



**GLIDING NEW ZEALAND INCORPORATED**

# ***ADVISORY CIRCULAR***

## ***AC 1-07***

### **VISITING FOREIGN INSTRUCTORS**

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## 1 Introduction

Major gliding clubs in New Zealand have found it necessary to offer 7-day operations to their members over the summer season to cope with the training demand and ultimately facilitate member retention. However, it is generally not possible to roster volunteer resident instructors who have regular jobs and limited discretionary time at their disposal, except on the occasional weekend or holiday.

Traditionally, these clubs have used experienced volunteer instructors from overseas to assist in filling their instructor rosters, particularly for mid-week operations over the summer. The typical visiting instructor will be seeking to escape the northern hemisphere winter for an outdoors holiday in New Zealand, enjoying normal New Zealand visitor activity such as tramping, boating, fishing, touring etc in addition to helping the club with its instructing and related tasks.

The purpose of this Advisory Circular is to provide guidance to GNZ's affiliated clubs on how to conduct such arrangements under GNZ's Part 149 Certificate without breaching the CAA rules regarding remuneration of instructors for hire or reward. It does not detail visa or income tax requirements.

## 2 CAA requirements for pilot licence and ratings

- 2.1 CAR Part 61.5(n) states: "A pilot of a balloon, a glider, a hang glider, a microlight, a paraglider, a light sport aircraft, or a powered glider is not required to hold a pilot licence or rating issued in accordance with this Part if –
  - (1) the pilot is not flying the aircraft for hire or reward; and
  - (2) the pilot meets the appropriate pilot and operating requirements under Parts 103, 104, or 106."
- 2.2 The CAR Part 104.5 pilot requirements for gliders are reflected in the GNZ MOAP:
  - Section 2-3 Pilot Qualifications.
  - Section 2-4 Instructor Ratings.
- 2.3 The corollary is that if flying the glider for hire or reward is undertaken, the pilot must hold a current CPL(G) issued in accordance with CAR Part 61.

## 3 Recruitment and induction of foreign gliding instructors

- 3.1 Advertising: Recruitment advertising must make it clear that the role is voluntary, with no remuneration for flying as pilot-in-command.
- 3.2 Qualifications: Significant experience as a BGA or EASA gliding instructor or equivalent is required.
- 3.3 GNZ membership: Full flying membership of a GNZ club must be taken up. The associated fees may be paid by the club.
- 3.4 New Zealand qualifications: Refer to MOAP Section 2-6 Foreign Gliders and Pilots for validation procedures. Familiarisation training must be given on the GNZ online Flight Training Programme, and an Instructor Competency Review completed before undertaking instructing duties in New Zealand unless these provisions remain valid from a previous visit.
- 3.5 Mountain flying: Unless suitably experienced in mountain flying, instructing duties must be limited to ab-initio training and local flying as authorised by the club CFI.

## **4 Paid Work and living expenses for foreign gliding instructors**

- 4.1 Paid work: Visa permitting, some paid work may be undertaken provided there is no element directly dependent on flying the glider as pilot-in-command. However, there may be tax implications for the club and the instructor, and the relevant agencies will need to be consulted.
- 4.2 Assistance with expenses while serving the club: The following may be provided to volunteers:
- basic accommodation (eg airfield caravan, billet etc).
  - actual & reasonable expenses for items such as bulk food.
  - use of a vehicle (fuel provided by the visitor).
  - free or subsidised use of club gliders for personal flying when available (normal launching charges met by the visitor).

## **5 New Zealand domiciled gliding instructors**

This above guidance in paragraph 4 is equally applicable in principle to NZ volunteer instructors, whether they are serving their home club or assisting at another club.

## **6 Visiting foreign instructors who are also tow pilots**

It is not uncommon for a visiting foreign instructor to also be a tow pilot; in which case they need to contact CAA in the first instance regarding a Validation Permit for their power licence and ratings in accordance with CAR 61.9. Such permits have a maximum validity of 6 months, so returning tow pilots need to get a new one for each visit.

The same principles apply regarding 'reward'. That is, if reward for towing is provided, such as an amount per tow, they must hold a CPL.