



PURSUANT to Section 30 of the Civil Aviation Act 1990

I, STEVEN JOYCE, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *2nd* day of *November* 2009

by **STEVEN JOYCE**

A handwritten signature in black ink, appearing to be 'S. Joyce', is written over the printed name 'STEVEN JOYCE'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Minister of Transport

Civil Aviation Rules

Part 1, Amendment 41

Definitions and Abbreviations

Special Category Aircraft - Docket 5/CAR/2

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Rule objective

The objective of amendment 41 to Part 1 is to insert new definitions and abbreviations as a consequential of amendment 8 to Part 21 regarding certification of special category aircraft.

Amendment 41 to Part 1 is associated with the following amendments to other Parts:

- Amendment 8 to Part 21
- Amendment 7 to Part 43
- Amendment 3 to Part 47
- Amendment 3 to Part 66
- Amendment 20 to Part 91

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 07-03, containing the proposed changes to Part 21 and consequential changes to other rules was issued for public consultation under Docket 5/CAR/2 on 26 October 2006.

The publication of this NPRM was notified in the Gazette on 26 October 2006 and advertised in the daily newspapers in the five main provincial centres on 26 October 2006. The NPRM was published on the CAA web site and mailed to identified 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.

Summary of submissions

Seven written submissions were received on the NPRM. These submissions have been considered and as a result some minor changes have been made with the deletion of some of the proposed definitions and abbreviations.

The rule as amended was then referred to Parliament's Regulations Review Committee before being signed by the Minister of Transport.

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 amendment of an existing definition and the insertion of some new definitions and abbreviations.

Effective date of rule

Amendment 41 to Part 1 comes into force on 3 December 2009.

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 1 Amendments

1.1 General Definitions

The definition Amateur built aircraft is revoked and replaced by the following definition:

Amateur built aircraft means an aircraft that is eligible for the issue of a *special category—amateur-built* airworthiness certificate under Subpart H of Part 21; and—

- (1) the aircraft's amateur constructor has built the major portion of the aircraft for the constructor's own education or recreation; or
- (2) the aircraft is a light sport aircraft designated by the manufacturer as an experimental – light sport aircraft:

The following new definition of Consensus standard is inserted after the definition of Congested area:

Consensus standard means, for the purpose of certifying a light sport aircraft, an industry-developed standard that applies to the aircraft design, production, and airworthiness. The standard includes, but is not limited to, standards for aircraft design and performance, required equipment, manufacturer quality assurance systems, production acceptance test procedures, operating instructions, maintenance and inspection procedures, identification and recording of major repairs and major alterations, and continued airworthiness:

The following new definition of Flight evaluation is inserted after the definition of Flight crew member:

Flight evaluation means a flight or series of flights to test the airworthiness and controllability of an aircraft throughout its range of speeds and throughout all manoeuvres intended for the normal operation of the aircraft:

The following new definition of Light Sport Aircraft is inserted after the definition of Lifed:

Light Sport Aircraft means an aircraft, other than a helicopter, having:

- (1) a maximum take-off weight of 600 kg or less, or if the aircraft is lighter-than-air, a maximum gross weight of 600 kg or less:
- (2) if powered, a single, non-turbine engine driving a propeller:
- (3) a maximum stall speed of 45 knots:
- (4) if a glider, a maximum never exceed speed of 135 knots:
- (5) if applicable, an unpressurised cabin:
- (6) a maximum seating capacity of 2 seats including the pilot seat:

1.3 Abbreviations

The following new abbreviation of LSA is inserted after the abbreviation for LRNS:

LSA means Light Sport Aircraft

Consultation Details

(This statement does not form part of the rules contained in Part 1. It provides details of the consultation undertaken in making the rules.)

A Notice of Proposed Rulemaking, NPRM 07-03 Special Category Aircraft, containing the proposed rules for Part 21 and other consequential rule amendments was issued for public consultation under Docket 5/CAR/2 on 26 October 2006.

A period of 41 days was allowed for comment on the proposed rule. A total of seven responses to the NPRM were received, a single one on the proposed amendments to Part 1.

The Summary of Submissions is attached to Amendment 8 to Part 21.