



PURSUANT to Sections 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 15th day of June 2018

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

by Hon Julie Anne Genter

Associate Minister of Transport

Civil Aviation Rules

Part 103, Amendment 8

Microlight Aircraft – Operating Rules

Docket 16/CAR/12

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Rule objective

The objective of amendment 8 to Part 103 is to make a consequential amendment resulting from amendment 30 to Part 91. Amendment 8 updates the references from ‘SRR’ to ‘surveillance’, in respect of a transponder, consistent with the use of surveillance transponders in ADS-B systems provided for in amendment 30 to Part 91.

Amendment 8 is associated with the following amendments to other rule Parts –

- amendment 54 to Part 1
- amendment 15 to Part 43
- amendment 6 to Part 66
- amendment 30 to Part 91
- amendment 9 to Part 101
- amendment 13 to Part 172

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 18-02, containing the proposed changes to Part 103 and changes to rule Parts 1, 43, 66, 91, 101, and 172 was issued for public consultation on the CAA website under Docket 16/CAR/12 on 14 September 2017. Submissions on the NPRM closed on 27 October 2017.

The publication of this NPRM was notified in the *Gazette* on 21 September 2017. A period of 44 days was allowed for comment on the proposed rule.

Summary of submissions

A total of six submitters provided written submissions on the NPRM. There were no oral comments on the NPRM. These submissions have been considered. There were no amendments to this Part as a result of the submissions.

A summary of submissions for this NPRM is available on the CAA website.

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 amendment to the rules in this Part is reflected by revoking and replacing rule 103.217.

Effective date of rule

Amendment 8 to Part 103 comes into force on 20 July 2018

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 103 Microlight Aircraft – Operating Rules

Rule 103.217 is revoked and replaced with the following rule.

103.217 Maintenance and inspection requirements

- (a) An operator of a microlight aircraft must ensure that—
- (1) the aircraft is maintained in an airworthy condition; and
 - (2) every applicable airworthiness directive is complied with as required by Part 39; and
 - (3) between required inspections, every defect is rectified.
- (b) An operator of a microlight aircraft that meets a type design standard specified in rule 103.207(a)(1), must ensure that the aircraft is maintained in accordance with the designer or kitset manufacturer maintenance requirements.
- (c) Subject to paragraphs (d) and (g), a person must not operate a microlight aircraft unless—
- (1) an annual inspection of the conditions of the aircraft has been carried out within the preceding 12 months; and
 - (2) paragraph (a)(2) is complied with; and
 - (3) any applicable tests and inspections required under the following rules have been complied with:
 - (i) rule 91.605(e)(2) regarding test and inspection of automatic pressure altitude reporting system if the microlight aircraft is equipped with a surveillance transponder:
 - (ii) rule 91.605(e)(3) if the microlight aircraft is equipped with a surveillance transponder:
 - (iii) rule 91.605(e)(8) if the microlight aircraft is equipped with flotation equipment.

(d) The annual condition inspection required by paragraph (c)(1) must be—

(1) performed by—

- (i) a person authorised by a microlight organisation to perform annual condition inspections; or
- (ii) the Director; or
- (iii) a person who holds a current aircraft maintenance engineer licence with appropriate aircraft and engine group ratings issued under Part 66; and
- (iv) acceptable to the Director with regard to the items and components inspected.

(e) The person who performs the annual condition inspection required by paragraph (c)(1) must, if the person finds the aircraft to be in an airworthy condition,—

- (1) certify in an inspection form that the aircraft is airworthy; and
- (2) permanently affix the inspection form required under paragraph (e)(1) to the aircraft in a prominent place adjacent to the point of entry; and
- (3) retain a copy of the inspection form required under paragraph (e)(1) as a record of the certification; and
- (4) for a class 2 microlight aircraft, enter the details of the certification in the applicable maintenance record required under rule 91.617.

(f) The aircraft inspection form required under paragraph (e)(1) must include the—

- (1) aircraft registration markings; and
- (2) aircraft type; and

- (3) due date for the next annual condition inspection; and
 - (4) date, signature, and licence or certificate number of the engineer or inspector who carried out the annual condition inspection.
- (g) If the annual condition inspection that is required under paragraph(c)(1) shows that the aircraft is not airworthy, the operator of the aircraft must not permit the aircraft to be flown until it has been re-inspected and certified as airworthy under paragraphs (d), (e), and (f).