



WELLINGTON NEW ZEALAND

PURSUANT to Section 28 of the Civil Aviation Act 1990

I, JENNIFER MARY SHIPLEY, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *17* day of *February* 1997

by **JENNIFER MARY SHIPLEY**

A handwritten signature in black ink, appearing to read 'Jennifer Mary Shipley', with a long horizontal flourish extending to the right.

Minister of Transport

**Civil Aviation Rules
Part 43, Amendment No 2
General Maintenance Rules**

Docket Nr. 1007

**Civil Aviation Rules
Part 43, Amendment No 2**

General Maintenance Rules

**RULE OBJECTIVE, EXTENT OF CONSULTATION
AND COMMENCEMENT**

The objective of Part 43, Amendment No 2 is to make amendments to Part 43 necessary for the implementation of Part 66.

Part 43, Amendment No 2 was consulted in conjunction with Part 66 under docket 1007.

This amendment was referred to and signed by the Minister of Transport.

Part 43, Amendment No 2 comes into force on 1 April 1997.

Part 43, Amendment No 2

43.1 *Applicability*

Rule 43.1(4) is amended by omitting the word “maintenance” and substituting the word “airworthiness”.

43.51 *Persons to Perform Maintenance*

Rule 43.51 is revoked and the following rule substituted:

(a) Except as provided in paragraphs (b) and (c), a person shall not perform maintenance on an aircraft or aircraft component unless they—

- (1) hold a current aircraft maintenance engineer licence and an appropriate type rating issued under Part 66; or
- (2) hold a current aircraft maintenance engineer licence and an appropriate type rating issued by the civil aviation authority of Australia, and—
 - (i) have had that licence registered by the Director in New Zealand; or
 - (ii) have applied to the Director for registration of that licence in New Zealand; or
- (3) perform maintenance under the direct supervision of the holder of an aircraft maintenance engineer licence with an appropriate type rating, issued under Part 66, and the maintenance is within the scope of that licence; or
- (4) are authorised by the holder of an appropriate aircraft maintenance organisation certificate, issued under Part 145, to perform maintenance within the scope of that certificate.

(b) A person who holds a pilot licence with an appropriate type rating issued under Part 61 may perform the maintenance listed in Appendix A if—

- (1) the licence holder is the owner or operator of the aircraft; and
- (2) the aircraft is not used on air transport operations.

(c) A person may perform maintenance on a glider or glider component if they—

- (1) are authorised by a gliding organisation to perform maintenance on a glider or glider component; or

- (2) perform the maintenance under the direct supervision of a person authorised by a gliding organisation to perform maintenance on a glider or glider component.

43.77 Recording of major repairs and modifications

Part 43 is amended by revoking rule 43.77.

43.101 Persons to Certify Release

Rule 43.101 is revoked and the following new rule substituted:

(a) Except as provided in paragraph (b), a person shall not certify an aircraft or aircraft component for release to service after maintenance unless they—

- (1) hold a current aircraft maintenance engineer licence, with an appropriate type rating issued under Part 66; or
- (2) hold a current aircraft maintenance engineer licence and an appropriate type rating issued by the civil aviation authority of Australia, and—
 - (i) have had that licence registered by the Director in New Zealand; or
 - (ii) have applied to the Director for registration of that licence in New Zealand; or
- (3) are authorised by the holder of an appropriate aircraft maintenance organisation certificate issued under Part 145, to certify maintenance within the scope of that certificate; or
- (4) are approved by the Director to certify an aircraft or aircraft component for release to service; or
- (5) hold a pilot licence and have performed the maintenance under the conditions prescribed in 43.51(b); or
- (6) for maintenance performed outside New Zealand, hold a licence issued by a contracting state of ICAO for the type of aircraft or aircraft component.

(b) A person may certify a glider or glider component for release to service after maintenance if they are authorised to certify maintenance on a glider or glider component by a gliding organisation.

Subpart D — Annual Review of Airworthiness

Part 43 is amended by revoking Subpart D and substituting the following new Subpart:

“Subpart D — Annual Review of Airworthiness

43.151 Persons To Perform Review

(a) Except as provided in paragraph (b), a person shall not perform an annual review of airworthiness for an aircraft unless they hold an inspection authorisation issued under Part 66.

(b) A person may perform an annual review of airworthiness on a glider if—

- (1) they are authorised to perform an annual review of airworthiness on a glider by a gliding organisation; and
- (2) they have satisfactorily completed a course of instruction, including an examination, that is acceptable to the Director, on the inspection of aircraft and components for conformity with the CAR.

43.153 Review Requirements

(a) Except as provided in paragraph (b), each person performing an annual review of airworthiness for an aircraft shall, before certifying that the review has been carried out—

- (1) ensure that the aircraft conforms to its type certificate; and
- (2) ensure that any modifications and repairs conform to the applicable technical data listed in Appendix D to Part 21; and
- (3) ensure that all due maintenance specified in the applicable maintenance programme has been completed; and
- (4) ensure that all applicable airworthiness directives have been complied with; and
- (5) ensure that each discrepancy recorded in the technical log has been actioned and certified in accordance with Part 91; and
- (6) ensure that all applicable releases to service have been completed and certified in accordance with Subpart C; and
- (7) ensure that all components' overhaul and finite lives are within the limits laid down in the applicable maintenance programme; and

- (8) ensure that the weight and balance data in the aircraft logbook is accurate and within the limitations of the aircraft type certificate; and
 - (9) ensure that the flight manual is the current version for the aircraft; and
 - (10) perform a general condition inspection of the aircraft.
- (b) The requirements in paragraph (a)(1) and (2) shall not apply to aircraft issued with a special category airworthiness certificate under Part 21, Subpart H.

43.155 Certifying Review

Each person who performs and certifies an annual review of airworthiness for an aircraft shall enter—

- (1) the following statement in the aircraft logbook or other approved technical record:

I hereby certify that an annual review of airworthiness has been carried out on this aircraft and that the current requirements of Part 91 and Part 43 of the New Zealand Civil Aviation Rules have been complied with; and

- (2) beside the statement required by subparagraph (1), their signature, inspection authorisation number, and the date of the entry; and
- (3) in the appropriate section of the aircraft technical log, the date that the review is next due.

43.157 Discrepancies

(a) Each person who performs an annual review of airworthiness and finds that an aircraft does not comply with the requirements listed in 43.153(a) shall—

- (1) record the discrepancies in the aircraft logbook or other approved technical record; and
- (2) forward a copy of the discrepancies to the Director.

(b) Subject to paragraph (c), where a person performing an annual review of airworthiness finds that an aircraft does not comply with the requirements listed in 43.153(a)(2), that person may, with the approval of the operator of the aircraft, permit rectification of the discrepancy to be deferred until any date up to and including 1 April 1998.

(c) The deferral of rectification of a discrepancy permitted under paragraph (b) shall—

- (1) not apply to any discrepancy that would affect the safe operation of the aircraft; and
- (2) be certified in the aircraft logbook or other approved technical record by the person performing the annual review of airworthiness."