



**PURSUANT** to Sections 28 and 30 of the Civil Aviation Act 1990  
**I, HARRY JAMES DUYNHOVEN**, Minister for Transport Safety,  
**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This *22nd* day of *November* 2006

by **HARRY JAMES DUYNHOVEN**

A handwritten signature in black ink, appearing to read 'Harry James Duynhoven'. The signature is stylized and includes a large, triangular flourish at the end.

Minister for Transport Safety

**Civil Aviation Rules**  
**Part 21, Amendment 7**  
**Certification of Products and Parts**  
*Docket 1/CAR/1357*

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## **Rule objective**

The objective of amendment 7 to Part 21 is to amend and update the various rule requirements regarding the certification of products and parts and in particular to provide for the type certification and type acceptance certification of aircraft engines and propellers, and to provide for the provisional certification of aircraft.

Amendment 7 to Part 21 is associated with the following amendments to other Parts:

- Amendment 1 to Part 26
- Amendment 1 to Part 39
- Amendment 1 to Part 146
- Amendment 2 to Part 148

## **Extent of consultation**

In 1999 the Civil Aviation Industry Rules Advisory Group (CIRAG) Executive established a Technical Study Group (TSG) to participate in a rule making project to amend and update various rules relating to the airworthiness and maintenance requirements for aircraft. A number of the issues to be addressed arose from an investigation carried out by the CAA in 1997 into the concerns about maintenance standards and practices for aircraft less than 5,700 kg maximum certified take-off weight (MCTOW). Other issues to be addressed arose from various petitions for amendments to be made to airworthiness and maintenance rules.

The TSG was made up of representatives from general aviation (fixed wing operators), aircraft maintenance organisations, helicopter operators, and the Aircraft Owners and Pilots Association. The TSG met 4 times and concluded its work in early 2002. The CAA continued to refine the draft rule proposals during 2002 and 2003 and released the draft rules to a representative industry group for comment before they were published for public consultation.

A Notice of Proposed Rulemaking, NPRM 05-05, containing the proposed rule amendments to Parts 21, 26, 39, 146, and 148 was issued for public consultation under Docket 1/CAR/1357 on 5 May 2005.

Two other associated Notices of Proposed Rulemaking, NPRM 05-04 dealing with amendments to Parts 1, 43, 91, and 145, and NPRM 05-06 dealing with amendments to Parts 119, 103, 104, 121, 125, 135, and 137, were also issued for public consultation under Docket 1/CAR/1357 on 5 May 2005.

The publication of these NPRMs was notified in the Gazette on 5 May 2005 and advertised in the daily newspapers in the five main provincial centres on 7 May 2005. The NPRMs were 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 46 days was initially allowed for comment on the proposed amendments to the rules and this was extended upon industry request for a further 10 days.

### **New Zealand Transport Strategy**

The development of the NPRM and the proposed rule changes took into account the objectives of the New Zealand Transport Strategy (NZTS) and the provisions of the Civil Aviation Amendment Act (No 2) 2004.

Amendment 7 to Part 21 has been assessed as follows against the NZTS:

**Assisting Economic Development**— the rule amendment is unlikely to affect economic development:

**Assisting safety and personal security**— the rule amendment is unlikely to affect safety and personal security issues:

**Improving access and mobility**—the rule amendment is unlikely to affect access and mobility issues:

**Protecting and promoting public health**— the rule amendment is unlikely to affect public health:

**Ensuring environmental sustainability**—the rule amendment is unlikely to affect environmental sustainability.

### **Summary of submissions**

Eighty written submissions were received on the 3 NPRMs. Three submissions commented on the proposed amendments to Part 21. These submissions and comments have been considered and no significant changes have been made to the final rules in amendment 7 to Part 21.

Some minor editorial and drafting changes have been made in the final rules to clarify the rule requirements.

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

### **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 revocation of some existing rules, the revocation of some existing rules and replacing them with new rules, and the insertion of new rules.

### **Effective date of rule**

Amendment 7 to Part 21 comes into force on 1 March 2007.

### **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 21 Amendments

### Subpart A — General

*Rule 21.1 is revoked and replaced by the following new rule:*

#### **21.1 Purpose**

This Part prescribes rules governing—

- (1) the type certification of a product to be manufactured in New Zealand:
- (2) the type acceptance certification of a product to be imported into New Zealand:
- (3) the airworthiness certification of an aircraft:
- (4) the approval or authorisation of a design change, material, part, process, appliance, technical data, and a critical part:
- (5) the issue of a document for the export of a product, critical part, or appliance:
- (6) the identification of a product or a critical part.

### Subpart B — Type Certificates and Type Acceptance Certificates

*Rule 21.11 is revoked and replaced by the following new rule:*

#### **21.11 Purpose**

This Subpart prescribes rules governing—

- (1) the type certification of a product to be manufactured in New Zealand:
- (2) the type acceptance certification of a product to be imported into New Zealand:
- (3) the responsibilities of a holder of a type certificate.

***Rule 21.13 is revoked and replaced by the following new rule:***

**21.13 Certificate categories**

(a) The following certificates may be issued by the Director under this Subpart:

- (1) *standard category* type certificate for a product type to be manufactured in New Zealand;
- (2) *restricted category* type certificate for an aircraft type to be manufactured in New Zealand;
- (3) *standard category* type acceptance certificate for a product type to be imported into New Zealand;
- (4) *restricted category* type acceptance certificate for an aircraft type to be imported into New Zealand.

(b) The Director may issue a certificate specified in paragraph (a) if the applicable requirements for the certificate are met.

(c) When issuing a *restricted category* type certificate or a *restricted category* type acceptance certificate for an aircraft, the Director must specify in the certificate the operational purposes for which the aircraft is certificated.

***Rule 21.15 is revoked and the rule number is reserved:***

**21.15 Reserved**

***Rule 21.17 is revoked and replaced by the following new rule:***

**21.17 Application for certificate**

(a) An applicant for the issue of a type certificate for a product type must complete form CAA 24021/01 and submit it to the Director with—

- (1) a payment of the appropriate application fee prescribed by regulations made under the Act; and
- (2) the following information—

- (i) for an aircraft type, a three-view drawing of the aircraft type and any available preliminary basic data; and
  - (ii) for an aircraft engine or propeller type, a description of its design features, its operating characteristics, and its proposed operating limitations; and
  - (iii) any further particulars relating to the product as required by this Subpart or may be required by the Director.
- (b) An application for the issue of a type certificate for a product type remains in effect for a period of—
- (1) 3 years; or
  - (2) 5 years for an aeroplane type with a MCTOW greater than 5700 kg; or
  - (3) 5 years for a rotorcraft type with a MCTOW greater than 2730 kg; or
  - (4) a longer period that may be approved by the Director.
- (c) An applicant for the issue of a type acceptance certificate for a product type must complete form CAA 24021/02 and submit it to the Director with a payment of the appropriate application fee prescribed by regulations made under the Act.

***Rule 21.19 is revoked and replaced by the following new rule:***

**21.19 Issue of certificate**

- (a) An applicant is entitled to the issue of a type certificate or a type acceptance certificate for a product type if the Director is satisfied that—
- (1) the applicant meets the applicable certification requirements in rules 21.31 to 21.43; and
  - (2) the issue of the certificate is not contrary to the interests of aviation safety; and

- (3) for a type certificate for a product type—
  - (i) the inspections and tests required under rule 21.35 confirm that the product type meets the applicable airworthiness requirements; and either
  - (ii) the applicant holds or has applied for a *design organisation certificate* in accordance with Part 146; or
  - (iii) the applicant holds or has applied for a *manufacturing organisation certificate* in accordance with Part 148.

(b) If a type certificate is not issued within the time period specified in rule 21.17(b) for the application, the applicant may, in accordance with rule 21.17(a),—

- (1) submit a new application for a type certificate; or
- (2) submit an application to extend the original application.

(c) If an application submitted under paragraph (b)(2) to extend an application for a type certificate is accepted, the effective date of the original application is deemed to be a date that precedes the actual date of issue of the type certificate by a period not greater than the period established under rule 21.17(b) for the original application.

***Rule 21.25 is revoked and replaced by the following new rule:***

### **21.25 Duration of certificate**

(a) A type certificate remains in force unless the certificate is suspended or revoked.

(b) A type acceptance certificate remains in force unless the type certificate or other equivalent document required under rule 21.43(a)(1)(i) for the issue of the type acceptance certificate is no longer valid.

***Rule 21.27 is revoked and replaced by the following new rule:***

**21.27 Transfer of certificate**

(a) A holder of a type certificate must not transfer the certificate to another person unless the person to hold the type certificate is acceptable to the Director and the person holds—

- (1) a *design organisation certificate* issued in accordance with Part 146; or
- (2) a *manufacturing organisation certificate* issued in accordance with Part 148.

(b) A holder of a type certificate must, before transferring a type certificate,—

- (1) notify the Director in writing of the name and address for service of the transferee; and
- (2) produce the type certificate to the Director for amendment.

**Type Certification Requirements**

*Rule 21.39 is revoked and replaced by the following new rule:*

**21.39 Flight tests**

(a) Subject to paragraph (b), an applicant for the issue of a type certificate for an aircraft type must make a flight test that the Director may require to verify that—

- (1) the aircraft type complies with the applicable airworthiness requirements; and
- (2) the aircraft type and the aircraft components are reliable and function properly.

(b) The applicant must ensure that—

- (1) before a flight test that is required under paragraph (a) is made—

- (i) the aircraft complies with the structural requirements of the applicable airworthiness design standards specified in Appendix C; and
  - (ii) the aircraft has undergone the necessary ground inspections and tests; and
  - (iii) the aircraft conforms to the type design; and
- (2) every flight test that is required under paragraph (a) is conducted—
- (i) by a person who meets the requirements prescribed in rule 19.405; and
  - (ii) in accordance with applicable procedures that are acceptable to the Director.

## **Type Acceptance Certification Requirements**

*Rule 21.41 is revoked and replaced by the following new rule:*

### **21.41 Airworthiness requirements**

An applicant for the issue of a type acceptance certificate for a product type must provide the Director with evidence that—

- (1) the product type meets the applicable —
  - (i) airworthiness design standards; and
  - (ii) aircraft noise and engine emission standards—  
specified in Appendix C, and effective at the date assigned in the foreign type certificate or an equivalent document, unless another date is specified in writing by the Director; and
- (2) the product type meets any special conditions imposed under the foreign type certification or as specified in writing by the Director under rule 21.23; and

- (3) any airworthiness requirement not complied with is compensated for by a factor that provides an equivalent level of safety; and
- (4) there is no feature or characteristic of the product type that makes it unsafe for the intended use.

***Rule 21.43 is revoked and replaced by the following new rule:***

**21.43 Data requirements**

(a) An applicant for the issue of a type acceptance certificate for a product type must provide the Director with—

- (1) evidence that—
  - (i) the type design has been approved by an ICAO contracting State of Design by the issue of a type certificate or an equivalent document; and
  - (ii) the type certificate or equivalent document is considered to be valid by the State of Design; and
- (2) details of the airworthiness requirements complied with, for the issue of the type certificate or equivalent document specified in paragraph (a)(1), including—
  - (i) the airworthiness design standards; and
  - (ii) the effective date of the standards; and
  - (iii) any special condition imposed under the foreign type certification; and
  - (iv) any requirement not complied with and any compensating factor that provides an equivalent level of safety acceptable to the Director; and
  - (v) any airworthiness limitation; and
- (3) details of the information required in rule 21.32(1) and (2) regarding aircraft noise and engine emission certification; and

- (4) a list identifying the data submitted for the issue of the type certificate or equivalent document specified in paragraph (a)(1), showing compliance with the applicable airworthiness design standards; and
  - (5) for an aircraft, a copy of the flight manual approved under the type certificate or equivalent document specified in paragraph (a)(1) or, if the applicable design standards do not require a flight manual to be provided, a flight manual meeting the standards prescribed in Appendix C; and
  - (6) if required by the Director,—
    - (i) a copy of the maintenance manual for the product type; and
    - (ii) a copy of the current service information issued by the manufacturer of the product type; and
    - (iii) a copy of an illustrated parts catalogue for the product type; and
  - (7) evidence that the manufacturer, or holder of the type certificate or equivalent document specified in paragraph (a)(1), has agreed to provide the Director with a copy of every amendment and re-issue of the documents prescribed in paragraphs (a)(5) and (a)(6).
- (b) If the product type referred to in paragraph (a) is an aircraft type, the information required under paragraph (a)(6) must include the aircraft engine, and propeller, if applicable.
- (c) The Director may specify in writing the range of serial numbers or models of products to which the type acceptance certificate relates, or redefine the applicability of the certificate if the requirements under rules 21.41 and 21.43 are satisfied for any additional product.

## Subpart C — Design Changes

*Rule 21.71 is revoked and replaced by the following new rule:*

### **21.71 Purpose**

This Subpart prescribes rules governing the approval of a design change.

## Subpart D — Changes to Type Certificates and Type Acceptance Certificates

*Rule 21.91 is revoked and replaced by the following new rule:*

### **21.91 Purpose**

This Subpart prescribes rules governing the approval of a change to a type certificate and a type acceptance certificate.

*Rule 21.93 is revoked and replaced by the following new rule:*

### **21.93 Changes to certificates**

(a) A change to a type certificate in accordance with this Subpart may include a change to any of the following:

- (1) the type certificate category:
- (2) the type design:
- (3) the flight manual:
- (4) the operating limitations:
- (5) the type certificate data sheet:
- (6) any special condition specified in the type certificate.

(b) A change to a type acceptance certificate must be made in accordance with rule 21.95(b).

*Rule 21.103 is revoked and replaced by the following new rule:*

**21.103 Approval of change to type certificate**

The Director may approve a change to a type certificate and an applicant is entitled to the approval of a change to a type certificate if—

- (1) the applicant meets the applicable requirements of this Subpart in a manner acceptable to the Director; and
- (2) the change to the type certificate is not contrary to the interests of aviation safety; and
- (3) any airworthiness requirement not complied with is compensated for by a factor that provides a level of safety acceptable to the Director for the intended continuing use of the aircraft; and
- (4) there is no feature or characteristic of the changed product that makes it unsafe for the intended use if it is operated in accordance with the correctly amended flight manual or other specified limitations.

**Subpart E — Supplemental Type Certificates**

*Rule 21.111 is revoked and replaced by the following new rule:*

**21.111 Purpose**

This Subpart prescribes—

- (1) rules governing the issue of a supplemental type certificate; and
- (2) the responsibilities of a holder of a supplemental type certificate.

*Rule 21.119 is revoked and replaced by the following new rule:*

**21.119 Issue of certificate**

(a) The Director may issue a supplemental type certificate for a product or product type and an applicant is entitled to a supplemental type certificate if the Director is satisfied that—

- (1) the applicant meets the applicable requirements of this Subpart; and
- (2) the issue of the certificate is not contrary to the interests of aviation safety; and
- (3) any airworthiness requirement that is not complied with is compensated for by a factor that provides an equivalent level of safety; and
- (4) there is no feature or characteristic of the changed product that makes it unsafe for the intended use, if the changed product is operated in accordance with the correctly amended flight manual or other specified limitation.

(b) A certificate issued by the Director under this Subpart may be subject to conditions as the Director considers appropriate in each particular case.

***The title Subparts F and G – Reserved is revoked and the following new Subpart F is inserted:***

## **Subpart F — Provisional Type Certificates**

### **21.141 Purpose**

This Subpart prescribes rules governing the issue of and amendment to a provisional type certificate for a product type.

### **21.143 Application for certificate**

An applicant for the issue of a *provisional* type certificate or an amendment to a *provisional* type certificate must submit the application to the Director with a payment of the appropriate application fee prescribed by regulations made under the Act.

### **21.145 Issue of certificate**

(a) The Director may issue a *provisional* type certificate or an amendment to a *provisional* type certificate and an applicant is entitled to a *provisional* type certificate or an amendment to a *provisional* type certificate if the Director is satisfied that—

- (1) the applicant holds, or has applied for, a type certificate or a supplemental type certificate for the product as appropriate; and
- (2) the applicant meets the applicable requirements of this Subpart; and
- (3) the issue of a *provisional* type certificate or the amendment to a *provisional* type certificate is not contrary to the interests of aviation safety.

(b) A *provisional* type certificate issued by the Director under this Subpart may be subject to conditions that the Director considers appropriate in each particular case.

#### **21.147 Provisional type certification requirements**

(a) An applicant for the issue of a *provisional* type certificate or an amendment to a *provisional* type certificate must provide the Director with evidence that—

- (1) there is no feature, characteristic, or condition of the product that makes it unsafe when operated in accordance with the limitations established under paragraph (b)(1); and
- (2) the product has been designed and constructed in accordance with the airworthiness requirements applicable to the issue of the type certificate or supplemental type certificate the applicant holds or has applied for; and
- (3) the product can be operated safely under the appropriate operating limitations established under paragraph (b)(1); and
- (4) for an aircraft type—
  - (i) the aircraft substantially meets the applicable flight characteristic requirements for the type certificate or supplemental type certificate that the applicant holds or has applied for; and
  - (ii) the aircraft has performed every manoeuvre necessary to show compliance with the flight requirements for

the issue of the type certificate or supplemental type certificate that the applicant holds or has applied for; and

- (iii) the aircraft can be operated safely in accordance with any applicable limitations contained in the Civil Aviation Rules.
- (b) The applicant must establish—
- (1) the limitations required for the issue of the type certificate or supplemental type certificate that the applicant holds or has applied for, including limitations on weights, speed, flight manoeuvres, loading and operation of controls and equipment; and
  - (2) an inspection and maintenance programme for the continued airworthiness of the product.
- (c) An applicant for the issue of a *provisional* type certificate for an aircraft type must demonstrate appropriate operating restrictions for the aircraft for each limitation not established under paragraph (b)(1).
- (d) An applicant for the issue of a *provisional* type certificate for an aircraft type must show that a prototype aircraft has been flown for at least 50 hours—
- (1) under a *special category – experimental* airworthiness certificate; or
  - (2) under the auspices of a Defence Force of New Zealand, Australia, Canada, the United Kingdom or the United States of America.
- (e) The Director may, in writing, reduce the number of flight hours required under paragraph (d) if the application is for an amendment to a provisional type certificate.

**21.149 Duration**

(a) A *provisional* type certificate remains in force until its expiry date, which must not be more than 24 months from the date of issue, unless the certificate is suspended or revoked.

(b) An amendment to a *provisional* type certificate remains in force for the period that the *provisional* type certificate remains in force under paragraph (a).

*The following new title Subpart G — Reserved is inserted after Subpart F:*

**Subpart G — Reserved****Subpart H — Airworthiness Certificates**

*Rule 21.171 is revoked and replaced by the following new rule:*

**21.171 Purpose**

This Subpart prescribes rules governing the airworthiness certification of an aircraft.

*Rule 21.173 is revoked and replaced by the following new rule:*

**21.173 Certificate categories**

(a) The following airworthiness certificates for an aircraft are issued by the Director under section 9 of the Act in accordance with the applicable requirements of this Subpart:

- (1) *standard category* airworthiness certificate:
- (2) *restricted category* airworthiness certificate:
- (3) *special category – experimental* airworthiness certificate:
- (4) *special category – special flight permit* airworthiness certificate:
- (5) *special category – special flight permit – continuing authorisation* airworthiness certificate:

(6) *provisional category* airworthiness certificate.

(b) The Director may specify in an airworthiness certificate the purpose of the certificate and any associated conditions and limitations for the operation of the aircraft.

***Rule 21.175 is revoked and replaced by the following new rule:***

**21.175 Application for certificate**

An applicant for the grant of an airworthiness certificate must complete one of the following forms as appropriate and submit it to the Director with a payment of the appropriate application fee prescribed by regulations made under the Act:

- (1) form CAA 24021/05 for a *standard or restricted category* airworthiness certificate:
- (2) form CAA 24021/06 for a *special category – experimental* airworthiness certificate:
- (3) form CAA 24021/07 or an equivalent that is acceptable to the Director for a *special category – special flight permit* airworthiness certificate:
- (4) form CAA 24021/15 or an equivalent that is acceptable to the Director for a *special category – special flight permit – continuing authorisation* airworthiness certificate:
- (5) form CAA 24021/14 for a *provisional category* airworthiness certificate.

***Rule 21.177 is revoked and replaced by the following new rule:***

**21.177 Issue of certificate**

(a) Subject to paragraphs (b) and (c), an applicant is entitled to 1 of the following airworthiness certificates for an aircraft if the Director is satisfied that the applicable certification requirements under this Subpart are met:

- (1) *standard category* airworthiness certificate:

(2) *restricted category* airworthiness certificate:

(3) *provisional category* airworthiness certificate.

(b) An applicant is entitled to an airworthiness certificate for an aircraft in both the *standard category* and the *restricted category* if the Director is satisfied that—

(1) the applicable certification requirements for each category under this Subpart are met when the aircraft is configured for the category; and

(2) the aircraft can be converted from 1 configuration to the other by removing or adding equipment by simple mechanical means.

(c) An applicant is entitled to only a *restricted category* airworthiness certificate for an aircraft if the aircraft is internally equipped for dispensing substances on an agricultural aircraft operation and the extent of the internal equipment makes the aircraft inappropriate for use in an air transport operation.

(d) An applicant is entitled to a *special category – experimental* airworthiness certificate for an aircraft if the Director is satisfied that—

(1) the applicable certification requirements under this Subpart are met in respect of the purposes for which the aircraft is to be operated; and

(2) the level of safety is adequate for the purposes for which the aircraft is to be operated.

(e) An applicant is entitled to a *special category – special flight permit* airworthiness certificate for an aircraft if the Director is satisfied that—

(1) the applicable certification requirements under this Subpart are met; and

(2) despite any failure of the aircraft to meet applicable airworthiness and maintenance requirements, the level of

safety is adequate for 1 of the following purposes as appropriate:

- (i) flying the aircraft to a base where maintenance is to be performed, or to a point of storage:
- (ii) flight testing of a new aircraft by the holder of a manufacturing organisation certificate issued in accordance with Part 148:
- (iii) evacuating the aircraft from an area of impending danger:
- (iv) demonstrating the eligibility of the aircraft for the issue of an airworthiness certificate.

(f) An applicant is entitled to a *special category—special flight permit – continuing authorisation* airworthiness certificate for an aircraft type if the Director is satisfied that the applicable certification requirements under this Subpart are met and the level of safety is adequate for the purposes for which an aircraft is to be operated.

***Rule 21.179 is revoked and replaced by the following new rule:***

### **21.179 Duration of certificate**

(a) The following airworthiness certificates for an aircraft remain in force if the maintenance of the aircraft is performed in accordance with the applicable requirements of Parts 91 and 43 unless the certificate has expired, or is suspended or revoked:

- (1) *standard category* airworthiness certificate:
- (2) *restricted category* airworthiness certificate:
- (3) *special category – experimental* airworthiness certificate.

(b) A *standard category* airworthiness certificate for an aircraft and a *restricted category* airworthiness certificate for an aircraft expire if—

- (1) the aircraft ceases to be a New Zealand registered aircraft; or

- (2) the type certificate or the type acceptance certificate, as applicable, issued for the aircraft type, its engines, and propellers if applicable, ceases to remain in force; or
  - (3) a new airworthiness certificate in the same category is issued for the aircraft.
- (c) A *special category – experimental* airworthiness certificate for an aircraft expires if—
- (1) the aircraft ceases to be a New Zealand registered aircraft; or
  - (2) a new airworthiness certificate in the same category is issued for the aircraft.
- (d) A *special category – special flight permit* airworthiness certificate remains in force for the period specified in the permit if the aircraft remains a New Zealand registered aircraft, unless the permit is suspended or revoked.
- (e) A *special category – special flight permit – continuing authorisation* airworthiness certificate remains in force for the period specified in the permit unless the permit is suspended or revoked.
- (f) A *provisional category* airworthiness certificate remains in force for the period specified in the certificate—
- (1) if—
    - (i) the aircraft remains a New Zealand registered aircraft; and
    - (ii) the *provisional* type certificate issued under rule 21.145 for the aircraft type remains in force; and
  - (2) unless—
    - (i) the *provisional category* airworthiness certificate is suspended or revoked; or

- (ii) a *standard category* airworthiness certificate or a *restricted category* airworthiness certificate is issued in respect of the aircraft.
- (g) The holder of an airworthiness certificate that has expired under paragraphs (b) or (c) must surrender the certificate to the Director.
- (h) The holder of a *standard category* airworthiness certificate or a *restricted category* airworthiness certificate that has expired under paragraph (b)(2) may apply under rule 21.193 for the grant of a *special category – experimental* airworthiness certificate for the aircraft.

***Rule 21.181 is revoked and replaced by the following new rule:***

### **21.181 Transfer of certificate**

Notwithstanding rule 19.11, the holder of a New Zealand certificate of registration for an aircraft must transfer the following applicable airworthiness certificates with the aircraft if, in accordance with rule 47.57, the holder of the certificate ceases to have lawful entitlement to the aircraft:

- (1) *standard category* airworthiness certificate:
- (2) *restricted category* airworthiness certificate:
- (3) *special category – experimental* airworthiness certificate:
- (4) *provisional category* airworthiness certificate.

## **Certification Requirements**

***Rule 21.191 is revoked and replaced by the following new rule:***

### **21.191 Standard and restricted category requirements**

An applicant for a *standard category*, *restricted category*, or *provisional category* airworthiness certificate for an aircraft must provide the Director with evidence that—

- (1) the aircraft, its engines, and propellers if applicable conform to applicable current—

- (i) type certificates issued in accordance with Subpart B;  
or
  - (ii) type acceptance certificates issued in accordance with Subpart B; or
  - (iii) provisional type certificates issued in accordance with Subpart F; and
- (2) every modification and repair to the aircraft conforms to a design change approved in accordance with acceptable technical data under Subpart N for the aircraft type; and
  - (3) every airworthiness directive that is applicable to the aircraft has been complied with in accordance with Part 39; and
  - (4) the aircraft is issued with —
    - (i) the appropriate flight manual; and
    - (ii) the appropriate logbooks, repair and alteration forms and documents; and
  - (5) the aircraft is a New Zealand registered aircraft and, in accordance with Part 47, displays an identification plate and 1 of the following forms of marking:
    - (i) the nationality and registration marks:
    - (ii) Police marks:
    - (iii) an approved identifiable paint scheme and markings; and
  - (6) the aircraft, its engines, propellers, and propeller hubs and blades are identified by the means specified in Subpart Q; and
  - (7) the aircraft conforms with every applicable additional airworthiness requirement prescribed in Part 26; and

- (8) the aircraft has, within 60 days before the application for the airworthiness certificate, undergone —
  - (i) a 100-hour, or equivalent, inspection in accordance with the manufacturer’s maintenance schedule; or
  - (ii) a scheduled inspection in accordance with an applicable maintenance programme of an air operator certificated in accordance with Part 119 or an air transport operator certificated by an ICAO Contracting State; or
  - (iii) an equivalent inspection acceptable to the Director; and
- (9) the aircraft has been weighed within the last 5 years prior to the application under rule 21.175; and
- (10) the aircraft is in a condition for safe operation; and
- (11) the aircraft and each modification and repair to the aircraft complies with the applicable aircraft noise and engine emission standards specified in Appendix C.

***Rule 21.193 is revoked and replaced by the following new rule:***

**21.193 Experimental certificate requirements**

- (a) An applicant for the grant of a *special category — experimental* airworthiness certificate, for an aircraft must provide the Director with—
  - (1) a statement specifying the purpose for which the aircraft is to be operated; and
  - (2) sufficient data to identify the aircraft; and
  - (3) any information that the Director may require; and
  - (4) flight manuals, maintenance manuals and any document relating to the operation of the aircraft as the Director may require; and

- (5) evidence that—
  - (i) the aircraft complies with any design change necessary for the safe operation of the aircraft that the Director may require; and
  - (ii) the aircraft is identified by the means specified in Subpart Q; and
- (6) evidence that the aircraft is a New Zealand registered aircraft and, in accordance with Part 47, displays an identification plate and 1 of the following forms of marking:
  - (i) the nationality and registration marks:
  - (ii) Police marks:
  - (iii) an approved identifiable paint scheme and markings.

(b) An applicant for the grant of a *special category — experimental* airworthiness certificate for an aircraft that is to be operated for the purpose of research and development or showing compliance with rules must, in addition to paragraph (a), provide the Director with—

- (1) details of the purpose of the operation; and
- (2) the estimated time or number of flights required for the operation; and
- (3) details of the areas over which the operation is to be conducted; and
- (4) a three-view drawing of the aircraft, except for an aircraft converted from a previously certificated type without appreciable change in the external configuration.

(c) An applicant for the grant of a *special category — experimental* airworthiness certificate for an aircraft that is to be used for a purpose other than those prescribed in paragraph (b) must, in addition to paragraph (a), provide the Director with evidence that—

- (1) a period of flight evaluation has been completed which shows that—
  - (i) the aircraft is controllable throughout its normal range of speeds and throughout every manoeuvre to be executed; and
  - (ii) the aircraft has no hazardous operating characteristics or design features; or
- (2) the aircraft conforms to a type design that has been shown to provide an acceptable level of safety for the purpose by—
  - (i) showing compliance with an appropriate airworthiness design standard; or
  - (ii) providing information concerning the airworthiness history of aircraft that conforms to the type design.

***Rule 21.195 is revoked and replaced by the following new rule:***

**21.195 Special category — special flight permit**

An applicant for the grant of a *special category — special flight permit* airworthiness certificate for an aircraft must provide the Director with—

- (1) details of—
  - (i) the purpose of the flight; and
  - (ii) the proposed itinerary; and
  - (iii) the crew required to operate the aircraft and its equipment; and
  - (iv) any non-compliance with any applicable airworthiness or maintenance requirement; and
  - (v) any restriction the applicant determines necessary for the safe operation of the aircraft; and
- (2) any other information the Director may require for the purpose of specifying operating limitations; and

- (3) evidence that the aircraft is a New Zealand registered aircraft and, in accordance with Part 47, displays an identification plate and 1 of the following forms of marks:
  - (i) nationality and registration marks:
  - (ii) an approved identifiable paint scheme and markings; and
- (4) evidence that the aircraft is identified by a means specified in Subpart Q.

***Rule 21.197 is revoked and replaced by the following new rule:***

**21.197 Special category — special flight permit — continuing authorisation**

An applicant for the grant of a *special category – special flight permit – continuing authorisation* airworthiness certificate must provide the Director with—

- (1) a statement to confirm that the operation of any aircraft under the special flight permit is for the purpose of flight testing under a manufacturing organisation certificate issued in accordance with Part 148; and
- (2) details of the aircraft type; and
- (3) details of the procedures to be applied by the applicant to ensure that the level of safety is adequate for the purpose of each flight test; and
- (4) any other information the Director may require.

**Subpart K — Materials, Parts, Processes, and Appliances**

***Rule 21.301 is revoked and replaced by the following new rule:***

**21.301 Purpose**

This Subpart prescribes rules governing the approval or acceptance of a material, part, process, and appliance.

*Rule 21.303 is revoked and replaced by the following new rule:*

**21.303 Replacement and modification materials, parts, and appliances**

A replacement or modification material, part, or appliance to be installed into a type certificated product must—

- (1) be authorised by the holder of the type certificate for the product as complying with the type design; or
- (2) be manufactured by a person performing maintenance on the product and the replacement or modification material, part, or appliance must be —
  - (i) certified by the person to conform to an approved type design including any embodied design change; and
  - (ii) identified in accordance with Subpart Q, or
- (3) be issued with a *CAA Form One – authorised release certificate* issued by the holder of a maintenance organisation certificate issued in accordance with Part 145 who established the conformity and traceability of, and performed maintenance on, the part or appliance; or
- (4) be issued with a *CAA Form One – authorised release certificate* issued by the holder of a manufacturing organisation certificate issued in accordance with Part 148 who manufactured the part or appliance in accordance with a—
  - (i) NZTSO authorisation; or
  - (ii) NZPMA authorisation; or
  - (iii) supplemental type certificate issued under Subpart E; or

- (iv) certificate of type approval issued under regulation 163 of the Civil Aviation Regulations 1953; or
- (5) be issued with a release note, by the holder of a supply organisation certificate issued in accordance with Part 19, who established the conformity of the material, part, or appliance; or
- (6) be a standard part; or
- (7) be an imported part accepted for the purpose by the Director.

## Subpart L — Export Airworthiness Approvals

*Rule 21.321 is revoked and replaced by the following new rule:*

### **21.321 Purpose**

This Subpart prescribes rules governing the issue of—

- (1) an export airworthiness certificate for the export of a product:
- (2) *CAA Form One – authorised release certificates* for the export of a part and an appliance.

*Rule 21.323 is revoked and the rule number is reserved:*

### **21.323 Reserved**

*Rule 21.325 is revoked and the rule number is reserved:*

### **21.325 Reserved**

*Rule 21.331 is revoked and replaced by the following new rule:*

### **21.331 Application for export airworthiness certificate**

- (a) An applicant for the issue of an *export* airworthiness certificate must complete form CAA 24021/10, and submit it to the Director with a payment of the appropriate application fee prescribed by regulations made under the Act and provide the Director with—

- (1) evidence that—
    - (i) the product conforms to a type design acceptable to the State of the importer; and
    - (ii) any special certification condition of the State of the importer has been met; and
    - (iii) the State of the importer accepts any exception to be listed in the certificate; and
    - (iv) the product has been identified in accordance with Subpart Q; and
    - (v) the applicable airworthiness directives have been complied with; and
  - (2) any log book, modification and repair form, and historical record that the Director may require for other than a new product; and
  - (3) a description of any method used, including the duration of the effectiveness of the method, for the preservation and packaging of a product; to protect it against corrosion and damage while in transit or storage; and
  - (4) the date when ownership passed, or is expected to pass, to a purchaser in the State of the importer; and
  - (5) the date on which any document that is not available at the date of application is expected to become available; and
  - (6) supporting documentation for any variance to this Subpart; and
  - (7) further particulars relating to the product and the applicant, if required by the Director as indicated in the form.
- (b) An applicant for the issue of an *export* airworthiness certificate for an aircraft must, in addition to paragraph (a), provide the Director with—

- (1) evidence that—
    - (i) for a new aircraft, it has been manufactured under the authority of a manufacturing organisation certificate issued in accordance with Part 148; and
    - (ii) for other than a new aircraft, it possesses or qualifies for an airworthiness certificate under Subpart H; and
    - (iii) the aircraft is issued with the appropriate flight manual and, for a new aircraft, maintenance manual; and
    - (iv) a weight and balance report has been completed, with a loading schedule if applicable; and
    - (v) the aircraft has, within 60 days before the application for the export airworthiness certificate, undergone a 100-hour, or equivalent, inspection in accordance with a manufacturer's maintenance schedule, or an equivalent inspection acceptable to the Director; and
    - (vi) any installations incorporated for the purpose of export delivery comply with the applicable airworthiness requirements or have been approved by the issue of a *special category – special flight permit* airworthiness certificate under Subpart H; and
  - (2) confirmation that any installation described in paragraph (b)(1)(vi) is to be removed and the aircraft restored to the approved type configuration upon completion of the delivery flight.
- (c) The applicant must make the product that is the subject of the export airworthiness certificate and associated data available for inspection if required by the Director.

***Rule 21.333 is revoked and replaced by the following new rule:***

**21.333 Issue of export airworthiness certificate**

(a) The Director may issue an *export* airworthiness certificate for a product and an applicant is entitled to an *export* airworthiness certificate if the Director is satisfied that—

- (1) the applicant meets the applicable requirements of this Subpart; and
- (2) the issue of the certificate is not contrary to the interests of aviation safety; and
- (3) any airworthiness requirement that is not complied with is compensated for by a factor that provides an acceptable level of safety.

(b) Notwithstanding paragraph (a)(1), the Director may issue an *export* airworthiness certificate for a product that does not meet every airworthiness requirement of rule 21.331 if the applicant provides written evidence that the non-compliance with any particular requirement is acceptable to the State of the importer.

(c) An *export* airworthiness certificate issued by the Director under this Subpart—

- (1) may be subject to conditions as the Director considers appropriate in each particular case; and
- (2) does not authorise the installation or use of a product.

***Rule 21.339 is revoked and replaced by the following new rule:***

**21.339 Use of CAA Form One – authorised release certificate for export**

(a) The *CAA Form One – authorised release certificate* must only be used for the export of a part or appliance if—

- (1) the part or appliance—
  - (i) is new, has been newly overhauled, or was last installed in an aircraft which possesses a valid standard or restricted category airworthiness

certificate and the part or appliance is fit for release to service; and

- (ii) conforms to approved design data; and
  - (iii) is in a condition for safe operation; and
  - (iv) meets any special conditions for import required by the State of the importer; and
- (2) the *CAA Form One – authorised release certificate* has been issued in accordance with the procedures of—
- (i) an aircraft maintenance organisation certificated in accordance with Part 145; or
  - (ii) an aircraft manufacturing organisation certificated in accordance with Part 148.

(b) A part or appliance does not need to meet every requirement under paragraph (a) if the State of the importer indicates in writing that the part or appliance is acceptable to the State.

## **Subpart N — Technical Data and Airworthiness Specifications**

*Rule 21.501 is revoked and replaced by the following new rule:*

### **21.501 Purpose**

This Subpart prescribes rules governing—

- (1) the approval or acceptance of technical data;
- (2) the approval or acceptance of specifications for a material, part, process, or appliance;
- (3) the approval of a deviation from specifications for a material, part, process, or appliance.

***Rule 21.505 is revoked and replaced by the following new rule:***

**21.505 Form CAA 337 – approval of technical data**

(a) Except as provided in paragraphs (b) and (c), an applicant for the approval of technical data must complete form CAA 337, and submit it to the Director with a payment of the appropriate application fee prescribed by regulations made under the Act and provide the Director with—

- (1) the name and address for service in New Zealand of the applicant; and
- (2) any documentation necessary to define the data; and
- (3) a description of any design change including—
  - (i) sufficient data to identify the change; and
  - (ii) the identification of every part of a product, component, or appliance affected by the change; and
- (4) for a product, component, or appliance to be changed in accordance with the data,—
  - (i) details of any investigation, test or analysis that may be necessary to show compliance with the applicable airworthiness requirements; and
  - (ii) adequate maintenance and operating data to ensure the product, component, or appliance can be properly maintained and operated; and
- (5) any further particulars relating to the applicant, the technical data, and any design change, if required by the Director as indicated in the form; and
- (6) one of the following:
  - (i) a statement of compliance provided by a design organisation certificated in accordance with Part 146 stating that the technical data meets the airworthiness

requirements of rule 21.31, and the applicable additional airworthiness requirements prescribed in Part 26, and the applicable aircraft noise and engine emission requirements prescribed in rule 21.32, and that the associated design change is fit for embodiment:

- (ii) a statement equivalent to that required by paragraph (a)(6)(i) issued in accordance with the requirements of an appropriate foreign authority;
  - (iii) a written request that a statement of compliance be provided during the technical data approval process.
- (b) Notwithstanding paragraph (a)(6)(i), a statement of compliance may state that the technical data—
- (1) meets the airworthiness, aircraft noise and engine emission requirements incorporated by reference in the type certificate; or
  - (2) if special conditions are applied, meets a level of safety equivalent to that required under paragraph (a)(6)(i).
- (c) An aircraft design organisation certificated in accordance with Part 146 may use a document other than form CAA 337 to record the information required under paragraph (a).
- (d) The Director may approve technical data and an applicant is entitled to the approval of technical data if the Director is satisfied that—
- (1) the applicant meets the applicable requirements under paragraph (a); and
  - (2) the approval of the data is not contrary to the interests of aviation safety; and
  - (3) any airworthiness requirement that is not complied with is compensated for by a factor that provides an acceptable level of safety; and

- (4) there is no feature or characteristic of a product, component, or appliance that makes it unsafe for its intended use when the product, component, or appliance is—
  - (i) changed in accordance with the data; and
  - (ii) operated in accordance with the correctly amended flight manual or other specified limitations.
- (e) Notwithstanding paragraph (d)(1), the Director may approve technical data without the applicant meeting every requirement of paragraph (a) if—
  - (1) the application is limited to an individual product, component, or appliance; and
  - (2) the technical data for an aircraft that holds a special category airworthiness certificate meets the standards that applied for the issue of the airworthiness certificate; and
  - (3) the data provided by the applicant is sufficient to identify the associated design change.

## **Subpart Q — Identification of Products and Parts**

*Rule 21.801 is revoked and replaced by the following new rule:*

### **21.801 Purpose**

This Subpart prescribes rules governing the identification of—

- (1) aircraft, aircraft engines, and propellers;
- (2) critical parts;
- (3) certain replacement and modification parts.

*Rule 21.805 is revoked and replaced by the following new rule:*

**21.805 Identification information**

The identification information that is required to be marked on the data plate under rule 21.803(a)(1), and for the identification of a propeller, propeller blade, or propeller hub under rule 21.803(c)(1) must include—

- (1) the manufacturer's name; and
- (2) the model designation; and
- (3) the manufacturer's serial number; and
- (4) if applicable, the type certificate or type acceptance certificate number; and
- (5) if applicable, the manufacturing organisation certificate number or foreign equivalent; and
- (6) for an aircraft engine, the established rating; and
- (7) any other information that the Director may require.

*Rule 21.807 is revoked and replaced by the following new rule:*

**21.807 Removal, alteration and replacement of identification information**

(a) Except as provided in paragraph (b), a person must not remove, alter, or replace any of the following without the approval of the Director—

- (1) the identification information that is required under rule 21.803(a)(1) to be marked on a data plate;
- (2) the identification information that is required under rule 21.803(c)(1) to identify a propeller, propeller blade, or propeller hub;
- (3) the part number and serial number that is required under rule 21.811 for the identification of a critical part.

(b) A person performing maintenance in accordance with Part 43 may remove, alter, or replace the identification information referred to in

paragraphs (a)(1) and (a)(2) and the part and serial number referred to in paragraph (a)(3) if the removal, alteration, or replacement is carried out in accordance with a method, technique, or practice that is acceptable to the Director.

*Appendix A is revoked and replaced by the following new Appendix A:*

## **Appendix A**

### **Transitional Arrangements**

- (a) A certificate of type approval that was issued for a standard category aircraft under regulation 163 of the Civil Aviation Regulations 1953 before 1 July 1995, and is in force on 1 March 2007 is deemed to be a standard category type certificate for the purpose of this Part.
- (b) A certificate of type approval that was issued for an agricultural or restricted category aircraft under regulation 163 of the Civil Aviation Regulations 1953 before 1 July 1995, and is in force on 1 March 2007 is deemed to be a restricted category type certificate for the purpose of this Part.
- (c) If approved by the Director, aircraft of a type and model issued with a certificate of airworthiness under regulation 161 of the Civil Aviation Regulations 1953 before 1 July 1995 is deemed to have a type acceptance certificate in the same category for the purpose of this Part.
- (d) If approved by the Director, an engine type and model or a propeller type and model that is fitted to a New Zealand registered aircraft that is issued with a *standard category* airworthiness certificate or a *restricted category* airworthiness certificate that is valid on 1 March 2007, is deemed to have a type acceptance certificate for the purpose of this Part.
- (e) A standard category certificate of airworthiness for an aircraft that was issued under regulation 161 of the Civil Aviation Regulations 1953 before 1 July 1995 and is in force on 1 March 2007 is—
- (1) deemed to be a *standard category* airworthiness certificate for the purpose of the Civil Aviation Rules; and

- (2) subject to the same conditions and limitations specified in the certificate of airworthiness.

(f) An agricultural or restricted category certificate of airworthiness for an aircraft that was issued under regulation 161 of the Civil Aviation Regulations 1953 before 1 July 1995 and is in force on 1 March 2007 is—

- (1) deemed to be a *restricted category* airworthiness certificate for the purpose of the Civil Aviation Rules; and
- (2) subject to the same conditions and limitations specified in the certificate of airworthiness.

(g) A permit to fly that was issued for an amateur-built aircraft under regulation 161A of the Civil Aviation Regulations 1953 before 1 July 1995 and is in force on 1 March 2007 is—

- (1) deemed to be a *special category – experimental* airworthiness certificate for the purpose of the Civil Aviation Rules; and
- (2) subject to the same conditions and limitations specified in the permit to fly.

***Appendix C is revoked and replaced by the following new Appendix C:***

## **Appendix C**

### **Airworthiness Design Standards**

(a) Subject to paragraph (c), the standard category airworthiness design standards are—

- (1) any of the following Federal Aviation Regulations issued by the Federal Aviation Administration of the United States of America:
  - (i) Part 23 — Airworthiness Standards: Normal, Utility, Acrobatic, and Commuter Category Aeroplanes, excluding 23.785(a) and 23.807(b)(5):

- (ii) Part 25 — Airworthiness Standards: Transport Category Aeroplanes:
  - (iii) Part 27 — Airworthiness Standards: Normal Category Rotorcraft:
  - (iv) Part 29 — Airworthiness Standards: Transport Category Rotorcraft:
  - (v) Part 31 — Airworthiness Standards: Manned Free Balloons:
  - (vi) Part 33 — Airworthiness Standards: Aircraft Engines:
  - (vii) Part 35 — Airworthiness Standards: Propellers; or
- (2) a set of airworthiness design standards that the Director determines—
- (i) comply with ICAO Annex 8; and
  - (ii) provide an equivalent level of safety to those airworthiness design standards specified in paragraph (a)(1).
- (b) Subject to paragraph (c), the restricted category airworthiness design standards are—
- (1) any of the design standards specified in paragraph (a), and any relevant standards specified in paragraphs (d) and (e), excluding those requirements that the Director determines inappropriate for the purpose for which the aircraft is to be used; or
  - (2) a set of airworthiness design standards that the Director determines appropriate for the purpose for which the aircraft is to be used.
- (c) The airworthiness design standard for a standard category or a restricted category aircraft must include a flight manual that contains—

- (1) the operating limitations and information required to be provided by the applicable airworthiness design standard, in the form of a manual, markings, or placards; and
  - (2) for an aeroplane and rotorcraft, the maximum ambient atmospheric temperatures for which engine cooling was demonstrated, in the performance information section of the flight manual; and
  - (3) the information required under rule 21.32 in the form of a certificate or a page in the flight manual.
- (d) The standard category aircraft noise standards are—
- (1) the standards specified in the applicable chapter of ICAO Annex 16 Volume I except that —
    - (i) after 30 June 2003 every subsonic turbo-jet and turbo-fan powered aeroplanes must comply with the standards specified in Chapter 3 of Annex 16 Volume I; and
    - (ii) if a higher standard has been specified in the aircraft type certificate, noise certificate or equivalent document, then that standard applies; or
  - (2) a set of equivalent airworthiness design standards acceptable to the Director.
- (e) The standard category aircraft engine emission standards are—
- (1) the standards specified in the applicable chapter of ICAO Annex 16 Volume II; or
  - (2) a set of equivalent airworthiness design standards acceptable to the Director.

***Appendix D is revoked and replaced by the following new Appendix D:***

## Appendix D

### Acceptable Technical Data

(a) Subject to paragraph (b), the following are acceptable technical data:

- (1) a type certificate data sheet:
- (2) a foreign type certificate data sheet used for the issue of a type acceptance certificate:
- (3) type design data for a type certificated product:
- (4) design change data that supports a design change approved by the means specified in rule 21.73:
- (5) data approved by the Director under rule 21.505:
- (6) data provided by the Director in an Advisory Circular:
- (7) an airworthiness directive that gives a specific instruction for modification or repair:
- (8) a supplemental type certificate issued by the following:
  - (i) the Federal Aviation Administration of the United States of America:
  - (ii) the Civil Aviation Safety Authority of Australia:
  - (iii) Transport Canada:
- (9) supplemental type approvals issued by Transport Canada:
- (10) data giving a specific instruction for modification or repair contained in a maintenance manual, repair manual, overhaul manual, instruction for continued airworthiness, service bulletin, or an equivalent provided by the manufacturer of the product for which it is to be used and which is listed in the type certificate, or by reference in the type acceptance certificate:

- (11) AC43.13-1B, issued by the Federal Aviation Administration of the United States of America:
  - (12) data included in and specific to the category of an airworthiness certificate.
- (b) The technical data listed in paragraph (a) are acceptable if—
- (1) the data is appropriate to the product, component, or appliance, and is directly applicable to the work being carried out; and
  - (2) for a foreign supplemental type certificate or supplemental type approval—
    - (i) a complete new flight manual is not introduced; and
    - (ii) the aircraft type is not re-designated; and
    - (iii) the data is supplemental to the particular type certificate accepted by the Director and that type certificate is referenced on the supplemental type certificate or supplemental type approval; and
  - (3) the installer has the written permission of the holder of the supplemental type certificate or supplemental type approval to install the STC; and
  - (4) data provided by the manufacturer of a component does not conflict with data provided by the manufacturer of the product or assembly of which the component is to form a part.

## Consultation Details

*(This statement does not form part of the rules contained in Part 21. It provides details of the consultation undertaken in making the rules.)*

A review of the continuing airworthiness and maintenance requirements for New Zealand aircraft has been under development since 1998 following a review of the state of aircraft maintenance that was carried out in 1997. The changes to Part 43 are the central part of a package of changes that update rules relating to the maintenance of aircraft. The package was developed under docket 1/CAR/1357 and published in May 2005 as 3 separate Notices of Proposed Rule Making, NPRM 05-04 dealing with Part 43 and related rule Parts 91, and 145, NPRM 05-05 dealing with Part 21 and related Parts 26, 39, 146, and 148, and NPRM 05-06 dealing with Part 119 and related Parts 103, 104, 121, 125, 135, and 137. The changes to the various rules are based on the 1997 review of aircraft maintenance and proposals arising from a CAA-Industry Technical Study Group set up in 1999.

The 3 Notices of Proposed Rulemaking, NPRM 05-04 Part 43 General Maintenance Rules, NPRM 05-05 Part 21 Certification of Products and Parts, and NPRM 05-06 Part 119 Air Operator – Certification, containing the proposed rules were issued for public consultation under Docket 1/CAR/1357 on 5 May 2005.

### Comments arising from the NPRM

A total of eighty written submissions were received on the 3 NPRMs, mostly in relation to the Part 43 and 91 changes. The CAA has worked through these submissions and as a result has amended the rules where appropriate.

The structure of some rules has been amended and editorial changes have been made to provide clarity and, in some cases, to maintain consistency in the terminology used.

The consultation details relating to amendment 7 to Part 21 are contained in the consultation details of amendment 5 to Part 43. The submissions and all background material used in developing the rules are held on the docket file and are available for public inspection at Aviation House, 10 Hutt Road, Petone. Persons wishing to view the

docket should contact the Docket Clerk on Phone +64 560 9603 and ask for docket 1/CAR/1357.