

1972/91



THE CIVIL AVIATION REGULATIONS 1953,
AMENDMENT NO. 16

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 1st day of May 1972

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Civil Aviation Act 1964, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Civil Aviation Regulations 1953, Amendment No. 16, and shall be read together with and deemed part of the Civil Aviation Regulations 1953* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Production of documents and records—Regulation 10 of the principal regulations (as substituted by regulation 4 of the Civil Aviation Regulations 1953, Amendment No. 12) is hereby amended by adding the words “, and shall on the demand of the Director, any authorised person, or any member of the Police, surrender any such document or record to the person making the demand, who may retain it for any period not exceeding 28 days.”

3. Daily flight records—The principal regulations are hereby further amended by inserting, after regulation 28, the following regulation:

“28A. (1) Every operator engaged in aerial work operations or air transport operations shall keep daily flight records in such form and containing such information as the Director from time to time prescribes.

“(2) Every daily flight record shall be retained by the operator for a period of not less than 6 months after the date of the record.”

*S.R. 1953/108 (Reprinted with Amendments Nos. 1 to 14: S.R. 1970/173)
Amendment No. 15: S.R. 1970/253

4. Night operations—(1) Subclause (1) of regulation 41 of the principal regulations is hereby amended by omitting from the first proviso (as substituted by regulation 8 of the Civil Aviation Regulations 1953, Amendment No. 9) the words “local flights which originate and terminate at the same aerodrome”, and substituting the words “flights in visual meteorological conditions;”.

(2) The said subclause (1) is hereby further amended by revoking the second proviso (as added by regulation 15 (c) of the Civil Aviation Regulations 1953, Amendment No. 3).

(3) Regulation 15 of the Civil Aviation Regulations 1953, Amendment No. 3, is hereby consequentially amended by revoking paragraph (c).

5. Revoking provisions relating to alteration of course after take-off—(1) Regulation 69 of the principal regulations is hereby revoked.

(2) Regulation 12 of the Civil Aviation Regulations 1953, Amendment No. 9, is hereby revoked.

6. Aerodrome traffic rules—Regulation 91 of the principal regulations (as substituted by regulation 13 (1) of the Civil Aviation Regulations 1953, Amendment No. 11) is hereby amended by adding the following subclause:

“(8) The pilot of an aircraft shall not turn after take-off until a height of at least 500 ft above ground has been attained, unless—

“(a) A turn is necessary to maintain required clearance from obstructions within the take-off flight path; or

“(b) A turn has been approved as part of an approval for an aviation pageant or display; or

“(c) The aircraft is engaged in agricultural operations or approved agricultural training operations at an aerodrome used or intended to be used solely for the purpose of agricultural or farming operations; or

“(d) The aircraft is engaged in agricultural operations in the vicinity of an aerodrome (other than one intended to be used solely for the purpose of agricultural or farming operations) and the turn does not cause the aircraft to fly over any city, town, or populous area and—

“(i) Where aerodrome control is operative, the turn has been approved by Air Traffic Control; or

“(ii) Where flight service is in operation, an approved ground signal is displayed which indicates that agricultural operations are being conducted from that aerodrome.”

7. Instruments and equipment, etc., for air transport operators—Regulation 107 of the principal regulations is hereby amended by omitting the words “and aerial work”.

8. Commercial pilot licence—Regulation 236 of the principal regulations is hereby amended by adding to subclause (2) the following paragraph:

“(e) Third pilot in a 3-pilot crew, if his licence has been endorsed by the Director to the effect that he has satisfactorily completed a course of approved training for the type of aircraft in which he so acts:

“Provided that he shall not occupy a pilot-control seat unless the aircraft is at an altitude of more than 20,000 ft.”

9. Instrument rating—Regulation 248 of the principal regulations is hereby amended by adding to subclause (2) the following additional proviso:

“Provided also that if he has demonstrated his ability under paragraph (c) of subclause (1) of this regulation in a single-engined aircraft, the instrument rating shall be noted to that effect and he shall exercise the privilege of an instrument rating only in a single-engined aircraft until he has demonstrated such ability in a multi-engined aircraft, in which case the notation shall be cancelled.”

10. Medical requirements—Regulation 261 of the principal regulations (as substituted by regulation 39 (1) of the Civil Aviation Regulations 1953, Amendment No. 9) is hereby amended by revoking subclause (4), and substituting the following subclause:

“(4) If an applicant for the grant or renewal of a licence or rating under this Part of these regulations fails to meet the medical standards referred to in subclause (2) of this regulation, the licence or rating may be granted or renewed subject to such limitations and conditions (if any) as the Director may endorse thereon.”

P. J. BROOKS,

Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

Regulation 2 provides for the surrender of documents for a period of not more than 28 days.

Regulation 3 makes provision for the keeping of daily flight records by operators.

Regulation 4 amends the provisions relating to night flying. The amendment will empower the Director of the Civil Aviation Division to grant exemptions in respect of flights in visual meteorological conditions. At present exemptions may be granted only in respect of local flights which originate and terminate at the same aerodrome.

Regulation 5 revokes regulation 69 of the principal regulations, which relates to alteration of course after take-off. The revoked regulation is replaced by new provisions contained in regulation 6 of these regulations.

Regulation 6 prohibits, with certain specified exceptions, a turn after take-off until a height of 500 ft has been attained.

Regulation 7 provides for aircraft engaged in aerial work to be no longer subject to regulation 107 of the principal regulations, which relates to the carrying of certain instruments and equipment.

Regulation 8 provides for the holder of a commercial pilot licence to act as third pilot in a 3-pilot crew.

Regulation 9 provides for the restriction of an instrument rating to single-engined aircraft where the flight test has been conducted in a single-engined aircraft.

Regulation 10 amends regulation 261 of the principal regulations which relates to medical requirements. At present, if an applicant for the grant or renewal of a pilot licence or rating fails to meet the medical requirements the licence or rating may be granted or renewed subject to certain specified limitations and conditions.

The amendment empowers the Director to impose such limitations and conditions as he thinks fit.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 4 May 1972.

These regulations are administered in the Ministry of Transport.