



**PURSUANT** to Sections 28, 29 and 30 of the Civil Aviation Act 1990,  
and having had regard to the matters specified in section 33 of the Act,

**I, GERRY BROWNLEE**, Minister of Transport,

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This *10<sup>th</sup>* day of *February* 2014

by Hon **GERRY BROWNLEE**

Minister of Transport

A handwritten signature in black ink, appearing to read 'G.A. Brownlee', written over the printed name 'GERRY BROWNLEE'.

**Civil Aviation Rules**

**Part 125, Amendment 17**

**Part 125 Air Operations — Medium Aeroplanes**

*Docket 10/CAR/1*

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**Rule objective**

The objective of amendment 17 to Part 125 is to update the—

- (a) crew member requirements in Subpart H, to align with aviation best industry practice:
- (b) requirements in Subpart I, regarding training and training programmes for crew members to align with the ICAO standards and recommended practice:
- (c) requirements in Subpart J, regarding crew member competency programmes and checks to align with ICAO recommended practice, and aviation best industry practice.

**Extent of consultation**

Development of the rule amendment proposal included a project working group (PWG) meeting held on 14 September 2009. Consultation also included informal discussions through telephone and email exchange with the PWG members which included representatives from Air Chathams, Air National, Air New Zealand, Air Safaris, Airwork, Eagle, and Pacific Jets. Remaining Part 125 operators were also consulted through telephone and email by the PWG members.

A Notice of Proposed Rulemaking, NPRM 10-04, containing the proposed rule amendment was issued for public consultation under Docket 10/CAR/1 on 19 October 2012.

The publication of this NPRM was notified in the Gazette on 18 October 2012. The NPRM was 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 28 days was allowed for comment on the proposed rule.

**Summary of submissions**

Two written submissions were received on the NPRM. Both submissions were from organisations. One submission indicated incorrect rule references to proposed rule 125.603(b)(5). The other submission relates to the NPRM narrative paragraph 3.3.2 Pilot line training, consolidation and pair restrictions.

A detailed summary of the submission and the resulting CAA comments are provided in the “Consultation Details” section of this document.

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.

### **Description of Amendments**

The amendments to the rules in this Part are reflected by revoking and replacing Subparts H, I and J.

### **Effective date of rule**

Except for the rules specified in rules 125.533, 125.575, and 125.615, Amendment 17 to Part 125 comes into force on 1 April 2014.

### **Availability of rules**

Civil Aviation Rules are available from—

CAA web site: <http://www.caa.govt.nz/>

Freephone: 0800 GET RULES (0800 438 785)

## Air Operations – Medium Aeroplanes

*Subpart H is revoked and replaced by the following new Subpart:*

### **Subpart H — Crew Member Requirements**

#### **125.501 Purpose**

This Subpart prescribes the rules governing the assignment of crew members conducting an air operation in an aeroplane under the authority of an air operator certificate.

#### **125.503 Assignment of crew members**

- (a) A holder of an air operator certificate must, for each aeroplane type operated under the authority of the certificate, assign in writing to each crew member, the operational and safety functions that each crew member is to perform during an air operation.
- (b) The certificate holder must ensure that a person is not assigned to perform the function of a crew member on an aeroplane operating under the authority of the certificate unless that person—
- (1) has completed the applicable training programme under Subpart I and is assessed as competent for the crew member position under Subpart J; or
  - (2) is a pilot completing the pilot line training under rule 125.567—
    - (i) has completed the applicable segments of the training programme under Subpart I; and
    - (ii) is assessed as competent for the flight crew member position under Subpart J.
- (c) The certificate holder must not require a crew member to perform any duty during a critical phase of a flight that is not required for the safe operation of the aeroplane.
- (d) For the purpose of paragraph (c), a critical phase of a flight includes—

- (1) for flight crew members, all operations involving push back, taxi, take-off, approach and landing, and any other period when the aeroplane is operated below a height of 10 000 feet above ground level except when in cruise flight; and
- (2) for other crew members, all ground operations after leaving the apron area to join a main taxiway, take-off until passing a height of 1000 feet above ground level on climb, and the approach and landing phase of flight after the aeroplane has descended below a height of 5000 feet above ground level.

#### **125.505 Flight crew duty assignment**

A holder of an air operator certificate must, for an air operation conducted under the authority of the certificate, assign in writing—

- (1) a pilot who meets the requirements referred to in rule 125.507 as the designated pilot-in-command under VFR, or rule 125.509 as the designated pilot-in-command under IFR; and
- (2) a pilot designated as a co-pilot who is required by the flight manual for the operation of the aeroplane, and who meets the requirements referred to in rule 125.503(b)(2); and
- (3) any additional pilot who is required by the flight manual for the operation of the aeroplane and who meets the requirements referred to in rules 125.507 or 125.509.

#### **125.507 Pilot-in-command VFR experience requirements**

A holder of an air operator certificate must not designate a pilot to act as pilot-in-command of an aeroplane conducting an air operation performed under VFR unless the pilot—

- (1) holds at least a current commercial pilot licence or airline transport pilot licence (aeroplane) with an applicable aircraft type rating; and
- (2) has successfully completed the applicable training and competency requirements specified under Subparts I and J; and

- (3) has at least 500 hours of flight time experience as a pilot, including—
  - (i) at least 100 hours of cross-country flight time; and
  - (ii) 100 hours flight time experience in multi-engine operation if the operation is to be conducted in a multi-engine aircraft; and
- (4) for night operations, has at least 25 hours of night flight time experience.

### **125.509 Pilot-in-command IFR experience requirements**

A holder of an air operator certificate must not designate a pilot to act as pilot-in-command of an aeroplane conducting an air operation performed under IFR unless the pilot—

- (1) holds at least a current commercial pilot licence or airline pilot licence (aeroplane) with an applicable aircraft type rating; and
- (2) holds a current instrument rating; and
- (3) has successfully completed the applicable training and competency requirements specified under Subparts I and J; and
- (4) has at least 1200 hours of flight time experience as a pilot, including—
  - (i) 500 hours of cross country flight time; and
  - (ii) at least 250 hours flight time experience in a multi-engine operation if the operation is to be conducted in a multi-engine aircraft; and
- (5) has at least 75 hours of actual or simulated instrument time of which 25 hours can be in a flight simulator approved for this purpose; and

- (6) for night operations, the pilot has acquired at least 50 hours of night flight time experience.

### **125.511 Pilot instructor experience requirements**

A holder of an air operator certificate must not designate a pilot to perform the function of a pilot instructor in the flight crew member training programme required by this Part unless that pilot—

- (1) is qualified to act as pilot-in-command of the aeroplane type performing the air operation; and
- (2) holds a Category A, B, or D flight instructor rating, or an airline flight instructor rating, referred to in Part 61; and
- (3) has acquired at least 1500 hours of flight time experience as a pilot including—
  - (i) 250 hours line-operating flight time experience as pilot-in-command; or
  - (ii) 100 hours of flight time experience as pilot-in-command for the particular aeroplane type involved; and
- (4) has successfully completed a training course in the methods for assessing crew member competency in the technical and non-technical aspects of aircraft operation including human factors and crew resource management.

### **125.513 Flight examiner experience requirements**

A holder of an air operator certificate must not designate a pilot to perform the function of a flight examiner in a route check required by rule 125.607(b) or in a competency assessment programme required by rule 125.605 unless that pilot—

- (1) holds a current airline flight examiner rating referred to in Part 61; and
- (2) is qualified to act as pilot-in-command of the aeroplane type performing an air operation in accordance with rule 125.507

or rule 125.509 or has flight instruction experience that is acceptable to the Director; and

- (3) has acquired—
  - (i) 250 hours of line-operating flight time experience as pilot-in-command for the particular aeroplane type involved; or
  - (ii) 100 hours flight time as a pilot instructor to which this Part or Part 121 applies; or
  - (iii) other equivalent experience applicable to this Part or Part 121 that is acceptable to the Director, to act as a flight examiner for the purpose of conducting a competency assessment; and
- (4) has completed a training course in the methods for assessing crew member competency in the technical and non-technical aspects of aircraft operation including human factors and crew resource management.

#### **125.515 Flight attendant experience requirements**

A holder of an air operator certificate must not designate a person to perform the functions of a flight attendant in an aeroplane conducting an air operation unless the person has satisfactorily completed the appropriate segments of the crew member training programme required by rule 125.553 for the aeroplane type and the assigned crew member position.

#### **125.517 Simulator instructor and examiner experience requirements**

(a) Except as provided in paragraphs (b) and (c), a holder of an air operator certificate must not designate a pilot to perform the function of a pilot instructor, or flight examiner, for the purpose of giving flight instruction or conducting a flight crew member competency assessment in a flight simulator unless the pilot—

- (1) meets the appropriate requirements referred to in rule 125.511 or 125.513, or as approved by the Director to conduct specific flight tests; and

- (2) demonstrates competency as pilot-in-command in the flight simulator to the standard required by Subpart J; and
- (3) has received proficiency training in the operation of the flight simulator; and
- (4) has completed a training course in the methods for assessing crew member competency in the technical and non-technical aspects of aircraft operation including human factors and crew resource management.

(b) A pilot who has previously met the requirements referred to in paragraph (a) but who no longer holds a current medical certificate may act as a pilot instructor or flight examiner in a flight simulator if the pilot maintains competency by—

- (1) undergoing training as a flight crew member in a flight simulator in accordance with the training programme required by rule 125.553; and
- (2) completing a competency assessment under Subpart J; and
- (3) completing the applicable training requirements which are otherwise necessary to maintain the currency of an airline instructor rating, or flight examiner rating, under Part 61 and this Part.

(c) Despite paragraph (a), if the certificate holder applies to the Director in writing, the Director may approve a pilot, who does not hold a current medical certificate and who has not previously met the requirements referred to in rules 125.511 or 125.513, to exercise the functions of a pilot instructor or flight examiner in a flight simulator if the pilot—

- (1) has at least 1500 hours flight time experience as—
  - (i) pilot-in-command or co-pilot in air operations conducted under this Part; or

- (ii) pilot-in-command or second-in-command in air operations conducted under Part 121; and
- (2) satisfactorily completes the training and competency requirements of Subpart I and J in a flight simulator of the aeroplane type; and
- (3) satisfactorily completes a course in flight instruction or flight examination that is acceptable to the Director; and
- (4) receives proficiency training in the operation of the flight simulator; and
- (5) continues to maintain competency as specified in paragraph (b).

#### **125.519 Flight attendant trainer experience requirements**

A holder of an air operator certificate must not designate a flight attendant to perform the function of a flight attendant trainer in the flight crew member training programme required by this Part unless that flight attendant—

- (1) has completed the flight attendant training in the segments of the crew member training programme specified in rule 125.553; and
- (2) has completed a training course acceptable to the Director in the methods for assessing flight attendant competency in the technical and non-technical aspects of aircraft operation including human factors and crew resource management.

#### **125.521 Flight attendant assessor experience requirements**

A holder of an air operator certificate must not designate a flight attendant to perform the function of a flight attendant assessor for the purpose of rule 125.611 unless that flight attendant—

- (1) has completed the training segments and course referred to in rule 125.519; and
- (2) has met the requirements referred to in rule 125.571.

### **125.523 Ground instructor experience requirements**

A holder of an air operator certificate must not designate a person to perform the functions of a ground instructor in its crew member training programme required by rule 125.553, unless that person has completed—

- (1) an instructional techniques course acceptable to the Director; and
- (2) a human factors course acceptable to the Director; and
- (3) a comprehensive training course in the subject matter area in which instruction is being provided, and the course is acceptable to the Director.

### **125.525 Minimum flight crew – IFR**

(a) Except as provided in paragraph (b), a holder of an air operator certificate must ensure that an aeroplane operated under IFR is operated with 2 pilots.

(b) The certificate holder may operate an aeroplane with a seating configuration, excluding pilot seats, of 14 seats or less under IFR with one pilot if—

- (1) the aeroplane flight manual permits the aeroplane to be operated by one pilot; and
- (2) the aeroplane is equipped with an operative autopilot or stabilisation system capable of operating the aeroplane controls to maintain flight and manoeuvre the aeroplane about the roll and pitch axes with an automatic heading and altitude hold; and
- (3) the aeroplane is fitted with a headset that includes a boom microphone and facility for control column transmit-receive switching at the pilot-in-command station; and

- (4) the pilot-in-command has met the requirements referred to in rule 125.509; and
- (5) where the aeroplane is used in conducting a SEIFR passenger operation, the autopilot or stabilization system required by paragraph (2) is capable of remaining fully functional after an engine failure.

#### **125.527 Flight crew member pairing limitations**

(a) Except if authorised under paragraph (b), a holder of an air operator certificate must ensure that an air operation is not conducted unless at least one of the flight crew members has accumulated the following flight time experience after completing the training requirements of Subpart I:

- (1) 50 hours in the aeroplane type that is being operated; or
- (2) 20 operating cycles in the aeroplane type that is being operated.

(b) If a certificate holder applies to the Director in writing, the Director may authorise the certificate holder to deviate from the requirements of paragraph (a) by amending the operations specifications as appropriate in any of the following circumstances:

- (1) a new certificate holder who cannot meet the minimum requirements prescribed in paragraph (a); or
- (2) an existing certificate holder acquires an aeroplane type not previously authorised by the Director for use in its operations.

#### **125.529 Flight crew operating multiple aeroplane types or variants**

(a) If a holder of an air operator certificate assigns a flight crew member to operate more than one aeroplane type or more than one variant of an aeroplane type, the certificate holder must—

- (1) ensure that the flight crew member is trained and qualified to operate each aeroplane type or variant; and

- (2) establish training and competency assessment procedures acceptable to the Director.
- (b) The procedures required by paragraph (a)(2) must ensure that—
- (1) before a flight crew member is assigned to operate more than one aeroplane type or variant, the flight crew member has the relevant experience for operating the aeroplane type or variant, taking into account the aircraft manufacturer's recommendations; and
  - (2) a flight crew member has sufficient experience required on one aeroplane type or variant before beginning training for another aeroplane type or variant, taking into account the manufacturer's recommendations; and
  - (3) a flight crew member who is qualified on one aeroplane type or variant is trained and qualified on another aeroplane type or variant; and
  - (4) a flight crew member—
    - (i) has the applicable competency and recent flight experience requirements for each aeroplane type or variant; or
    - (ii) satisfactorily completes a competency assessment on one specified aeroplane type or variant that is deemed to meet the competency standard on another specified aeroplane type or variant; and
    - (iii) for the purpose of paragraph (ii), the specified aeroplane types or variants must be recommended by the aeroplane manufacturer.
- (c) The relevant experience referred to in paragraph (b)(1) must include the minimum flight time experience or operating cycles a flight crew member must complete in air operations to which this Part applies.
- (d) The experience referred to in paragraph (b)(2) must include—

- (1) the minimum flight time experience or operating cycles a flight crew member must complete in the aeroplane type already flown to which this Part applies; and
  - (2) the minimum number of hours a flight crew member must complete exclusively on the new aeroplane type or variant after commencing training for the new aeroplane type or variant.
- (e) The training and competency assessment procedures referred to in paragraph (a)(2) for a flight crew member to operate more than one aeroplane type or variant, must take into account the differences between aeroplane types or variants including at least the following:
- (1) the aeroplane operating procedures; and
  - (2) the aeroplane systems; and
  - (3) the aeroplane performance limitations; and
  - (4) the aeroplane handling characteristics.
- (f) Despite rule 61.37, a holder of an air operator certificate must ensure that a flight crew member assigned to act as a flight crew member on multiple aeroplane types or variants, meets—
- (1) the recent flight experience required by Part 61 for each aeroplane type or variant; or
  - (2) the recent flight experience requirements for each aeroplane type or variant as specified in the procedures referred to in paragraph (b)(4).

**125.531 Flight crew conducting Category II or III approaches and reduced take-off minima**

- (a) A holder of an air operator certificate must ensure that the pilots of an aeroplane conducting an air operation under the authority of the certificate do not perform a Category II or III precision approach procedure, or a departure with reduced take-off minima, unless both the pilot-in-command and the pilot acting as co-pilot are qualified to perform the particular approach procedure or departure.

- (b) For the purposes of paragraph (a)—
- (1) if the pilot-in-command is qualified only as pilot flying for the Category II or III precision approach and reduced take-off minima, the pilot-in-command must conduct the particular approach procedure and reduced take-off minima departure as pilot flying; and
  - (2) if the co-pilot is qualified only as the pilot non-flying for the Category II or III precision approach and reduced take-off minima, the pilot-in-command must conduct the particular approach procedure and reduced take-off minima departure as pilot flying.
- (c) Despite paragraph (b), the pilot of an aeroplane may perform a Category II or III precision approach procedure or a departure with reduced take-off minima as pilot flying or pilot non-flying for the particular approach and take-off if—
- (1) the pilot-in-command and the co-pilot are qualified as specified in paragraphs (a); and
  - (2) the pilot-in-command is—
    - (i) a pilot instructor qualified as specified in rule 125.511; or
    - (ii) a flight examiner qualified as specified in rule 125.513.

### **125.533 Transitional arrangements**

- (a) Rule 125.511(4) does not apply to the holder of an air operator certificate until 1 April 2016 provided that the holder continues to comply with rule 125.567(3) that was in force on 31 March 2014.
- (b) Rule 121.513(4) does not apply to the holder of an air operator certificate until 1 April 2016 provided that the holder continues to comply with rule 125.605(a)(3), or rule 125.605(b)(3) that was in force on 31 March 2014.

(c) Rules 125.517(a)(4), 125.519(2), and 125.523(2) do not apply to the holder of an air operator certificate until 1 April 2016.

*Subpart I is revoked and replaced by the following new Subpart:*

## **Subpart I — Training**

### **125.551 Purpose**

This Subpart prescribes rules governing the establishment and implementation of training programmes specified in this Subpart for crew members.

### **125.553 Crew member training programme**

(a) A holder of an air operator certificate must establish a crew member training programme under this Subpart for ensuring that each flight crew member, and each flight attendant if applicable, assigned to act as a crew member on an aeroplane conducting an air operation is trained to perform their assigned functions.

(b) The certificate holder must ensure that the training programme required by paragraph (a)—

- (1) is conducted safely, in a structured manner, and without unacceptable risk to the personnel, third parties, or equipment; and
- (2) includes for multi-crew operation, human factors as an integral component in every training segment referred to in paragraph (c).

(c) The certificate holder must ensure that the training programme required by paragraph (a) contains the following segments—

- (1) introduction training;
- (2) transition training;
- (3) upgrade training for flight crew members;
- (4) recurrent training.

- (d) The certificate holder must ensure that a pilot who completes an introduction training segment, a transition training segment, or an upgrade training segment also completes the pilot line training requirements specified in rule 125.567.
- (e) The certificate holder must ensure that the person responsible for its crew member training programme holds a current flight examiner rating.
- (f) The certificate holder must ensure that the person responsible for its flight attendant training programme—
- (1) meets the requirements referred to in rules 125.519 or 125.521; or
  - (2) has appropriate qualifications and experience that are acceptable to the Director, and are included in the certificate holder's exposition.
- (g) The certificate holder is responsible for controlling the training programme required by paragraph (a).
- (h) The certificate holder may—
- (1) conduct the training in accordance with the training programme required by paragraph (a); or
  - (2) contract with the holder of an aviation training organisation certificate issued under Part 141, to conduct the training in accordance with the training programme required by paragraph (a) if the Part 141 certificate authorises the holder to conduct that type of training; or
  - (3) for a training conducted outside New Zealand, contract with an organisation that meets a standard equivalent to that specified in Part 141 to conduct the training in accordance with the training programme required by paragraph (a) for flight crew members.
- (i) The certificate holder must ensure that when a crew member completes a training segment of the training programme—

- (1) the training record for that crew member is updated with the details of the qualification acquired; and
- (2) the training record and details of the qualification referred to in paragraph (1) are kept in accordance with the procedures referred to in rule 119.67; and
- (3) the crew member is informed of the qualification.

#### **125.555 Syllabus for crew member training programme**

- (a) A holder of an air operator certificate must ensure that each segment of the training programme for flight crew members, and flight attendants if applicable, includes a syllabus that is applicable to the certificate holder's operations and is acceptable to the Director.
- (b) Each syllabus required by paragraph (a) must include at least the following training elements as applicable to—
  - (1) the aeroplane type to be used, including special equipment fitted for the intended operation:
  - (2) the routes and aerodromes appropriate to the intended operation:
  - (3) the crew member assignments, functions, responsibilities, and the relationship of these to the assignments, functions and responsibilities of other crew members, particularly in regard to abnormal or emergency procedures:
  - (4) training in all types of emergency and abnormal situations or procedures caused by power plant, airframe or system malfunctions, fire or other abnormalities:
  - (5) the location and operation of emergency equipment available for use by crew members:
  - (6) the location and use of oxygen equipment:
  - (7) the location and use of all normal and emergency exits, including evacuation slides and escape ropes:

- (8) training on human factors and crew resource management:
- (9) training in strategies to manage risks including threat and error management:
- (10) the requirements of Part 92 regarding the carriage of dangerous goods:
- (11) security training in accordance with the air operator security programme required by rule 119.75:
- (12) the certificate holder's policies and procedures appropriate to its air operations.

**125.557 Crew member introduction segment**

(a) Subject to paragraphs (b), (c), and (d), a holder of an air operator certificate must ensure that a pilot or flight attendant if applicable, who is not qualified and currently serving as a crew member in an air operation under the authority of the certificate, completes the introduction segment of the training programme required by rule 125.553, and in accordance with the syllabus required by rule 125.555.

(b) The certificate holder may, with prior acceptance of the Director, vary the syllabus of the introduction segment of the training programme in the holder's exposition for a crew member if details of the variation and the reasons for the variation are recorded and certified in the crew member's training record.

(c) The certificate holder must ensure that the introduction segment of the training programme includes training on human factors and crew resource management.

(d) A pilot may not commence an introduction segment of the training programme under paragraph (a) unless the pilot—

- (1) holds a current instrument rating; and
- (2) has acquired at least 250 hours of flight time experience relevant to the aeroplane type and type of operation, acceptable to the Director; and

- (3) has acquired 25 hours of instrument time of which at least 10 hours are completed under the supervision of a pilot instructor who meets the requirements referred to in rule 125.511.

#### **125.559 Crew member transition segment**

(a) Subject to paragraph (b), a holder of an air operator certificate must ensure that a pilot or flight attendant if applicable who is qualified and currently acting as a crew member on an air operation completes the transition segment of the training programme required by rule 125.553 if—

- (1) the crew member is changing from one aeroplane type or variant to another type or variant; or
- (2) there is a change to the nature of an operation, or new equipment is introduced, which affects the operation of the aeroplane type or variant.

(b) The transition segment of the training programme referred to in paragraph (a) must address at least the following—

- (1) the use of all safety and emergency equipment and procedures applicable to the aeroplane type or variant; and
- (2) new procedures or equipment introduced on the existing aeroplane type or variant; and
- (3) any required human factors and crew resource management training brought about by the different aeroplane, equipment, or procedures.

#### **125.561 Crew member upgrade segment**

(a) Subject to paragraph (b), a holder of an air operator certificate must ensure that a pilot or a flight attendant if applicable, who is qualified and currently acting as a crew member on an air operation conducted under the authority of the certificate, completes the upgrade segment of the training programme required by rule 125.553 on the same aeroplane type if—

- (1) the pilot is changing from one crew member position to a more responsible crew member position on the same aeroplane type; or
  - (2) the flight attendant is upgrading to a role of increased responsibility.
- (b) The upgrade training must address the use of all safety and emergency equipment and procedures applicable to the new flight crew position for pilots, or the more responsible role for flight attendants on the aeroplane for which the upgrade is sought and must—
- (1) include training on human factors and crew resource management, with particular emphasis on the changes brought about by the different crew member position and new responsibilities; and
  - (2) include training in supervisory skills.

#### **125.563 Crew member recurrent segment**

- (a) A holder of an air operator certificate must ensure that a pilot, or flight attendant of an aeroplane operating under the authority of the certificate, completes the recurrent segment of the training programme required by rule 125.553 in order for the crew member to be current, and proficient on the aeroplane type, crew member position, and type of operation in which the crew member serves.
- (b) The certificate holder must ensure that the recurrent segment includes flight training for flight crew members—
- (1) every 6 months for an air operation conducted under IFR; and
  - (2) every 12 months for an air operation conducted under VFR.
- (c) The certificate holder must ensure that the pilot completes a recurrent segment of the training programme using the training equipment specified in rule 125.565.

(d) The holder of an air operator certificate must ensure that the recurrent segment of the training programme addresses training on human factors and crew resource management.

#### **125.565 Flight crew training equipment**

(a) Except as provided in paragraphs (c) and (d), a holder of an air operator certificate must ensure that the crew member training programme required by rule 125.553 for flight crew members includes ground and flight instruction using—

- (1) training devices; and
- (2) a flight simulator for the aeroplane type being used.

(b) The certificate holder must ensure that the training for a flight crew member operating turbojet, turbofan, and multi-engine turboprop powered aeroplanes includes ground and flight instruction using a flight simulator of the same aeroplane type—

- (1) for introduction, transition, and upgrade segments of the training programme; and
- (2) for recurrent training at least every 12 months.

(c) Despite paragraph (b), the certificate holder may conduct the training in an aeroplane if—

- (1) a flight simulator is not available in New Zealand or Australia; and
- (2) the aeroplane is of the same type as the aeroplane used for performing air operations.

(d) In the case of a single-engine reciprocating powered aeroplane, or a single-engine turbo-prop aeroplane, the certificate holder may conduct the training in an aeroplane of the same type as the aeroplane used for performing air operations.

(e) The training referred to in paragraphs (c) and (d) must be conducted in accordance with a safe flight practice guide acceptable to the Director.

(f) The certificate holder must ensure that each flight simulator and each training device used for flight training in the training programme is—

- (1) approved for use by the certificate holder; and
- (2) approved for the aeroplane type, and if applicable, the particular variant within that type, for which the training or assessment is being conducted; and
- (3) approved for the particular manoeuvre, procedure, or crew member function involved; and
- (4) specified in the exposition required by rule 119.81.

(g) The certificate holder must ensure that any flight simulator or training device used for flight training—

- (1) maintains the performance, functional, and other characteristics that are required for approval; and
- (2) is modified to conform with any modification to the aeroplane being simulated that results in changes to performance, functional, or other characteristics required for approval; and
- (3) is given a functional pre-flight check before being used, and any discrepancy detected during use is logged by the appropriate pilot instructor, or flight examiner at the end of each training or flight assessment.

(h) When training for a flight crew member is conducted using equipment or resources that are not used solely for training, the certificate holder must ensure that sufficient access is available to the equipment or resource to enable the training to be completed—

- (1) without unplanned interruption; and
- (2) in an environment that is conducive to the objective and safety outcome of the training task.

**125.567 Pilot line training**

- (a) A holder of an air operator certificate must ensure that a pilot, who under rule 125.557 completes the introduction segment, or under rule 125.559 completes the transition segment, or under rule 125.561 completes the upgrade segment of the training programme required by rule 125.553—
- (1) completes a competency assessment under Subpart J before commencing the pilot line training specified in paragraph (b); and
  - (2) completes the pilot line training specified in paragraph (b).
- (b) The pilot line training required by paragraph (a)(2) must comprise of—
- (1) following the introduction segment—
    - (i) for single-engine reciprocating aeroplanes, 5 hours including 5 take-offs and landings; and
    - (ii) for multi-engine reciprocating powered aeroplanes, 10 hours including 10 take-offs and landings of which at least 6 take-offs and landings must be as pilot flying; and
    - (iii) for multi-engine, turboprop powered aeroplanes – 20 hours including 10 take-offs and landings of which at least 6 take-offs and landings must be as pilot flying; and
    - (iv) for turbojet and turbofan powered aeroplanes – 25 hours including 10 take-offs and landings of which at least 6 take-offs and landings must be as pilot flying; and
    - (v) for all aeroplanes, including those referred to in paragraphs(i) to (iv) – 4 operating cycles of which at least 2 must be as pilot flying;
  - (2) following the transition or upgrade segment—

- (i) for single-engine reciprocating aeroplanes, 5 hours including 5 take-offs and landings; and
  - (ii) for multi-engine reciprocating or turboprop aeroplanes, 10 hours and 8 take-offs and landings; and
  - (iii) for turbojet and turbofan powered aeroplanes, 15 hours and 10 take-offs and landings; and
  - (iv) for all aeroplanes, including those referred to in paragraphs (i), (ii) and (iii) – 4 operating cycles of which at least 2 must be as the pilot flying.
- (c) The pilot line training required by paragraph (b) must be—
- (1) acquired in an aeroplane conducting an air operation; and
  - (2) conducted under the supervision of an instructor who—
    - (i) meets the requirements referred to in rule 125.511; or
    - (ii) is approved by the Director to conduct specific training for the introduction of a new aeroplane type.
- (d) For the purpose of paragraph (c)(1), the instructor required by paragraph (c)(2)—
- (1) must act as a pilot-in-command at all times; and
  - (2) must occupy a pilot station when supervising a pilot acquiring the experience necessary for a pilot-in-command position, until the pilot acquiring the experience has—
    - (i) performed at least 5 take-offs and 5 landings as pilot flying in the aeroplane type for which the pilot-in-command qualification is required; and
    - (ii) demonstrated to the pilot instructor the ability to perform the duties of a pilot-in-command for that aeroplane type.

**125.569 Flight attendant training programme**

A holder of an air operator certificate who operates an aeroplane that carries a flight attendant must ensure that the crew member training programme required by rule 125.553 for flight attendants addresses at least the following:

- (1) the authority structure of crew members:
- (2) training on human factors, and crew resource management as may be applicable to the tasks assigned to the flight attendant position:
- (3) crew member assignments, functions, and responsibilities during emergency situations:
- (4) procedures for passenger handling, including emergency procedures and procedures to be followed in dealing with special classes of passengers according to the certificate holder's exposition:
- (5) the briefing of passengers:
- (6) location and operation of emergency equipment available for use by flight attendants or other crew members:
- (7) the correct use of cabin equipment and controls:
- (8) the location and use of oxygen equipment:
- (9) location and use of all normal and emergency exits, including evacuation slides and escape ropes:
- (10) first aid in accordance with ICAO Doc 7192-AN/857 Part E-1 Cabin Attendants' Safety Training Chapter 8:
- (11) the certificate holder's documentation and procedures:
- (12) applicable civil aviation rules and supporting documentation.

**125.571 Flight attendant operating experience**

- (a) If a flight attendant is required, a holder of an air operator certificate must ensure that a person is not designated to perform the functions of a flight attendant on an aeroplane conducting an air operation unless that person—
- (1) has completed the applicable segment of the crew member training programme as required by rule 125.553; and
  - (2) immediately following the completion of an introduction segment required by rule 125.557, or a transition segment required by rule 125.559, of the training programme specified in rule 125.553—
    - (i) completes 5 hours line operating flight time experience, including at least 2 operating cycles on the aeroplane type, and in the crew member position that the person is assigned to serve in; or
    - (ii) has appropriate flight attendant operating experience that is acceptable to the Director on another aeroplane type operating under this Part, and in the crew member position that the person is assigned to serve in.
- (b) The line operating flight time experience required by paragraph (a)(2)(i)—
- (1) must be accumulated under the supervision of a flight attendant trainer who meets the requirements referred to in rule 125.519, or a flight attendant assessor who meets the requirements referred to in rule 125.521; and
  - (2) may include not more than 2.5 hours flight time experience conducted in a full scale, type specific, cabin training device that is acceptable to the Director.

**125.573 Crew member training records**

A holder of an air operator certificate must maintain a record of all training required by this Subpart that each of its crew members undertakes as specified in rule 119.67.

**125.575 Transitional arrangements**

The following rules do not apply to the holder of an air operator certificate until 1 April 2016—

- (1) rule 125.553(b)(2):
- (2) rule 125.555(b)(8):
- (3) rule 125.557(c):
- (4) rule 125.559(b)(3):
- (5) rule 125.561(b)(1):
- (6) rule 125.563:
- (7) rule 125.565(a) to (e):
- (8) rule 125.569(2).

*Subpart J is revoked and replaced by the following new Subpart:*

**Subpart J — Crew Member Competency Requirements****125.601 Purpose**

This Subpart prescribes the rules governing the competency assessment of crew members who are trained under Subpart I.

**125.603 General**

(a) A holder of an air operator certificate must establish a competency assessment programme under this Subpart to ensure that each person who is assigned to perform the function of a crew member on an aeroplane conducting an air operation is competent to perform the assigned crew member function.

(b) The competency assessment programme required by paragraph

(a) must be—

- (1) acceptable to the Director; and
- (2) controlled by the certificate holder; and

- (3) specific to each aeroplane type or variant; and
  - (4) for single-engine and multi-engine reciprocating powered or single-engine turbo-prop aeroplanes, conducted in—
    - (i) an aeroplane of the same type as the aeroplane used for performing air operations; or
    - (ii) a flight simulator of the same aeroplane type when completing flight crew competency assessments required by rules 125.607(c) and (d); or
  - (5) for turbojet, turbofan, and multi-engine turboprop aeroplanes, conducted in a flight simulator when completing competency assessments required by rules 125.607(c) and (d), except that in the case of rule 125.607(d), every second assessment may be conducted in an aeroplane of the same type as the aeroplane used for performing air operations.
- (c) Despite paragraph (b)(5), the certificate holder may conduct the competency assessment in an aeroplane if—
- (1) a flight simulator is not available in New Zealand or Australia; and
  - (2) the aeroplane is of the same type as the aeroplane used for performing air operations.
- (d) The certificate holder may—
- (1) implement the competency assessment programme required by paragraph (a) under the authority of the certificate; or
  - (2) contract with the holder of an aviation training organisation certificate issued under the Act and Part 141, to conduct the competency assessments in accordance with the competency assessment programme required by paragraph (a), if the aviation training organisation certificate authorises the holder to conduct the competency assessments; or
  - (3) for a competency assessment conducted outside New Zealand, contract with an organisation that meets an

equivalent standard specified by Part 141 to conduct the assessment in accordance with the applicable requirements specified in the competency assessment programme required by paragraph (a).

(e) The certificate holder must ensure that the person responsible for the competency assessment programme holds a current flight examiner rating.

(f) The competency assessments referred to in paragraphs (c) and (d) must be conducted in accordance with the safe flight practice guide that is acceptable to the Director.

#### **125.605 Competency assessment programme responsibilities**

(a) A holder of an air operator certificate is responsible for the adequacy and implementation of the competency assessment programme required by rule 125.603.

(b) The certificate holder must ensure that each crew member who is subject to a competency assessment is assessed in accordance with the programme.

#### **125.607 Flight crew competency assessments**

(a) A holder of an air operator certificate must ensure that each pilot acting as pilot-in-command of an aeroplane conducting an air operation under the authority of the certificate has, within the immediately preceding 12 months, passed a route check that is administered by a flight examiner.

(b) The certificate holder must ensure that the route check referred to in paragraph (a)—

- (1) includes an aerodrome proficiency check consisting of at least 1 flight over 1 route segment and 1 or more landings at aerodromes representative of the operations to be flown; and
- (2) establishes that the pilot can satisfactorily perform the duties and responsibilities of a pilot-in-command of an aeroplane performing an air operation appropriate to the type of air operations authorised by the certificate holder's operations specifications.

(c) The certificate holder must ensure that each pilot acting as a flight crew member of an aeroplane conducting an air operation under VFR has, within the immediately preceding 12 months, successfully completed a competency assessment administered by a flight examiner that covers—

- (1) procedures, including emergency procedures, and the pilot's flying skills in an aeroplane type normally used by the pilot in an air operation; and
- (2) human factors and crew resource management.

(d) The certificate holder must ensure that each pilot acting as a flight crew member of an aeroplane conducting an air operation under IFR has, within the immediately preceding 6 months, successfully completed a competency assessment administered by a flight examiner that—

- (1) covers procedures, including emergency procedures, appropriate to the equipment fitted to the aeroplane and to the type of operations to which the pilot is assigned by the certificate holder; and
- (2) includes human factors and crew resource management.

(e) The certificate holder must ensure that each pilot acting as a flight crew member of an aeroplane conducting an air operation has, within the immediately preceding 12 months, successfully completed a written test of the pilot's knowledge of the following—

- (1) the relevant Civil Aviation Rules;
- (2) the certificate holder's operations specifications and exposition;
- (3) the aeroplane systems, performance, operating procedures, and the content of the flight manual for each aeroplane type normally flown by the pilot;
- (4) navigation, ATS, and meteorology;
- (5) special flight operations as appropriate to the type of operation normally conducted by the pilot;

- (6) new equipment, procedures, and techniques:
- (7) location and operation of emergency equipment fitted to an aeroplane of the type normally flown by the pilot.

#### **125.609 Pilot instructor, Simulator instructor and Flight examiner competency assessments**

A holder of an air operator certificate must ensure that a pilot performing the function of a pilot instructor, simulator instructor, or flight examiner in the training or competency assessment programmes receives instruction and maintains proficiency as appropriate in—

- (1) the methods of imparting instruction on how to operate, and how to ensure the safe operation of a particular aeroplane type, or variant; and
- (2) the methods for evaluating and assessing flight crew competency in the technical and non-technical aspects of aircraft operation including human factors and crew resource management; and
- (3) the methods of recovery from mishandled, non-normal, and emergency manoeuvres; and
- (4) the operation of the aeroplane used, or flight simulator approved by the Director, and its equipment, including operational flight, procedures and manoeuvres under normal, non-normal, and emergency conditions.

#### **125.611 Flight attendant competency assessments**

If a flight attendant is required as a crew member in an aeroplane conducting an air operation, a holder of an air operator certificate must ensure that the flight attendant has, within the immediately preceding 12 months, successfully completed a competency assessment, including a flight assessment administered by a flight attendant assessor who meets the requirements referred to in rule 125.521, which includes at least the following areas appropriate to the flight attendant's assigned duties and responsibilities—

- (1) the authority of the pilot-in-command:

- (2) passenger handling, including procedures to be followed in handling persons whose conduct might jeopardise safety:
- (3) crew member assignments, functions, and responsibilities during emergencies, including evacuation of persons who may need assistance:
- (4) human factors and crew resource management:
- (5) the briefing of passengers:
- (6) the use of cabin equipment and controls:
- (7) the location and operation of items of emergency equipment:
- (8) the location and operation of oxygen equipment:
- (9) the location and operation of every normal and emergency exit, including evacuation chutes and escape ropes:
- (10) the seating of a person who may need assistance:
- (11) first aid in accordance with ICAO Doc 7192-AN/857 Part E-1 Cabin Attendants' Safety Training Chapter 8.

### **125.613 Competency and testing records**

A holder of an air operator certificate must maintain an accurate record of all the competency assessments, route checks, and tests undertaken by each of its crew members in accordance with the procedures established under rule 119.67.

### **125.615 Transitional arrangements**

(a) Rule 125.603(b)(4) does not apply to the holder or an air operator certificate until 1 April 2016 if a flight simulator is used to complete the flight crew competency assessments referred to in the rule.

(b) The following rules do not apply to the holder of an air operator certificate until 1 April 2016—

- (1) rule 125.605(b)(5):
- (2) rule 125.607(d)(2):

(3) rule 125.609(2):

(4) rule 125.611(4).

(c) Rule 125.607(c)(2) does not apply to the holder of an air operator certificate until 1 April 2016 provided that the holder continues to comply with rule 125.607(2) that was in force on 31 March 2014.

## Consultation Details

*(This statement does not form part of the rules contained in Part 125. It provides details of the consultation undertaken in making the rules.)*

A Notice of Proposed Rulemaking, NPRM 10-04 Part 125 Air Operations – Medium Aeroplanes, containing the proposed rules was issued for public consultation under Docket 10/CAR/1 on 19 October 2012.

Two responses to the NPRM were received.

**The first submission** relates to incorrect rule references provided in proposed rules 125.603(b)(4), and (b)(5).

**The second submission** relates to proposed rule 125.567(b)(ii) providing for pilot line training where the submitter claims the rule requirement is too restrictive. These submissions and comments have been considered.

First submission – The CAA agreed to the submission and corrected rule references in proposed rules 125.603(b)(4), and (b)(5).

Second submission – The CAA recognises the unique situation where an operator employs highly experienced pilot instructors but operates a low number of flying hours due to non-scheduled passenger operations. However, the CAA considers that it is impractical to provide rules for every unique situation and at the same time uphold the same level of safety. Therefore, for such an operation, the operator will need to seek relief from the rule requirements by applying to the Director for an exemption under section 37 of the Civil Aviation Act.

As a result of the review, no changes will be made to proposed rule 125.567(b)(1)(ii) requiring operators to conduct 10 hours of line training in a multi-engine reciprocating powered aeroplane.

As a result of the submissions, the following rules in Subpart J are further amended:

- Rule 125.603(b)(4): Remove rule reference 125.607(2), and (3) and replace with 125.607(c), and (d) respectively.

- Rule 125.603(b)(5): Remove rule reference 125.607(2) and replace with 125.607(c).
- Rule 125.603(b)(5): Remove rule reference 125.607(3) and replace with 125.607(d) where the reference appeared twice.

After formal consultation, the CAA further reviewed rules 125.565, and 125.603 and included an option for operators who do not have flight simulators available in New Zealand or Australia to conduct training in the same aeroplane type used for air operations.