



**PURSUANT** to Section 28, 29, and 30 of the Civil Aviation Act 1990

**I, Hon Julie Anne Genter, Associate Minister of Transport,**

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This 10 day of April 2018

A handwritten signature in black ink, appearing to read 'Julie A', is written over the printed name 'by Hon Julie Anne Genter'. The signature is fluid and cursive.

by Hon Julie Anne Genter

Associate Minister of Transport

**Civil Aviation Rules**

**Part 115, Amendment 6**

**Adventure Aviation–Certification and Operations**

*Docket 16/CAR/8*

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**Rule objective**

The objective of amendment 6 to Part 115 is to replace the term “automatic ELT” with the term “AELS” in rule 115.603, rule 115.753, and rule 115.803.

**Extent of consultation**

A Notice of Proposed Rulemaking, NPRM 18-01, containing the proposed amendment was issued for public consultation under Docket 16/CAR/8 on 4 September 2017.

The NPRM was published on the CAA website on 4 September 2017, notified to the industry by automatic email alerts, and notified in the Gazette on 7 September 2017. A copy of the NPRM was sent to:

- The Ministry of Transport
- Internal CAA stakeholders
- Members of the CAA Aircraft Emergency Location System (AELS) Rules Drafting Group.

A period of 28 days was allowed for comment on the proposed rule.

**Summary of submissions**

Nine written submissions and no oral comments were received on the NPRM. A summary of submissions for this NPRM is available on the CAA website. There were no submissions relating to the proposed amendment to this Part.

**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 rule 115.603 to replace the term “automatic ELT” with the term “AELS”; and
- revoking and replacing rule 115.753 to replace the term “automatic ELT” with the term “AELS”; and
- revoking and replacing rule 115.803 to replace the term :automatic ELT” with the term “AELS”.

**Effective date of rule**

Amendment 6 to Part 115 comes into force on 18 May 2018.

**Availability of rules**

Civil Aviation Rules are available from—

CAA website: <http://www.caa.govt.nz/>

Freephone: 0800 GET RULES (0800 438 785)

## **Part 115 Adventure Aviation, Initial Issue-Certification and Operations**

*Rule 115.603 is revoked and replaced with the following rule:*

### **115.603 Instruments and equipment – glider**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a glider must ensure that—

- (1) each glider used for the operation is equipped under the applicable instrument and equipment requirements prescribed in Subpart F of Part 91, Subpart C of Part 104, and this Part; and
- (2) the instruments and equipment required by Part 104 have been installed under the glider manufacturer’s instructions or other equivalent instructions acceptable to the Director; and
- (3) despite rule 91.529(e), each glider used for the operation is equipped with an AELS, or the pilot-in-command is equipped with an ELT(S) or PLB that meets the applicable standard in Part 91 Appendix A.

*Rule 115.753 is revoked and replaced with the following rule:*

### **115.753 Instruments and equipment**

A holder of an adventure aviation operator certificate conducting a special aircraft operation must ensure that each aircraft used for the special aircraft operation is equipped with—

- (1) instruments and equipment that meet the requirements of Part 91 and this Part; and
- (2) an AELS under rule 91.529.

*Rule 115.803 is revoked and replaced with the following rule:*

### **115.803 Instruments and equipment – microlight aircraft**

A holder of an adventure aviation operator certificate conducting an adventure aviation operation using a microlight aircraft must ensure that each microlight aircraft used for the operation—

- (1) is equipped with the applicable instruments and equipment specified in rules 91.509, 103.221(a), and 103.221(c)(2); and
- (2) despite rule 91.529(e), is equipped with an AELS , or the pilot-in-command is equipped with an ELT(S) or PLB that meets the applicable standard in Part 91 Appendix A and is maintained under rule 91.605(e)(4).