



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

**I, CRAIG FOSS**, Associate Minister of Transport,

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This 26<sup>th</sup> day of August 2015

by **HON CRAIG FOSS**

A handwritten signature in black ink, appearing to read 'Craig Foss', is written over the printed name 'HON CRAIG FOSS'.

Associate Minister of Transport

**Civil Aviation Rules**

**Part 125, Amendment 19**

**Air Operations – Medium Aeroplanes**

*Docket 14/CAR/3*

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**Rule objective**

The objective of Amendment 19 to Part 125 is to make minor editorial corrections.

This amendment forms part of the Omnibus 2014 rule project which also contains amendments to the following Parts:

Part 1	Part 93	Part 121
Part 12	Part 101	Part 135
Part 19	Part 102	Part 139
Part 43	Part 108	Part 145
Part 65	Part 115	Part 172
Part 91	Part 119	

**Extent of consultation**

A Notice of Proposed Rulemaking, NPRM 15-01, containing the proposed changes to Part 125 and other rules was issued for public consultation under Docket 14/CAR/3 on 24 March 2015.

The publication of this NPRM was notified in the Gazette on 24 March 2015. The NPRM was published on the CAA web site and emailed to subscribers to the automatic alert service provided by the CAA.

A period of 24 days was allowed for comment on the proposed rule.

**Summary of submissions**

Two written submissions and no oral comments were received on the NPRM. No submissions related to the proposed amendment to Part 125.

**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 replacing the existing rules with the amended rules.

**Effective date of rule**

Amendment 19 to Part 125 comes into force on 24 September 2015.

**Availability of rules**

Civil Aviation Rules are available from–

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

Freephone: 0800 GET RULES (0800 438 785)

*Insert new rule 125.8 after existing rule 125.7:*

**125.8 Crew member grace provisions**

If a crew member completes a test, flight check, or assessment, that is required under Subparts I, J, or M within 60 days before the date on which the test, flight check, or assessment is required, the crew member is deemed to have completed the test, flight check, or assessment on the date that it is required to be completed.

*Replace the existing rule 125.369 with the following rule 125.369:*

**125.369 Flight data recorder**

(a) Except as provided in paragraph (b), a holder of an air operator certificate must ensure that each of the certificate holder's multi-engine turbine powered aeroplanes is equipped with a flight data recorder in accordance with B.4 of Appendix B.

(b) Paragraph (a) does not apply to the holder of an air operator certificate in respect of the following:

- (1) de Havilland DHC 6 aeroplanes:
- (2) aeroplanes registered on or before 31 March 1997 with a MCTOW of less than 5 700 kg:
- (3) aeroplanes with a passenger seating configuration of less than 10 seats.

*Replace the existing rule 125.533 with the following rule 125.533:*

**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 125.513(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.

***Replace the existing rule 125.557 with the following rule 125.557:***

**125.557 Initial training for crew members**

(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) if the pilot will be required to perform an air operation under IFR, holds a current instrument rating; and
- (2) has acquired at least 250 hours of flight time experience as pilot.
- (3) *[Revoked]*

*Replace the existing rule 125.565 with the following rule 125.565:*

**125.565 Flight crew training equipment**

(a) Except as provided in paragraphs (d) and (e), 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, or multi-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 or training device used for flight training in the training programme—
- (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.

***Replace the existing rule 125.567 with the following rule 125.567:***

**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 single-engine turboprop, and 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.

***Replace the existing rule 125.575 with the following rule 125.575:***

### **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(d):
- (7) rule 125.565(a)(2), (b) to (e):

- (8) rule 125.569(2).

***Replace the existing rule 125.603 with the following rule 125.603:***

**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.
- (g) The certificate holder must ensure that each flight simulator or training device used for the competency assessment referred to in paragraphs (b)(4)(ii) and (b)(5)—
- (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.

***Replace the existing rule 125.607 with the following rule 125.607:***

**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 or oral 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.

***Replace the existing rule 125.615 with the following rule 125.615:***

**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);
- (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.

***Replace the existing rule 125.855 with the following rule 125.855:***

**125.855 Documents to be carried**

(a) A holder of an air operator certificate must ensure that the following documents are carried on each individual flight—

- (1) details of the operational flight plan; and
- (2) NOTAM and aeronautical information service briefing documentation appropriate to the operation; and
- (3) meteorological information appropriate to the operation; and
- (4) a copy of the load manifest; and
- (5) notification of dangerous goods; and

- (6) copies of the relevant aeronautical charts; and
  - (7) for a regular air transport service, a route guide covering each route flown and alternate aerodromes that may be used.
- (b) The certificate holder must ensure that separate copies of the documents referred to in paragraph (a)(6) are available for each pilot performing flight crew duties on the flight.