



PURSUANT to Sections 28 and 30 of the Civil Aviation Act 1990

I, STEVEN JOYCE, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This *17th* day of *February* 2010

by **STEVEN JOYCE**

A handwritten signature in black ink, appearing to be 'S. Joyce', is written over the printed name 'STEVEN JOYCE'. The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Minister of Transport

Civil Aviation Rules

Part 119, Amendment 11

Air Operator - Certification

Docket 9/CAR/1

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Rule objective

The objective of amendment 11 to Part 119 is to make minor editorial and minor technical changes to facilitate clearer interpretation of the rule.

Amendment 11 to Part 119 is constituent to NPRM 09-03 which contains amendments to the following Parts:

Part 1	Part 95	Part 140
Part 12	Part 105	Part 145
Part 19	Part 106	Part 148
Part 26	Part 119	Part 172
Part 43	Part 121	Part 173
Part 65	Part 125	Part 175
Part 77	Part 129	
Part 91	Part 135	
Part 93	Part 139	

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 09-03, containing the proposed changes to Part 119 and changes to other rules was issued for public consultation under Docket 9/CAR/1 on 30 July 2009.

The publication of this NPRM was notified in the Gazette on 31 July 2009 and advertised in the daily newspapers in the five main provincial centres on 31 July 2009. The NPRM was published on the CAA web site on 30 July 2009.

A period of 37 days was allowed for comment on the proposed rule.

Summary of submissions

A total of 3 written submissions were received on NPRM 09-03 (1 submission related to Part 1, and 2 submissions related to Part 91). However, no submissions were received relating to Part 119, and consequently no changes were made to the proposed amendments.

The rule was then referred to the Minister of Transport for signing.

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 an existing rule and the insertion of a new rule.

Effective date of rule

Amendment 11 to Part 119 comes into force on 25 March 2010.

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 119 Amendments

Appendix A — Qualifications and Experience of Senior Persons — Airline Air Operator Certificate Holder

Paragraph A.3.2 is revoked and replaced by the following paragraph:

A.3.2 Part 125 Operations

(a) The senior person responsible for the control and direction of maintenance in an organisation conducting air operations under Part 125 must—

- (1) have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of Part 125; and
- (2) meet the requirements of paragraph (b); and
- (3) undertake any examination or test that the Director may require to determine the person's competency to perform the maintenance planning and control functions required.

(b) The senior person referred to in paragraph (a)—

- (1) must meet the requirements of paragraph A.3.1; or
- (2) must—
 - (i) hold or have held an aircraft maintenance engineer licence granted under section 9 of the Act and in accordance with Part 66, or an equivalent licence acceptable to the Director, with appropriate ratings; and
 - (ii) have at least 3 years experience performing maintenance on aircraft of a similar size and type as that to be operated by the organisation; and
 - (iii) have at least 1 year experience certifying aircraft for release-to-service, which may be undertaken during

the 3 years experience required under subparagraph (ii); or

- (3) must have experience acceptable to the Director including at least 5 years experience responsible for the control and direction of maintenance and the continuing airworthiness of aircraft of a similar size and type as that to be operated by the organisation.

(c) The experience requirement specified in paragraph (b)(2)(ii) may alternatively be met through a course of instruction acceptable to the Director and conducted under the authority of an aviation training organisation certificate granted under section 9 of the Act and in accordance with Part 141.

Consultation Details

(This statement does not form part of the rules contained in Part 119. It provides details of the consultation undertaken in making the rules.)

A Notice of Proposed Rulemaking, NPRM 09-03 Omnibus 2009, containing the proposed rule amendments for Part 119, and other proposed rule amendments in various Parts, was issued for public consultation under Docket 9/CAR/1 on 30 July 2009.

A period of 37 days was allowed for comment on the proposed rule.

A total of 3 written submissions were received on NPRM 09-03 (1 submission related to Part 1, and 2 submissions related to Part 91). However, no submissions were received relating to Part 119.

The purpose of NPRM 09-03 was to make minor editorial and minor technical amendments to various Parts of the Civil Aviation Rules (CAR). The proposed amendments included the correction of spelling and grammatical errors, the updating of various rules in accordance with current International Civil Aviation Organization (ICAO) standards, definitions and abbreviations, and the revocation of specific transitional arrangements.