of the consultative group to address various aspects and, in particular, the request for certification of persons who perform agricultural aircraft operations for hire or reward. These submissions and discussions were considered and where appropriate the proposed rules amended to take account of the concerns raised.

The rules as amended were then referred to and signed by the Minister of Transport.

Part 61, Amendment No. 1 comes into force on 30 October 1994.



## Part 61 Amendments

### List of Rules

The List of Rules is amended by inserting after the term "61.357 Currency Requirements", the following list of rules:

#### **"Subpart I — Agricultural Ratings**

- 61.401     Applicability
- 61.403     Eligibility Requirements
- 61.405     Privileges and Limitations
- 61.407     Currency Requirements

#### **Subpart J — Chemical Rating**

- 61.451     Applicability
- 61.453     Eligibility Requirements
- 61.455     Privileges and Limitations
- 61.457     Currency Requirements

#### **Appendix A — Transitional Arrangements"**

##### **61.07     *Licences and Ratings***

61.07 is amended by omitting the word "(Helicopter)." in paragraph (a)(6) and inserting the word "(Helicopter):"

61.07 is amended by inserting the following paragraphs after paragraph (a)(6):

- "(7) Agricultural rating Grade 2 and 1 (Aeroplane) or (Helicopter):
- (8) Chemical rating."

#### **Subparts I and J and Appendix A**

Part 61 is amended by adding the following Subparts and Appendix after Subpart H:

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## **"Subpart I — Agricultural Ratings**

### **61.401 *Applicability***

This Subpart prescribes the requirements for the issue of agricultural ratings and the privileges, limitations and currency requirements of those ratings.

### **61.403 *Eligibility Requirements***

- (a) To be eligible for the issue of a Grade 2 agricultural rating a person shall —
  - (1) hold a current pilot licence; and
  - (2) have the general flight experience required by 61.203(4) for the issue of a commercial pilot licence; and
  - (3) have satisfactorily completed a course of ground training and flight training, in the applicable aircraft category, that is acceptable to the Director; and
  - (4) demonstrate competency to the holder of an appropriate and current Category E flight instructor rating by passing an oral examination and a flight test that are acceptable to the Director.
- (b) To be eligible for the issue of a Grade 1 agricultural rating a person shall —
  - (1) hold a current commercial or airline transport pilot licence; and
  - (2) have at least 1000 productive hours flight time experience on agricultural aircraft operations, including at least 200 hours in the applicable aircraft category; and
  - (3) demonstrate competency to the holder of an appropriate and current Category E flight instructor rating by passing an oral examination and a flight test that are acceptable to the Director.

### **61.405 *Privileges and Limitations***

- (a) Subject to paragraph (b), an agricultural rating authorises the holder to act as pilot-in-command of an aircraft on an agricultural aircraft operation.
- (b) The holder of a Grade 2 agricultural rating shall not —
  - (1) if they hold a private pilot licence, act as pilot-in-command of an aircraft on an agricultural aircraft operation unless they have a predominant proprietary



interest in the land on which the operation is to be performed, or in the crop or livestock located on that land; or

- (2) act as pilot-in-command of an aircraft on agricultural aircraft operations over a populous area.

### **61.407 Currency Requirements**

(a) The holder of an agricultural rating shall not exercise the privileges of the rating unless within the preceding 12 months they have successfully completed a check that —

- (1) is conducted by the holder of a current Category E flight instructor rating; and
- (2) assesses competency to pilot that category of aircraft on agricultural aircraft operations; and
- (3) has been certified in their logbook by the flight instructor performing the check.

(b) The holder of a Grade 1 agricultural rating shall not act as pilot-in-command of an aircraft on agricultural aircraft operations over a populous area unless they have logged at least 25 hours pilot-in-command flight time in the type of aircraft being used, 10 hours of which have been logged within the immediately preceding 12 months.

## **Subpart J — Chemical Rating**

### **61.451 Applicability**

This Subpart prescribes the requirements for the issue of a chemical rating and the privileges, limitations and currency requirements of that rating.

### **61.453 Eligibility Requirements**

To be eligible for the issue of a chemical rating, a person shall —

- (1) satisfactorily complete an approved course of training in agricultural chemicals; and
- (2) pass an approved written examination in Agriculture, and in Health.

### **61.455 Privileges and Limitations**

A chemical rating authorises the holder to dispense an agricultural chemical from an aircraft on an agricultural aircraft operation.

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## **61.457 Currency Requirements**

The holder of a chemical rating shall not exercise the privileges of the rating for longer than 3 years unless within the preceding 3 years they have successfully completed an applicable refresher course acceptable to the Director.

## **Appendix A — Transitional Arrangements**

(a) An agricultural rating granted to a person under regulation 229 of the Civil Aviation Regulations 1953 before Part 137 came into force, shall be deemed a Grade 2 agricultural rating for the purpose of these Rules if that person's flight time experience on agricultural aircraft operations did not meet the requirements of 61.403(b) at the time Part 137 came into force.

(b) An agricultural rating granted to a person under regulation 229 of the Civil Aviation Regulations 1953 before Part 137 came into force, shall be deemed a Grade 1 agricultural rating for the purpose of these Rules if that person's flight time experience on agricultural aircraft operations met the requirements of 61.403(b) at the time Part 137 came into force.

(c) A chemical rating granted under regulation 229 of the Civil Aviation Regulations 1953 before Part 137 came into force shall be deemed a chemical rating for the purpose of these Rules.

(d) Notwithstanding 61.05(l), each holder of a chemical rating granted under regulation 229 of the Civil Aviation Regulations 1953 before Part 137 came into force who has not successfully completed the refresher course required by 61.457 may continue to exercise the privilege of the rating for a period of two years from the date this Part came into force.