



WELLINGTON NEW ZEALAND

PURSUANT to Section 28 of the Civil Aviation Act 1990

I, MAURICE WILLIAMSON, Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This

13

day of

November

1995

by **MAURICE WILLIAMSON**

Maurice Williamson
Minister of Transport

Civil Aviation Rules

Part 145 Amendment No 3

Aircraft Maintenance Organisations - Certification

Docket Nr. 1160

**Civil Aviation Rules
Part 145 Amendment No 3**

**Aircraft Maintenance Organisations -
Certification**

RULE OBJECTIVE, EXTENT OF CONSULTATION AND COMMENCEMENT

The objective of Amendment No. 3 to Part 145 of the Civil Aviation Rules is to amend the Part to harmonise with structural changes made to all of the rules Parts that certificate organisations and to better reflect the procedural requirements of the Civil Aviation Act 1990.

In May 1990 the Air Transport Division of the Ministry of Transport published a notice of intention to carry out a complete review of the aviation regulatory system. This notice, in Civil Aviation Information Circular Air 3, listed the areas in which rules would be made and invited interested parties to register their wish to be part of the consultative process. The Register was identified as the Regulatory Review Consultative Group.

A draft of the amendment to Part 145 was developed by the rules rewrite team in consultation with members of the consultative group. A Notice of Proposed Rulemaking was issued under Docket 1160 on 3 May 1995.

The publication of this notice was advertised in the daily newspapers in the five main provincial centres on 4 May 1995. The notice was mailed to members of the Regulatory Review Consultative Group and to other parties, including overseas Aviation Authorities and organisations, who were considered likely to have an interest in the proposal.

A period of 30 days was allowed for comment on the proposed rule.

The submissions were considered and where appropriate the proposed rules amended to take account of the comments made.

The rules as amended were then referred to and signed by the Minister of Transport.

Part 145, Amendment No. 3 comes into force 28 days after notification in the Gazette.

Part 145**145.7**

Revoke 145.7 and substitute the following new rule:

“145.7 Application for Certificate

Each applicant for the grant of a maintenance organisation certificate shall complete form CAA 24145/01 and submit it to the Director with—

- (1) the exposition required by 145.63; and
- (2) a payment of the appropriate application fee prescribed by regulations made under the Act.”

145.9

Revoke 145.9 and substitute the following new rule:

“145.9 Issue of Certificate

Subject to 145.1(b), an applicant is entitled to a maintenance organisation certificate if the Director is satisfied that—

- (1) the applicant meets the requirements of Subpart B; and
- (2) the applicant, and the applicant’s senior person or persons required by 145.53(a)(1) and (2) are fit and proper persons; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.”

145.11

Revoke 145.11 and substitute the following new rule:

“145.11 Privileges of Certificate Holder

(a) The maintenance organisation certificate specifies the ratings for which the certificate holder is authorised to perform. The detailed scope of the certificate is specified in the organisation’s exposition.

(b) The holder of a maintenance organisation certificate may maintain any aircraft or aircraft component for which the holder is certificated.

(c) A certificate holder may certify for release to service any aircraft or aircraft component for which the holder is certificated.

(d) A certificate holder may carry out maintenance at any location specified in the holder's exposition.

(e) A certificate holder may carry out maintenance at locations other than those specified in the holder's exposition if—

- (1) the need for the maintenance arises solely from unserviceability of the aircraft; or
- (2) the maintenance is minor scheduled maintenance—

and the certificate holder complies with a procedure in the holder's exposition for carrying out that maintenance.”

145.13

In paragraph (d) insert the word “forthwith” before the word “produce”.

145.17

Revoke 145.17 and insert the following rule 145.117 in Subpart C:

“145.117 Safety Inspections and Audits

(a) The Director may in writing require the holder of a maintenance organisation certificate to undergo or carry out such inspections and audits of the holder's, facilities, documents, and records as the Director considers necessary in the interests of civil aviation safety and security in accordance with section 15 of the Act.

(b) The Director may require the holder of a maintenance organisation certificate to provide such information as the Director considers relevant to the inspection or audit.”

145.19

Revoke 145.19 and substitute the following new rule:

“145.17 Exemptions

The Director may exempt any person from any requirement in this Part following the procedures prescribed in Part 11 and in accordance with section 37 of the Act.”

145.53

Omit the words “who is acceptable to the Director, and” from paragraph (a)(1).

Omit the words “who are acceptable to the Director, and” from paragraph (a)(2).

145.101

Amend subparagraph (4) by substituting the words “under this Part; and” for the words “under this Part.”

Insert the following new subparagraph (5):

“(5) notify the Director of any change of address for service, telephone number, or facsimile number required by form CAA 24145/01 within 28 days of the change.”

145.105

In paragraph (b) substitute the words “The certificate holder shall retain the record” for the words “The record shall be retained”.

145.107

Revoke paragraph (b) and substitute the following new paragraph:

“(b) The certificate holder shall make the maintenance records for an aircraft available—

- (1) to the operator of that aircraft; and
- (2) upon request, to the Director.”

145.111

Revoke 145.111.

145.115

Insert the following new paragraph (f):

“(f) A certificate holder shall comply with any conditions prescribed under paragraph (e).”

Renumber paragraph (f) paragraph (g).

Renumber paragraph (g) paragraph (h).