



PURSUANT to Sections 28 and 30 of the Civil Aviation Act 1990

I, Hon Michael Wood, Minister of Transport

HEREBY MAKE the following ordinary rules.

SIGNED AT WELLINGTON

This *22nd* day of *February* 2021

A handwritten signature in black ink, appearing to read 'M. Wood', is written over the printed name.

by Hon Michael Wood

Minister of Transport

Civil Aviation Rules
Part 61, Amendment 17
Pilot Licences and Ratings
Docket 19/CAR/1

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Rule objective

The objective of amendment 17 to Part 61 is to adopt the Land Transport commercial driver licence medical certificate for a class 2, 3, 4 or 5 with passenger endorsement (commonly known as the DL9 medical certificate) as an alternative medical standard for a private pilot licence (PPL). A class 2 medical certificate issued under the Civil Aviation Act (the Act) is currently required for a PPL.

This amendment allows certain PPL privileges, which are subject to appropriate restrictions, to be exercised by the PPL holder.

This amendment allows the holder of an air transport pilot licence, a commercial pilot licence, or a PPL issued under the Act who does not hold a current class 1 or class 2 medical certificate issued under the Act, but holds a current DL9 medical certificate, to exercise the privileges and is subject to the limitations of, a PPL on the DL9 medical certificate. This is on the basis that the pilot meets the currency requirements for the PPL.

The recreational pilot licence (RPL) is revoked as the privileges and restrictions associated with the RPL are reflected in the PPL on the DL9 medical certificate. This amendment deems an existing RPL holder to have been issued a PPL on the DL9 medical certificate, and may exercise the privileges of, and subject to the restrictions, specified in this amendment.

This amendment prohibits the issue of a PPL on a DL9 medical certificate for a glider. Although members of Gliding New Zealand typically do not fly on a PPL, a PPL is required when members fly a glider in other jurisdictions. In which case an ICAO compliant PPL (which requires at least a class 2 medical certificate issued under the Act) is generally needed in order for the pilot to be recognised via the validation process. Given that no policy work has been done on including gliders in this proposal, it is considered not appropriate to include gliders. As their inclusion would mean non-alignment with the ICAO standards and recommended practices.

This amendment allows for conducting the demonstration of competency by an organisation that employs, contracts or engages a person who holds a delegation from the Director to conduct such

assessments. This was an oversight when rule 61.701 was first drafted. General exemption 18/EXE/13 which is currently in place to rectify the oversight, will be removed when this amendment comes into force.

Finally, this amendment makes minor editorial corrections such as correcting wrong paragraph references and updates the use of terms (for example replacing '3 months' with '60 days') for consistency with recent rule amendments.

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 19-04, containing the proposed Part 61 Private Pilot Licence Medical Review was issued for public consultation under Docket 19/CAR/1 on 19 December 2019.

The NPRM was published on the CAA web site and mailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 47 days was allowed for comment on the proposed rule.

Further engagement with the New Zealand Aviation Federation (NZAF) occurred on several occasions after the closure of the NPRM consultation. Details of the matters raised by the NZAF are included in the summary of submissions document referred to in the section below.

Summary of submissions

A total of 405 written submissions were received on the NPRM. There were no oral comments received. A summary of submissions for this NPRM is available on the CAA website. These submissions and comments have been carefully considered. As a result of the submissions, the following changes have been made in respect of a PPL pilot on a DL9 medical certificate –

- allow night flying but within 25 nm from a lit aerodrome;
- allow for the operation of a multi-engine aircraft up to a maximum weight of 2,730 kg, which is consistent with the general aircraft weight restriction;

- allow for the operation of a pressurised aircraft and flying at altitude but not exceeding 25,000 feet above mean sea level (AMSL);
- allow for banner and drogue towing operations but not below 500 feet AMSL;
- allow for PPL pilots on the commercial driver licence medical certificate to fly to a foreign country if allowed to do so by that foreign country.

Although not raised in the submissions, draft rule 61.35D which was included in the NPRM, has been removed on the advice of the CAA Issue Assessment Panel. The draft rule proposed that a DL9 medical certificate be recognised as a medical certificate for the purposes of the Act. The Assessment Panel considered this approach inappropriate as it would mean that all of Part 2A of the Act applies, thus be disproportionate to the risk.

The CAA has developed internal procedures for DL9 medical certificate holders to mitigate the reduced regulatory oversight. In addition, it is proposed that draft rule 61.35D be replaced with a provision that generally requires pilots operating on a PPL on a DL9 medical certificate to not fly if they are unwell. These affected pilots may only resume flying if a medical practitioner confirms that they are fit to do so.

Examination of submissions

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

Insertion of Amendments

The amendments to the rules in this Part are reflected by –

- revoking and replacing rules 61.7, 61.17, 61.35, 61.37, 61.41, 61.153, 61.155, 61.551, 61.557, 61.701, 61.707, 61.801, and 61.807;
- inserting new rule 61.35D and 61.159; and

- revoking Subpart H (Recreational Pilot Licence – rules 61.351 to 61.361).

Effective date of rule

Amendment 17 to Part 61 comes into force on 5 April 2021.

Availability of rules

Civil Aviation Rules are available from–

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

Freephone: 0800 GET RULES (0800 438 785)

Part 61 Pilot Licences and Ratings

Rule 61.7 is revoked and replaced by the following rule:

61.7 Pilot licences, ratings, and permits

(a) The following pilot licence types, ratings and permits are issued by the Director under section 9 of the Act in accordance with the applicable requirements of this Part:

- (1) *Revoked*

- (2) private pilot licence
 - Aeroplane:
 - Helicopter:
 - Glider:

- (3) commercial pilot licence
 - Aeroplane:
 - Helicopter:
 - Balloon:
 - Glider:

- (4) airline transport pilot licence
 - Aeroplane:
 - Helicopter:

- (5) instrument rating
 - Aeroplane:
 - Helicopter:

- (6) flight instructor rating category A, B, C, D, and E
 - Aeroplane:
 - Helicopter:

- (7) flight examiner rating
 - Airline:

- General aviation:
- Agricultural:
 - (8) validation permit:
 - (9) agricultural rating Grade 1 and 2 – Aeroplane:
 - Helicopter.
- (aa) Despite paragraph (a)(2), a private pilot licence referred to in rule 61.35(a)(1)(ia) must not be issued for a glider.
- (b) The following ratings are issued under this Part in accordance with the applicable requirements of this Part:
 - (1) aircraft type rating:
 - (2) aerobatic flight rating:
 - (3) glider tow rating:
 - (4) parachute drop rating:
 - (5) *Revoked*:
 - (6) pilot chemical rating:
 - (7) aerial topdressing rating:
 - (8) aerial spraying rating:
 - (9) aerial vertebrate toxic agent (VTA) rating.

Rule 61.17 is revoked and replaced by the following rule:

61.17 Written examinations – prerequisites and grades

- (a) An applicant for a written examination required under this Part must produce as evidence of the applicant's identity—
 - (1) a current and valid New Zealand passport; or

- (2) a current and valid New Zealand driver licence; or
 - (3) an equivalent form of photographic identification that is acceptable to the Director.
- (b) An applicant for a written examination required under this Part must gain at least 70% of the possible marks in order to pass the examination.
- (c) An applicant for a pilot licence or instrument rating must pass all the approved written examinations that are required for the particular pilot licence or instrument rating within 3 years of taking the first examination to gain a written examination credit for the licence or rating.
- (d) The written examination credit specified in paragraph (c) is,—
- (1) in the case of a private pilot licence, a commercial pilot licence, and an instrument rating, valid for 3 years; and
 - (2) in the case of an airline transport pilot licence, valid for 10 years (except that the examination pass in airline transport pilot licence aviation law must not be more than 5 years old).
- (e) A person who fails a written examination 3 times within a period of 60 days may not sit another examination in that subject for a period of 60 days following the date of the last failed examination.
- (f) *Revoked*

Rule 61.35 is revoked and replaced by the following rule:

61.35 Medical requirement

- (a) A person who holds a pilot licence must not exercise the privileges of the licence unless—
- (1) the person—
 - (i) in the case of a private pilot licence, holds at least a current class 2 medical certificate issued under the Act; or

- (ia) in the case of a private pilot licence, holds a current medical certificate issued in accordance with section 44(1) of the Land Transport (Driver Licensing) Rule 1999 that is applicable for a class 2, 3, 4 or 5 driver licence with passenger endorsement which –
 - (A) was issued within the previous 5 years; or
 - (B) if the person is 40 years of age or older, was issued within the previous 2 years; or
 - (ii) in the case of a commercial pilot licence and an airline transport pilot licence, holds a current class 1 medical certificate issued under the Act; and
 - (iii) is complying with all the conditions, restrictions and endorsements on the medical certificate; or
- (2) if the person has been issued a private pilot licence by the Director in accordance with rule 61.153(b) on the basis of a foreign pilot licence, the person—
- (i) holds a medical certificate applying to the foreign pilot licence that the Director relied on to issue the private pilot licence and the medical certificate applying to that foreign pilot licence has not expired; and
 - (ii) is complying with all the conditions, restrictions, and endorsements on the medical certificate.
- (b) *Revoked*
- (c) A person who holds a validation permit for a foreign pilot licence must not exercise the privileges of that permit unless the person—
- (1) holds a current medical certificate that is associated with the foreign pilot licence for which the validation permit is issued; and
 - (2) is complying with all the conditions, restrictions and endorsements on the medical certificate.

(d) A person who is required to hold a medical certificate referred to in paragraph (a)(1)(ia) must provide the Director with a copy of the medical certificate within 7 days of the renewal of the certificate.

The following new rule is inserted after rule 61.35:

61.35D Changes in medical condition of private pilot licence holder

If a holder of a private pilot licence referred to in rule 61.35(a)(1)(ia) is aware of, or has reasonable grounds to suspect, any change in his or her medical condition or the existence of any previously undetected medical condition that may interfere with the safe exercise of the privileges of the licence, the licence holder must not exercise the privileges of the licence unless a medical practitioner confirms the licence holder is fit to hold a medical certificate referred to in rule 61.35(a)(1)(ia).

Rule 61.37 is revoked and replaced with the following new rule:

61.37 Recent flight experience

(a) **Airline transport pilot:** A person who holds an airline transport pilot licence must not act as pilot-in-command of an aircraft on an air operation that requires the pilot-in-command to hold an airline transport pilot licence unless, within the 90 days immediately preceding the flight—

- (1) the person has—
 - (i) carried out (as pilot-in-command of an aircraft or an approved synthetic flight trainer of the same type) not less than 3 take-offs and 3 landings; or
 - (ii) satisfactorily demonstrated to an appropriately authorised flight examiner continued competency in an aircraft of the same type; or
 - (iii) satisfactorily demonstrated to an appropriately qualified flight instructor competence in take-off and landing manoeuvres during the day in an aircraft of the same type; but

- (2) one of the landings may be a monitored landing using the automatic landing facility of the autopilot.

(b) Commercial pilot (aeroplane or helicopter) or private pilot – day flight: A holder of a commercial pilot licence must not act as pilot-in-command of an aircraft on an air operation during the day, and a person who holds a commercial pilot licence or a private pilot licence must not act as pilot-in-command of an aircraft carrying a passenger during the day unless, within the 90 days immediately preceding the flight the person has—

- (1) carried out (as pilot-in-command of an aircraft or an approved synthetic flight trainer of the same type) not less than 3 take-offs and 3 landings during the day; or
- (2) satisfactorily demonstrated to an appropriately qualified Category A or B flight instructor competence in take-off and landing manoeuvres during the day in an aircraft of the same type; or
- (3) satisfactorily demonstrated competence for the issue of the appropriate pilot licence under the Act and this Part, in an aircraft of the same type.

(c) Commercial pilot or private pilot – night flight: A holder of a commercial pilot licence must not act as pilot-in-command of an aircraft on an air operation at night, and a person who holds a commercial pilot licence or a private pilot licence must not act as pilot-in-command of an aircraft carrying a passenger at night unless, within the 90 days immediately preceding the flight the person has—

- (1) carried out (as pilot-in-command of an aircraft or an approved synthetic flight trainer of the same type) not less than 3 take-offs and 3 landings during the night; or
- (2) satisfactorily demonstrated to an appropriately qualified Category A or B flight instructor competence in take-off and landing manoeuvres during the night in an aircraft of the same type.

(ca) **Commercial pilot (balloon):** A holder of a commercial pilot licence (balloon) must not act as pilot-in-command of a balloon carrying a passenger unless, within the 90 days immediately preceding the flight the person has—

- (1) carried out, as pilot-in-command, not less than 3 take-offs and 3 landings during the day, each time ascending to a height of at least 500 feet; or
- (2) satisfactorily demonstrated to an appropriately qualified person acceptable to the Director, competence in take-off and landing manoeuvres in a balloon of the same type; or
- (3) satisfactorily demonstrated competence for the issue of the commercial pilot licence under the Act and this Part, in a balloon of the same type.

(d) To comply with paragraphs (a)(1), (b)(1), or (c)(1), a helicopter pilot must fly transition circuits between the required take-offs and landings.

(e) *Revoked*

(f) To comply with paragraph (b)(1), a glider pilot must perform 3 launches of the appropriate type.

(g) For the purposes of accumulating the 3 take-offs and 3 landings required in paragraphs (b)(1) and (c)(1), the holder of a current Category A flight instructor rating may count take-offs and landings whether during the day or night.

(h) A flight instructor must meet the recent flight experience requirements during the day or night, as appropriate, before giving flight instruction.

(i) If the holder of a pilot licence issued under the Act and this Part has not met the requirements of rule 61.39 for a period of 5 years or more, the privileges of that pilot licence may not be exercised again unless,—

- (1) the holder of the pilot licence passes an approved air law examination and meets the appropriate currency requirements

of the licence (except if the holder has a current pilot licence for a different category of aircraft and meets the requirements of rule 61.39(a) for that category); or

- (2) in the case of an airline transport pilot licence, the holder of the pilot licence completes the appropriate operational competency checks required in Parts 121, 125, or 135 whichever is applicable.

Rule 61.41 is revoked and replaced by the following new rule:

61.41 Use of lower pilot licence or rating

(a) The holder of an airline transport pilot licence or a commercial pilot licence issued under the Act and this Part who does not hold a current class 1 medical certificate issued under the Act but who holds a current class 2 medical certificate issued under the Act, may exercise the privileges and is subject to the limitations of, a private pilot licence if the pilot meets the currency requirements for the private pilot licence type.

(aa) The holder of an airline transport pilot licence, a commercial pilot licence, or a private pilot licence issued under the Act and this Part who does not hold a current class 1 or class 2 medical certificate issued under the Act, but holds a current medical certificate referred to in rule 61.35(a)(1)(ia), may exercise the privileges and is subject to the limitations of, a private pilot licence referred to in rule 61.155, if the pilot meets the currency requirements for the private pilot licence.

(b) The holder of a pilot licence issued under the Act and this Part who does not meet the currency requirements of rule 61.207 or rule 61.257 for the pilot licence type, but who meets the currency requirements for a lower pilot licence, may exercise the privileges of the lower pilot licence.

Subpart C — Student Pilots

Rule 61.105 is revoked and replaced by the following new rule:

61.105 Solo flight requirements

(a) A person who does not hold a current pilot licence issued or validated under this Part must not fly an aircraft solo unless—

- (1) the person is at least 16 years of age; and
- (2) the person holds—
 - (i) at least a current class 2 medical certificate issued by the Director under the Act; or
 - (ii) a medical certificate, issued under rule 44(1) of the Land Transport (Driver Licensing) Rule 1999, that is applicable for a Class 2, 3, 4 or 5 driver licence with passenger endorsement which—
 - (A) was issued within the previous 5 years; or
 - (B) if the person is 40 years of age or older, was issued within the previous 24 months; and
- (3) the person is complying with all the conditions, restrictions and endorsements on the medical certificate; and
- (4) the person has sufficient ability in reading, speaking, understanding and communicating in the English language to enable them to adequately carry out the responsibilities of a pilot-in-command of an aircraft; and
- (5) the flight is authorised by the holder of a current Category A, B, or C flight instructor rating, except for a first solo flight by day or by night which must be authorised by the holder of a Category A or B flight instructor rating; and
- (6) except as provided in paragraph (c), the holder of a current Category A or B flight instructor rating has certified in the person's pilot's logbook that they have received instruction and demonstrated competence in the following:

- (i) preparation for flight;
 - (ii) starting and run-up procedures;
 - (iii) taxiing;
 - (iv) straight and level flight;
 - (v) climbing and descending;
 - (vi) level, climbing and descending turns;
 - (vii) take-off, circuit and landing in that type of aircraft;
 - (viii) practical flight radiotelephony;
 - (ix) go around procedures;
 - (x) in the case of an aeroplane, stall recognition and recovery in that aeroplane type;
 - (xi) in the case of an aeroplane, emergency procedures in the event of engine failure during and after take-off;
 - (xii) in the case of a helicopter, hovering upwind, downwind, and crosswind;
 - (xiii) in the case of a helicopter, emergency procedures, (including autorotative approach and landing) in that type of helicopter; and
- (7) the person has received dual instruction within the last 5 hours of flight experience unless otherwise authorised by the holder of a current Category A or B flight instructor rating; and
- (8) the person has had piloting experience in appropriate aircraft within the immediately preceding 30 days; and
- (9) if the flight is a solo cross country flight—
- (i) the flight is authorised by the holder of a current Category A or B flight instructor rating; and

- (ii) the person holds a valid written examination credit for a private pilot licence; and
- (10) if applicable, that the person has complied with all the requirements of a notice issued under Subpart I.
- (b) The flight instructor who authorises the solo flight specified in paragraph (a)(5) must monitor the actions of the pilot during the solo flight.
- (c) In the case of a first solo flight by day, the certification in the person's pilot's logbook required under paragraph (a)(5) may be made after the completion of the first solo flight if the flight instructor is satisfied that all the requirements in paragraph (a)(6) have been met.

Subpart D — Private Pilot Licences

Rule 61.153 is revoked and replaced by the following new rule:

61.153 Eligibility requirements

- (a) Except as provided in paragraphs (b) and (c), to be eligible for the issue of a private pilot licence a person must—
 - (1) be at least 17 years of age; and
 - (2) hold —
 - (i) at least a current class 2 medical certificate issued under the Act; or
 - (ii) a current medical certificate referred to in rule 61.35(a)(1)(ia); and
 - (3) have the minimum of—
 - (i) 50 hours flight time experience as a pilot in the appropriate category of aircraft comprising solo flight time, dual flight time, instrument time, and cross-country flight time acceptable to the Director; or

- (ii) if the person is not seeking to exercise private pilot privileges on a cross-country flight, 40 hours flight time experience as a pilot in the appropriate category of aircraft comprising solo flight time, instrument time, and dual flight time acceptable to the Director; and
- (4) if the person seeks to exercise private pilot privileges during the night, have night flight experience acceptable to the Director and hold the medical certificate referred to in paragraph (2)(i); and
- (5) if the person seeks to exercise private pilot (helicopter) privileges in the carriage of sling loads, have flight training on the carriage of sling loads acceptable to the Director; and
- (6) have a valid written examination credit, or approved equivalent, that covers the following private pilot licence subject areas:
 - (i) air law;
 - (ii) air navigation and flight planning;
 - (iii) meteorology;
 - (iv) aircraft technical knowledge (Aeroplane or Helicopter), as appropriate;
 - (v) human factors;
 - (vi) flight radiotelephony; and
- (7) have successfully demonstrated the following to a flight examiner in a flight test:
 - (i) knowledge in the ground examination subjects specified in paragraph (6), including those detailed in the examination knowledge deficiency reports;
 - (ii) knowledge of the privileges and limitations of a private pilot licence;

- (iii) technical and operational knowledge relevant to the aircraft type to be used in the flight test;
- (iv) competence to operate the aircraft within its performance capabilities and limitations in accordance with the aircraft flight manual in all normal, abnormal, and emergency conditions and procedures while exercising appropriate levels of judgement and command;
- (v) competence in radiotelephony (RTF) procedures and phraseology;
- (vi) control of the aircraft at all times in a manner that ensures the successful outcome of a procedure or manoeuvre is never in doubt; and

(8) if applicable, comply with all the requirements of a notice issued under Subpart I.

(b) Under section 9 of the Act, a person who holds a current pilot licence and associated medical certificate issued by an ICAO Contracting State may have the licence and medical certificate recognised by the Director for the purpose of the Director issuing a private pilot licence to the person, for the same category of aircraft.

(c) A person who holds a current glider pilot certificate issued by a gliding organisation under delegated authority from the Director is eligible for the issue of a private pilot licence (Glider) if the person—

- (1) is at least 17 years of age; and
- (2) holds a flight radiotelephony examination credit; and
- (3) holds at least a current class 2 medical certificate issued under the Act.

(d) Qualifications held by a member of the New Zealand Defence Force who is in current flying practice as a first or second pilot may be accepted by the Director as meeting the requirements in—

- (1) paragraph (a)(6), if the person has passed the appropriate air law examination in the 5 years before applying for the issue of the private pilot licence; and
- (2) paragraph (a)(7).

Rule 61.155 is revoked and replaced by the following new rule:

61.155 Privileges and limitations

(a) Subject to paragraphs (b) and (bb), the holder of a current private pilot licence may—

- (1) act as pilot-in-command of an aircraft of the category for which the pilot licence is granted and for which the pilot holds an aircraft type rating, and may carry passengers in the aircraft; and
- (2) act as a co-pilot of an aircraft of the category for which the pilot licence is granted and for which the pilot holds an aircraft type rating, and which is required to be operated with a co-pilot.

(b) The holder of a private pilot licence must not act as pilot-in-command or as co-pilot of an aircraft—

- (1) for remuneration; or
- (2) if the aircraft is being operated for hire or reward; or
- (3) if the aircraft is—
 - (i) being operated at night; or
 - (ii) being operated on a cross country flight; or
 - (iii) a helicopter carrying a sling load—

unless an appropriately qualified flight instructor has certified in the holder's logbook that the holder has satisfactorily completed the flight training required to perform that activity; or

- (4) if applicable, unless the holder has complied with all the requirements of a notice issued under Subpart I.

(bb) The holder of a private pilot licence who only holds a current medical certificate referred to in rule 61.35(a)(1)(ia) must not act as pilot-in-command or co-pilot –

- (1) of any aircraft with a MCTOW exceeding 2,730 kg:
- (2) of any pressurised aircraft exceeding 25,000 feet AMSL:
- (3) of an aircraft –
 - (i) operating outside of New Zealand, unless a foreign country permits the holder of the private pilot licence to operate in that country:
 - (ii) operating under IFR:
 - (iii) operating into or out of a controlled aerodrome unless the holder maintains radio contact with the appropriate ATS unit at all times:
 - (iv) performing an agricultural aircraft operation:
 - (v) performing a banner tow operation below 500 feet AGL:
 - (vi) performing a drogue tow operation below 500 feet AGL:
 - (vii) performing a parachute drop operation exceeding 10,000 feet AMSL:
 - (viii) while exercising the privileges of an aerobatics rating:
 - (ix) despite paragraph (a)(1), carrying more than 5 passengers;
 - (x) that is being operated at night exceeding 25 nm of a lit aerodrome.

(bd) Despite paragraph (bb)(3)(iii), the holder of a private pilot licence who only holds a current medical certificate referred to in rule 61.35(a)(1)(ia) is not required to have radio contact with the appropriate ATS unit at all times if the person has already successfully passed a colour deficiency screening test that is acceptable to the Director, and the flight has been approved by the ATS Unit.

(bf) Despite paragraphs (a)(1) and (bb)(3)(ix), the holder of a private pilot licence who only holds a medical certificate referred to in rule 61.35(a)(1)(ia) must not carry a passenger while performing an aerobatic manoeuvre.

(c) Despite paragraph (b)(2), the holder of a current private pilot licence may act, but not for remuneration, as pilot-in-command or as a co-pilot of an aircraft that is operated for hire or reward to tow a glider in flight, but only if the operation is under the direct control of a gliding organisation, or under the authority of an adventure aviation operator certificate issued by the Director under the Act and Part 115.

New rule 61.159 is inserted after rule 61.157:

61.159 Savings provision

(a) A holder of a valid recreational pilot licence for an aeroplane or a helicopter that was issued under the Act and this Part immediately before 5 April 2021—

- (1) is deemed to have been issued a private pilot licence referred to in rule 61.35(a)(1)(ia); and
- (2) is deemed to hold a medical certificate referred to in rule 61.35(a)(1)(ia).

(b) The holder of a deemed private pilot licence—

- (1) may exercise the privileges prescribed for the private pilot licence; and
- (2) must comply with the limitations and meet the currency requirements for the private pilot licence.

Subpart H is revoked and the Subpart reference is reserved.

Subpart H Reserved

Subpart L — Aerobatic Flight Rating

Rule 61.551 is revoked and replaced by the following rule:

61.551 Eligibility requirements

- (a) To be eligible for an aerobatic flight rating a pilot must—
- (1) have successfully completed an aerobatics ground course conducted under the authority of—
 - (i) an aviation training organisation certificate issued under the Act and Part 141 if the certificate authorises the holder to conduct the course; or
 - (ii) an aviation recreation organisation certificate issued under the Act and Part 149 if the certificate authorises the holder to conduct the course; and
 - (2) have successfully completed an aerobatics flight training course conducted under the authority of—
 - (i) a certificate referred to in paragraph (1)(i) if the certificate authorises the holder to conduct the course; or
 - (ii) a certificate referred to in paragraph (1)(ii) if the certificate authorises the holder to conduct the course; and
 - (3) have successfully demonstrated competency in aerobatics and spinning to—
 - (i) an appropriately qualified flight instructor who operates under the authority of a certificate referred to in paragraph (1)(i) if the certificate authorises the holder to conduct the assessment; or

- (ii) a person who operates under the authority of a certificate referred to in paragraph (1)(ii) if the certificate authorises the holder to conduct the assessment; and
- (4) hold a current class 1 or class 2 medical certificate issued under the Act.
- (b) A holder of the following is deemed to have met the eligibility requirements of paragraphs (a)(1) and (a)(2)—
 - (1) a current aerobatic rating issued by an ICAO Contracting State; or
 - (2) a New Zealand Defence Force pilot qualification.
- (c) A pilot who holds a current pilot licence and has passed a New Zealand Defence Force aerobatic assessment in the 2 years before applying for an aerobatic flight rating is deemed to have met all the eligibility requirements of paragraph (a).

Rule 61.557 is revoked and replaced by the following rule:

61.557 Currency requirements

- (a) A holder of an aerobatic flight rating must not exercise the privileges of the rating unless,—
 - (1) within the previous 2 years, the holder has successfully demonstrated competency as required by rule 61.551(a)(3);
 - (2) the flight instructor or authorised person who conducts the competency demonstration certifies the successful completion of the check in the pilot's logbook as required by rule 61.29; and
 - (3) holds a current class 1 or class 2 medical certificate issued under the Act.
- (b) A pilot who successfully completes the competency demonstration within 60 days before the date on which it is required is deemed to have completed the demonstration on the required date.

Subpart O — Agricultural Ratings

Rule 61.701 is revoked and replaced by the following rule:

61.701 Eligibility

(a) To be eligible for the issue of a Grade 2 agricultural rating (Aeroplane or Helicopter) a person must—

- (1) hold at least a current class 2 medical certificate issued under the Act and a private pilot licence for the appropriate category of aircraft; and
- (2) have a minimum of 200 hours flight time experience as a pilot, including a minimum of 100 hours as pilot-in-command in the appropriate category of aircraft, before commencing training for an agricultural rating; and
- (3) successfully complete a course of agricultural ground and flight training; and
- (4) *Revoked*
- (5) *Revoked*
- (6) hold a pilot chemical rating; and
- (7) successfully complete a training course in one or more of the following ratings:
 - (8) aerial topdressing rating;
 - (9) aerial spraying rating;
 - (10) aerial VTA rating; and
 - (11) successfully demonstrate competency in agricultural aircraft operations to a flight examiner holding an appropriate current agricultural flight examiner rating.

(b) To be eligible for the issue of a Grade 1 agricultural rating (Aeroplane or Helicopter), a person must—

- (1) hold at least a current commercial pilot licence for the appropriate category of aircraft; and
 - (2) have a minimum of 1000 hours productive flight time experience dispensing agricultural chemical or other substance directly affecting agriculture, horticulture or forest preservation, including a minimum of 200 hours as pilot-in-command of the appropriate category of aircraft; and
 - (3) successfully demonstrate competency in agricultural aircraft operations to a flight examiner holding an appropriate current agricultural flight examiner rating.
- (c) The training required by paragraph (a)(3), and the demonstration of competency required by paragraphs (a)(8) and (b)(3) must be conducted under the authority of—
- (1) an agricultural aircraft operator certificate issued under the Act and Part 137 that authorises the operator to conduct the training or competency assessment; or
 - (2) an aviation training organisation certificate issued under the Act and Part 141 that authorises the organisation to conduct the training or competency; or
 - (3) an organisation that employs, contracts or engages a person who holds a delegation from the Director to conduct the competency assessment.

Rule 61.707 is revoked and replaced with the following rule:

61.707 Currency requirements

- (a) Subject to paragraph (d), a holder of an agricultural rating must not exercise the privileges of the rating unless—
- (1) within the preceding 12 months the holder has –
 - (i) successfully demonstrated, to a holder of a category E flight instructor rating or a holder of an agricultural flight examiner rating, competency to perform an agricultural aircraft operation in an appropriate aircraft

category and applicable to the agricultural ratings being exercised; and

- (ii) holds a current class 1 or class 2 medical certificate issued under the Act; and
- (2) the flight instructor or flight examiner who conducted the competency demonstration has entered the following statement in the pilot's logbook:

I certify that on [date of assessment] [name of pilot and licence number] demonstrated competency in agricultural aircraft operations in accordance with rule 61.707(a)(1) of the Civil Aviation Rules for continued currency of a (Grade 2) (Grade 1)* agricultural rating (aeroplane)* (helicopter)* performing (aerial topdressing)* (aerial spraying)* (aerial VTA)*. Next competency demonstration due on [enter date 12 months from date of assessment or 12 months from due date in accordance with paragraph (c) whichever is later]. [enter date of log book entry, and full name, signature and licence number of flight instructor or flight examiner].*

** delete as applicable.*

- (b) A pilot who successfully completes the competency demonstration within 60 days before the date on which the demonstration is required is deemed to have completed the demonstration on the required date.
- (ba) The flight instructor or flight examiner who conducted the competency demonstration must complete the appropriate CAA form and submit a copy of the completed form to the Director and to the pilot.
- (c) A holder of a Grade 1 agricultural rating must not act as pilot-in-command of an aircraft performing an agricultural aircraft operation if, under Part 137, there is a third party risk unless—
 - (1) the holder has at least 25 hours flight time experience as a pilot-in-command on the type of aircraft being used; and
 - (2) 10 of the required hours have been accumulated within the immediately preceding 12 months.

(d) Despite paragraph (a), a holder of an agricultural rating must not dispense an agricultural chemical from an aircraft on an agricultural aircraft operation unless they hold a current pilot chemical rating.

Subpart Q — Instrument Ratings

Rule 61.801 is revoked and replaced by the following rule:

61.801 Eligibility requirements

(a) Except as provided in paragraphs (b) and (c), to be eligible for an instrument rating (Aeroplane or Helicopter), a person must—

- (1) hold a current class 1 or class 2 medical certificate issued under the Act and a pilot licence, which includes the night flying privileges for the pilot licence, for the appropriate category of aircraft; and
- (2) have flight time experience acceptable to the Director; and
- (3) successfully complete a ground training course, in the following subject areas:
 - (i) air law: rules and regulations relevant to flight under IFR; related air traffic service practices and procedures; pre-flight preparations and checks appropriate to flight under IFR; operational flight planning; preparation and filing of flight plans under IFR; altimeter setting procedures; interpretation and use of aeronautical documentation such as AIP, NOTAM, aeronautical codes and abbreviations, and instrument procedure charts for departure, en-route, descent and approach; precautionary and emergency procedures; safety practices associated with flight under IFR; radiotelephony procedures and phraseology as applied to aircraft operations under IFR; action to be taken in case of communication failure:
 - (ii) flight navigation - IFR: practical air navigation using radio navigation aids; use, accuracy and reliability of navigation systems used in departure, en-route,

approach and landing phases of flight; identification of radio navigation aids:

- (iii) meteorology: interpretation and application of aeronautical meteorological reports, charts and forecasts; use of, and procedures for obtaining, meteorological information, pre-flight and in-flight; altimetry; aeronautical meteorology; climatology of relevant areas in respect of the elements having an effect upon aviation; the movement of pressure systems, the structure of fronts, and the origin and characteristics of significant weather phenomena which affect take-off, en-route, and landing conditions; hazardous weather avoidance:
 - (iv) instruments and navigation aids: use, limitation and serviceability of avionics and instruments necessary for the control and navigation of aircraft under IFR and in instrument meteorological conditions; use and limitations of autopilot; compasses, turning and acceleration errors; gyroscopic instruments, operational limits and precession effects; practices and procedures in the event of malfunctions of various flight instruments:
 - (v) human factors: human performance and limitations; and
- (4) successfully complete a flight training course conducted by an appropriately qualified flight instructor comprising a minimum 10 hours of dual instruction in the appropriate category of aircraft in the following subject areas:
- (i) pre-flight procedures, including the use of the flight manual or equivalent document, and appropriate air traffic service documents in the preparation of an IFR flight plan:
 - (ii) pre-flight inspection, use of checklists, taxiing and pre-take-off checks:

- (iii) procedures and manoeuvres for IFR operation under normal, abnormal, and emergency conditions covering at least: transition to instrument flight on take-off; standard instrument departures and arrivals; en-route IFR procedures; holding procedures; instrument approaches to specified minima; missed approach procedures; and landings from instrument approaches:
 - (iv) in-flight manoeuvres and particular flight characteristics:
 - (v) for multi-engine aircraft, the operation of the aircraft solely by reference to instruments with 1 engine inoperative or simulated inoperative; and
- (5) have a valid written examination credit, or approved equivalent, that covers approved written examinations in the subject areas described in paragraph (a)(3); and
- (6) successfully demonstrate to the Director (by undertaking a flight test in an appropriate aircraft or in an approved synthetic flight trainer) the ability to competently perform the procedures, manoeuvres, and operations described in paragraph (a)(4) that are applicable to the navigation systems on which the applicant is being tested, and the ability to—
- (i) operate the aircraft within its limitations; and
 - (ii) complete all manoeuvres with smoothness and accuracy; and
 - (iii) exercise good judgement and airmanship; and
 - (iv) apply aeronautical knowledge; and
 - (v) control the aircraft at all times in a manner that ensures the successful outcome of a procedure or manoeuvre is never in doubt.
- (b) To be eligible for an instrument rating, a holder of an unrestricted equivalent rating issued by an ICAO Contracting State must—

- (1) have a valid written examination credit in the subject of air law described under paragraph (a)(3)(i); and
 - (2) pass the flight test required by paragraph (a)(6).
- (c) A person who holds a New Zealand Defence Force instrument rating and has passed a New Zealand Defence Force instrument flight assessment in the 60 days before applying for an instrument rating meets the eligibility requirements of paragraphs (a)(2) to (a)(6).

Rule 61.807 is revoked and replaced by the following rule:

61.807 Currency requirements

- (a) Except as provided in paragraph (b), the holder of an instrument rating must not exercise the privileges of the rating unless the holder has,—
- (1) within the immediately preceding 12 months,—
 - (i) successfully demonstrated to a flight examiner competency as required by rule 61.801(a)(6) for the appropriate category of aircraft; and
 - (ii) the person who conducts the competency demonstration certifies the successful completion of the check in the pilot's logbook as required by rule 61.29; and
 - (2) within the immediately preceding 60 days,—
 - (i) either met the requirements of paragraph (a)(1) or completed at least 3 hours instrument time (which must have included at least 1 hour instrument flight time); and
 - (ii) carried out at least 3 published instrument approach procedures (1 of which may be performed in an approved synthetic flight trainer); and
 - (3) if acting as a pilot of a non-centreline-thrust multi-engine aircraft under IFR, demonstrated the competency required in

paragraph (a)(1) in a non-centrelines-thrust multi-engine aircraft; and

- (4) if carrying out an instrument approach procedure under IFR, within the immediately preceding 60 days, performed in flight or in an approved synthetic flight trainer a published instrument approach procedure using a similar type of navigation system; or
- (5) if conducting an IFR operation under the authority of an air operator certificate issued under the Act and Part 119, satisfied the IFR competency requirements in Part 121, 125 or 135 as appropriate; and
- (6) holds a current class 1 or class 2 medical certificate issued under the Act.

(b) The holder of an instrument rating who does not comply with paragraph (a)(2) may act as support pilot of an aircraft on an IFR flight if the aircraft is not performing an air operation.

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