

**16/EXE/15**

**Exemption from the Requirements in Civil Aviation Rules  
CAR 91.701(c)(2)(iii), CAR 91.701(d)(2) and CAR 61.555**

**PURSUANT TO** Section 37(2)(b) and (c) of the Civil Aviation Act 1990,

**I, Stephen John Moore**, Deputy Director General Aviation, being satisfied that—

(a) the requirements in:

- (1) CAR 91.701(c)(2)(iii) that to conduct aerobatic flight below a height of 1500 feet above the surface, a pilot-in-command must be participating in an aviation event; and
- (2) CAR 91.701(d)(2) that a pilot-in-command carrying a passenger must conduct an aerobatic flight at a height not less than 3000 feet above the surface; and
- (3) CAR 61.555 defining the limitation of a current aerobatic flight rating to conduct aerobatic manoeuvres;

are inappropriate in regards to establishing minimum height limitations for aerobatic flights conducted by gliders when the pilot is a member of Gliding New Zealand, being a Part 149 certificated organisation; and

- (b) the action taken by performing aerobatic flight in gliders to the height authorised in their aerobatic rating that has been issued in accordance with the Gliding New Zealand Advisory Circular AC 2-06 “Aerobatic Flight in Gliders” dated July 2016, is as effective as actual compliance with the requirements in these rules; and
- (c) the risk to safety will not be significantly increased by the granting of this exemption;

**HEREBY EXEMPT—**

**a holder of one or more of the following documents, who also has a current aerobatic flight rating and is a Gliding New Zealand member:**

- (1) **a current glider pilot certificate; or**
- (2) **a current private pilot licence (glider) issued in accordance with Part 61; or**
- (3) **a current commercial pilot licence (glider) issued in accordance with Part 61;**

**FROM—**

the requirement in CAR 91.701(c)(2)(iii) that to conduct aerobatic flight below a height of 1500 feet above the surface, a pilot-in-command must be participating in an aviation event;

**AND**

the requirement in CAR 91.701(d)(2) that a pilot-in-command carrying a passenger must conduct an aerobatic flight at a height not less than 3000 feet above the surface;

**AND**

the requirements in CAR 61.555 that a current aerobatic flight rating authorises the holder to conduct aerobatic manoeuvres within the following limitations – at a height not less than 3000 feet above the surface while carrying a passenger; at a height not less than 1500 feet above the surface while not carrying a passenger; at a height less than 1500 feet above the surface while not carrying a passenger when authorised by the holder of an aviation recreation organisation certificate issued in accordance with Part 149, if the certificate authorises the holder to organise aviation events.

**PROVIDED THAT—**

- (1) a pilot-in-command does not perform aerobatic flight below the height authorised in their aerobatic rating, that has been issued in accordance with the Gliding New Zealand Advisory Circular AC 2-06 “Aerobatic Flight in Gliders” dated July 2016; and
- (2) when exercising the privileges in relation to rule 91.701(d)(2) and rule 61.555(a)(1), carry only a passenger who is a member of Gliding New Zealand, in accordance with the Gliding New Zealand Advisory Circular AC 2-06 “Aerobatic Flight in Gliders” dated July 2016.

This exemption shall remain in effect until 31<sup>st</sup> August 2021 unless withdrawn earlier in writing by the Director.

**SIGNED** at Wellington )

this 12<sup>th</sup> day of August 2016 )

by **Stephen John Moore** )

Deputy Director General Aviation )

