



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

**I, HARRY JAMES DUYNHOVEN**, Minister for Transport Safety,

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This *24<sup>th</sup>* day of *September* 2007

by **HARRY JAMES DUYNHOVEN**

Minister for Transport Safety

A handwritten signature in black ink, appearing to read 'Harry James Duynhoven'. The signature is stylized and cursive, with a large, sweeping 'H' and 'D'. It is positioned above the printed name and title.

**Civil Aviation Rules**

**Part 67, Amendment 3**

**Medical Standards and Certification**

*Docket 5/CAR/3*

## Contents

Rule objective .....	3
Extent of consultation.....	3
Summary of submissions .....	3
Examination of submissions.....	4
Insertion of Amendments .....	4
Effective date of rule.....	4
Availability of rules.....	4
<b>Part 67 Amendments</b>	<b>5</b>
<b>Subpart B — Medical Certification</b>	<b>5</b>
67.61 Effective date and duration of medical certificates.....	5
Consultation Details .....	7

**Rule objective**

The objective of amendment 3 to Part 67 is to make minor and technical changes as part of a general rule fix up project.

**Extent of consultation**

A Notice of Proposed Rulemaking, NPRM 06/02, containing the proposed changes to various rules was issued for public consultation under Docket 5/CAR/3 on 13 April 2006.

Following public notifications of this NPRM, a supplementary NPRM proposing amendments to Part 67 Medical Standards and Certification was Gazetted on 11 May 2006 with a submission closing date of 8 June 2006. This proposal was distributed to all DME's via email.

The publication of the first NPRM was notified in the Gazette on 13 April 2006 and advertised in the daily newspapers in the five main provincial centres on 13 April 2006. The NPRM was published on the CAA web site and mailed to stakeholders including representative organisations who were considered likely to have an interest in the proposal. A period of 41 days was allowed for comment on the proposed rule in this NPRM.

**Summary of submissions**

Two submissions were received by the closing date of the original NPRM issued 13 April 2006, both of which were in regard to rule 121.91- Refuelling and defuelling operations. In addition to the comments received from industry, a comment was also received from within the CAA in regard to Part 133 - Helicopter External Load Operations.

One submission was received in relation to the supplementary NPRM issued on 11 May 2006 proposing changes to Part 67. The submission referred to the validity period of medical certificates. This requirement is not being altered in this rule and so the submission was not accepted. The rule amendment replaces the term 'single crew' with 'single pilot' which is more widely accepted and more easily defined. It also amends the term 'air transport operation' to 'air operation' to reflect international medical standards. Minor editorial corrections were made to the proposed rule changes after further internal CAA review.

The rule as amended with editorial corrections was then referred to Parliament's Regulations Review Committee before being signed by the Minister for Transport Safety.

### **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 the revocation of the existing rule and insertion of the amended rule.

### **Effective date of rule**

Amendment 3 to Part 67 comes into force on 25 October 2007.

### **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 67 Amendments

### Subpart B — Medical Certification

*Rule 67.61 is revoked and the following new rule is substituted:*

#### **67.61 Effective date and duration of medical certificates**

- (a) Subject to paragraphs (c) and (e), the Director may issue—
- (1) a class 1 medical certificate for a period of up to—
    - (i) 6 months, for single-pilot air operations carrying passengers if the applicant is 40 years of age or more on the date that the medical certificate is issued; or
    - (ii) 12 months, in all other cases;
  - (2) a class 2 medical certificate for a period of up to—
    - (i) 60 months, if the applicant is less than 40 years of age on the date that the medical certificate is issued; or
    - (ii) 24 months, if the applicant is 40 years of age or more on the date that the medical certificate is issued;
  - (3) a class 3 medical certificate for a period of up to—
    - (i) 48 months, if the applicant is less than 40 years of age on the date that the medical certificate is issued; or
    - (ii) 24 months, if the applicant is 40 years of age or more on the date that the medical certificate is issued.
- (b) A medical certificate issued under paragraph (a)—
- (1) takes effect on the date that it is issued; and
  - (2) remains in force for as long as it is current, unless—
    - (i) it is withdrawn under section 27H(2) of the Act; or

- (ii) a subsequent or replacement medical certificate is issued to the holder.
  
- (c) If, on the date of issue of a new medical certificate, the applicant holds a current medical certificate that expires in 30 days or less, the Director may issue the new medical certificate for a period that is longer than that specified in paragraph (a) with the expiry date that would have applied had the certificate been issued on the expiry date of the current medical certificate.
  
- (d) Paragraph (c) only applies, if—
  - (1) the Director concludes that the applicant is eligible for a new medical certificate issued for the maximum period permitted under paragraph (a); and
  - (2) the expiry date of the current certificate has not been extended under section 27E of the Act.
  
- (e) The Director may issue a class 1 medical certificate under paragraph (a) to an applicant who is 40 years of age or more on the date that the medical certificate is issued that specifies one period of duration that applies under paragraph (a)(1)(i) and one period of duration that applies under paragraph (a)(1)(ii).

**Consultation Details**

*(This statement does not form part of the rules contained in Part 67. It provides details of the consultation undertaken in making the rules.)*

A Notice of Proposed Rulemaking, NPRM 06-02 Omnibus Rule Fix Up, containing the proposed rules was issued for public consultation under Docket 5/CAR/3 on 13 April 2006.

A supplementary NPRM proposing amendments to Part 67 Medical Standards and Certification was published under the same docket number on 11 May 2006.

A total of 3 submissions were received by the closing date of the original NPRM and one submission was received in relation to the supplementary NPRM proposing changes to Part 67. The submission referred to the validity period of medical certificates. This requirement is not being altered in this rule and so the submission was not accepted. The rule amendment replaces the term 'single crew' with 'single pilot' which is more widely accepted and more easily defined. It also amends the term 'air transport operation' to 'air operation' to reflect international medical standards.

The comments and all background material used in developing these rules are held on the docket. The docket is available for public inspection at Aviation House, 10 Hutt Road. Persons wishing to view the docket should contact the Docket Clerk on Phone 64-4-560-9603 and ask for docket 5/CAR/3.