



To : RAANZ Members

From: Canterbury Recreational Aircraft Club committee (CRAC)

RE: Remit to RAANZ AGM 25 November 2017

REMIT: That RAANZ removes the requirement for Club secretary and president sign of on the application form for a RAANZ Instructor certification. Secondly that the requirement for a recommendation as to suitability to be an instructor be a requirement for the training and ATO on the CMV.

Background and reasoning:

Dear RAANZ member,

CRAC has recently elected a new Committee, as part of this process the Committee has been reviewing the Administrative and legal rights and duties of CRAC as a club and Incorporated society.. There will be a number of minor clarifications and changes to our internal procedures. One of these changes has impact on the current process RAANZ has in the certification of Instructors.

CRAC has of course a long and very positive interaction with RAANZ and as the recent RAANZ flyin hosted by CRAC demonstrated there are deep and enduring friendships and aligned interests.

However the review has highlighted a few small places where the demarcation of where RAANZ ends and “the Club” starts are blurred.

This means that the CRAC committee no longer signs off on recommendations for potential new instructors. We believe our reasoning may resonate with a number of other clubs.

The reasoning for this is three fold.

Mandate:

Firstly it is our belief that CAA has devolved the management of “microlight certification” to “part 149 organisations” such as RAANZ.

Clubs are NOT a Part 149 organisations and have no mandate or legal right to issue certification on behalf of CAA. Therefore being involved and signing recommendations we believe is legally incorrect.

Skills:

Secondly the Committee of our Club and possibly others and specifically the President and Secretary have no skills, training or experience in deciding whom could be a good instructor or not. Additionally CRAC is a large club with now over 220 members and candidates may not necessarily be well known by the committee. We believe the ATO, as the person whom will train, and spend significant time with the applicant is in a far better position to assess the candidates' suitability.

Liability:

Thirdly by signing these forms we believe we are opening the Club up to potential liability and or legal issues should a RAANZ certified person fall foul of the law. It is our understanding that RAANZ has contingency planning in place for such an eventuality. CRAC does not have planning or insurance cover for such an eventuality.

Following a discussion with the RAANZ President, Roger Ward, I believe I understand the historical reasons why this was done. However now the RAANZ accepts non club members and that there has been a number of individuals that wish to have the skills and certification to be Instructors, but have no intention of being "club instructors" we would suggest that RAANZ revisits this requirement.

The research undertaken has found that the requirement for a club sign off is NOT a Part 149 CAA requirement but is unique to RAANZ.

Finally to be clear, the fact that we will no longer sign these forms is for the three reasons stated above (Mandate, Skills, Liability) and does not in any way imply that we have an opinion on whether any particular candidate's suitability or skills, we believe that is for the ATO to assess.

CRAC would like the support of other clubs in voting on this administrative remit.

Kind regards

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President

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RAANZ exec comment.

The RAANZ exec believe the long-standing requirement for club committee support provides a useful check on candidate suitability. It is a character reference rather than a skills assessment (which the ATO does), and helps ensure the candidate is a good role model and fit with the club, and has their ongoing support. The club knows the candidate better than we do.

In discussion with CAA re this issue, they stated their support for this additional check, and their legal team advised that in their view any such club recommendation does not expose a club to any liability- that remains with the RAANZ Senior Persons holding delegated authority.

Remits are normally used for discussion and voting on changes to our **Constitution** (RAANZ incorporated society business). This remit is a request to change our **Exposition** (RAANZ Part 149 operations) which will require CAA approval.