



**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 *29* day of *March* 1999

by **MAURICE WILLIAMSON**

Minister of Transport

A handwritten signature in black ink, appearing to read 'Maurice Williamson', written over a series of parallel diagonal lines.

**Civil Aviation Rules**

**Part 61 – Amendment 5**

**Pilot Licences and Ratings**

*Docket 98/CAR/1303*

**Civil Aviation Rules**

**Part 61**

**Pilot Licences and Ratings**

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

The objective of Part 61, amendment 5 is to bring into force changes that result from amendment 6 to Part 135, the Part 135 Review, and consequential amendments to Parts 1, 12, 19, 66, 93, 119, 121, and 125 of the Civil Aviation Rules. Consultation regarding the amendment to Part 61 was conducted as part of the consultation process for the amendment to Part 135.

Part 61 Amendment 5 comes into force 30 April 1999.

## List of Rules

### Part 61 Amendments

|                                       |   |
|---------------------------------------|---|
| 61.29 Pilot logbooks – general .....  | 3 |
| 61.37 Recent flight experience .....  | 4 |
| 61.901 Eligibility requirements ..... | 6 |

## Part 61 Amendments

Rule 61.29 is revoked and the following new rule 61.29 inserted:

### ***“61.29 Pilot logbooks – general***

(a) Every pilot shall maintain a record in ink of their flight time and instrument time in an approved pilot's logbook in accordance with the provisions of this rule, 61.31, and 61.33. Flight time entered in a pilot's logbook that has been lost or destroyed shall only be accepted by the Director for crediting purposes if it can be substantiated by means acceptable to the Director.

(b) Entries in pilots' logbooks shall be made within the following periods after the completion of the flight to be recorded:

- (1) for operations not for hire or reward, flight training, domestic air operations, and special operations – 7 days:
- (2) for international air transport operations and aerial work operations (other than flight training operations) – 14 days.

However if a pilot is engaged in flying away from base where the logbook would normally be expected to be kept, the specified periods may be extended to 48 hours after return to base.

(c) Every pilot shall keep his or her pilot's logbook for at least 12 months from the date of the last flight time entry recorded in it.

(d) Before a pilot submits his or her pilot's logbook to the Director for any required inspection, the pilot shall—

- (1) on each page, total each column of entries; and
- (2) in the spaces provided, enter his or her total flight experience; and
- (3) below the last entry, certify the correctness of the entries; and
- (4) sign the certification.

- (e) Flight time during which—
- (1) a pilot is receiving dual instruction shall be logged as dual flight time and shall include a record of the air exercises undertaken:
  - (2) a pilot is receiving command practice under the supervision of a pilot-in-command designated by the operator to give command supervision shall be logged as command practice:
  - (3) a pilot is gaining instrument flight experience under actual or simulated instrument flight conditions shall be logged as instrument flight time.
- (f) A person acting as pilot of an aircraft while not complying with any requirement of this Part applicable to that pilot, shall not credit that flight time for any purpose.”

Rule 61.37 is revoked and the following new rule 61.37 inserted:

**“61.37 Recent flight experience**

- (a) **Airline transport pilot.** The holder of an airline transport pilot licence shall not act as pilot-in-command of an aircraft on an air operation unless—
- (1) within the immediately preceding 90 days that person has carried out, as pilot-in-command of an aircraft of the same type or of a Zero Flight Time (ZFT) simulator, not less than 3 take-offs and 3 landings; or
  - (2) that person has satisfactorily demonstrated, to a flight examiner, continued proficiency in an aircraft of the same type:

Except that one of the landings required by paragraph (a)(1) may be a monitored landing using the automatic landing facility of the autopilot.

(b) **Senior commercial pilot, commercial pilot, private pilot – day flight.** The holder of a senior commercial pilot licence or commercial pilot licence shall not act as pilot-in-command of an aircraft on an air operation by day, and the holder of a commercial pilot licence or private pilot licence shall not act as pilot-in-command of an aircraft carrying passengers by day, unless—

- (1) subject to paragraph (f), within the immediately preceding 90 days, that person has carried out as pilot-in-command of an aircraft of the same type, or of a ZFT simulator, not less than 3 take-offs and 3 landings by day; or
- (2) that person has satisfactorily demonstrated, to a flight examiner, continued proficiency by day in an aircraft of the same type.

(c) **Senior commercial pilot, commercial pilot, private pilot – night flight.** The holder of a senior commercial pilot licence or commercial pilot licence shall not act as pilot-in-command of an aircraft on an air operation at night, and the holder of a commercial pilot licence or private pilot licence shall not act as pilot-in-command of an aircraft carrying passengers at night, unless—

- (1) subject to paragraph (f), within the immediately preceding 90 days, that person has carried out as pilot-in-command of an aircraft of the same type or of a ZFT simulator, not less than 3 take-offs and 3 landings by night; or
- (2) that person has satisfactorily demonstrated, to a flight examiner, continued proficiency by night in an aircraft of the same type:

Except that if compliance with paragraph (b) can be shown, the experience by night need not be in an aircraft of the same type.

(d) To comply with paragraphs (a)(1), (b)(1) and (c)(1), a helicopter pilot shall fly translation circuits between liftoffs and landings.

(e) To comply with paragraph (b)(1), a balloon pilot shall ascend to at least 500 feet between liftoffs and landings.

(f) For the purposes of accumulating the 3 take-offs and 3 landings required in paragraphs (b)(1) and (c)(1), the holder of a current Category A

flight instructor rating may count take-offs and landings whether by day or by night.

(g) Where the privileges of a licence issued under this Part have not been exercised for 5 years or more, the licence holder shall pass an approved air law examination and pass an appropriate issue flight test before the privileges of that licence may be exercised again.”

Rule 61.901 is revoked and the following new rule 61.901 inserted:

**“61.901 Eligibility requirements**

(a) To be eligible for the issue of an **Airline Flight Examiner Rating** a person shall—

- (1) for Part 125 and Part 135 operations, hold at least an appropriate commercial pilot licence; and
- (2) for Part 121 operations, hold an airline transport pilot licence; and
- (3) hold an appropriate flight instructor rating; and
- (4) have flight experience acceptable to the Director; and
- (5) have demonstrated to the Director the ability to perform the duties of an airline flight examiner.

(b) To be eligible for the issue of a **General Aviation Flight Examiner Rating** a person shall—

- (1) hold an appropriate Category A flight instructor rating; and
- (2) have flight experience acceptable to the Director; and
- (3) have demonstrated to the Director the ability to perform the duties of a general aviation flight examiner.

(c) To be eligible for the issue of a **Restricted Flight Examiner Rating** a person shall—

- (1) hold a current flight examiner certificate issued under the Civil Aviation Regulations 1953; or



(2) hold a current flight examiner approval issued by the Director.

(d) A person who holds a current flight examiner certificate issued under the Civil Aviation Regulations 1953, or a current flight examiner approval issued by the Director, is deemed to have demonstrated to the Director the ability to perform the duties of a flight examiner.”

## **CONSULTATION DETAILS**

(This statement does not form part of the rules contained in Part 61.  
It provides details of the consultation undertaken in making the rules.)

The consultation details relating to the amendment 5 to Part 61 are contained with the associated amendment 6 to Part 135. The comments and all the background material used in developing the rules are held on the docket and are available for public scrutiny. Persons wishing to view the docket should call at Aviation House, 1 Market Grove, Lower Hutt and ask for docket 98/CAR/1303.