



**PURSUANT** to Section 28 of the Civil Aviation Act 1990

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

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This 12<sup>th</sup> day of Dec 2016

by Hon Craig Foss

A handwritten signature in black ink, appearing to be 'C. Foss', written over a faint horizontal line.

Associate Minister of Transport

**Civil Aviation Rules**

**Part 145, Amendment 14**

**Aircraft Maintenance Organisations – Certification**

*Docket 16/CAR/1*

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**Rule objective**

The objective of amendment 14 to Part 145 is to correct aspects of the Safety Management transitional provision in line with original policy intentions.

**Extent of consultation**

A Notice of Proposed Rulemaking, NPRM 16-01, containing the proposed changes to Part 145 and other rules was issued for public consultation under Docket 16/CAR/1 on 2 June 2016.

The NPRM was published on the CAA website and emailed to subscribers of the automatic alert service provided by the CAA.

A period of 27 days was allowed for comment on the proposed rules.

**Summary of submissions**

Six written submissions and no oral comments were received on the NPRM. These submissions and comments have been considered and as a result a minor and non-controversial amendment is being made to rule 91.605 and two new definitions are being inserted in Part 1 to clarify the definition of “Instrument runway”.

A summary of submissions for this NPRM is available on the CAA website.

No submissions were received in relation to the proposed amendments to Part 145.

**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**

This Part was amended by:

- Rules 145.151 and 145.153 (the Safety Management transition rules) were amended to clarify that the body in paragraph (a) is the applicant for the grant of the certificate; that both applicants and certificate holders have to submit implementation plans for

safety management to the Director; the timing of when plans must be submitted; that certificate holders do not need to submit the implementation plan with their certificate renewal application but may do so separately; to correct an incorrect statutory reference and to remove the wording in paragraph (f) of the existing rule.

**Effective date of rule**

Amendment 14 to Part 145 comes into force on 10 March 2017.

**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 145 Aircraft Maintenance Organisations - Certification

*Replace rule 145.151 with the following rule:*

### **145.151 Transition for maintenance organisation certificate holders and applicants that maintain aircraft performing Part 121 or Part 125 operations or their components**

- (a) This rule applies to each—
- (1) holder of a maintenance organisation certificate that—
    - (i) maintains any aircraft that performs operations specified in rule 121.1 or rule 125.1;
    - (ii) maintains any component of an aircraft referred to in subparagraph(a)(1)(i).
  - (2) applicant for the grant of a maintenance organisation certificate that will—
    - (i) maintain any aircraft that performs operations specified in rule 121.1 or rule 125.1;
    - (ii) maintain any component of an aircraft referred to in subparagraph (a)(2)(i).
- (b) Before the date for implementation set in accordance with subparagraph (e)(2), an organisation to which this rule applies is not required to comply with—
- (1) rule 145.51(a)(2)(iii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance;
  - (2) rule 145.65, if instead of establishing, implementing, and maintaining the system for safety management, the organisation has established an internal quality assurance system that complies with rule 145.155:

- (3) rule 145.67(a)(1A)(i):
  - (4) rule 145.67(a)(3)(ii):
  - (5) rule 145.67(a)(6A).
- (c) A completed CAA form and implementation plan must be submitted to the Director—
- (1) after 1 February 2016 for an applicant for the grant of a maintenance organisation certificate under subparagraph (a)(2); and
  - (2) by 30 July 2016 for a holder of a maintenance organisation certificate under subparagraph (a)(1).
- (d) The implementation plan referred to in paragraph (c) must—
- (1) include a proposed date for implementation of the system for safety management; and
  - (2) outline how the organisation plans to implement the system for safety management required under rule 145.65.
- (e) The Director will, if acceptable—
- (1) approve the organisation’s implementation plan; and
  - (2) set the date for implementation of the system for safety management.
- (f) In setting the date under subparagraph (e)(2), the Director must have regard to the following:
- (1) the capability of the organisation:
  - (2) the complexity of the organisation:
  - (3) the risks inherent in the activities of the organisation:
  - (4) the date of any certificate renewal:

- (5) any resource or scheduling impacts on the organisation or the Authority or both:
- (6) the date for implementation must not be later than 1 February 2018.
- (g) A holder of a maintenance organisation certificate under subparagraph (a)(1) does not have to submit an implementation plan with its certificate renewal application.
- (h) This rule expires on 1 February 2018.

***Replace rule 145.153 with the following rule:***

**145.153 Transition for maintenance organisation certificate holders and applicants that maintain aircraft not performing Part 121 or Part 125 operations or their components**

- (a) This rule applies to each—
  - (1) holder of a maintenance organisation certificate that does not—
    - (i) maintain any aircraft that performs operations specified in rule 121.1 or rule 125.1:
    - (ii) maintain any component of an aircraft referred to paragraph (a)(1)(i).
  - (2) applicant for the grant of a maintenance organisation certificate that will not—
    - (i) maintain any aircraft that performs operations specified in rule 121.1 or rule 125.1:
    - (ii) maintain any component of an aircraft referred to in paragraph (a)(2)(i).
- (b) Before the date for implementation set in accordance with subparagraph (e)(2), an organisation to which this rule applies is not required to comply with—

- (1) rule 145.51(a)(2)(iii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance:
  - (2) rule 145.65, if instead of establishing, implementing, and maintaining the system for safety management, the organisation has established an internal quality assurance system that complies with rule 145.155:
  - (3) rule 145.67(a)(1A)(i):
  - (4) rule 145.67(a)(3)(ii):
  - (5) rule 145.67(a)(6A).
- (c) A completed CAA form and implementation plan must be submitted to the Director—
- (1) after 1 February 2016 for an applicant for the grant of a maintenance organisation certificate under subparagraph (a)(2); and
  - (2) by 30 July 2018 for a holder of a maintenance organisation certificate under subparagraph (a)(1).
- (d) The implementation plan referred to in paragraph (c) must—
- (1) include a proposed date for implementation of the system for safety management; and
  - (2) outline how the organisation plans to implement the system for safety management required under rule 145.65.
- (e) The Director will, if acceptable—
- (1) approve the organisation’s implementation plan; and
  - (2) set the date for implementation of the system for safety management.



(f) In setting the date under subparagraph (e)(2), the Director must have regard to the following:

- (1) the capability of the organisation:
- (2) the complexity of the organisation:
- (3) the risks inherent in the activities of the organisation:
- (4) the date of any certificate renewal:
- (5) any resource or scheduling impacts on the organisation or the Authority or both:
- (6) the date for implementation must not be later than 1 February 2021.

(g) A holder of a maintenance organisation certificate under subparagraph (a)(1) does not have to submit an implementation plan with its certificate renewal application.

(h) This rule expires on 1 February 2021.