



**THE CIVIL AVIATION REGULATIONS 1953,  
AMENDMENT NO. 24**

RONALD DAVISON  
Administrator of the Government

ORDER IN COUNCIL

At the Government House at Wellington this 13th day of June 1983

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL  
PURSUANT to the Civil Aviation Act 1964, His Excellency the Administrator  
of the Government, acting by and with the advice and consent of the  
Executive Council, hereby makes the following regulations.

ANALYSIS

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Civil Aviation Regulations 1953, Amendment No. 24, 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 14th day after the date of their notification in the *Gazette*.

**2. Interpretation**—Regulation 4 (1) of the principal regulations is hereby amended by inserting, in their appropriate alphabetical order, the following definitions:

“ ‘Amateur-built aircraft’ means an aircraft all or the major portion of which has been constructed by a person for the purpose of his own education or recreation:

\*S.R. 1953/108 (Reprinted with Amendments Nos. 1 to 22: S.R. 1980/88)  
Amendment No. 23: S.R. 1982/90

“ ‘Microlight aeroplane’ means an aeroplane having—

“(a) An empty weight of 150 kg or less;

“(b) A lifting surface area of 10m<sup>2</sup> or more; and

“(c) A wing loading of 10 kg per m<sup>2</sup> or less at empty weight—  
and which is designed to carry not more than 2 persons:

“ ‘Powered glider’ means an aircraft equipped with 1 or more engines which has, with the engine or engines not operating, the performance characteristics of a glider:”.

**3. General conditions of flying**—(1) Regulation 19 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) An aircraft may be flown without complying with the provisions of this regulation if it is flown in accordance with a special flight permit issued by the Director, and subject to any terms, conditions, or limitations specified in the permit, for any of the following purposes:

“(a) Experiment, development, or evaluation:

“(b) Transferring the aircraft to or from a place at which work on the aircraft is to be or has been performed:

“(c) Transferring the aircraft to or from a place at which an inspection of the aircraft by or on behalf of the Director is to be or has been performed:

“(d) Transferring the aircraft to or from a place at which flight of the aircraft for the purpose of experiment, development, or evaluation is to occur or has occurred.”

(2) Regulation 7 (c) of the Civil Aviation Regulations 1953, Amendment No. 22 is hereby consequentially revoked.

**4. Operation of gliders and powered gliders**—(1) the principal regulations are hereby further amended by revoking regulation 19A, and substituting the following regulation:

“19A. (1) For the purpose of regulating and facilitating the operation of gliders and powered gliders, the Director may prescribe—

“(a) Performance characteristics for the purposes of determining whether an aircraft is a powered glider:

“(b) Such requirements as he considers necessary for the operation, equipment, flight, manoeuvre, and airworthiness of gliders and powered gliders.

“(2) The Director, in specifying his requirements under subclause (1) (b) of this regulation, may, notwithstanding the provisions of any of these regulations, exempt gliders or powered gliders from such provisions as he may consider necessary to facilitate glider flying or powered glider flying, and he may prescribe such matters in relation to qualifications, experience, knowledge, skill, and medical fitness of persons who may act as pilot in command of a glider or powered glider as he may consider necessary in the interests of safety.

“(3) A person may not act as pilot in command of a glider or powered glider unless—

“(a) He is qualified to act as such in accordance with provisions prescribed under this regulation; or

“(b) He is the holder of a licence issued under these regulations of a class specified by the Director as being appropriate to the duties to be carried out.”

(2) The following regulations are hereby consequentially revoked:

- (a) Regulation 5 of the Civil Aviation Regulations 1953, Amendment No. 9;
- (b) Regulation 5 of the Civil Aviation Regulations 1953, Amendment No. 20.

**5. Provisions relating to gliders applied to powered gliders—**

(1) Regulation 117 of the principal regulations is hereby amended by inserting, after the word “gliders”, the words “and powered gliders”.

(2) Regulation 155 (1) of the principal regulations (as substituted by regulation 46 of the Civil Aviation Regulations 1953, Amendment No. 22) is hereby amended by omitting from paragraph (b) of the proviso the words “and gliders”, and substituting the words “gliders, and powered gliders”.

(3) Regulation 158 (3) (a) of the principal regulations is hereby amended—

(a) By omitting the words “and gliders”, and substituting the words “, gliders, and powered gliders”:

(b) By omitting from the proviso to subparagraph (i) (as substituted by regulation 27 of the Civil Aviation Regulations 1953, Amendment No. 11) the words “aircraft or gliders”, and substituting the words “aeroplanes, gliders, or powered gliders”.

(4) Regulation 159 (b) of the principal regulations is hereby amended by omitting the words “and gliders”, and substituting the words “, gliders, and powered gliders”.

(5) Regulation 169 of the principal regulations is hereby amended by revoking the proviso to subclause (5) (as added by regulation 21 (1) (b) of the Civil Aviation Regulations 1953, Amendment No. 9), and substituting the following subclause:

“(6) Notwithstanding the provisions of this regulation, the duties and functions of aircraft maintenance engineers provided for in subclauses (3), (4), and (5) of this regulation shall be carried out in respect of gliders and powered gliders by a person specifically approved for the purpose by the Director.”

(6) Regulation 171A of the principal regulations (as inserted by regulation 13 of the Civil Aviation Regulations 1953, Amendment No. 18) is hereby amended by revoking paragraph (c), and substituting the following paragraph:

“(c) In the case of a glider or powered glider, or components thereof, approved for that purpose; or”.

(7) The principal regulations are hereby further amended by revoking regulation 253 (as substituted by regulation 56 of the Civil Aviation Regulations 1953, Amendment No. 22), and substituting the following regulation:

“253. A glider towing rating authorises the holder to act as pilot in command of an aeroplane towing a glider or a powered glider.”

(8) Regulation 21 (1) (b) of the Civil Aviation Regulations 1953, Amendment No. 9 is hereby consequentially revoked.

**6. Operation of microlight aeroplanes—**The principal regulations are hereby further amended by inserting, after regulation 19B, the following regulation:

“19c. (1) For the purposes of regulating and facilitating the operation of microlight aeroplanes, the Director may prescribe such requirements for the operation, equipment, flight, manoeuvre, and airworthiness of microlight aeroplanes as he considers necessary.

“(2) Notwithstanding the provisions of these regulations, the Director, in specifying requirements under subclause (1) of this regulation, may exempt microlight aeroplanes from such of those provisions as he considers necessary to facilitate microlight-aeroplane flying, and may prescribe such matters relating to knowledge, skill, and medical fitness of persons who may act as pilot in command of a microlight aeroplane as he considers necessary in the interests of safety.

“(3) A person may not act as pilot in command of a microlight aeroplane unless—

“(a) He is qualified to so act in accordance with the provisions prescribed under this regulation; or

“(b) He is the holder of a pilot licence issued under these regulations of a class specified by the Director as being appropriate to the duties to be carried out.”

**7. Operation of amateur-built aircraft**—The principal regulations are hereby further amended by inserting, after regulation 19c, the following regulation:

“19D. (1) For the purpose of regulating and facilitating the operation of amateur-built aircraft, the Director may prescribe such requirements for the operation, equipment, flight, manoeuvre, and airworthiness of amateur-built aircraft as he considers necessary.

“(2) Notwithstanding the provisions of these regulations, the Director, in specifying requirements under subclause (1) of this regulation, may exempt amateur-built aircraft from such of those provisions as he considers necessary to facilitate the flying of amateur-built aircraft.”

**8. Revoking requirement to carry declaration as to number of persons on international flights**—(1) Regulation 27 (i) of the principal regulations is hereby revoked.

(2) Regulation 9 of the Civil Aviation Regulations 1953, Amendment No. 20 is hereby consequentially revoked.

**9. Route and aerodrome qualifications of pilot in command**—(1) Regulation 77 (1) of the principal regulations (as substituted by regulation 19 of the Civil Aviation Regulations 1953, Amendment No. 22) is hereby amended by omitting the words “A pilot shall not act as pilot in command of an aircraft engaged in an air transport operation on a particular route unless”, and substituting the words “An operator shall not cause or permit a pilot to act as pilot in command, and a pilot shall not act as pilot in command, of an aircraft engaged in an air transport operation on a route or segment of a route in respect of which he is not currently qualified unless”.

(2) Regulation 77 (1) (c) of the principal regulations (as so substituted) is hereby amended by omitting the words “and the designated alternate aerodromes”.

## EXPLANATORY NOTE

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

*Regulation 2* inserts new definitions of "amateur-built aircraft", "microlight aeroplane", and "powered glider".

*Regulation 3* empowers the Director of the Civil Aviation Division to exempt certain ferry flights from the provisions of the regulations.

*Regulation 4* applies the provisions of regulation 19A of the principal regulations (relating to the operation of gliders) to powered gliders.

*Regulation 5* applies the provisions of certain other regulations relating to gliders to powered gliders.

*Regulation 6* inserts new provisions relating to the operation of microlight aeroplanes.

*Regulation 7* inserts new provisions relating to the operation of amateur-built aircraft.

*Regulation 8* revokes the requirement to carry, on international flights, a general declaration showing the total number of crew members and the number of passengers.

*Regulation 9* makes 2 amendments to the provision relating to the route and aerodrome qualifications of a pilot in command of an aircraft.

The first amendment provides that an operator of an aircraft may not cause or permit a pilot to act as pilot in command of an aircraft unless he has the appropriate route and aerodrome qualifications. Previously the onus was solely on the pilot.

The second amendment removes the requirement that a pilot in command must have made an actual approach into designated alternate aerodromes on the route being flown.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 16 June 1983.

These regulations are administered in the Ministry of Transport.