

## Part 141 Aviation Training Organisations – Certification: Summary of changes

Alongside the standard changes outlined in Section 3.1 of the Overview of Rules Realignment for the Civil Aviation Act 2023 document, this Rule Part also contains the following changes.

### **141.63 Standard aviation training organisation exposition**

As all operators are now SMS certified and no longer need an implementation plan (noting also that any new operator must meet full SMS certification requirements), rule 119.125(a)(1A) has been rewritten:

- (1A) ~~in relation to the system for safety management required by rule 141.61, —~~
- (i) ~~all of the documentation required by rule 100.3(b)~~ **to establish and maintain the system for safety management;** and
  - (ii) ~~for an applicant that is not applying for a renewal of a standard aviation training organisation certificate, an implementation plan that describes how the system for safety management will be implemented; and~~

### **141.101 Continued compliance**

To account for changes in technology, the reference to facsimile number in rule 141.101(5) has been removed:

Each holder of a standard aviation training organisation certificate **must** ~~shall~~ ...

- (5) ~~forthwith~~ notify the Director **as soon as possible** of any change of address for service, **or** telephone number ~~or facsimile number~~ required by **the approved CAA** form CAA 24141/01.

### **141.103 Changes to certificate holder's organisation**

To improve sentence clarity and readability, rule 141.103(d) has been reworded:

(a) **A** ~~Before a certificate holder~~ **must obtain the approval of the Director before changing:** ~~changes any of the following, prior acceptance by the Director is required:~~

- (1) the chief executive;
- (2) the listed senior persons;
- (3) the locations at which training courses or assessments may be carried out;
- (4) the training courses or assessments for which the certificate is granted: **or**
- (5) the system for safety management, if the change is a material change.

## **Part 141**

### **Aviation Training Organisations — Certification**

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## Subpart A — General

### 141.1 Applicability

(a) This Part prescribes rules governing the certification and operation of organisations conducting aviation training and assessments that are required by Civil Aviation Rules to be conducted by an organisation certificated under this Part.

(b) The following certificates are issued under this part:

- (1) standard Aviation Training Organisation Certificate;
- (2) Restricted Aviation Training Organisation Certificate.

### 141.3 Application for certificate

Each applicant for the grant of an aviation training organisation certificate must complete the approved CAA form and submit it to the Director with payment of the appropriate application fee prescribed by regulations made under the Act, together with—

- (1) for a standard aviation training organisation certificate, the exposition required by rule 141.63; or
- (2) for a restricted aviation training organisation certificate, the information required by rule 141.151(b).

### 141.5 Issue of certificate

(a) An applicant is entitled to a standard aviation training organisation certificate if the Director is satisfied that—

- (1) the applicant, and any senior person or persons required by rules 141.51(a)(1) and (2), are fit and proper persons; and
- (2) the applicant meets the requirements of Subpart B; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.

(b) An applicant is entitled to a restricted aviation training organisation certificate if the Director is satisfied that—

- (1) the applicant is a fit and proper person; and
- (2) the applicant meets the requirements of rule 141.151; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.

#### **141.7 Privileges of certificate**

The aviation training organisation certificate specifies the training courses and assessments that the holder is authorised to conduct.

#### **141.9 Duration of certificate**

- (a) A standard aviation training organisation certificate may be granted or renewed for a period of up to 5 years.
- (b) A restricted aviation training organisation certificate may be granted for the period required to conduct a single training course.
- (c) An aviation training organisation certificate remains in force until it expires or is suspended or revoked.
- (d) The holder of an aviation training organisation certificate that is revoked must surrender the certificate to the Director as soon as possible.
- (e) The holder of an aviation training organisation certificate that is suspended must produce the certificate as soon as possible to the Director for appropriate endorsement.

#### **141.11 Renewal of certificate**

- (a) If the holder of a standard aviation training organisation certificate wishes to apply for renewal of their certificate, they must use the approved CAA form.
- (b) The application must be submitted to the Director before the application renewal date specified in the certificate or, if no such date is specified, not less than 30 days before the certificate expires.

### **141.13 Safety inspections and audits**

(a) The Director may require in writing the holder of an aviation training 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 291 of the Act.

(b) The Director may require the holder of an aviation training organisation certificate to provide such information as the Director considers relevant to the inspection or audit.

## **Subpart B — Standard Certification Requirements**

### **141.51 Personnel requirements**

(a) An applicant for the grant of a standard aviation training organisation certificate must employ, contract, or otherwise engage:

- (1) a senior person identified as the chief executive who has the authority within the applicant's organisation to ensure that every training course and assessment conducted by the organisation can be financed and carried out in accordance with the requirements and standards prescribed by this Part:
  - (2) a senior person or persons ultimately responsible to the chief executive who are responsible for—
    - (i) ensuring that the applicant's organisation complies with the requirements of this Part; and
    - (ii) the system for safety management; and
  - (3) sufficient personnel to plan, conduct, and supervise the training courses and assessments listed in the applicant's exposition.
- (aa) The senior person required by paragraph (a)(2)(ii) must be able to demonstrate competency and experience relevant to the management of safety systems and the activities of the certificate holder.

(b) The applicant must establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel conducting the training courses and assessments listed in the applicant's exposition

### **141.53 Facility requirements**

Each applicant for the grant of a standard aviation training organisation certificate must provide facilities and resources appropriate to the training courses and assessments listed in the applicant's exposition.

### **141.55 Documentation**

(a) Each applicant for the grant of a standard aviation training organisation certificate must hold current copies of all relevant technical standards and practices and any other documentation that is necessary for the provision of the training courses and assessments listed in the applicant's exposition.

(b) The applicant must establish procedures to control the documentation required by paragraph (a). The procedures must ensure that—

- (1) all documentation is reviewed and authorised by appropriate personnel before issue; and
- (2) current issues of relevant documentation are available to personnel for the provision of training courses and assessments listed in their exposition; and
- (3) all obsolete documentation is promptly removed from all points of issue or use; and
- (4) changes to documentation are reviewed and approved by appropriate personnel.

### **141.57 Training courses and assessments**

(a) Each applicant for the grant of a standard aviation training organisation certificate must establish procedures for conducting the training courses and assessments listed in the applicant's exposition.

(b) The procedures must ensure that—

- (1) training courses meet the applicable syllabus requirements of the Civil Aviation Rules; and



- (2) assessments meet the applicable syllabus requirements of the Civil Aviation Rules, and are conducted without any compromise of the integrity of the assessments; and
- (3) each person conducting aviation training or assessments that are required by Civil Aviation Rules to be conducted by an organisation certificated under this Part, has a combination of qualifications and experience greater than the level of qualification being taught or assessed.

### **141.59 Records**

(a) An applicant for the grant of a standard aviation training organisation certificate must establish procedures for identifying, collecting, indexing, storing, and maintaining the records that are necessary for the training courses and assessments listed in the applicant's exposition.

(b) The procedures required by paragraph (a) must provide for a record to be maintained for the following—

- (1) every person who conducts a training course or assessment; and
- (2) every person who undertakes a training course or an assessment; and
- (3) every internal quality assurance audit or review.

(c) The records required by paragraph (b)(1) must include the person's name and details of the person's experience, qualifications, training, and competency assessments.

(d) The records required by paragraph (b)(2) must include the following details:

- (1) the person's name and date of birth;
- (2) the method used to identify the person;
- (3) details of any aviation document held by the person;
- (4) details of the person's enrolment, course attendance, and subjects:

- (5) details as applicable of the person's ground training and flight training, instructor comments, internal assessments:
  - (6) details of any external examination, and any associated knowledge deficiency report, that is undertaken by the person as part of the person's enrolment with the applicant's organisation:
  - (7) details of, and the result of, any aviation assessment undertaken by the person as part of the person's enrolment with the applicant's organisation, to meet a rule requirement.
- (e) The records required by paragraph (b) must be—
- (1) accurate, legible and of a permanent nature; and
  - (2) retained for a period of 3 years from the date of the last entry.

#### **141.61 Safety management**

An applicant for the grant of a standard aviation training organisation certificate must establish, implement, and maintain a system for safety management in accordance with rule 100.3.

#### **141.63 Standard aviation training organisation exposition**

- (a) An applicant for the grant of a standard aviation training organisation certificate must provide the Director with an exposition which must contain—
- (1) a statement signed by the chief executive on behalf of the applicant's organisation confirming that the exposition and any included manuals—
    - (i) define the organisation and demonstrate its means and methods for ensuring ongoing compliance with this Part; and
    - (ii) are to be complied with at all times; and
  - (1A) the documentation required by rule 100.3(b) to establish and maintain the system for safety management; and

- (2) the titles and names of the senior person or persons required by rules 141.51(a)(1) and (2); and
  - (3) the duties and responsibilities of the senior person or persons required by rules 141.51(a)(1) and (2), including—
    - (i) matters for which they have responsibility to deal directly with the Director or the Authority on behalf of the organisation; and
    - (ii) responsibilities for safety management; and
  - (4) an organisation chart showing lines of responsibility of the senior person or persons referred to in paragraph (a)(2); and
  - (4A) information identifying the lines of safety responsibility within the organisation; and
  - (5) a list of the training courses and assessments to be covered by the certificate; and
  - (6) the locations at which each training course or assessment will be conducted; and
  - (7) the course outline and the curriculum for each of the training courses and assessments to be conducted by the organisation; and
  - (8) details of the applicant's procedures required by—
    - (i) rule 141.51(b) regarding the competence of personnel; and
    - (ii) rule 141.55(b) regarding the control of documentation; and
    - (iii) rule 141.57(b) regarding training courses and assessments; and
    - (iv) rule 141.59(b) regarding records; and
  - (9) procedures for controlling, amending and distributing the exposition.
- (b) The applicant's exposition must be acceptable to the Director.

## Subpart C — Standard Operating Requirements

### 141.101 Continued compliance

Each holder of a standard aviation training organisation certificate must—

- (1) hold at least one complete and current copy of their exposition at each major location specified in their exposition; and
- (2) comply with all procedures detailed in their exposition; and
- (3) make each applicable part of their exposition available to personnel who require those parts to carry out their duties; and
- (4) continue to meet the standards and comply with the requirements of Subpart B prescribed for certification under this Part; and
- (5) notify the Director as soon as possible of any change of address for service, or telephone number required by the approved CAA form.

### 141.103 Changes to certificate holder's organisation

- (a) A holder of a standard aviation training organisation certificate must ensure that the exposition is amended so as to remain a current description of the holder's organisation.
- (b) The certificate holder must ensure that any amendment made to the holder's exposition meets the applicable requirements of this Part and complies with the amendment procedures contained in its exposition.
- (c) The certificate holder must forward to the Director for retention a copy of each amendment to its exposition as soon as practicable after the amendment is incorporated into its exposition.
- (d) A certificate holder must obtain the approval of the Director before changing:
  - (1) the chief executive:
  - (2) the listed senior persons:

- (3) the locations at which training courses or assessments may be carried out:
  - (4) the training courses or assessments for which the certificate is granted: or
  - (5) the system for safety management, if the change is a material change.
- (e) The Director may impose conditions under which a certificate holder must operate during or following any of the changes specified in paragraph (d).
- (f) A certificate holder must comply with any condition imposed by the Director under paragraph (e).
- (g) If any change referred to in this rule requires an amendment to the certificate, the certificate holder must forward the certificate to the Director for endorsement of the change as soon as practicable.
- (h) A certificate holder must make such amendments to the holder's exposition as the Director may consider necessary in the interests of aviation safety.

## **Subpart D — Restricted Aviation Training Organisation Certificate**

### **141.151 Certification requirements**

- (a) Each applicant for the grant of a restricted aviation training organisation certificate must—
- (1) engage, employ, or contract sufficient personnel to plan, conduct, and supervise the training course listed in the application; and
  - (2) ensure that the personnel who are conducting the training course have a combination of qualifications and experience greater than the level of qualification being taught; and
  - (3) have facilities and resources appropriate to the training course listed in the application; and

- (4) hold current copies of relevant technical standards and practices and any other documentation that is necessary for the provision of the training course listed in the application; and
  - (5) have documented procedures for conducting the training course listed in the application.
- (b) The applicant must provide the Director with the details of their compliance with each of the requirements of paragraph (a).

#### **141.153 Continued compliance**

Each holder of a restricted aviation training organisation certificate must continue to comply with the certification requirements in rule 141.151(a).

#### **141.155 Records**

- (a) Each holder of a restricted aviation training organisation certificate must identify, collect, index, store, and maintain the records that are necessary for the training course listed in the application for the certificate.
- (b) The certificate holder must ensure that—
- (1) there is a record for each person who conducts the training course. The record must include details of their experience, qualifications, and training; and
  - (2) there is a record for each person enrolled on the course. The record must include details of enrolment, attendance, subjects and any flight operations covered in their training and instruction, any flight times, instructor comments, and the results of any assessments; and
  - (3) all records are legible; and
  - (4) all records are retained for a period of at least 3 years from the date of the last entry made on that record.