

## Notice of Proposed Rule Making

**NPRM 16-01**

**02 June 2016**

### **Omnibus 2016**

*Docket 16/CAR/1*

#### **Affected Rule Parts:**

<b>Part 1</b>	<b>Part 139</b>
<b>Part 19</b>	<b>Part 141</b>
<b>Part 21</b>	<b>Part 145</b>
<b>Part 43</b>	<b>Part 146</b>
<b>Part 61</b>	<b>Part 147</b>
<b>Part 91</b>	<b>Part 148</b>
<b>Part 101</b>	<b>Part 171</b>
<b>Part 115</b>	<b>Part 172</b>
<b>Part 119</b>	<b>Part 173</b>
<b>Part 121</b>	<b>Part 174</b>
<b>Part 125</b>	<b>Part 175</b>
<b>Part 137</b>	

## Background to the Civil Aviation Rules

The Civil Aviation Rules establish the minimum regulatory safety boundary for participants to gain entry into, operate within, and exit the New Zealand civil aviation system. The Rules are structured in a manner similar to the Federal Aviation Regulations of the USA. Close co-operation is being maintained with the Civil Aviation Safety Authority of Australia to ensure maximum harmonisation with their regulatory code.

Rules are divided into Parts and each Part contains a series of individual rules which relate to a particular aviation activity. Advisory Circulars accompany many rule Parts and contain information about standards, practices and procedures that the Director has established to be an **Acceptable Means of Compliance (AMC)** with the associated rule. An Advisory Circular may also contain **guidance material (GM)** to facilitate compliance with the rule requirements.

The objective of the Civil Aviation Rules system is to strike a balance of responsibility between, on the one hand, the Crown and regulatory authority (CAA) and, on the other hand, those who provide services and exercise privileges in the civil aviation system. This balance must enable the Crown and regulatory authority to set standards for, and monitor performance of, aviation participants whilst providing the maximum flexibility for the participants to develop their own means of compliance within the safety boundary.

Section 12 of the Civil Aviation Act 1990 prescribes general requirements for participants in the civil aviation system and requires, amongst other things, participants to carry out their activities safely and in accordance with the relevant prescribed safety standards and practices.

Section 28 of the Act allows the Minister to make ordinary rules for any of the following purposes:

- The implementation of New Zealand's obligations under the 1947 Chicago Convention (the Convention)
- To allow for the mutual recognition of safety certifications in accordance with the ANZA mutual recognition agreements
- The provision of aviation meteorological services, search and rescue services and civil aviation security programmes and services
- Assisting aviation safety and security, including but not limited to personal security
- Assisting economic development
- Improving access and mobility
- Protecting and promoting public health
- Ensuring environmental sustainability
- Any matter related or reasonably incidental to any of the following:
  - i. The Minister's objectives under section 14 of the Act;
  - ii. The Minister's functions under section 14A of the Act;
  - iii. The Authority's objectives under section 72AA of the Act;
  - iv. The Authority's functions and duties under section 72B of the Act; and
  - v. The Director's functions and powers under section 72I of the Act
- Any other matter contemplated by any provision of the Act.

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## 1. Purpose of this NPRM

The purpose of this rule-making proposal is to make minor editorial and minor technical amendments to various rules. An issue is considered to have met the omnibus criteria if—

- the proposal is minor, does not include a policy change, or Cabinet approval has been obtained for that change;
- the proposal addresses minor technical matters or updates;
- no significant compliance costs or safety risk will result from the proposal;
- the proposal is not likely to be controversial; and
- the proposal has little or no regulatory impact.

The primary objectives of the proposed amendments include the—

- correction of grammatical and editorial errors;
- updating of rule wording where it is not consistent with current rule drafting conventions;
- updating of rule wording and rule references so that they are in line with applicable rule changes;
- updating of various rules in accordance with current International Civil Aviation Organization (ICAO) standards, definitions and abbreviations;
- inclusion and correction of required rule documentation; and
- revocation of expired transitional arrangements.

## 2. Background to the Proposal

### 2.1 General Summary

The Omnibus 2016 Rule proposal proposes a broad range of minor amendments to 23 CAR Parts.

A number of issues have been raised by the CAA technical specialists since the publication of the last Omnibus in 2015 (Docket 14/CAR/3). These issues have been reviewed by CAA staff and have been confirmed as meeting the omnibus criteria mentioned above.

### 2.2 NPRM Development

The proposed amendments were developed using the current rule consolidation extracts from the CAA Rules Register in combination with those of the ICAO, the Federation Aviation Administration, the European Aviation Safety Agency, the Civil Aviation Safety Authority of Australia, and the applicable advisory circulars including acceptable means of compliance and guidance material.

Technical experts from operational groups within the CAA were consulted in relation to the issues. The minor or administrative nature of the proposed amendments does not substantially alter existing arrangements therefore a regulatory impact statement is not required.

### 2.3 Key Stakeholders

The following are identified by the Civil Aviation Authority as key stakeholders in the proposed rule amendments contained in this NPRM:

- The Civil Aviation Authority;
- The Minister of Transport;
- The Ministry of Transport;
- Aviation document holders and applicants (SMS transitional provisions);
- Aircraft pilots (Part 1, Part 61, Part 91); and
- Air traffic service providers and organisations (Part 1).

### 3. Issues Addressed during Development

The CAA and the aviation industry report on issues that have been detected in the rules. These issues are reviewed by the responsible CAA technical experts and are categorised into editorial or technical issues. An effort is made in the proposed amendment to align rule wordings with similar or relevant rules, or international standards. The proposed amendments adopt the modern drafting style of using plain English as much as practicable. For instance the use of “must” instead of “shall”, and where appropriate, “an”, “a”, or “the” instead of “each”.

The proposed amendment also adopts ICAO standardised units and measurements to provide a uniform way of expressing numerals and symbols. For instance, the use of “kg” instead of “kgs”, and spacing required between numerals and a representing symbol such as in “400 kg” instead of “400kg”.

The following proposed amendments will result in no additional costs to the industry, and will have no detrimental impact on safety:

#### 3.1 Part 1 Definitions and Abbreviations

3.1.1 A submission was made requesting insertion of the definition of “ATS surveillance system” from Annex 1 to the Convention in 1.1 and an abbreviation “ADS-B” in 1.3 of Part 1.

The CAA agreed to the amendment.

3.1.2 A submission was made requesting the alignment of the definition of “Instrument runway” in Part 1 to that in Annex 14 to the Convention and to make other necessary changes to the Part 1 definitions arising from associated changes to Annex 6. These changes were not made when changes were made to the operative CAR Part 139 in 2015 by Omnibus Rule 2014. The changes are to insert the ICAO definitions of:

“Instrument runway” and

“Non-precision approach procedure” and an abbreviation “NPA” into 1.1 and 1.3 of Part 1.

The CAA agreed to the amendments.

3.1.3 A submission was made to correct the definition of ‘Special VFR flight’ by removing the term ‘controlled airspace’ and replacing it with the term ‘control zone’. The submitter stated ‘controlled airspace’ is a generic term that also includes control area, terminal control area, upper control area and oceanic control area. The correction is important in terms of safety and the air traffic control function and will also align with ICAO Annex 2.

The correction does not affect the NZ Defence Force to which the relevant main operating rule 91.303 does not apply (see 91.1(b)), nor the commercial aviation sector.

The CAA agreed to the correction.

#### 3.2 Part 19 Transition Rules

3.2.1 A submission was made to correct an incorrect reference to “19.209(1)” in rule 19.211(a) and (b) to the correct one which is “19.209(b)(1)”.

The CAA agreed to the amendment.

#### 3.3 Part 21 Certification of Products and Parts

3.3.1 A submission was made to clarify that a non type certificate holder who intends to make a major design change (a major modification as defined) to a product may apply for a supplemental type certificate; and also that such a certificate can be applied for and obtained for valid commercial purposes. Both are in line with existing CAA guidance in the relevant CAA Circular. However, currently the rules in Subpart C 21.73 and Subpart E 21.113 are not clear on this point and appear to be exhaustive as to when such certificates may be applied for or issued, and therefore conflict with current guidance and practice.

3.3.2 Rules 21.73 and 21.113 are amended in line with these policy objectives. The amendments do not affect the practice of persons applying for “one off” modifications as these are an existing means of also approving design changes.

The CAA agreed to the amendment.

### **3.4 Part 43 General Maintenance Rules**

3.4.1 A submission was made to revoke Appendix G as it relates to a transition period that ended on 1 September 2007.

The CAA agreed to revoke Part 43 Appendix G.

### **3.5 Part 61 Pilot Licences and Ratings**

3.5.1 A submission was made that a stylistic drafting change to rule 61.355(b) erroneously altered the requirements for persons holding a valid private pilot licence, commercial pilot licence or airline transport pilot licence to be eligible for a recreational pilot licence.

The CAA agreed to the correction.

3.5.2 A submission was made to remove the words in rule 61.701 “(orally and in flight)” with respect to a demonstration of competence for a Grade 1 or Grade 2 agricultural rating (Aeroplane or Helicopter) for consistency as the other new agricultural ratings subparts OA to OC did not mention them. At the same time as this correction is made, it is proposed to correct a drafting oversight as it is intended that competency for all these ratings be by means of oral examination and a flight test. This is achieved by a definition in new rule 61.3. This corrects an issue causing some confusion in the industry.

The CAA agreed to the corrections.

3.5.3 A submission was made to correct drafting errors which led to inconsistent wording in Subparts O, OA, OB and OC with respect to the requirement to “successfully demonstrate competency”. The Subparts variously referred to “successfully demonstrate competence” or “demonstrated competence”. It is proposed to make all affected rules consistent in language above.

### **3.6 Part 91 General Operating and Flight Rules**

3.6.1 A submission was made to remove the words in rule 91.105(e) “Except as provided in paragraph (k)” as there is no such provision.

The CAA agreed to the correction.

3.6.2 A submission was made to amend an outdated reference to radio licences in Rule 91.111(4)(i). The current wording refers to “the General Radio User’s Licence issued by the Ministry of Business, Innovation and Employment” and should refer to “the General User Radio Licence for Aeronautical Purposes issued by the Ministry of Business, Innovation and Employment”.

The CAA agreed to the correction.

3.6.3 A submission was made to clarify which aircraft has right of way when landing and to align the rule (Rule 91.229) with the ICAO standards (Annex 2 to the Convention) in this respect. The current requirement in the rule provides that an aircraft on final approach to landing has the right of way. This is considered ambiguous and potentially confusing as it is possible, at a busy airport, to have a number of aircraft queued to land that are all on “final approach” to landing. The proposal was to amend rule 91.229 to provide that an aircraft that is “in the final stages of an approach” to land or is landing has right of way.

The CAA agreed to the amendment.

3.6.4 A submission was made to revoke Appendix B as it relates to a transition period that ended in 2007/2008.

The CAA agreed to revoke Part 91 Appendix B.

### **3.7 Part 101 Gyrogliders and Parasails, Unmanned Aircraft (including Balloons), Kites, and Rockets – Operating Rules**

3.7.1 A submission was made to replace an outdated reference to surface radar in rule 101.107(3)(ii) operating in the “200 MHz to 2,700 MHZ” frequency range with the correct one of “2,700 MHZ to 2,900 MHZ” frequency range.

The CAA agreed to the correction.

### **3.8 Part 115 Adventure Aviation – Certification and Operations**

3.8.1 A submission was made to correct an error that occurred with the SMS rule amendments. There is a need to correct the rule by adding requirements to Part 115 Appendix A Qualifications and Competency of senior persons that were inadvertently removed from the rule.

The CAA agreed to the correction.

### **3.9 Part 119 Air Operator - Certification**

3.9.1 A submission was made to correct an error in Appendix A, A.3.1(a)(2) referring to “paragraph (b)” second reference with the correct reference to “paragraph (c)”.

The CAA agreed to the correction.

3.9.2 A submission was made to correct an error that erroneously omitted requirements in Appendices A and B relating to qualifications and experience of senior persons – airline air operator certificate holder and general aviation air operator certificate holder as part of the SMS rule amendments. Appendices A and B are replaced in their entirety.

The CAA agreed to the correction.

### **3.10 Part 121 Air Operations – Large Aeroplanes**

3.10.1 A submission was made to replace an outdated reference to ICAO first aid training in Rules 121.573 and 121.611 with the correct reference. The proposed reference which equates to current ICAO requirements reads “cabin health and first aid in accordance with ICAO Doc 10002 *Cabin Crew Safety Training Manual*, Chapter 9”.

The CAA agreed to the amendment.

### **3.11 Part 125 Air Operations – Medium Aeroplanes**

3.11.1 A submission was made to replace an outdated reference to ICAO first aid training in rules 125.569(10) and 125.611(11) with the correct reference. The proposed reference which equates to current ICAO requirements reads, “cabin health and first aid in accordance with ICAO Doc 10002 *Cabin Crew Safety Training Manual*, Chapter 9”.

The CAA agreed to the amendment.

### **3.12 Part 139 Aerodromes – Certification, Operation and Use**

3.12.1 A submission was made to correct paragraph references in rule 139.417(1A) “(iii) and (iv)” to “(i) and (ii)”.

The CAA agreed to the correction.

### **3.13 Part 147 Maintenance Training Organisations – Certification**

3.13.1 A submission was made to add an omitted word – “certificate” in rule 147.5(a)(1) at the end of the sentence.

The CAA agreed to the correction.

### **3.14 Part 148 Aircraft Manufacturing Organisations – Certification**

3.14.1 A submission was made to correct a reference in rule 148.51(aa) from (a)(2)(ii) to (a)(2)(iv).

The CAA agreed to the correction.

### **3.15 Correction of Transitional Provisions relating to Safety Management Systems (Parts 115, 119, 137, 139, 141, 145, 146, 147, 148, 171, 172, 173, 174 and 175)**

3.15.1 A submission was made that the transitional provisions relating to Safety Management (Part 100) needed to be amended to clarify original policy intentions:

3.15.1.1 That an applicant for a particular type of certificate in paragraph (a) of the transitional provision is an applicant for the grant of the certificate (in line with the customary words used in the Rules)

3.15.1.2 That both applicants and certificate holders must submit implementation plans for SMS to the Director

3.15.1.3 The timing of these – applicants making an application after 1 February 2016 must submit their plan with their application; certificate holders must submit their plan by the date referred to in (c)(2) of the provision

3.15.1.4 That certificate holders do not need to submit the implementation plan with their certificate renewal application but may do so separately

3.15.1.5 To correct a statutory reference in (b)(1)(iii)

3.15.1.6 To remove conflicting wording in paragraph (f) of the provision.

### 3.16 ICAO SARPS and Level of Risk to New Zealand Aviation Safety

The proposed rule amendments are intended to align with International Civil Aviation Organization (ICAO) annexes and are written in consultation with the following annexes:

- Annex 1 – Personnel Licensing
- Annex 2 – Rules of the Air
- Annex 3 – Meteorological Services for International Air Navigation
- Annex 4 – Aeronautical Charts
- Annex 5 – Units of Measurement to be Used in Air and Ground Operations
- Annex 6 – Operation of Aircraft
- Annex 8 – Airworthiness of Aircraft
- Annex 10 – Aeronautical Telecommunications
- Annex 11 – Air Traffic Services
- Annex 14 – Aerodromes
- Annex 15 – Aeronautical Information Services
- Annex 19 – Safety Management

### 3.17 Compliance Costs

The proposed amendments will not introduce additional compliance costs to the industry, and in some cases may reduce the cost of compliance.

## 4. Summary of Changes

### 4.1 Part 1 Definitions and abbreviations

4.1.1 Insert the following definition of “ATS surveillance system“ into Part 1:

“**ATS surveillance system** means variously ADS-B, PSR, SSR or any comparable ground-based system that enables the identification of aircraft:

*[Note - A comparable ground-based system is one that has been demonstrated, by comparative assessment or other methodology, to have a level of safety and performance equal to or better than monopulse SSR ]”*

4.1.2 Revoke and replace the definition of “Instrument runway” in Part 1 with the following definition:

“**Instrument runway** means one of the following types of runways intended for the operation of aircraft using instrument approach procedures:

- (1) *Non-precision approach runway*: A runway served by visual aids and non-visual aid(s) intended for landing operations following an instrument approach operation type A and a visibility not less than 1 000 m.
- (2) *Precision approach runway, category I*: A runway served by visual aids and non-visual aid(s) intended for landing operations following an instrument approach operation type B with a decision height (DH) not lower than 60 m (200 ft) and either a visibility not less than 800 m or a runway visual range not less than 550 m.

- (3) *Precision approach runway, category II*: A runway served by visual aids and non-visual aid(s) intended for landing operations following an instrument approach operation type B with a decision height (DH) lower than 60 m (200 ft) but not lower than 30 m (100 ft) and a runway visual range not less than 300 m.
- (4) *Precision approach runway, category III*: A runway served by visual aids and non-visual aid(s) intended for landing operations following an instrument approach operation type B to and along the surface of the runway and:
- (i) Category IIIA: intended for operations with a decision height (DH) lower than 30 m (100 ft), or no decision height and a runway visual range not less than 175 m.
  - (ii) Category IIIB: intended for operations with a decision height (DH) lower than 15 m (50 ft), or no decision height and a runway visual range less than 175 m but not less than 50 m.
  - (iii) Category IIIC: intended for operations with no decision height (DH) and no runway visual range limitations.”

4.1.3 Insert the following definition of “Non precision approach procedure” into Part 1:

**“Non-precision approach procedure** means an instrument approach procedure designed for 2D instrument approach operations type A:

*[Non-precision approach procedures may be flown using a continuous descent final approach (CDFA) technique. CDFAs with advisory VNAV guidance calculated by on-board equipment are considered 3D instrument approach operations. CDFAs with manual calculation of the required rate of descent are considered 2D instrument approach operations]*”

4.1.4 Special VFR Flight definition: Replace the words “controlled airspace” with the words “a control zone”

4.1.5 Insert the following definition abbreviations for “ADS-B” and “NPA” into 1.3 of Part 1:

### 1.3 Abbreviations

“**ADS-B** means automatic dependent surveillance broadcast:”

**NPA** means non-precision approach:”

## 4.2 Part 19 Transition Rules

4.2.1 Rule 19.211(a) and (b): Replace “19.209(1)” with “19.209(b)(1)” in each place.

## 4.3 Part 21 Certification of Products and Parts

4.3.1 Rule 21.73: Add after paragraph (b) paragraph (c) which reads:

“(c) A person who is not the type certificate holder for a product who intends to make a major modification to that product may apply to the Director for approval of the design change by the issue of a supplemental type certificate under Subpart E”.

4.3.2 Rule 21.113: Add after the words “A supplemental type certificate issued in accordance with this Subpart may allow changes” the words “of the following type or in the following circumstances”

4.3.3 Rule 21.113: Add to paragraph (1) the words “to the” before the words “type certificate category or type acceptance certificate category; or”

4.3.4 Rule 21.113: Add to paragraph (2) the words “to the” before the words “type design; or”

4.3.5 Rule 21.113: Add to paragraph (3) the words “to the” before the words “flight manual; or”

4.3.6 Rule 21.113: Add to paragraph (4) the word “to” before the words “the operating limitations; or”

4.3.7 Rule 21.113: Add to paragraph (5) the word “to” before the words “any special conditions prescribed on the type certificate or type acceptance certificate” and add the word “or;”

4.3.8 Rule 21.113: Add after paragraph (5) the following paragraphs:

- “(6) where a person who is not the type certificate holder for a product intends to make a major modification to the product; or
- (7) where a person wishes to obtain a supplemental type certificate for any valid commercial purpose (for example, the applicant is party to a sale to a second party or requires such a certificate for acceptance by a foreign regulatory authority).”

#### 4.4 Part 43 General Maintenance Rules

4.4.1 Part 43: Revoke Appendix G.

#### 4.5 Part 61 Pilot Licences and Ratings

4.5.1 Rule 61.3: Insert a Definition provision and the following definition:

##### “61.3 Definitions

In this Part for the purposes of Subparts O, OA, OB and OC -

**Successfully demonstrate competency** means that the applicant for the rating or holder of the rating undertake an oral examination by, and a flight test with, the applicable flight examiner or flight instructor qualified to check competency under rules 61.701, 61.707, 61.711, 61.717, 61.721, 61.727, 61.731 and 61.737 in order to demonstrate sufficient knowledge and skills in conducting the relevant operations permitted under the rating:”

4.5.2 Rule 61.355(b): replace (b)(2) and (3) with the following:

(2) has not met the requirements of rule 61.39 for a period of 5 years or more, has passed the written examination for PPL air law.”

4.5.3 Rule 61.701(a)(8): removing the words “(orally and in flight)”

4.5.4 Rule 61.701(b): replacing the words “(aeroplane and helicopter)” with “(Aeroplane and Helicopter)”

4.5.5 Rule 61.701(b)(3): removing the words “(orally and in flight)”

4.5.6 Rule 61.711(a)(3): Replace the word “competence” with “competency”

4.5.7 Rule 61.721(a)(3): Replace the word “competence” with “competency”

4.5.8 Rule 61.731(a)(3): Replace the word “competence” with “competency”

4.5.9 Rule 61.737(a): Add the word “successfully” before the words “demonstrated competency under rule 61.731(3)”

#### 4.6 Part 91 General Operating and Flight Rules

4.6.1 Rule 91.105(e): Omit the words “Except as provided in paragraph (k) and replace the word “a” with “A”.

4.6.2 Rule 91.111(4)(i): Replace the words “the General Radio User’s Licence issued by the Ministry of Business, Innovation and Employment” with “the General User Radio Licence for Aeronautical Purposes issued by the Ministry of Business Innovation and Employment ”

4.6.3 Rule 91.229(f)(1): Replace the words “on final approach” with “in the final stages of an approach”.

4.6.4 Part 91: Revoke Appendix B.

#### 4.7 Part 101 Gyrogliders and Parasails, Unmanned Aircraft (including Balloons), Kites, and Rockets – Operating Rules

4.7.1 Rule 101.107(3)(ii): Replace the words “200 MHz to 2,700 MHz” with “2,700 MHz to 2,900 MHz”.

#### 4.8 Part 115 Adventure Aviation – Certification and Operations

4.8.1 Part 115 Appendix A: Replace with the following:

## “Appendix A — Qualifications and competencies of senior persons

<b>Hot Air Balloon Operation</b>		
Senior person responsible for adventure aviation operations	Document required	CPL (B)
	PIC experience required	3 years PIC experience with Part 115 certificate holder or equivalent commercial hot air balloon operations; and 200 hours PIC experience on hot air balloons; and Experience acceptable to the Director in the type of adventure aviation operation to be performed.
	Managerial experience required	3 years experience in an operational control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	CPL (B)
	Currency	Meets currency requirements to act as PIC in one of the operator's hot air balloons; and 200 hours experience in hot air balloon operations.
	Managerial experience required	3 years experience with Part 115 certificate holder or equivalent commercial hot air balloon operations; and 2 years experience in a pilot check and training role that is acceptable to the Director.
Senior person responsible for the control and direction of maintenance	Document required	Certificate of training acceptable to the Director that provides evidence of competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and Sufficient knowledge of hot air balloon maintenance to ensure that all hot balloons operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	3 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.

<b>Hot Air Balloon Operation</b>		
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or  2 years experience with organisational management systems in the aviation industry.

<b>Parachute-Drop Aircraft Operation</b>		
Senior person responsible for adventure aviation operations	Document required	CPL
	PIC experience required	150 hours experience as PIC on the category of aircraft to be operated by the certificate holder; and  750 hours TT PIC; or  Experience acceptable to the Director in the type of adventure aviation operation to be performed.
	Managerial experience required	3 years experience in an operational control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	"A" or "B" category instructor rating
	Currency	Holds a current "A" or "B" category instructor rating; and  Meets currency requirement to act as PIC in at least one type of the certificate holder's aircraft, with 500 hours experience in that category of aircraft.
	Managerial experience required	2 years experience as a qualified instructor; or  2 years experience in a pilot check and training role that is acceptable to the Director.

<b>Parachute-Drop Aircraft Operation</b>		
Senior person responsible for the control and direction of maintenance	Document required	LAME or able to successfully complete a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and  Sufficient knowledge of aircraft maintenance to ensure that all parachute-drop aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	3 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management.  A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or  2 years experience with organisational management systems in the aviation industry.

<b>Tandem Parachute Descent Operation</b>		
Senior person responsible for adventure aviation operations	Document required	Commercial tandem master rating issued by a parachute organisation that has certificated under Part 149.
	Tandem master experience required	Commercial tandem master having completed 1000 tandem descents; and  3 years experience as a tandem master; or  3 years experience that is relevant to the position and is acceptable to the Director.
	Managerial	3 years experience in an operational

<b>Tandem Parachute Descent Operation</b>		
	experience required	control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	Holds and instructor rating issued by a parachute organisation that has been certificated under Part 149.
	Currency	Meets currency requirements to act as a parachute organisation instructor.
	Managerial experience required	3 years experience in a parachutist check and training role that is acceptable to the Director.
Senior person responsible for the control and direction of maintenance	Document required	Able to successfully complete a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and  Sufficient knowledge of tandem parachute maintenance to ensure that all tandem parachutes operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	3 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management.  A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or  2 years experience with organisational management systems in the aviation industry.

<b>Glider and Glider Tow Aircraft Operation</b>		
Senior person	Document required	CPL (G)

<b>Glider and Glider Tow Aircraft Operation</b>		
responsible for adventure aviation operations	PIC experience required	3 years experience as PIC on the category of aircraft to be operated by the certificate holder; and  150 hours TT PIC; or  Experience acceptable to the Director in the type of adventure aviation operation to be performed.
	Managerial experience required	3 years experience in an operational control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	CPL (G) or an "A" or "B" glider instructor rating issued by a gliding organisation that has been certificated under Part 149.
	Currency	Meets currency requirement to act as PIC in at least one type of the certificate holder's aircraft, with 150 hours experience in that category of aircraft.
	Managerial experience required	2 years experience as an "A" or "B" category glider instructor for a gliding organisation certificated under Part 149.
Senior person responsible for the control and direction of maintenance	Document required	Able to successfully complete a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and  Sufficient knowledge of glider and glider tow aircraft maintenance to ensure that all gliders and glider tow aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	3 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management.  A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director.
	Vocational	Demonstrable knowledge and

<b>Glider and Glider Tow Aircraft Operation</b>		
	experience required	awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or  2 years experience with organisational management systems in the aviation industry.

<b>Hang Glider/Paraglider and Hang Glider Tow Aircraft Operation</b>		
Senior person responsible for adventure aviation operations	Document required	NZHGPA PP2 certificate or Tandem Professional Certificate
	PIC experience required	3 years experience as PIC on the category of aircraft to be operated by the certificate holder; and  200 hours TT as PIC; and  Experience acceptable to the Director in the type of adventure aviation operation to be performed.
	Managerial experience required	3 years experience in an operational control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	HGPG instructor rating, NZHGPA PP2, or Tandem Professional Certificate
	Currency	Meets currency requirements to act as PIC in one of the operator's aircraft or a similar type; and  200 hours experience in HGPG operations.
	Managerial experience required	2 years experience as a qualified instructor for a HGPG organisation certificated under Part 149; or  2 years experience in a pilot check and training role that is acceptable to the Director.
Senior person responsible for the control and direction of maintenance	Document required	Able to successfully complete a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and  Sufficient knowledge of hang glider/paraglider and hang glider tow aircraft maintenance to ensure that all hang gliders/paragliders and hang glider tow aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities

<b>Hang Glider/Paraglider and Hang Glider Tow Aircraft Operation</b>		
		required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	2 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for Quality Assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or  2 years experience with organisational management systems in the aviation industry.

<b>Special Aircraft Operation</b>		
Senior person responsible for adventure aviation operations	Document required	CPL (A) or CPL (H)
	PIC experience required	150 hours experience as PIC on the category of aircraft to be operated by the certificate holder; and  750 hours TT PIC; or  Experience acceptable to the Director in the type of adventure aviation operation to be performed.
	Managerial experience required	3 years experience in an operational control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	CPL
	Currency	Holds a current "A" or "B" category instructor rating; and  Meets currency requirement to act as PIC in at least one type of the certificate holder's aircraft, with 500 hours experience in that category of aircraft.
	Managerial experience required	2 years experience as a qualified instructor; or  2 years experience in a pilot check and training role that is acceptable to the Director.

<b>Special Aircraft Operation</b>		
Senior person responsible for the control and direction of maintenance	Document required	LAME or able to successfully complete a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and  Sufficient knowledge of aircraft maintenance to ensure that all aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	3 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management.  A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for Quality Assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or  2 years experience with organisational management systems in the aviation industry.

<b>Microlight Aircraft Operation</b>		
Senior person responsible for adventure aviation operations	Document required	CPL (M)
	PIC experience required	150 hours experience as PIC on the category of aircraft to be operated by the certificate holder; and  500 hours TT PIC; or  Experience acceptable to the Director in the type of adventure aviation operation to be performed.

<b>Microlight Aircraft Operation</b>		
	Managerial experience required	3 years experience in an operational control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	Microlight instructor certificate issued by a microlight organisation that has been certificated under Part 149.
	Currency	Meets currency requirement to act as PIC in at least one type of the certificate holder's aircraft, with 500 hours experience in that category of aircraft.
	Managerial experience required	2 years experience as a qualified instructor for a microlight organisation that has been certificated under Part 149; or  2 years experience in a pilot check and training role that is acceptable to the Director.
Senior person responsible for the control and direction of maintenance	Document required	LAME or able to successfully complete a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and  Sufficient knowledge of microlight aircraft maintenance to ensure that all microlight aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	3 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management.  A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for Quality Assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or  2 years experience with organisational management systems

<b>Microlight Aircraft Operation</b>		
		in the aviation industry.

#### 4.9 Part 119 Air Operator – Certification

4.9.1 Part 119 Appendix A: Replace with the following:

##### **“Appendix A — Qualifications and Experience of Senior Persons — Airline Air Operator Certificate Holder**

This Appendix prescribes the qualifications and experience for the senior persons responsible under 119.51(b)(1)(i), (ii), (iii), and (iv).

#### **A.1 Senior person responsible for air operations**

<b>Part 121 Operation</b>	
Document required	Airline Transport Pilot Licence
Pilot-in-command experience	3 years as pilot-in-command under Part 121 operations
Managerial experience	3 years in an operational control position

	<b>Part 125 Operation</b>		<b>Part 135 Operation</b>
	<b>Multi-crew</b>	<b>Single pilot</b>	
Document required	Airline Transport Pilot Licence	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Refer Appendix B
Pilot-in-command experience	3 years as pilot-in-command under Part 121, Part 125 or Part 135 operations; or 3	3 years as pilot-in-command under Part 121, Part 125 or Part 135 operations; or 3	Refer Appendix B
Managerial experience	3 years in an operational control position	3 years in an operational control position	Refer Appendix B

#### **A.2 Senior person responsible for crew training and competency assessment**

<b>Part 121 Operation</b>	
Document required	Airline Transport Pilot Licence with ratings
Currency	Current to act as pilot-in-command of one type of operator's aircraft
Experience	3 years as pilot-in-command under Part 121, Part 125, or Part 135 operations and 2 years' experience in the check and training role

	Part 125 Operation		Part 135 Operation
	Multi-crew	Single pilot	
Document required	Airline Transport Pilot Licence with ratings	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Refer Appendix B
Currency	Current to act as pilot-in-command of one type of operator's aircraft	Current to act as pilot-in-command of one type of operator's aircraft	Refer Appendix B
Experience	3 years as pilot-in-command under Part 121, Part 125, or Part 135 operations and 2 years' experience in the check and training role	3 years as pilot-in-command under Part 121, Part 125, or Part 135 operations and 2 years' experience in the check and training role	Refer Appendix B

In addition, where there is a requirement for experience under Part 121, Part 125, or Part 135 operations, a person may be assessed as meeting that requirement if they have had equivalent experience in air transport operations conducted under the authority of an Air Service Certificate issued under regulation 136 of Civil Aviation Regulations 1953 or an equivalent type of operation acceptable to the Director.

### A.3 Senior person responsible for the control and direction of maintenance

#### A.3.1 Part 121 Operations

(a) The senior person responsible for the control and direction of maintenance in an organisation conducting air operations under Part 121 must—

- (1) have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of Part 121; and
- (2) meet the requirements of paragraph (b); and
- (3) undertake any examination or test that the Director may require to determine the applicant's competency to perform the maintenance planning and control functions required.

(b) The senior person in paragraph (a)—

- (1) must—
  - (i) hold or have held an aircraft maintenance engineer licence or equivalent, acceptable to the Director, with appropriate ratings; and
  - (ii) have at least 5 years' experience in the maintenance of aircraft of a similar size and type as that to be operated by the organisation; and
  - (iii) have at least 2 years' experience in a supervisory position which may be undertaken during the 5 years' experience required under subparagraph (1)(ii); or
- (2) must—
  - (i) be a graduate engineer or equivalent in an aeronautical, mechanical or electrical discipline; and
  - (ii) have at least 5 years' experience of the maintenance of aircraft, which may be gained while working in a maintenance supervision, maintenance planning, engineering development, or workshop environment; and
  - (iii) have at least six months practical experience in aircraft maintenance tasks which may be undertaken during the 5 years' experience required under subparagraph (2)(ii); and

- (iv) have at least 2 years’ experience in a supervisory position which may be undertaken during the 5 years’ experience required under subparagraph (2)(ii).

(c) The experience requirements in paragraphs (b)(1)(ii) and (b)(2)(ii) may be met through a course of instruction acceptable to the Director and conducted under the authority of a training organisation certificate granted under section 9 of the Act and in accordance with Part 141 or Part 147 .

**A.3.2 Part 125 Operations**

(a) The senior person responsible for the control and direction of maintenance in an organisation conducting air operations under Part 125 must—

- (1) have a clear knowledge and understanding of the maintenance parts of the organisation’s exposition and the applicable maintenance provisions of Part 125; and
- (2) meet the requirements of paragraph (b); and
- (3) undertake any examination or test that the Director may require to determine the person’s competency to perform the maintenance planning and control functions required.

(b) The senior person referred to in paragraph (a)—

- (1) must meet the requirements of paragraph A.3.1; or
- (2) must—
  - (i) hold or have held an aircraft maintenance engineer licence granted under section 9 of the Act and in accordance with Part 66, or an equivalent licence acceptable to the Director, with appropriate ratings; and
  - (ii) have at least 3 years’ experience performing maintenance on aircraft of a similar size and type as that to be operated by the organisation; and
  - (iii) have at least 1 years’ experience certifying aircraft for release-to-service, which may be undertaken during the 3 years’ experience required under subparagraph (ii); or
- (3) must have experience acceptable to the Director including at least 5 years’ experience responsible for the control and direction of maintenance and the continuing airworthiness of aircraft of a similar size and type as that to be operated by the organisation.

(c) The experience requirement specified in paragraph (b)(2)(ii) may alternatively be met through a course of instruction acceptable to the Director and conducted under the authority of a training organisation certificate granted under section 9 of the Act and in accordance with Part 141 or Part 147.

**A.4 Senior person responsible for the system for safety management**

<b>Part 121, 125, or 135 Operation</b>	
Competency	Demonstrate competency relevant to systems for safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.

## A.5 Senior person responsible for internal quality assurance

	Part 121 Operation	Part 125/135 Operation
Document required	Certificate in Quality Assurance or equivalent qualification or ß	Certificate in Quality Assurance or equivalent qualification or ß
	5 years experience in quality assurance management in the aviation industry	5 years experience in quality assurance management in the aviation industry
Experience	5 years experience in aviation with flight operations or maintenance background	5 years experience in aviation with flight operations or maintenance background

In addition, a person may be assessed as meeting the qualification requirements for this senior person position if they have had equivalent experience in quality assurance management acceptable to the Director.

4.9.2 Part 119 Appendix B: Replace with the following:

### Appendix B — Qualifications and Experience of Senior Persons – General Aviation Air Operator Certificate Holder

This Appendix prescribes the qualifications and experience for the senior persons responsible under 119.101(b)(1)(i), (ii), (iii), and (iv).

#### B.1 Senior person responsible for air operations

	Part 135 Operation	
	Greater than 3 aircraft or greater than 2 bases	Less than 4 aircraft and less than 3 bases
Document required	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Commercial Pilot Licence, with Instrument Rating if operations include IFR
Pilot-in-command experience	3 years as pilot-in-command under Part 135 operations and 750 hours flight time during air operations on the same category of aircraft to be operated, with experience in the same or similar type of air operation to be performed that is acceptable to the Director; and 75 hours actual or simulated instrument time if operations include IFR; or ß	500 hours flight time during air operations on the same category of aircraft to be operated, with experience in the same or similar type of air operation to be performed that is acceptable to the Director; and 75 hours actual or simulated instrument time if operations include IFR; or ß
Managerial experience	3 years in an operational control position with experience, including flight experience, appropriate to the type of air operation to be performed that is acceptable to the Director.	2 years in an operational control position with experience, including flight experience, appropriate to the type of air operation to be performed that is acceptable to the Director.

For assessing the above senior person experience requirements, the Director may consider the following:

- (a) for a senior person qualifying under the pilot-in-command requirements, the Director may consider experience in the same types of air operations or similar types of air operations involving similar operating environment, types of equipment and aircraft configurations including operations in a military or similar type of service:
- (b) for a senior person qualifying under the managerial experience requirements, the Director may consider flight operational control experience, or similar experience, in air operations or other similar transport type operations in a military or similar type of service.

## B.2 Senior person responsible for crew training and competency assessment

Part 135 Operation		
	Greater than three aircraft and/or greater than two bases	Less than four aircraft and/or less than three bases
Document required	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Commercial Pilot Licence, with Instrument Rating if operations include IFR
Currency	Current to act as pilot-in-command of one type of operator's aircraft	Current to act as pilot-in-command of one type of operator's aircraft
Experience	3 years as pilot-in-command under Part 135 operations and 2 years experience in the check and training role	

## B.3 Senior person responsible for the control and direction of maintenance

(a) The senior person responsible for the control and direction of maintenance in an organisation conducting air operations under Part 135 must—

- (1) have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of Part 135; and
- (2) meet the requirements of paragraph (b); and
- (3) undertake any examination or test that the Director may require to determine the applicant's competency to perform the maintenance planning and control functions required.

(b) The senior person in paragraph (a) must—

- (1) meet the requirements of Appendix A.3.1; or
- (2) meet the requirements of Appendix A.3.2; or
- (3) for organisations intending to conduct or conducting air operations with a total of three or less aircraft listed on their operations specifications and from a total of two or less bases, have sufficient knowledge of maintenance to be able to ensure that the aircraft is maintained in an airworthy condition and that any maintenance required by its maintenance programme is satisfactorily accomplished.

(c) The knowledge requirements in paragraph (b)(3) may be met through a course of instruction acceptable to the Director and conducted under the authority of a training organisation certificate granted under section 9 of the Act and in accordance with Part 141 or Part 147.

## B.4 Senior person responsible for the system for safety management

Part 135 Operation	
Competency	Demonstrate competency relevant to systems for safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.

## B.5 Senior person responsible for the organisational management system

Part 135 Operation		
	Greater than three aircraft and/or greater than two bases	Less than four aircraft and/or less than three bases
Document required	Certificate in Quality Assurance or equivalent qualification or β	General knowledge and awareness of quality assurance or management systems
	General knowledge and awareness of quality assurance or management systems or β	
	2 years experience in management systems in the aviation industry	
Experience	3 years experience in aviation with flight operations or maintenance background	

In addition, a person may be assessed as meeting the qualification requirements for this senior person position if they have had equivalent experience in quality assurance management acceptable to the Director.

### 4.10 Part 121 Air Operations – Large Aeroplanes

4.10.1 Rule 121.573(10): Replace with the following:

“(10) cabin health and first aid in accordance with ICAO Doc 10002 *Cabin Crew Safety Training Manual*, Chapter 9:”

4.10.2 Rule 121.611(11): Replace with the following:

“(11) cabin health and first aid in accordance with ICAO Doc 10002 *Cabin Crew Safety Training Manual*, Chapter 9:”

### 4.11 Part 125 Air Operations – Medium Aeroplanes

4.11.1 Rule 125.569(10): Replace with the following:

“(10) cabin health and first aid in accordance with ICAO Doc 10002 *Cabin Crew Safety Training Manual*, Chapter 9:”

4.11.2 Rule 125.611(11): Replace with the following:

“(11) cabin health and first aid in accordance with ICAO Doc 10002 *Cabin Crew Safety Training Manual*, Chapter 9:”

### 4.12 Part 139 Aerodromes – Certification, Operation and Use

4.12.1 Rule 139.417(1A): Replace the references “(iii)” with “(i)” and “(iv)” with “(ii)”.

### 4.13 Part 147 Maintenance Training Organisations – Certification

4.13.1 Rule 147.5(a)(1): Add the word “certificate” at the end of the sentence.

### 4.14 Part 148 Aircraft Manufacturing Organisations – Certification

4.14.1 Rule 148.51(aa): Replace the reference to paragraph “(a)(2)(ii)” with paragraph “(a)(2)(iv)”.

### 4.15 Correction of Transitional Provisions relating to Safety Management Systems (Parts 115, 119, 137, 139, 141, 145, 146, 147, 148, 171, 172, 173, 174 and 175)

4.15.1 Rule 115.151(a)(1): Replace the words “adventure aviation operator certificate holder” with “holder of an adventure aviation operator certificate”

4.15.2 Rule 115.151(a)(2): Replace the words “adventure aviation operator certificate applicant” with “applicant for the grant of an adventure aviation operator certificate”

4.15.3 Rule 115.151(b): Replace the words “Before 1 February 2021” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.4 Rule 115.151(b)(1)(iii): Replace the reference “rule 115.79(a)(1A)” with “rule 115.79(a)(1A)(i)”

4.15.5 Rule 115.151(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.6 Rule 115.151(b)(2): Replace with the following paragraphs:

“(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 an adventure aviation operator certificate; or
- (2) by 30 July 2018 for a holder of an adventure aviation operator certificate.

(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 115.77.”

4.15.7 Rule 115.151(c): Renumber as paragraph (e)

4.15.8 Rule 115.151(d): Revoke this paragraph

4.15.9 Rule 115.151(e): Renumber as paragraph (f) and replace the reference “115.151(c)(2)” with “115.151(e)(2)”

4.15.10 Rule 115.151(f): Replace with:

“(g) A holder of an adventure aviation operator certificate does not have to submit an implementation plan with its certificate renewal application.”

4.15.11 Rule 115.151(g): Renumber as paragraph (h)

4.15.12 Rule 119.201(a)(1): Replace the words “airline air operator certificate holder” with “holder of an airline air operator certificate”

4.15.13 Rule 119.201(a)(2): Replace the words “airline air operator certificate applicant” with “applicant for the grant of an airline air operator certificate”.

4.15.14 Rule 119.201(b): Replace the words “Before 1 February 2018” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.15 Rule 119.201(b)(1)(iii): Replace the reference “rule 119.81(a)(1A)” with “rule 119.81(a)(1A)(i)”

4.15.16 Rule 119.201(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.17 Rule 119.201(b)(2): Replace with the following paragraphs:

“(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 an airline air operator certificate; or
- (2) by 30 July 2016 for a holder of an airline air operator certificate.

(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 119.79.”

4.15.18 Rule 119.201(c): Renumber as paragraph (e)

4.15.19 Rule 119.201(d): Revoke this paragraph

4.15.20 Rule 119.201(e): Renumber as paragraph (f) and replace the reference “119.201(c)(2)” with “119.201(e)(2)”

4.15.21 Rule 119.201(f): Replace with:

“(g) A holder of an airline air operator certificate does not have to submit an implementation plan with its certificate renewal application.”

4.15.22 Rule 119.201(g): Renumber as paragraph (h)

4.15.23 Rule 119.203(a)(1): Replace the words “airline air operator certificate holder” with “holder of an airline air operator certificate”

4.15.24 Rule 119.203(a)(2): Replace the words “airline air operator certificate applicant” with “applicant for the grant of an airline air operator certificate”.

4.15.25 Rule 119.203(b): Replace the words “Before 1 February 2021” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.26 Rule 119.203(b)(1)(iii): Replace the reference “rule 119.81(a)(1A)” with “rule 119.81(a)(1A)(i)”

4.15.27 Rule 119.203(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.28 Rule 119.203(b)(2): Replace with the following paragraphs:

“(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 an airline air operator certificate; or
- (2) by 30 July 2018 for a holder of an airline air operator certificate.

(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 119.79.”

4.15.29 Rule 119.203(c): Renumber as paragraph (e)

4.15.30 Rule 119.203(d): Revoke this paragraph

4.15.31 Rule 119.203(f): Replace with:

“(g) A holder of an airline air operator certificate under (a)(1) does not have to submit an implementation plan with its certificate renewal application.”

4.15.32 Rule 119.203(g): Renumber as paragraph (h)

4.15.33 Rule 137.301(a)(1): Replace the words “agricultural aircraft operator certificate holder” with “holder of an agricultural aircraft operator certificate”

4.15.34 Rule 137.301(a)(2): Replace the words “agricultural aircraft operator certificate applicant” with “applicant for the grant of an agricultural aircraft operator certificate”.

4.15.35 Rule 137.301(b): Replace the words “Before 1 February 2021” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.36 Rule 137.301(b)(1)(iii): Replace the words and reference “rule 137.160 but” with “rule 137.160(a)(1)(i)” and add the following:

“(iv) rule 137.160(a)(3):

(v) rule 137.160(b).”

4.15.37 Rule 137.301(b)(2): Replace with the following paragraphs:

“(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 an airline air operator certificate; or
- (2) by 30 July 2018 for a holder of an airline air operator certificate.

(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 137.155.”

4.15.38 Rule 137.301(c): Renumber as paragraph (e)

4.15.39 Rule 137.301(d): Revoke this paragraph

4.15.40 Rule 137.301(f): Replace with:

“(g) A holder of an agricultural aircraft operator certificate does not have to submit an implementation plan with its certificate renewal application.”

4.15.41 Rule 137.301(g): Renumber as paragraph (h)

4.15.42 Rule 139.551(a)(1): Replace the words “aerodrome operator certificate holder” with “holder of an aerodrome operator certificate”

4.15.42 Rule 139.551(a)(2): Replace the words “applicant for an aerodrome operator certificate” with “applicant for the grant of an aerodrome operator certificate”.

4.15.43 Rule 139.551(b): Replace the words “Before 1 February 2018” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.44 Rule 139.551(b)(1)(iii): Replace the reference “rule 139.77(a)(1A)” with “rule 139.77(a)(1A)(i)”

4.15.45 Rule 139.551(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.46 Rule 139.551(b)(2): Replace with the following paragraphs:

“(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 an aerodrome operator certificate; or
- (2) by 30 July 2016 for a holder of an aerodrome operator certificate.

(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 139.75.”

4.15.47 Rule 139.551(c): Renumber as paragraph (e)

4.15.48 Rule 139.551(d): Revoke this paragraph

4.15.49 Rule 139.551(e): Renumber as paragraph (f) and replace the reference “139.551(c)(2)” with “139.551(e)(2)”

4.15.50 Rule 139.551(f): Replace with:

“(g) A holder of an aerodrome operator certificate under (a)(1) does not have to submit an implementation plan with its certificate renewal application.”

4.15.51 Rule 139.551(g): Renumber as paragraph (h)

4.15.52 Rule 139.553(a)(1): Replace the words “aerodrome operator certificate holder” with “holder of an aerodrome operator certificate”

4.15.53 Rule 139.553(a)(2): Replace the words “applicant for an aerodrome operator certificate” with “applicant for the grant of an aerodrome operator certificate”.

4.15.54 Rule 139.553(b): Replace the words “Before 1 February 2021” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.55 Rule 139.553(b)(1)(iii): Replace the reference “rule 139.77(a)(1A)” with “rule 139.77(a)(1A)(i)”

4.15.56 Rule 139.553(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.57 Rule 139.553(b)(2): Replace with the following paragraphs:

“(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 an aerodrome operator certificate; or
- (2) by 30 July 2018 for a holder of an aerodrome operator certificate.

(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 139.75.”

4.15.58 Rule 139.553(c): Renumber as paragraph (e)

4.15.59 Rule 139.553(d): Revoke this paragraph

4.15.60 Rule 139.553(e): Renumber as paragraph (f) and replace the reference “139.553(c)(2)” with “139.553(e)(2)”

4.15.61 Rule 139.553(f): Replace with:

“(g) A holder of an aerodrome operator certificate under (a)(1) does not have to submit an implementation plan with its certificate renewal application.”

4.15.62 Rule 139.553(g): Renumber as paragraph (h)

4.15.63 Rule 139.555(a)(1): Replace the words “qualifying aerodrome operator certificate holder” with “holder of a qualifying aerodrome operator certificate”

4.15.64 Rule 139.555(a)(2): Replace the words “applicant for a qualifying aerodrome operator certificate” with “applicant for the grant of a qualifying aerodrome operator certificate”.

4.15.65 Rule 139.555(b): Replace the words “Before 1 February 2021” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.66 Rule 139.555(b)(1)(iii): Replace the reference “rule 139.417(a)(1A)” with “rule 139.417(a)(1A)(i)”

4.15.67 Rule 139.555(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.68 Rule 139.555(b)(2): Replace with the following paragraphs:

“(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 qualifying aerodrome operator certificate; or
- (2) by 30 July 2018 for a holder of a qualifying aerodrome operator certificate.

(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 139.409.”

4.15.69 Rule 139.555(c): Renumber as paragraph (e)

4.15.70 Rule 139.555(d): Revoke this paragraph

4.15.71 Rule 139.555(e): Renumber as paragraph (f) and replace the reference “139.555(c)(2)” with “139.555(e)(2)”

4.15.72 Rule 139.555(f): Replace with:

“(g) A holder of a qualifying aerodrome operator certificate does not have to submit an implementation plan with its certificate renewal application.”

4.15.73 Rule 139.555(g): Renumber as paragraph (h)

4.15.74 Rule 141.201(a)(1): Replace the words “standard aviation training organisation certificate holder” with “holder of a standard aviation training organisation certificate”

4.15.75 Rule 141.201(a)(2): Replace the words “standard aviation training organisation certificate applicant” with “applicant for the grant of a standard aviation training organisation certificate”.

4.15.76 Rule 141.201(b): Replace the words “Before 1 February 2021” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.77 Rule 141.201(b)(1)(iii): Replace the reference “rule 141.63(a)(1A)” with “rule 141.63(a)(1A)(i)”

4.15.78 Rule 141.201(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.79 Rule 141.201(b)(2): Replace with the following paragraphs:

“(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 qualifying aerodrome operator certificate; or
- (2) by 30 July 2018 for a holder of a qualifying aerodrome operator certificate.

(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 141.61.”

4.15.80 Rule 141.201(c): Renumber as paragraph (e)

4.15.81 Rule 141.201(d): Revoke this paragraph

4.15.82 Rule 141.201(e): Renumber as paragraph (f) and replace the reference “141.201(c)(2)” with “141.201(e)(2)”

4.15.83 Rule 141.201(f): Replace with:

“(g) A holder of a standard aviation training organisation certificate does not have to submit an implementation plan with its certificate renewal application.”

4.15.84 Rule 141.201(g): Renumber as paragraph (h)

4.15.85 Rule 145.151(a)(1): Replace the words “maintenance organisation certificate holder” with “holder of a maintenance organisation certificate”

4.15.86 Rule 145.151(a)(2): Replace the words “maintenance organisation certificate applicant” with “applicant for the grant of a maintenance organisation certificate”.

4.15.87 Rule 145.151(b): Replace the words “Before 1 February 2018” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.88 Rule 145.151(b)(1)(iii): Replace the reference “rule 145.67(a)(1A)” with “rule 145.67(a)(1A)(i)”

4.15.89 Rule 145.151(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.90 Rule 145.151(b)(2): Replace with the following paragraphs:

“(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; or

(2) by 30 July 2016 for a holder of a maintenance organisation certificate.

(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.”

4.15.91 Rule 145.151(c): Renumber as paragraph (e)

4.15.92 Rule 145.151(d): Revoke this paragraph

4.15.93 Rule 145.151(e): Renumber as paragraph (f) and replace the reference “145.151(c)(2)” with “145.151(e)(2)”

4.15.94 Rule 145.151(f): Replace with:

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

4.15.95 Rule 145.151(g): Renumber as paragraph (h)

4.15.96 Rule 145.153(a)(1): Replace the words “maintenance organisation certificate holder” with “holder of a maintenance organisation certificate”

4.15.97 Rule 145.153(a)(2): Replace the words “maintenance organisation certificate applicant” with “applicant for the grant of a maintenance organisation certificate”.

4.15.98 Rule 145.153(b): Replace the words “Before 1 February 2021” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.99 Rule 145.153(b)(1)(iii): Replace the reference “rule 145.67(a)(1A)” with “rule 145.67(a)(1A)(i)”

4.15.100 Rule 145.153(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.101 Rule 145.153(b)(2): Replace with the following paragraphs:

“(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; or

(2) by 30 July 2018 for a holder of a maintenance organisation certificate.

(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.”

4.15.102 Rule 145.153(c): Renumber as paragraph (e)

4.15.103 Rule 145.153(d): Revoke this paragraph

4.15.104 Rule 145.153(e): Renumber as paragraph (f) and replace the reference “145.153(c)(2)” with “145.153(e)(2)”

4.15.105 Rule 145.153(f): Replace with:

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

4.15.106 Rule 145.153(g): Renumber as paragraph (h)

4.15.107 Rule 146.151(a)(1): Replace the words “design organisation certificate holder” with “holder of a design organisation certificate”

4.15.108 Rule 146.151(a)(2): Replace the words “design organisation certificate applicant” with “applicant for the grant of a design organisation certificate”.

4.15.109 Rule 146.151(b): Replace the words “Before 1 February 2021” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.110 Rule 146.151(b)(1)(iii): Replace the reference “rule 146.67(a)(1A)” with “rule 146.67(a)(1A)(i)”

4.15.111 Rule 146.151(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.112 Rule 146.151(b)(2): Replace with the following paragraphs:

“(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 design organisation certificate; or
- (2) by 30 July 2018 for a holder of a design organisation certificate.

(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 146.65.”

4.15.113 Rule 146.151(c): Renumber as paragraph (e)

4.15.114 Rule 146.151(d): Revoke this paragraph

4.15.115 Rule 146.151(e): Renumber as paragraph (f) and replace the reference “146.151(c)(2)” with “146.151(e)(2)”

4.15.116 Rule 146.151(f): Replace with:

“(g) A holder of a design organisation certificate does not have to submit an implementation plan with its certificate renewal application.”

4.15.117 Rule 146.151(g): Renumber as paragraph (h)

4.15.118 Rule 148.151(a)(1): Replace the words “manufacturing organisation certificate holder” with “holder of a manufacturing organisation certificate”

4.15.119 Rule 148.151(a)(2): Replace the words “manufacturing organisation certificate applicant” with “applicant for the grant of a manufacturing organisation certificate”.

4.15.1120 Rule 148.151(b): Replace the words “Before 1 February 2021” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.121 Rule 148.151(b)(1)(iii): Replace the reference “rule 148.67(a)(1A)” with “rule 148.67(a)(1A)(i)”

4.15.122 Rule 148.151(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.123 Rule 148.151(b)(2): Replace with the following paragraphs:

“(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 manufacturing organisation certificate; or

(2) by 30 July 2018 for a holder of a manufacturing organisation certificate.

(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 148.65.”

4.15.124 Rule 148.151(c): Renumber as paragraph (e)

4.15.125 Rule 148.151(d): Revoke this paragraph

4.15.126 Rule 148.151(e): Renumber as paragraph (f) and replace the reference “148.151(c)(2)” with “148.151(e)(2)”

4.15.127 Rule 148.151(f): Replace with:

“(g) A holder of a manufacturing organisation certificate does not have to submit an implementation plan with its certificate renewal application.”

4.15.128 Rule 148.151(g): Renumber as paragraph (h)

4.15.129 Rule 171.251(a)(1): Replace the words “aeronautical telecommunication service certificate holder” with “holder of an aeronautical telecommunication service certificate”

4.15.130 Rule 171.251(a)(2): Replace the words “aeronautical telecommunication service certificate applicant” with “applicant for the grant of an aeronautical telecommunication service certificate”.

4.15.131 Rule 171.251(b): Replace the words “Before 1 February 2018” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.132 Rule 171.251(b)(1)(iii): Replace the reference “rule 171.77(a)(1A)” with “rule 171.77(a)(1A)(i)”

4.15.133 Rule 171.251(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.134 Rule 171.251(b)(2): Replace with the following paragraphs:

“(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 an aeronautical telecommunication service certificate; or

(2) by 30 July 2016 for a holder of an aeronautical telecommunication service certificate.

(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 171.73.”

4.15.135 Rule 171.251(c): Renumber as paragraph (e)

4.15.136 Rule 171.251(d): Revoke this paragraph

4.15.137 Rule 171.251(e): Renumber as paragraph (f) and replace the reference “171.251(c)(2)” with “171.251(e)(2)”

4.15.138 Rule 171.251(f): Replace with:

“(g) A holder of an aeronautical telecommunication service certificate does not have to submit an implementation plan with its certificate renewal application.”

4.15.139 Rule 171.251(g): Renumber as paragraph (h)

4.15.140 Rule 172.451(a)(1): Replace the words “air traffic service certificate holder” with “holder of an air traffic service certificate”

4.15.141 Rule 172.451(a)(2): Replace the words “air traffic service certificate applicant” with “applicant for the grant of an air traffic service certificate”.

4.15.142 Rule 172.451(b): Replace the words “Before 1 February 2018” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.143 Rule 172.451(b)(1)(iii): Replace the reference “rule 172.125(a)(1A)” with “rule 172.125(a)(1A)(i)”

4.15.144 Rule 172.451(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.145 Rule 172.451(b)(2): Replace with the following paragraphs:

“(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 an aeronautical telecommunication service certificate; or
- (2) by 30 July 2016 for a holder of an aeronautical telecommunication service certificate.

(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 172.123.”

4.15.146 Rule 172.451(c): Renumber as paragraph (e)

4.15.147 Rule 172.451(d): Revoke this paragraph

4.15.148 Rule 172.451(e): Renumber as paragraph (f) and replace the reference “172.451(c)(2)” with “172.451(e)(2)”

4.15.149 Rule 172.451(f): Replace with:

“(g) A holder of an air traffic service certificate does not have to submit an implementation plan with its certificate renewal application.”

4.15.150 Rule 172.451(g): Renumber as paragraph (h)

4.15.151 Rule 173.301(a)(1): Replace the words “instrument flight procedure service certificate holder” with “holder of an instrument flight procedure service certificate”

4.15.152 Rule 173.301(a)(2): Replace the words “instrument flight procedure service certificate applicant” with “applicant for the grant of an instrument flight procedure service certificate”.

4.15.153 Rule 173.301(b): Replace the words “Before 1 February 2018” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.154 Rule 173.301(b)(1)(iii): Replace the reference “rule 173.71(a)(1A)” with “rule 173.71(a)(1A)(i)”

4.15.155 Rule 173.301(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.154 Rule 173.301(b)(2): Replace with the following paragraphs:

“(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 an instrument flight procedure service certificate; or
- (2) by 30 July 2016 for a holder of an instrument flight procedure service certificate.

(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 173.69.”

4.15.155 Rule 173.301(c): Renumber as paragraph (e)

4.15.156 Rule 173.301(d): Revoke this paragraph

4.15.157 Rule 173.301(e): Renumber as paragraph (f) and replace the reference “173.301(c)(2)” with “173.301(e)(2)”

4.15.158 Rule 173.301(f): Replace with:

“(g) A holder of an instrument flight procedure service certificate does not have to submit an implementation plan with its certificate renewal application.”

4.15.159 Rule 172.451(g): Renumber as paragraph (h)

4.15.160 Rule 174.151(a)(1): Replace the words “meteorological service certificate holder” with “holder of a meteorological service certificate”

4.15.161 Rule 174.151(a)(2): Replace the words “meteorological service certificate applicant” with “applicant for the grant of a meteorological service certificate”.

4.15.162 Rule 174.151(b): Replace the words “Before 1 February 2018” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.163 Rule 174.151(b)(1)(iii): Replace the reference “rule 174.79(a)(1A)” with “rule 174.79(a)(1A)(i)”

4.15.164 Rule 174.151(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.165 Rule 174.151(b)(2): Replace with the following paragraphs:

“(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 meteorological service certificate; or

(2) by 30 July 2016 for a holder of a meteorological service certificate.

(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 174.77.”

4.15.166 Rule 174.151(c): Renumber as paragraph (e)

4.15.167 Rule 174.151(d): Revoke this paragraph

4.15.168 Rule 174.151(e): Renumber as paragraph (f) and replace the reference “174.151(c)(2)” with “174.151(e)(2)”

4.15.169 Rule 174.151(f): Replace with:

“(g) A holder of a meteorological service certificate does not have to submit an implementation plan with its certificate renewal application.”

4.15.170 Rule 174.151(g): Renumber as paragraph (h)

4.15.171 Rule 175.301(a)(1): Replace the words “aeronautical information service certificate holder” with “holder of an aeronautical information service certificate”

4.15.172 Rule 175.301(a)(2): Replace the words “aeronautical information service certificate applicant” with “applicant for the grant of an aeronautical information service certificate”.

4.15.173 Rule 175.301(b): Replace the words “Before 1 February 2018” with the words “Before the date for implementation set in accordance with paragraph (c)(2)”

4.15.174 Rule 175.301(b)(1)(iii): Replace the reference “rule 175.69(a)(1A)” with “rule 175.69(a)(1A)(i)”

4.15.175 Rule 175.301(b)(1)(v): Replace the word and reference “; but” with “.”

4.15.176 Rule 175.301(b)(2): Replace with the following paragraphs:

“(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 an aeronautical information service certificate; or
- (2) by 30 July 2016 for a holder of an aeronautical information service certificate.

(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 175.67.”

4.15.177 Rule 175.301(c): Renumber as paragraph (e)

4.15.178 Rule 175.301(d): Revoke this paragraph

4.15.179 Rule 175.301(e): Renumber as paragraph (f) and replace the reference “175.301(c)(2)” with “175.301(e)(2)”

4.15.180 Rule 175.301(f): Replace with:

“(g A holder of an aeronautical information service certificate does not have to submit an implementation plan with its certificate renewal application.”

4.15.181 Rule 175.301(g): Renumber as paragraph (h)

## 5. Legislative Analysis

### 5.1 Power to Make Rules

The Minister may make ordinary rules under sections 28, 29, 29A, 29B and 30 of the Civil Aviation Act 1990, for various purposes including implementing New Zealand’s obligations under the Convention, assisting aviation safety and security, and any matter contemplated under the Act.

These proposed rules are made pursuant to:

- (a) Section 28(1)(a) which allows the Minister to make rules for the purpose of the implementation of New Zealand’s obligations under the Convention:
- (b) Section 28(1)(c) which allows the Minister to make rules for the purpose of assisting aviation safety and security, including (but not limited to) personal security:
- (c) Section 29(b)(i) which allows the Minister to make rules providing for the use of aerodromes and other aviation related facilities, including the provision of identification procedures for persons, aircraft, and any other aviation related things:
- (d) Section 29(c) which allows the Minister to make rules providing for general operating rules, air traffic rules, and flight rules, including but not limited to the following:
  - (i) The conditions under which aircraft may be used or operated, or under which any act may be performed in or from an aircraft:
  - (ii) The prevention of aircraft endangering persons or property:
- (e) Section 29(d)(ii) which allows the Minister to make rules providing for the control of things likely to be hazardous to aviation safety, including but not limited to the construction, use, or operation of anything likely to be hazardous to aviation safety:

- (f) Section 29B which allows the Minister to make rules prescribing flight rules, flight paths, altitude restrictions, and operating procedures for the purposes of noise abatement in the vicinity of aerodromes:
- (g) Section 30(a) which allows the Minister to make rules for the designation, classification, and certification of all or any of the following:
- i. aircraft:
  - ii. aircraft pilots:
  - iii. flight crew members:
  - iv. air traffic service personnel:
  - v. aviation security service personnel:
  - vi. aircraft maintenance personnel:
  - vii. aviation examiners or medical examiners:
  - viii. air services:
  - ix. air traffic services:
  - x. aerodromes and aerodrome operators:
  - xi. navigation installation providers:
  - xii. aviation training organisations:
  - xiii. aircraft design, manufacture, and maintenance organisations:
  - xiv. aeronautical procedures:
  - xv. aviation security services:
  - xvi. aviation meteorological services:
  - xvii. aviation communication services:
  - xviii. any other person who provides services in the civil aviation system, and any aircraft, aeronautical products, aviation related services, facilities, and equipment operated in support of the civil aviation system, or classes of such persons, aircraft, aeronautical products, aviation related services, facilities, and equipment operated in support of the civil aviation system:
- (h) Section 30(b) which allows the Minister to make rules for the setting of standards, specifications, restrictions, and licensing requirements for all or any of those persons or things specified in paragraph 30(a), including but not limited to the following:
- (i) the specification of the privileges, limitations, and ratings associated with licences or other forms of approval:
  - (ii) the specification of standards of design, construction, manufacture, maintenance, processing, testing, supply, approval, and identification of aircraft and aeronautical products:
  - (iii) the format of aviation documents, forms, and applications, including the specification of information required on all application forms for aviation documents:
- (i) Section 30(d) which allows the Minister to make rules providing for the definitions, abbreviations, and units of measurement to apply within the civil aviation system.

## 5.2 Matters to be taken into account

The development of this NPRM and the proposed rule changes take into account the matters under section 33 of the Act that the Minister must take into account when making ordinary rules including the following:

### **ICAO Standards and Recommended Practices**

The proposed rule amendments comply with applicable sections of the following International Civil Aviation Organization (ICAO) Annexes:

- Annex 1 – Personnel Licencing
- Annex 2 – Rules of the Air
- Annex 3 – Meteorological Services for International Air Navigation
- Annex 4 – Aeronautical Charts
- Annex 5 – Units of Measurement to be Used in Air and Ground Operations
- Annex 6 – Operation of aircraft
- Annex 8 – Airworthiness of Aircraft
- Annex 10 – Aeronautical Telecommunications
- Annex 11 – Air Traffic Services
- Annex 14 – Aerodromes
- Annex 15 – Aeronautical Information Services
- Annex 19 – Safety Management

### **Assisting Economic Development**

The proposed rule amendments will have no detrimental impact on economic development, and in some cases will reduce costs incurred by the aviation industry.

### **Assisting Safety and Personal Security**

The proposed rule amendments will improve aviation safety by making the rules easier to understand, and by aligning with ICAO standards and recommended practices where applicable.

### **Improving Access and Mobility**

The proposed rule amendments will have no impact on access and mobility.

### **Protecting and Promoting Public Health**

The proposed rule amendments will have no impact on protecting and promoting public health.

### **Ensuring Environmental Sustainability**

The proposed rule amendments will have no impact on environmental sustainability.

## **5.3 Incorporation by reference**

One document is incorporated by reference in this proposed rule amendment – ICAO Doc 10002 Cabin Crew Safety Training Manual, chapter 9.

## **5.4 Civil Aviation (Offences) Regulations**

Schedule 1 of the Civil Aviation (Offences) Regulations is made by the Governor General pursuant to section 100 of the Civil Aviation Act 1990 and contains a list of summary and infringement penalties associated with offences against various civil aviation rules.

The proposed rule amendments do not require amendment to the Offence Regulations.

## 6. Submissions on the NPRM

### 6.1 Submissions are invited

This proposal has been developed by the CAA using guidelines and advice available from regulatory authorities, aviation organisations, and individuals. Interested persons are invited to participate in the making of the proposed rules by providing written submissions. All submissions will be considered before final action on the proposed rule-making is taken. If there is a need to make any significant change to the rule requirements in this proposal as a result of the submissions received, then interested persons may be invited to make further submissions. A pre-prepared response sheet is available on the CAA web site at <http://www.caa.govt.nz/rules/nprms.htm> to assist with submissions.

### 6.2 Examination of Submissions

All submissions will be available in the rules docket for examination by interested persons both before and after the closing date for submissions. A consultation summary will be published on the CAA web site and provided to each person who submits a written submission on this NPRM.

Submissions may be examined by application to the Docket Clerk at the Civil Aviation Authority Level 15, Asteron Centre, 55 Featherston Street, Wellington 6011 between 8:30 am and 4:30 pm on weekdays, except statutory holidays.

### 6.3 Official Information Act

Submitters should note that subject to the Official Information Act 1982 any information attached to submissions will become part of the docket file and will be available to the public for examination at Asteron Centre.

Submitters should state clearly if there is any information in their submission that is commercially sensitive or for some other reason the submitter does not want the information to be released to other interested parties.

### 6.4 How to make a submission

A pre-prepared response sheet is available on the CAA web site at <http://www.caa.govt.nz/rules/nprms.htm> to assist with submissions.

Submissions may be sent by the following methods:

by mail: Docket Clerk (NPRM 16-01)  
Civil Aviation Authority  
PO Box 3555  
Wellington 6140  
New Zealand

delivered: Docket Clerk (NPRM 16-01)  
Civil Aviation Authority  
Asteron House  
Level 15  
55 Featherston Street  
Wellington 6011

e-mail: [docket@caa.govt.nz](mailto:docket@caa.govt.nz) and marked NPRM 16-01

### 6.5 Final date for submissions

Comments must be received before 5.00pm, 28 June 2016.

### 6.6 Availability of the NPRM:

Any person may obtain a copy of this NPRM from–

CAA web site: [www.caa.govt.nz](http://www.caa.govt.nz);

*or from:*

Docket Clerk  
Civil Aviation Authority  
Asteron House  
Level 15  
55 Featherston Street  
Wellington 6011

Phone: 64-4-560 9640:

## **6.7 Further information**

For further information contact:

Tracy Lamb

Rules Drafter

Email: [tracy.lamb@caa.govt.nz](mailto:tracy.lamb@caa.govt.nz)

## 7. Proposed rule amendments

*New wording changes from the existing rules are highlighted in grey.*

### Part 1 Definitions and Abbreviations

#### 1.1 General Definitions

**ATS surveillance system** means variously ADS-B, PSR, SSR or any comparable ground-based system that enables the identification of aircraft:

*[Note - A comparable ground-based system is one that has been demonstrated, by comparative assessment or other methodology, to have a level of safety and performance equal to or better than monopulse SSR]*

**Instrument runway** means one of the following types of runways intended for the operation of aircraft using instrument approach procedures:

- (1) *Non-precision approach runway*: A runway served by visual aids and non-visual aid(s) intended for landing operations following an instrument approach operation type A and a visibility not less than 1 000 m.
- (2) *Precision approach runway, category I*: A runway served by visual aids and non-visual aid(s) intended for landing operations following an instrument approach operation type B with a decision height (DH) not lower than 60 m (200 ft) and either a visibility not less than 800 m or a runway visual range not less than 550 m.
- (3) *Precision approach runway, category II*: A runway served by visual aids and non-visual aid(s) intended for landing operations following an instrument approach operation type B with a decision height (DH) lower than 60 m (200 ft) but not lower than 30 m (100 ft) and a runway visual range not less than 300 m.
- (4) *Precision approach runway, category III*: A runway served by visual aids and non-visual aid(s) intended for landing operations following an instrument approach operation type B to and along the surface of the runway and:
  - (i) Category IIIA: intended for operations with a decision height (DH) lower than 30 m (100 ft), or no decision height and a runway visual range not less than 175 m.
  - (ii) Category IIIB: intended for operations with a decision height (DH) lower than 15 m (50 ft), or no decision height and a runway visual range less than 175 m but not less than 50 m.
  - (iii) Category IIIC: intended for operations with no decision height (DH) and no runway visual range limitations:

**Non - precision approach procedure** means an instrument approach procedure designed for 2D instrument approach operations type A:

*[Non-precision approach procedures may be flown using a continuous descent final approach (CDFA) technique. CDFAs with advisory VNAV guidance calculated by on-board equipment are considered 3D instrument approach operations. CDFAs with manual calculation of the required rate of descent are considered 2D instrument approach operations]*

**Special VFR flight** means a VFR flight cleared by an ATC unit to operate within ~~controlled airspace~~ a control zone in meteorological conditions below visual meteorological conditions:

#### 1.3 Abbreviations

**ADS-B** means automatic dependent surveillance broadcast

**NPA** means non-precision approach:

## Part 19 Transition Rules

### 19.211 Supplemental means GPS operations

- (a) No person shall operate an aircraft using a GPS receiver that does not comply with the requirements of paragraph 19.207(1) or 19.209(b)(1) for navigation under IFR.
- (b) When operating under IFR, a person may only use a GPS receiver that does not comply with the requirements of paragraph 19.207(1) or 19.209(b)(1) for providing supplementary information.

## Part 21 Certification of Products and Parts

### 21.73 Approval of design changes

- (a) A design change may be approved by—
- (1) including it in an Airworthiness Directive; or
  - (2) the approval of a modification; or
  - (3) the approval of a change to the type certificate or type acceptance certificate under Subpart D; or
  - (4) the issue of a supplemental type certificate under Subpart E.
- (b) Design changes are acceptable to the Director if they are—
- (1) described by technical data listed in Appendix D; or
  - (2) accepted by the issue of an airworthiness certificate.

(c) A person who is not the type certificate holder for a product who intends to make a major modification to that product may apply to the Director for approval of the design change by the issue of a supplemental type certificate under Subpart E.

### 21.113 Supplemental type certificate

A supplemental type certificate issued in accordance with this Subpart may allow changes of the following type or in the following circumstances:

- (1) to the type certificate category or type acceptance certificate category; or
- (2) to the type design; or
- (3) to the flight manual; or
- (4) to the operating limitations; or
- (5) to any special conditions prescribed on the type certificate or type acceptance certificate; or
- (6) where a person who is not the type certificate holder for a product intends to make a major modification to the product; or
- (7) where a person wishes to obtain a supplemental type certificate for any valid commercial purpose (for example, the applicant is party to a sale to a second party or requires such a certificate for acceptance by a foreign regulatory authority).

## Part 43 General Maintenance Rules

### Appendix G – Transitional Arrangements (Annual and 100-hour inspections)

#### **[Revoked]**

~~A person who performs an annual and a 100 hour inspection on an aircraft in accordance with the transitional arrangements in Appendix B of Part 91 must carry out the annual and 100 hour inspection in accordance with Appendix C of Part 43 that was in force immediately before 1 March 2007.~~

## Part 61 Pilot Licences and Ratings

### 61.3 Definitions

In this Part for the purposes of Subpart O, OA, OB and OC -

**Successfully demonstrate competency** means that the applicant for the rating or holder of the rating undertake an oral examination by, and a flight test with, the applicable flight examiner or flight instructor qualified to check competency under rules 61.701, 61.707, 61.711, 61.717, 61.721, 61.727, 61.731 and 61.737 in order to demonstrate sufficient knowledge and skills in conducting the relevant operations permitted under the rating;

### 61.355 Eligibility requirements

(a) Except as provided for in paragraph (b), to be eligible for the issue of a recreational pilot licence (aeroplane or helicopter) a person must—

- (1) be at least 17 years of age; and
- (2) hold a medical certificate, issued in accordance with rule 44(1) of the Land Transport (Driver Licensing) Rule 1999, that is applicable for a Class 2, 3, 4 or 5 driver licence with passenger endorsement which —
  - (i) was issued within the previous 5 years; or
  - (ii) if the person is 40 years of age or older, was issued within the previous 24 months; and
- (3) have a minimum of—
  - (i) 50 hours flight time experience as a pilot in the appropriate category of aircraft comprising of solo flight time, dual flight time, instrument time, and cross-country flight time acceptable to the Director; or
  - (ii) if the person is not seeking to exercise recreational pilot privileges on a cross-country flight, 40 hours flight time experience as a pilot in the appropriate category of aircraft comprising solo flight time, instrument time, and dual flight time acceptable to the Director; and
- (4) have a valid written examination credit, or approved equivalent, in the subjects contained in rule 61.153(a)(6); and
- (5) have completed terrain awareness training that is acceptable to the Director; and
- (6) have passed a flight test for the issue for a private pilot licence in accordance with rule 61.153(a)(7) except that the person must have demonstrated knowledge of the privileges and limitations of a recreational pilot licence.

(b) A person who holds a valid private pilot licence, commercial pilot licence, or an airline transport pilot licence, is eligible for the issue of a recreational pilot licence for the appropriate category of aircraft, if the person—

- (1) holds a medical certificate as required by paragraph (a)(2); and
- (2) ~~if the person~~ has not met the requirements of rule 61.39 for a period of 5 years or more, has passed the written examination for PPL air law; ~~and~~
- ~~(3) has passed the written examination for PPL air law.~~

(c) Cross country flight experience in a helicopter or aeroplane under paragraph (a)(3)(i) may be accepted by the Director as cross country flight time in the other category of aircraft.

### 61.701 Eligibility

(a) To be eligible for the issue of a Grade 2 agricultural rating (Aeroplane or Helicopter) a person must—

- (1) hold at least a current private pilot licence for the appropriate category of aircraft; and
- (2) have a minimum of 200 hours flight time experience as a pilot, including a minimum of 100 hours as pilot-in-command in the appropriate category of aircraft, before commencing training for an agricultural rating; and

- (3) successfully complete a course of agricultural ground and flight training; and
  - (4) *[Revoked]*
  - (5) *[Revoked]*
  - (6) hold a pilot chemical rating; and
  - (7) successfully complete a training course in one or more of the following ratings:
    - (i) aerial topdressing rating;
    - (ii) aerial spraying rating;
    - (iii) aerial VTA rating; and
  - (8) successfully demonstrate competency ~~(orally and in flight)~~ in agricultural aircraft operations to a flight examiner holding an appropriate current agricultural flight examiner rating.
- (b) To be eligible for the issue of a Grade 1 agricultural rating (~~A~~aeroplane or ~~H~~helicopter), a person must—
- (1) hold at least a current commercial pilot licence for the appropriate category of aircraft; and
  - (2) have a minimum of 1000 hours productive flight time experience dispensing agricultural chemical or other substance directly affecting agriculture, horticulture or forest preservation, including a minimum of 200 hours as pilot-in-command of the appropriate category of aircraft; and
  - (3) successfully demonstrate competency ~~(orally and in flight)~~ in agricultural aircraft operations to a flight examiner holding an appropriate current agricultural flight examiner rating.
- (c) The training required by paragraph (a)(3), and the demonstration of competency required by paragraphs (a)(8) and (b)(3) must be conducted under the authority of—
- (1) an agricultural aircraft operator certificate issued under Part 137 that authorises the operator to conduct the training or competency assessment; or
  - (2) an aviation training organisation certificate issued under Part 141 that authorises the organisation to conduct the training or competency assessment.

## Subpart OA — Aerial Topdressing Rating

### 61.711 Eligibility requirements

- (a) To be eligible for an aerial topdressing rating, a person must—
- (1) hold at least a current Grade 2 agricultural rating for the appropriate category of aircraft; and
  - (2) satisfactorily complete a training course consisting of both ground training and flight instruction in aerial topdressing operations conducted under the authority of an aviation training organisation certificate issued under Part 141, or an agricultural aircraft operator certificate issued under Part 137 that authorises the holder to conduct aerial topdressing training courses; and
  - (3) successfully demonstrate competency ~~ie~~ in aerial topdressing operations to a Category E flight instructor or an agricultural flight examiner operating under the authority of an aviation training organisation certificate issued under Part 141, or an agricultural aircraft operator certificate issued under Part 137 that authorises the holder to conduct aerial topdressing rating competency assessments.

## Subpart OB — Aerial Spraying Rating

### 61.721 Eligibility requirements

- (a) To be eligible for an aerial spraying rating, a pilot must—
- (1) hold at least a current Grade 2 agricultural rating for the appropriate category of aircraft; and

- (2) satisfactorily complete a training course consisting of both ground training and flight instruction in aerial spraying operations conducted under the authority of an aviation training organisation certificate issued under Part 141, or an agricultural aircraft operator certificate issued under Part 137 that authorises the holder to conduct aerial spraying rating training courses; and
- (3) successfully demonstrate competency<sup>e</sup> in conducting agricultural aircraft operations on aerial spraying to a Category E flight instructor or agricultural flight examiner operating under the authority of an aviation training organisation certificate issued under Part 141, or an agricultural aircraft operator certificate issued under Part 137 that authorises the holder to conduct aerial spraying rating competency assessments.

## Subpart OC — Aerial VTA Rating

### 61.731 Eligibility requirements

- (a) To be eligible for an aerial VTA rating a pilot must—
  - (1) hold at least a Grade 2 agricultural rating for the appropriate category of aircraft; and
  - (2) satisfactorily complete a training course in aerial VTA operations consisting of both ground and flight instruction conducted under the authority of an aviation training organisation certificate issued under Part 141, or an agricultural aircraft operator certificate issued under Part 137 that authorises the holder to conduct aerial VTA rating training courses; and
  - (3) successfully demonstrate competency<sup>e</sup> in aerial VTA operations to a Category E flight instructor or agricultural flight examiner operating under the authority of an aviation training organisation certificate issued under Part 141 or an agricultural aircraft operator certificate issued under Part 137 that authorises the holder to conduct aerial VTA authorisation competency assessments.

### 61.737 Currency requirements

- (a) A holder of an aerial VTA rating must not exercise the privileges of the rating unless within the previous 12 months the holder has successfully demonstrated competency under rule 61.731(3) and the flight instructor or flight examiner who conducted the competency demonstration has certified the successful completion of the demonstration in the holder's logbook.
- (b) A pilot who completes the competency demonstration within 60 days before the date on which it is required is deemed to have completed the demonstration on the required date.

## Part 91 General Operating and Flight Rules

### 91.105 Special category airworthiness certificates – operating limitations

- (a) Except as provided in paragraph (b), a person must not operate an aircraft that has a *special category* airworthiness certificate for the carriage of a person or goods for hire or reward.
- (b) Paragraph (a) does not apply to a person operating an aircraft that has a *special category* airworthiness certificate if the carriage of a person is for hire or reward and—
  - (1) the person being carried is the holder of a flight instructor rating issued by the Director under the Act and Part 61 and—
    - (i) subject to paragraphs (e), (f)(2)(i), (g)(1), and (j)(2)(i) as appropriate, is giving flight instruction in the aircraft; or
    - (ii) is giving conversion instruction for an aircraft type rating on the aircraft; or
  - (2) the person being carried is required to perform a function essential to the operation of the aircraft under paragraph (e); or
  - (3) the aircraft has a *special category – primary*, *special category – LSA*, or *special category – limited* airworthiness certificate and is operated under the authority of an adventure aviation operator certificate that has been issued by the Director under the Act and Part 115.

- (c) Except if taking off or landing, a person must not operate an aircraft that has a *special category* airworthiness certificate over a congested area of a city or town unless the aircraft has been authorised to do so by the Director in writing.
- (d) A person operating an aircraft that has a *special category* airworthiness certificate must inform each person carried in the aircraft of the warning specified in the placard that is required by rule 21.205 to be installed in the aircraft.
- (e) ~~Except as provided in paragraph k aA~~ A person must not operate an aircraft that has a *special category*—**experimental** airworthiness certificate for any purpose other than—
- (1) researching and developing new aircraft design concepts, new aircraft equipment, new aircraft installations, new aircraft operating techniques, or new uses for aircraft; or
  - (2) showing that the aircraft complies with applicable airworthiness rules; or
  - (3) performing a flight evaluation; or
  - (4) giving conversion instruction for an aircraft type rating on the aircraft.
- (f) A person operating an aircraft that has a *special category*—**exhibition** airworthiness certificate—
- (1) must operate the aircraft in accordance with the operator statement required by rule 47.55(c) to accompany the certificate of registration for the aircraft; and
  - (2) must not operate the aircraft for any of the following purposes:
    - (iii) giving flight instruction to a person for the issue of a pilot licence or rating, except for conversion instruction for an aircraft type rating on the aircraft, unless approved by the Director:
    - (ii) performing an agricultural aircraft operation:
    - (iii) performing a helicopter external load operation under Part 133 unless the performance of an external load operation is approved by the Director for participation in an aviation event:
    - (iv) the carriage of a person other than a person who is permitted to be carried in accordance with the operator statement required by rule 47.55(c) to accompany the certificate of registration for the aircraft, or who is carried under paragraph (2)(i).
- (g) A person must not operate an aircraft that has a *special category*—**amateur-built** airworthiness certificate for any of the following purposes:
- (1) giving flight instruction to a person for the issue of a pilot licence or rating, except for conversion instruction for an aircraft type rating on the aircraft, if the person is not the amateur constructor or owner of the aircraft:
  - (2) performing an agricultural aircraft operation:
  - (3) performing a helicopter external load operation under Part 133.
- (h) A person must not operate an aircraft that has a *special category*—**primary** airworthiness certificate for any of the following purposes:
- (1) performing an agricultural aircraft operation:
  - (2) performing a helicopter external load operation under Part 133.
- (i) A person must not operate an aircraft that has a *special category*—**LSA** airworthiness certificate to perform an agricultural aircraft operation.
- (j) A person operating an aircraft that has a *special category*—**limited** airworthiness certificate—
- (1) must operate the aircraft in accordance with the operator statement required by rule 47.55(c) to accompany the certificate of registration for the aircraft; and

- (2) must not operate the aircraft for any of the following purposes:
  - (i) giving flight instruction to a person for the issue of a pilot licence or rating, except for conversion instruction for an aircraft type rating on the aircraft, unless approved by the Director:
  - (ii) performing an agricultural aircraft operation:
  - (iii) performing a helicopter external load operation under Part 133:
  - (iv) the carriage of more than the following number of persons:
    - (A) 10 persons for an aeroplane:
    - (B) 5 persons for a helicopter.

### 91.111 Documents to be carried

Except as provided in Parts 103, 104, and 106, a person must not operate an aircraft unless the following documents are carried in the aircraft:

- (1) except if rule 91.101(c) applies, the current airworthiness certificate or a certified copy of the current airworthiness certificate:
- (2) the aircraft flight manual or an equivalent document acceptable to the Director:
- (3) for New Zealand registered aircraft:
  - (i) the technical log required under rule 91.619, unless for aircraft operating under an air operator certificate from a fixed base an alternative means acceptable to the Director is used to inform the pilot of the maintenance status of the aircraft:
  - (ii) a completed form CAA 2173 Weight and Balance Data or equivalent:
  - (iii) a completed form CAA 2129 Aircraft Radio Station Equipment Approval Levels:
- (4) for New Zealand registered aircraft operating outside of New Zealand:
  - (i) the General User Radio Licence for Aeronautical Purposes issued by the Ministry of Business, Innovation and Employment:
  - (ii) the current certificate of registration for the aircraft, or a certified copy of the certificate of registration:
- (5) for foreign aircraft operating within New Zealand:
  - (i) the current certificate of registration for the aircraft, or a certified copy of the certificate of registration:
  - (ii) written evidence that the aircraft complies with the requirements of rule 91.803(a)(2) regarding aircraft noise level compliance, and rule 91.807(2) regarding engine emission compliance.

### 91.229 Right-of-way rules

- (a) A pilot of an aircraft—
  - (1) must, when weather conditions permit, regardless of whether the flight is performed under IFR or under VFR, maintain a visual lookout so as to see and avoid other aircraft; and
  - (2) that has the right of way, must maintain heading and speed, but is not relieved from the responsibility of taking such action, including collision-avoidance manoeuvres based on resolution advisories provided by ACAS, that will best avert collision; and
  - (3) that is obliged to give way to another aircraft, must avoid passing over, under, or in front of the other aircraft, unless passing well clear of the aircraft, taking into account the effect of wake turbulence.
- (b) A pilot of an aircraft must, when approaching another aircraft head-on, or nearly so, alter heading to the right.

- (c) A pilot of an aircraft that is converging at approximately the same altitude with another aircraft that is to its right, must give way, except that the pilot operating—
- (1) a power-driven heavier-than-air aircraft must give way to airships, gliders, and balloons; and
  - (2) an airship must give way to gliders and balloons; and
  - (3) a glider must give way to balloons; and
  - (4) a power-driven aircraft must give way to aircraft that are towing other aircraft or objects; and
  - (5) all aircraft must give way to parachutes.
- (d) A pilot of an aircraft that is overtaking another aircraft must, if a turn is necessary to avoid that aircraft, alter heading to the right, until the overtaking aircraft is entirely past and clear of the other aircraft.
- (e) For the purpose of paragraph (d), an overtaking aircraft is an aircraft that approaches another from the rear on a line forming less than 70 degrees with the plane of symmetry of the latter.
- (f) A pilot of an aircraft in flight or on the surface must—
- (1) give way to any aircraft that is in the final stages of an approach to land or is landing; and
  - (2) when the aircraft is one of 2 or more heavier-than-air aircraft approaching an aerodrome for the purpose of landing, give way to the aircraft at the lower altitude; and
  - (3) not take advantage of right-of-way under subparagraph (2) to pass in front of another aircraft, which is on final approach to land, or overtake that aircraft.
- (g) A pilot of an aircraft must not take off if there is an apparent risk of collision with another aircraft.
- (h) A pilot of an aircraft taxiing on the manoeuvring area of an aerodrome must—
- (1) give way to aircraft landing, taking off, or about to take off; and
  - (2) when 2 aircraft are approaching head on, or nearly so, stop or, where practicable, alter course to the right so as to keep well clear of the other aircraft; and
  - (3) when 2 aircraft are on a converging course, give way to other aircraft on the pilot's right; and
  - (4) when overtaking another aircraft, give way and keep well clear of the aircraft being overtaken.
- (i) A pilot of an aircraft must give way to any aircraft that is in distress.

## Appendix B – Transitional arrangements ~~[Revoked]~~

### ~~(a) An operator of an aircraft—~~

- ~~(1) that was required by rule 91.607 that was in force immediately before 1 March 2007 to have an annual or 100 hour inspection performed within the prescribed periods; and~~
- ~~(2) that is to be maintained in accordance with rule 91.605(a)(3) or (a)(4) that came into force on 1 March 2007; is not required to comply with—~~
  - ~~(i) the requirement under rule 91.605(a)(3) or (a)(4), as the case may be, regarding equivalent annual and 100 hour inspections contained in the aircraft manufacturer's maintenance schedule, or the maintenance programme acceptable to the Director, until 1 September 2007 if the aircraft continues to be subject to the annual and 100 hour inspection requirements in rules 91.607, 43.57, and Appendix C of Part 43 that were in force immediately before 1 March 2007; and~~
  - ~~(ii) the requirement for a 100 hour inspection under rule 91.605(a)(3), (a)(4), or (c), as the case may be, until 12 months or 100 hours time in service, whichever occurs first, after the last corresponding inspection that was carried out under rule 91.607 that was in force immediately before 1 March 2007.~~

~~(b) — An operator of an aircraft is not required to comply with the requirements in rules 91.605(e)(5) and 91.605(e)(8) until 1 March 2008.~~

~~(c) — An operator of an aircraft that is not used for air operations may continue to operate a component of the aircraft, except an engine or a propeller, beyond the manufacturer's recommended calendar TBO for the component until 1 September 2007 without complying with the requirement in rule 91.603(c) regarding compliance with the manufacturer's recommended overhaul intervals.~~

~~(d) — Notwithstanding paragraph (c), an operator of an aircraft that is fitted with a piston engine and is used for hire or reward operations may continue to operate the engine beyond the manufacturer's recommended overhaul intervals until 1 March 2009 without complying with the requirement in rule 91.603(d) for the engine to be maintained in accordance with a TBO escalation procedure that is detailed in a maintenance programme that is approved under Part 119 or approved under rule 91.607 if —~~

~~(1) — immediately before 1 March 2007 the engine is being maintained in accordance with established procedures for operation beyond the manufacturer's recommended overhaul intervals; and~~

~~(2) — the engine continues to be maintained in accordance with the established procedures referred to in paragraph (d)(1); and~~

~~(3) — the aircraft is not used for air operations.~~

~~(e) — An operator of an aircraft is not required to comply with the requirements in rule 91.605(e)(10) until 1 March 2009.~~

## Part 101 Gyrogliders and Parasails, Unmanned Aircraft (including Balloons), Kites, and Rockets – Operating Rules

### 101.107 Equipment

A person shall not operate a heavy free balloon unless—

- (1) it is equipped with—
  - (i) at least two payload flight-termination devices or systems, whether automatic or by telemetry, that operate independently of each other; and
  - (ii) in an area where ground-based SSR equipment is in use, a secondary surveillance radar transponder, with an altitude reporting capability, which is continuously operating on an assigned code, or which can be turned on when necessary by the tracking station; and
- (2) for polyethylene zero pressure balloons, at least two methods, systems, devices, or combinations thereof, that function independently of each other and are employed for terminating the flight of the balloon envelope; and
- (3) the balloon envelope is equipped with—
  - (i) at least one radar reflective device; or
  - (ii) radar reflective material that will present an echo to surface radar operating in the 2,700 MHz to 2,900 MHz frequency range.

## Part 115 Adventure Aviation, initial Issue – Certification and Operations

### 115.151 Transition for adventure aviation operator certificate holders and applicants

(a) This rule applies to each—

- (1) holder of an adventure aviation operator certificate ~~holder~~;
- (2) applicant for the grant of an adventure aviation operator certificate .

(b) Before 1 February 2021 the date for implementation set in accordance with paragraph (e)(2), an organisation to which this rule applies—

- (1) is not required to comply with—
  - (i) rule 115.51(b)(1)(iv), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for an organisational management system:
  - (ii) rule 115.77, if instead of establishing, implementing, and maintaining the system for safety management, the organisation has established an organisational management system that complies with rule 115.153:
  - (iii) rule 115.79(a)(1A)(i):
  - (iv) rule 115.79(a)(3)(ii):
  - (v) rule 115.79(a)(5A); ~~but~~

~~(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 an adventure aviation operator certificate and

~~(2)–(2)~~ by 30 July 2018 for a holder of an adventure aviation operator certificate holder.

~~(e)(d) The implementation plan referred to in paragraph (c) must: must submit to the Director with a completed CAA form an implementation plan that —~~

~~(1)~~ includes 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 115.77.

~~(d)(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule 115.151~~(ee)~~(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 an adventure aviation operator certificate does not have to submit an implementation plan with its certificate renewal application .

(h) This rule expires on 1 February 2021.

## Appendix A — Qualifications and competencies of senior persons

Hot Air Balloon Operation		
Senior person responsible for adventure aviation operations	Document required	CPL (B)
	PIC experience required	3 years PIC experience with Part 115 certificate holder or equivalent commercial hot air balloon

<b>Hot Air Balloon Operation</b>		
		operations; and 200 hours PIC experience on hot air balloons; and Experience acceptable to the Director in the type of adventure aviation operation to be performed.
	Managerial experience required	3 years experience in an operational control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	CPL (B)
	Currency	Meets currency requirements to act as PIC in one of the operator's hot air balloons; and 200 hours experience in hot air balloon operations.
	Managerial experience required	3 years experience with Part 115 certificate holder or equivalent commercial hot air balloon operations; and 2 years experience in a pilot check and training role that is acceptable to the Director.
Senior person responsible for the control and direction of maintenance	Document required	Certificate of training acceptable to the Director that provides evidence of competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and Sufficient knowledge of hot air balloon maintenance to ensure that all hot balloons operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	3 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in

<b>Hot Air Balloon Operation</b>		
		<p>an operational role in the aviation industry; or</p> <p>2 years experience with organisational management systems in the aviation industry.</p>

<b>Parachute-Drop Aircraft Operation</b>		
Senior person responsible for adventure aviation operations	Document required	CPL
	PIC experience required	<p>150 hours experience as PIC on the category of aircraft to be operated by the certificate holder; and</p> <p>750 hours TT PIC; or</p> <p>Experience acceptable to the Director in the type of adventure aviation operation to be performed.</p>
	Managerial experience required	3 years experience in an operational control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	"A" or "B" category instructor rating
	Currency	<p>Holds a current "A" or "B" category instructor rating; and</p> <p>Meets currency requirement to act as PIC in at least one type of the certificate holder's aircraft, with 500 hours experience in that category of aircraft.</p>
	Managerial experience required	<p>2 years experience as a qualified instructor; or</p> <p>2 years experience in a pilot check and training role that is acceptable to the Director.</p>

<b>Parachute-Drop Aircraft Operation</b>		
Senior person responsible for the control and direction of maintenance	Document required	LAME or able to successfully complete a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and  Sufficient knowledge of aircraft maintenance to ensure that all parachute-drop aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	3 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management.  A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or  2 years experience with organisational management systems in the aviation industry.

<b>Tandem Parachute Descent Operation</b>		
Senior person responsible for adventure aviation operations	Document required	Commercial tandem master rating issued by a parachute organisation that has certificated under Part 149.
	Tandem master experience required	Commercial tandem master having completed 1000 tandem descents; and  3 years experience as a tandem master; or  3 years experience that is relevant to the position and is acceptable to the Director.
	Managerial	3 years experience in an operational

<b>Tandem Parachute Descent Operation</b>		
	experience required	control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	Holds and instructor rating issued by a parachute organisation that has been certificated under Part 149.
	Currency	Meets currency requirements to act as a parachute organisation instructor.
	Managerial experience required	3 years experience in a parachutist check and training role that is acceptable to the Director.
Senior person responsible for the control and direction of maintenance	Document required	Able to successfully complete a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and  Sufficient knowledge of tandem parachute maintenance to ensure that all tandem parachutes operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	3 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management.  A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or  2 years experience with organisational management systems in the aviation industry.

<b>Glider and Glider Tow Aircraft Operation</b>		
Senior person	Document required	CPL (G)

<b>Glider and Glider Tow Aircraft Operation</b>		
responsible for adventure aviation operations	PIC experience required	3 years experience as PIC on the category of aircraft to be operated by the certificate holder; and  150 hours TT PIC; or  Experience acceptable to the Director in the type of adventure aviation operation to be performed.
	Managerial experience required	3 years experience in an operational control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	CPL (G) or an "A" or "B" glider instructor rating issued by a gliding organisation that has been certificated under Part 149.
	Currency	Meets currency requirement to act as PIC in at least one type of the certificate holder's aircraft, with 150 hours experience in that category of aircraft.
	Managerial experience required	2 years experience as an "A" or "B" category glider instructor for a gliding organisation certificated under Part 149.
Senior person responsible for the control and direction of maintenance	Document required	Able to successfully complete a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and  Sufficient knowledge of glider and glider tow aircraft maintenance to ensure that all gliders and glider tow aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	3 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management.  A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for quality assurance that is acceptable to the Director.
	Vocational	Demonstrable knowledge and

<b>Glider and Glider Tow Aircraft Operation</b>		
	experience required	awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or  2 years experience with organisational management systems in the aviation industry.

<b>Hang Glider/Paraglider and Hang Glider Tow Aircraft Operation</b>		
Senior person responsible for adventure aviation operations	Document required	NZHGPA PP2 certificate or Tandem Professional Certificate
	PIC experience required	3 years experience as PIC on the category of aircraft to be operated by the certificate holder; and  200 hours TT as PIC; and  Experience acceptable to the Director in the type of adventure aviation operation to be performed.
	Managerial experience required	3 years experience in an operational control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	HGPG instructor rating, NZHGPA PP2, or Tandem Professional Certificate
	Currency	Meets currency requirements to act as PIC in one of the operator's aircraft or a similar type; and  200 hours experience in HGPG operations.
	Managerial experience required	2 years experience as a qualified instructor for a HGPG organisation certificated under Part 149; or  2 years experience in a pilot check and training role that is acceptable to the Director.
Senior person responsible for the control and direction of maintenance	Document required	Able to successfully complete a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and  Sufficient knowledge of hang glider/paraglider and hang glider tow aircraft maintenance to ensure that all hang gliders/paragliders and hang glider tow aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities

<b>Hang Glider/Paraglider and Hang Glider Tow Aircraft Operation</b>		
		required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	2 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for Quality Assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or  2 years experience with organisational management systems in the aviation industry.

<b>Special Aircraft Operation</b>		
Senior person responsible for adventure aviation operations	Document required	CPL (A) or CPL (H)
	PIC experience required	150 hours experience as PIC on the category of aircraft to be operated by the certificate holder; and  750 hours TT PIC; or  Experience acceptable to the Director in the type of adventure aviation operation to be performed.
	Managerial experience required	3 years experience in an operational control position that is acceptable to the Director.
Senior person responsible for crew training and competency assessment	Document required	CPL
	Currency	Holds a current "A" or "B" category instructor rating; and  Meets currency requirement to act as PIC in at least one type of the certificate holder's aircraft, with 500 hours experience in that category of aircraft.
	Managerial experience required	2 years experience as a qualified instructor; or  2 years experience in a pilot check and training role that is acceptable to the Director.

<b>Special Aircraft Operation</b>		
Senior person responsible for the control and direction of maintenance	Document required	LAME or able to successfully complete a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and  Sufficient knowledge of aircraft maintenance to ensure that all aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	3 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management.  A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for Quality Assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or  2 years experience with organisational management systems in the aviation industry.

<b>Microlight Aircraft Operation</b>		
Senior person responsible for adventure aviation operations	Document required	CPL (M)
	PIC experience required	150 hours experience as PIC on the category of aircraft to be operated by the certificate holder; and  500 hours TT PIC; or  Experience acceptable to the Director in the type of adventure aviation operation to be performed.
	Managerial experience required	3 years experience in an operational control position that is acceptable to the Director.

<b>Microlight Aircraft Operation</b>		
Senior person responsible for crew training and competency assessment	Document required	Microlight instructor certificate issued by a microlight organisation that has been certificated under Part 149.
	Currency	Meets currency requirement to act as PIC in at least one type of the certificate holder's aircraft, with 500 hours experience in that category of aircraft.
	Managerial experience required	2 years experience as a qualified instructor for a microlight organisation that has been certificated under Part 149; or 2 years experience in a pilot check and training role that is acceptable to the Director.
Senior person responsible for the control and direction of maintenance	Document required	LAME or able to successfully complete a test or examination administered by the Director to determine the applicant's competency to perform maintenance planning and maintenance control functions.
	Vocational experience required	Demonstrable knowledge and understanding of the certificate holder's exposition and maintenance programme requirements, and Sufficient knowledge of microlight aircraft maintenance to ensure that all microlight aircraft operated under the certificate holder's authority are maintained in an airworthy condition, and that all maintenance activities required by the certificate holder's maintenance programme are satisfactorily accomplished.
	Aviation experience required	3 years of relevant experience that is acceptable to the Director.
Senior person responsible for safety management	Competency	Demonstrate competency relevant to systems of safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
	Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.
Senior person responsible for the organisational management system	Document required	Certificate of training for Quality Assurance that is acceptable to the Director.
	Vocational experience required	Demonstrable knowledge and awareness of general quality assurance/quality management systems and 3 years of experience in an operational role in the aviation industry; or 2 years experience with organisational management systems in the aviation industry.

## Part 119 Air Operator - Certification

### 119.201 Transition for airline air operator certificate holders and applicants performing Part 121 or Part 125 operations

(a) This rule applies to each—

- (1) holder of an airline air operator certificate ~~holder~~ that performs any operations specified in rule 121.1 or rule 125.1:
- (2) applicant for the grant of an airline air operator certificate that will perform any operations specified in rule 121.1 or 125.1.

(b) Before ~~1 February 2018, the date of implementation set in accordance with paragraph (e)(2),~~ an organisation to which this rule applies—

(1) is not required to comply with—

- (i) rule 119.51(b)(1)(iv), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance:
- (ii) rule 119.79, 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 119.205:
- (iii) rule 119.81(a)(1A)(i):
- (iv) rule 119.81(a)(3)(ii):
- (v) rule 119.81(a)(6A), ~~but~~

~~(c) A completed CAA form and implementation plan must be submitted to the Director—~~

~~(2)(1)~~ after 1 February 2016 for an applicant for the grant of an airline air operator certificate under (a)(2) and

~~(3)(2)~~ by 30 July 2016 for a holder of an airline air operator certificate ~~holder~~ under (a)(1).—

~~(e)(d) The implementation plan referred to in paragraph (c) must: must submit to the Director with a completed CAA form an implementation plan that—~~

- (1) ~~includes~~ a proposed date for implementation of the system for safety management; and
- (2) ~~outlines~~ how the organisation plans to implement the system for safety management required under rule 119.79.

~~(e)(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

~~(e)(f)~~ In setting the date under rule ~~119.201(ee)(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.

~~(f)(g)~~ A holder of an airline air operator certificate under (a)(1) does not have to submit an implementation plan with its certificate renewal application.

~~(g)(h)~~ This rule expires on 1 February 2018

### 119.203 Transition for airline air operator certificate holders and applicants performing Part 135 operations

(a) This rule applies to each—

- (1) holder of an airline air operator certificate ~~holder~~ that performs any operations specified in rule 135.1:
- (2) applicant for the grant of an airline air operator certificate that will perform any operations specified in rule 135.1.

(b) Before ~~1 February 2021~~ the date for implementation set in accordance with paragraph (e)(2), an organisation to which this rule applies—

(1) is not required to comply with—

- (i) rule 119.51(b)(1)(iv), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance:
- (ii) rule 119.79, 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 119.205:
- (iii) rule 119.81(a)(1A)(i):
- (iv) rule 119.81(a)(3)(ii):
- (v) rule 119.81(a)(6A); ~~but~~

~~(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 an airline air operator certificate under (a)(2) and
- (2) by 30 July 2018 for a holder of an airline air operator certificate ~~holder~~ under (a)(1);—

~~(e)(d) The implementation plan referred to in paragraph (c) must: must submit to the Director with a completed CAA form an implementation plan that —~~

- (1) includes a proposed date for implementation of the system for safety management; and
- (2) outlines how the organisation plans to implement the system for safety management required under rule 119.79.

~~(d)(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

~~(e)(f)~~ In setting the date under rule 119.203 ~~(ee)~~(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.

~~(f)(g)~~ A holder of an airline air operator certificate under (a)(1) does not have to submit an implementation plan with its certificate renewal application.

~~(g)(h)~~ This rule expires on 1 February 2021.

## Appendix A — Qualifications and Experience of Senior Persons — Airline Air Operator Certificate Holder

This Appendix prescribes the qualifications and experience for the senior persons responsible under 119.51(b)(1)(i), (ii), (iii), and (iv).

### A.1 Senior person responsible for air operations

Part 121 Operation	
Document required	Airline Transport Pilot Licence
Pilot-in-command experience	3 years as pilot-in-command under Part 121 operations
Managerial experience	3 years in an operational control position

	Part 125 Operation		Part 135 Operation
	Multi-crew	Single pilot	
Document required	Airline Transport Pilot Licence	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Refer Appendix B
Pilot-in-command experience	3 years as pilot-in-command under Part 121, Part 125 or Part 135 operations; or B	3 years as pilot-in-command under Part 121, Part 125 or Part 135 operations; or B	Refer Appendix B
Managerial experience	3 years in an operational control position	3 years in an operational control position	Refer Appendix B

### A.2 Senior person responsible for crew training and competency assessment

Part 121 Operation	
Document required	Airline Transport Pilot Licence with ratings
Currency	Current to act as pilot-in-command of one type of operator's aircraft
Experience	3 years as pilot-in-command under Part 121, Part 125, or Part 135 operations and 2 years' experience in the check and training role

	Part 125 Operation		Part 135 Operation
	Multi-crew	Single pilot	
Document required	Airline Transport Pilot Licence with ratings	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Refer Appendix B
Currency	Current to act as pilot-in-command of one type of operator's aircraft	Current to act as pilot-in-command of one type of operator's aircraft	Refer Appendix B
Experience	3 years as pilot-in-command under Part 121, Part 125, or Part 135 operations and 2 years' experience in the check and training role	3 years as pilot-in-command under Part 121, Part 125, or Part 135 operations and 2 years' experience in the check and training role	Refer Appendix B

In addition, where there is a requirement for experience under Part 121, Part 125, or Part 135 operations, a person may be assessed as meeting that requirement if they have had equivalent experience in air transport operations conducted under the authority of an Air Service Certificate issued under regulation 136 of Civil Aviation Regulations 1953 or an equivalent type of operation acceptable to the Director.

### A.3 Senior person responsible for the control and direction of maintenance

#### A.3.1 Part 121 Operations

(a) The senior person responsible for the control and direction of maintenance in an organisation conducting air operations under Part 121 must—

- (1) have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of Part 121; and
- (2) meet the requirements of paragraph (b); and
- (3) undertake any examination or test that the Director may require to determine the applicant's competency to perform the maintenance planning and control functions required.

(b) The senior person in paragraph (a)—

- (1) must—
  - (i) hold or have held an aircraft maintenance engineer licence or equivalent, acceptable to the Director, with appropriate ratings; and
  - (ii) have at least 5 years' experience in the maintenance of aircraft of a similar size and type as that to be operated by the organisation; and
  - (iii) have at least 2 years' experience in a supervisory position which may be undertaken during the 5 years' experience required under subparagraph (1)(ii); or
- (2) must—
  - (i) be a graduate engineer or equivalent in an aeronautical, mechanical or electrical discipline; and
  - (ii) have at least 5 years' experience of the maintenance of aircraft, which may be gained while working in a maintenance supervision, maintenance planning, engineering development, or workshop environment; and
  - (iii) have at least six months practical experience in aircraft maintenance tasks which may be undertaken during the 5 years' experience required under subparagraph (2)(ii); and

- (iv) have at least 2 years’ experience in a supervisory position which may be undertaken during the 5 years’ experience required under subparagraph (2)(ii).

(c) The experience requirements in paragraphs (b)(1)(ii) and (b)(2)(ii) may be met through a course of instruction acceptable to the Director and conducted under the authority of a training organisation certificate granted under section 9 of the Act and in accordance with Part 141 or Part 147 .

**A.3.2 Part 125 Operations**

(a) The senior person responsible for the control and direction of maintenance in an organisation conducting air operations under Part 125 must—

- (1) have a clear knowledge and understanding of the maintenance parts of the organisation’s exposition and the applicable maintenance provisions of Part 125; and
- (2) meet the requirements of paragraph (b); and
- (3) undertake any examination or test that the Director may require to determine the person’s competency to perform the maintenance planning and control functions required.

(b) The senior person referred to in paragraph (a)—

- (1) must meet the requirements of paragraph A.3.1; or
- (2) must—
  - (i) hold or have held an aircraft maintenance engineer licence granted under section 9 of the Act and in accordance with Part 66, or an equivalent licence acceptable to the Director, with appropriate ratings; and
  - (ii) have at least 3 years’ experience performing maintenance on aircraft of a similar size and type as that to be operated by the organisation; and
  - (iii) have at least 1 years’ experience certifying aircraft for release-to-service, which may be undertaken during the 3 years’ experience required under subparagraph (ii); or
- (3) must have experience acceptable to the Director including at least 5 years’ experience responsible for the control and direction of maintenance and the continuing airworthiness of aircraft of a similar size and type as that to be operated by the organisation.

(c) The experience requirement specified in paragraph (b)(2)(ii) may alternatively be met through a course of instruction acceptable to the Director and conducted under the authority of a training organisation certificate granted under section 9 of the Act and in accordance with Part 141 or Part 147.

**A.4 Senior person responsible for the system for safety management**

Part 121, 125, or 135 Operation	
Competency	Demonstrate competency relevant to systems for safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.

**A.5 Senior person responsible for internal quality assurance**

	Part 121 Operation	Part 125/135 Operation
Document required	Certificate in Quality Assurance or equivalent qualification or ß	Certificate in Quality Assurance or equivalent qualification or ß
	5 years experience in quality assurance management in the aviation industry	5 years experience in quality assurance management in the aviation industry
Experience	5 years experience in aviation with flight operations or maintenance background	5 years experience in aviation with flight operations or maintenance background

In addition, a person may be assessed as meeting the qualification requirements for this senior person position if they have had equivalent experience in quality assurance management acceptable to the Director.

**Appendix B — Qualifications and Experience of Senior Persons – General Aviation Air Operator Certificate Holder**

This Appendix prescribes the qualifications and experience for the senior persons responsible under 119.101(b)(1)(i), (ii), (iii), and (iv).

**B.1 Senior person responsible for air operations**

	Part 135 Operation	
	Greater than 3 aircraft or greater than 2 bases	Less than 4 aircraft and less than 3 bases
Document required	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Commercial Pilot Licence, with Instrument Rating if operations include IFR
Pilot-in-command experience	3 years as pilot-in-command under Part 135 operations and 750 hours flight time during air operations on the same category of aircraft to be operated, with experience in the same or similar type of air operation to be performed that is acceptable to the Director; and 75 hours actual or simulated instrument time if operations include IFR; or ß	500 hours flight time during air operations on the same category of aircraft to be operated, with experience in the same or similar type of air operation to be performed that is acceptable to the Director; and 75 hours actual or simulated instrument time if operations include IFR; or ß
Managerial experience	3 years in an operational control position with experience, including flight experience, appropriate to the type of air operation to be performed that is acceptable to the Director.	2 years in an operational control position with experience, including flight experience, appropriate to the type of air operation to be performed that is acceptable to the Director.

For assessing the above senior person experience requirements, the Director may consider the following:

- (a) for a senior person qualifying under the pilot-in-command requirements, the Director may consider experience in the same types of air operations or similar types of air operations involving similar operating environment, types of equipment and aircraft configurations including operations in a military or similar type of service:
- (b) for a senior person qualifying under the managerial experience requirements, the Director may consider flight operational control experience, or similar experience, in air operations or other similar transport type operations in a military or similar type of service.

## B.2 Senior person responsible for crew training and competency assessment

Part 135 Operation		
	Greater than three aircraft and/or greater than two bases	Less than four aircraft and/or less than three bases
Document required	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Commercial Pilot Licence, with Instrument Rating if operations include IFR
Currency	Current to act as pilot-in-command of one type of operator's aircraft	Current to act as pilot-in-command of one type of operator's aircraft
Experience	3 years as pilot-in-command under Part 135 operations and 2 years experience in the check and training role	

## B.3 Senior person responsible for the control and direction of maintenance

(a) The senior person responsible for the control and direction of maintenance in an organisation conducting air operations under Part 135 must—

- (1) have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of Part 135; and
- (2) meet the requirements of paragraph (b); and
- (3) undertake any examination or test that the Director may require to determine the applicant's competency to perform the maintenance planning and control functions required.

(b) The senior person in paragraph (a) must—

- (1) meet the requirements of Appendix A.3.1; or
- (2) meet the requirements of Appendix A.3.2; or
- (3) for organisations intending to conduct or conducting air operations with a total of three or less aircraft listed on their operations specifications and from a total of two or less bases, have sufficient knowledge of maintenance to be able to ensure that the aircraft is maintained in an airworthy condition and that any maintenance required by its maintenance programme is satisfactorily accomplished.

(c) The knowledge requirements in paragraph (b)(3) may be met through a course of instruction acceptable to the Director and conducted under the authority of a training organisation certificate granted under section 9 of the Act and in accordance with Part 141 or Part 147.

## B.4 Senior person responsible for the system for safety management

Part 135 Operation	
Competency	Demonstrate competency relevant to systems for safety management. A working knowledge of the applicable Civil Aviation Rules and safety management requirements.
Experience	Experience and background relevant to the management of safety systems and the activities of the organisation.

## B.5 Senior person responsible for the organisational management system

Part 135 Operation		
	Greater than three aircraft and/or greater than two bases	Less than four aircraft and/or less than three bases
Document required	Certificate in Quality Assurance or equivalent qualification or ß	General knowledge and awareness of quality assurance or management systems
	General knowledge and awareness of quality assurance or management systems or ß	
	2 years experience in management systems in the aviation industry	
Experience	3 years experience in aviation with flight operations or maintenance background	

In addition, a person may be assessed as meeting the qualification requirements for this senior person position if they have had equivalent experience in quality assurance management acceptable to the Director.

## Part 121 Air Operations – Large Aeroplanes

### 121.573 Flight attendant training programme

A holder of an air operator certificate must ensure that the crew member training programme required by rule 121.553 for flight attendants addresses at least the following—

- (1) the authority structure of the aeroplane 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) the 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) the location and use of all normal and emergency exits, including evacuation slides and escape ropes:
- (10) cabin health and first aid in accordance with ICAO Doc 10002 *Cabin Crew Safety Training Manual*, Chapter 9 :
- (11) the certificate holder's documentation and procedures:
- (12) applicable Civil Aviation Rules and supporting documentation.

### 121.611 Flight attendant competency assessments

A holder of an air operator certificate must ensure that each flight attendant acting as a crew member of an aeroplane conducting an air operation 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 121.527, which includes at least the following areas appropriate to the person'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) cabin health and first aid in accordance with ICAO Doc 10002 *Cabin Crew Safety Training Manual*, Chapter 9 :
- (12) for a senior flight attendant and his or her deputy, ability to supervise a flight attendant carrying out his or her duties.

## **Part 125 Air Operations – Medium Aeroplanes**

### **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) cabin health and first aid in accordance with ICAO Doc 10002 *Cabin Crew Safety Training Manual*, Chapter 9 :
- (11) the certificate holder's documentation and procedures:
- (12) applicable civil aviation rules and supporting documentation.

### 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) cabin health and first aid in accordance with ICAO Doc 10002 *Cabin Crew Safety Training Manual*, Chapter 9 .

## Part 137 Agricultural Aircraft Operations

### 137.301 Transition for agricultural aircraft operator certificate holders and applicants

(a) This rule applies to each—

- (1) ~~holder of an~~ agricultural aircraft operator certificate ~~holder~~:
- (2) applicant for the grant of an agricultural aircraft operator certificate .

(b) Before ~~1 February 2021~~ the date for implementation set in accordance with paragraph (e)(2), an organisation to which this rule applies—

(1) is not required to comply with—

- (i) rule 137.153(2)(ii):
- (ii) rule 137.155:
- (iii) rule 137.160(i):
- (iv) rule 137.160(a)(3):
- (v) rule 137.160(b) ~~:-but~~

(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 an agricultural aircraft operator certificate and
- (2) by 30 July 2018 for a ~~holder of~~ an agricultural aircraft operator certificate ~~holder~~—

~~(e)(d)~~ The implementation plan referred to in paragraph (c) must submit to the Director with a completed CAA form an implementation plan that—

- (1) includes a proposed date for implementation of the system for safety management; and
- (2) outlines how the organisation plans to implement the system for safety management required under rule 137.155.

~~(d)~~(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

~~(e)~~(f) In setting the date under rule 137.301~~(ee)~~(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.

~~(f)~~(g) A holder of an agricultural aircraft operator certificate does not have to submit an implementation plan with its certificate renewal application.

~~(g)~~(h) This rule expires on 1 February 2021.

## Part 139 Aerodromes – Certification, Operation and Use

### 139.417 Qualifying aerodrome operator exposition

(a) An applicant for the grant of a qualifying aerodrome operator 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) is to be complied with at all times; and
- (1A) in relation to the system for safety management required by rule 139.409,—
  - (i) all of the documentation required by rule 100.3(b); and
  - (ii) for an applicant that is not applying for a renewal of a qualifying aerodrome operator certificate, an implementation plan that describes how the system for safety management will be implemented; and
- (2) the titles and names of the senior person or persons required by rules 139.401(a)(1) and (2); and
- (3) the duties and responsibilities of the senior person or persons required by rules 139.401(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) if applicable, an organisation chart showing lines of responsibility of the senior person or persons required by rules 139.401(a)(1) and (2); and
  - (5) any limitations on the use of the aerodrome established under rule 139.403; and
  - (6) a description of the safeguards for public protection required by rule 139.405; and
  - (6A) information identifying the lines of safety responsibility within the organisation; and
  - (7) the procedures required by rule 139.407 for the notification of aerodrome data and information; and
  - (8) [*revoked*]
  - (9) the procedures required by rule 139.411 for the collection and reporting of traffic movement data; and
  - (10) the procedures and precautions required by rule 139.413 for any works on the aerodrome; and
  - (11) the procedures required by rule 139.415(2) for management and control of documents necessary for the provision and operation of the aerodrome; and
  - (12) procedures for controlling, amending, and distributing the exposition.
- (b) The exposition must, in addition to the matters specified in paragraph (a), include any requirements or procedures that are necessary to manage risks relating to any of the following matters that have been identified in the aeronautical study required by rule 139.21:
- (1) aerodrome design requirements including physical characteristics, obstacle limitation surfaces, visual aids, equipment and installations, and runway end safety areas:
  - (2) aerodrome emergency plan:
  - (3) rescue and firefighting:
  - (4) wildlife hazard management:
  - (5) aerodrome maintenance:
  - (6) visual aids for navigation – maintenance and checking:
  - (7) aerodrome air traffic services:
  - (8) apron management services:
  - (9) aerodrome inspection programme:
  - (10) ground vehicles:
  - (11) protection of navigation aids and ATS facilities:
  - (12) aerodrome condition notification.
- (c) An exposition required under this subpart may adopt, by reference, a requirement in Subparts B and C for the purpose of mitigating or managing a risk identified in the aeronautical study required by rule 139.21 or rule 139.457.
- (d) The applicant's exposition must be acceptable to the Director.
- (e) If the organisation is an applicant for a maintenance training organisation certificate it must submit its application for such a certificate together with the plan for implementation of the system for safety management.
- (f) This rule expires on 1 February 2021.

### 139.551 Transition for aerodrome operator certificate holders and applicants operating aerodromes servicing international regular air transport operations

(a) This rule applies to each—

- (1) ~~holder of an~~ aerodrome operator certificate ~~holder~~ that operates an aerodrome serving any aeroplane that is engaged in regular air transport operations where—
  - (i) the aeroplane's point of take-off that immediately precedes the aeroplane landing at the aerodrome, is an aerodrome outside New Zealand; or
  - (ii) the aeroplane's point of landing that immediately follows the aeroplane taking-off from the aerodrome, is an aerodrome outside New Zealand:
- (2) applicant for the grant of an aerodrome operator certificate that will operate an aerodrome serving any aeroplane that is engaged in regular air transport operations where—
  - (i) the aeroplane's point of take-off that immediately precedes the aeroplane landing at the aerodrome, is an aerodrome outside New Zealand; or
  - (ii) the aeroplane's point of landing that immediately follows the aeroplane taking-off from the aerodrome, is an aerodrome outside New Zealand.

(b) Before ~~1 February 2018, the date for implementation set in accordance with paragraph (e)(2),~~ an organisation to which this rule applies—

- (1) is not required to comply with—
  - (i) rule 139.55(a)(2)(ii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance;
  - (ii) rule 139.75, 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 139.557;
  - (iii) rule 139.77(a)(1A)(i);
  - (iv) rule 139.77(a)(3)(ii);
  - (v) rule 137.77(a)(6A); ~~but~~

~~(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 an aerodrome operator certificate under (a)(2) and
- (2) by 30 July 2016 for a ~~holder of an~~ aerodrome operator certificate ~~holder~~ under (a)(1). -

~~(e)(d) The implementation plan referred to in paragraph (c) must: must submit to the Director with a completed CAA form an implementation plan that —~~

- (1) includes a proposed date for implementation of the system for safety management; and
- (2) outlines how the organisation plans to implement the system for safety management required under rule 139.75.

(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule 139.551(~~ee~~)(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 an aerodrome operator certificate under (a)(1) does not have to submit an implementation plan with its certificate renewal application.

(h) This rule expires on 1 February 2018.

### 139.553 Transition for aerodrome operator certificate holders and applicants that operate aerodromes not servicing international regular air transport operations

(a) This rule applies to each—

- (1) holder of an aerodrome operator certificate ~~holder~~ that operates an aerodrome that is not serving any aeroplane that is engaged in regular air transport operations where—
  - (i) the aeroplane's point of take-off that immediately precedes the aeroplane landing at the aerodrome, is an aerodrome outside New Zealand; or
  - (ii) the aeroplane's point of landing that immediately follows the aeroplane taking-off from the aerodrome, is an aerodrome outside New Zealand:
- (2) applicant for the grant of an aerodrome operator certificate that will operate an aerodrome that will not be serving any aeroplane that is engaged in regular air transport operations where—
  - (i) the aeroplane's point of take-off that immediately precedes the aeroplane landing at the aerodrome, is an aerodrome outside New Zealand; or
  - (ii) the aeroplane's point of landing that immediately follows the aeroplane taking-off from the aerodrome, is an aerodrome outside New Zealand:

(b) Before ~~1 February 2021~~ the date for implementation set in accordance with paragraph (e)(2), an organisation to which this rule applies—

- (1) is not required to comply with—
  - (i) rule 139.55(a)(2)(ii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance;
  - (ii) rule 139.75, 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 139.557;
  - (iii) rule 139.77(a)(1A)(i):
  - (iv) rule 139.77(a)(3)(ii):
  - (v) rule 137.77(a)(6A); ~~but~~

(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 an aerodrome operator certificate under (a)(2) and
- (2) by 30 July 2018 for a holder of an aerodrome operator certificate ~~holder~~ under (a)(1).—

~~(e)(d) The implementation plan referred to in paragraph (c) must submit to the Director with a completed CAA form an implementation plan that —~~

- (1) includes a proposed date for implementation of the system for safety management; and

(2) outlines how the organisation plans to implement the system for safety management required under rule 139.75.

(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule 139.553~~(ee)~~(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 an aerodrome operator certificate under (a)(1) does not have to submit an implementation plan with its certificate renewal application.

(h) This rule expires on 1 February 2021.

### 139.555 Transition for qualifying aerodrome operator certificate holders and applicants

(a) This rule applies to each—

- (1) ~~holder of a~~ qualifying aerodrome operator certificate ~~holder~~; and
- (2) applicant for the grant of a qualifying aerodrome operator certificate.

(b) ~~Before 1 February 2021 the date for implementation set in accordance with paragraph (e)(2),~~ an organisation to which this rule applies—

(1) is not required to comply with—

- (i) rule 139.401(a)(2)(ii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance;
- (ii) rule 139.409, 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 139.557;
- (iii) rule 139.417(a)(1A)(i);
- (iv) rule 139.417(a)(3)(ii);
- (v) rule 137.417(a)(6A); ~~but~~

~~(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 qualifying aerodrome operator certificate and
- (2) by 30 July 2018 for a ~~holder of a~~ qualifying aerodrome operator certificate ~~holder~~—

~~(e)(d) The implementation plan referred to in paragraph (c) must: must submit to the Director with a completed CAA form an implementation plan that —~~

- (1) includes a proposed date for implementation of the system for safety management; and

(2) outlines how the organisation plans to implement the system for safety management required under rule 139.409.

(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule 139.555~~(ee)~~(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 qualifying aerodrome operator certificate does not have to submit an implementation plan with its certificate renewal application.~~

(h) This rule expires on 1 February 2021.

## Part 141 Aviation Training Organisations - Certification

### 141.201 Transition for standard aviation training organisation certificate holders and applicants

(a) This rule applies to each—

- (1) ~~holder of a~~ standard aviation training organisation certificate ~~holder~~:
- (2) applicant for the grant of a standard aviation training organisation certificate .

(b) Before ~~1 February 2021~~ ~~the date for implementation set in accordance with paragraph (e)(2)~~, an organisation to which this rule applies—

- (1) is not required to comply with—
  - (i) rule 141.51(a)(2)(ii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance:
  - (ii) rule 141.61, 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 141.203:
  - (iii) rule 141.63(a)(1A)(i):
  - (iv) rule 141.63(a)(3)(ii):
  - (v) rule 141.63(a)(4A) ~~;~~ ~~but~~

~~(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 standard aviation training organisation certificate and
- (2) by 30 July 2018 for a ~~holder of a~~ standard aviation training organisation certificate ~~holder~~—

~~(e)(d) - The implementation plan referred to in paragraph (c) must be submitted to the Director with a completed CAA form an implementation plan that—~~

- (1) includes a proposed date for implementation of the system for safety management; and
  - (2) outlines how the organisation plans to implement the system for safety management required under rule 141.61.
- (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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule 141.201(ee)(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 standard aviation training organisation certificate does not have to submit an implementation plan with its certificate renewal application.

(h) This rule expires on 1 February 2021.

## Part 145 Aircraft Maintenance Organisations - Certification

### 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 ~~holder~~ 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 (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 (2)(i).

(b) Before ~~1 February~~ the date for implementation set in accordance with paragraph (e)(2), an organisation to which this rule applies—

(1) is not required to comply with—

- (i) 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:
- (ii) 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:

(iii) rule 145.67(a)(1A)(i):

(iv) rule 145.67(a)(3)(ii):

(v) rule 145.67(a)(6A); ~~but~~

~~(c) A completed CAA form and implementation plan must be submitted to the Director—~~

~~(2)(1)~~ after 1 February 2016 for an applicant for the grant of a maintenance organisation certificate under (a)(2) and

~~(3)(2)~~ by 30 July 2016 for a holder of a maintenance organisation certificate ~~holder~~ under (a)(1);—

~~(d) The implementation plan referred to in paragraph (c) must submit to the Director with a completed CAA form an implementation plan that—~~

- (1) includes a proposed date for implementation of the system for safety management; and
- (2) outlines 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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule 145.151~~(ee)~~(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 (a)(1) does not have to submit an implementation plan with its certificate renewal application.~~

(h) This rule expires on 1 February 2018.

### **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 ~~holder~~ 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 (1)(i):
- (2) applicant for the grant of a maintenance organisation certificate that will not—
  - (iii) maintain any aircraft that performs operations specified in rule 121.1 or rule 125.1:
  - (iv) maintain any component of an aircraft referred to in paragraph (2)(i).

(b) Before ~~1 February 2021~~ the date for implementation set in accordance with paragraph (e)(2), an organisation to which this rule applies—

(1) is not required to comply with—

- (i) 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;
- (ii) 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;
- (iii) rule 145.67(a)(1A)(i);
- (iv) rule 145.67(a)(3)(ii);
- (v) rule 145.67(a)(6A) ~~;~~ ~~but~~

(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 (a)(2) and
- (2) by 30 July 2018 for a holder of a maintenance organisation certificate ~~holder~~ under (a)(1) ~~;~~—

~~(e)(d) The implementation plan referred to in paragraph (c) must be submitted to the Director with a completed CAA form and implementation plan that—~~

- (1) includes a proposed date for implementation of the system for safety management; and
- (2) outlines 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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule 145.153 ~~(ee)~~(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 (a)(1) does not have to submit an implementation plan with its certificate renewal application.

(h) This rule expires on 1 February 2021.

## Part 146 Aircraft Design Organisations - Certification

### 146.151 Transition for design organisation certificate holders and applicants

(a) This rule applies to each—

- (1) ~~holder of a~~ design organisation certificate ~~holder~~.
- (2) applicant for the grant of a design organisation certificate.

(b) Before ~~1 February 2021 the date for implementation set in accordance with paragraph (e)(2)~~, an organisation to which this rule applies—

- (1) is not required to comply with—
  - (i) rule 146.51(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:
  - (ii) rule 146.65, 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 146.153:
  - (iii) rule 146.67(a)(1A)(i):
  - (iv) rule 146.67(a)(3)(ii):
  - (v) rule 146.67(a)(4A) ~~;- but~~

~~(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 design organisation certificate and
- (2) by 30 July 2018 for a ~~holder of a~~ design organisation certificate ~~holder~~—

~~(e)(d) The implementation plan referred to in paragraph (c) must: must submit to the Director with a completed CAA form an implementation plan that —~~

- (1) includes a proposed date for implementation of the system for safety management; and
- (2) outlines how the organisation plans to implement the system for safety management required under rule 146.65.

(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule ~~146.151(ee)(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 design organisation certificate does not have to submit an implementation plan with its certificate renewal application.

(h) This rule expires on 1 February 2021.

## Part 147 Maintenance training Organisations - Certification

### 147.5 Application for maintenance training organisation certificate

- (a) An organisation referred to in rule 147.3(a) must—
- (1) apply for a maintenance training organisation **certificate**; or
  - (2) if the organisation's certificate that was granted or renewed under rule 147.35 is due to expire, apply for the certificate to be renewed before the certificate expires.
- (b) The organisation must apply by—
- (1) submitting an application to the Director in accordance with section 8 of the Act; and
  - (2) paying the appropriate fee.
- (c) An application must include:
- (1) a completed form CAA 24147/01;
  - (2) the exposition required by rule 147.23.

### 147.103 System for safety management transition for maintenance training organisation certificate holders and applicants

- (a) This rule applies to each—
- (1) organisation that is referred to in rule 147.3(a);
  - (2) **applicant for the grant of** a maintenance training organisation certificate.
- (b) Before ~~1 February 2021 the date for implementation set in accordance with paragraph (e)(2)~~, an organisation to which this rule applies—
- (1) is not required to comply with—
    - (i) rule 147.13(a)(2)(ii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance;
    - (ii) rule 147.17, 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 147.105;
    - (iii) rule 147.23(a)(2)(i);
    - (iv) rule 147.23(a)(4)(iv);
    - (v) ~~rule 147.23(a)(6); but~~

#### ~~(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 training organisation and
- (2) by 30 July 2018 for a **holder of a** maintenance training organisation certificate ~~holder~~—

#### ~~(e)(d) The implementation plan referred to in paragraph (c) must: must submit to the Director with a completed CAA form an implementation plan that—~~

- (1) ~~includes~~ a proposed date for implementation of the system for safety management; and
- (2) ~~outlines~~ how the organisation plans to implement the system for safety management required under rule 147.17.

#### ~~(d)(e)~~ the Director will—

- (1) approve the organisation's implementation plan; and

- (2) set the date for implementation of the system for safety management.

~~To avoid doubt the date for implementation is the date the Director approves the system for safety management.~~

~~(e)(f)~~ In setting the date under rule 147.103~~(ee)~~(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 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.

~~(f)(g)~~ A holder of a maintenance training organisation certificate does not have to submit an implementation plan with its certificate renewal application.

~~(g)(h)~~ This rule expires on 1 February 2021.

## Part 148 Aircraft Manufacturing Organisations – Certification

### 148.51 Personnel requirements

(a) An applicant for the grant of a manufacturing 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 all activities undertaken by the organisation can be financed and carried out in accordance with the requirements prescribed by this Part; and
- (2) a senior person or persons who is or are responsible for ensuring that the applicant's organisation complies with the requirements and standards prescribed by this Part. Such nominated person or persons must be ultimately responsible to the chief executive for the following functions:
  - (i) supply:
  - (ii) production:
  - (iii) inspection and test
  - (iv) the system for safety management; and
- (3) sufficient personnel to plan, perform, supervise, inspect, and certify the manufacturing activities listed in the applicant's exposition.

~~(aa)~~ The senior person required by paragraph (a)(2)(iv) ~~–~~must be able to demonstrate competency and experience relevant to the management of safety management systems and the activities of the certificate holder.

(b) The applicant must—

- (1) establish a procedure for initially assessing and for maintaining, the competence of personnel involved in planning, performing, supervising, inspecting, or certifying the manufacturing activities listed in the applicant's exposition; and
- (2) provide those personnel with written evidence of the scope of their authorisation.

### 148.151 Transition for manufacturing organisation certificate holders and applicants

(a) This rule applies to each—

- (1) holder of a manufacturing organisation certificate ~~holder~~:

(2) applicant for the grant of a manufacturing organisation certificate.

(b) Before ~~1 February 2021 the date for implementation set in accordance with paragraph (e)(2)~~, an organisation to which this rule applies—

(1) is not required to comply with—

- (i) rule 148.51(a)(2)(iv), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance:
- (ii) rule 148.65, 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 148.153:
- (iii) rule 148.67(a)(1A)(i):
- (iv) rule 148.67(a)(3)(ii):
- (v) rule 148.67(a)(4A), ~~but~~

~~(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 manufacturing organisation certificate and
- (2) by 30 July 2018 for a ~~holder of a~~ manufacturing organisation certificate ~~holder~~—

~~(e)(d) The implementation plan referred to in paragraph (c) must: must submit to the Director with a completed CAA form an implementation plan that —~~

- (1) includes a proposed date for implementation of the system for safety management; and
- (2) outlines how the organisation plans to implement the system for safety management required under rule 148.65.

(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule 148.151(~~ee~~)(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 manufacturing organisation certificate does not have to submit an implementation plan with its certificate renewal application.

(h) This rule expires on 1 February 2021.

## Part 171 Aeronautical Telecommunication Services – Operation & Certification

### 171.251 Transition for aeronautical telecommunication service organisation certificate holders and applicants

(a) This rule applies to each—

- (1) holder of an aeronautical telecommunication service certificate ~~holder~~;
- (2) an applicant for the grant of an aeronautical telecommunication service certificate.

(b) Before ~~1 February 2018~~ the date for implementation set in accordance with paragraph (e)(2), an organisation to which this rule applies—

(1) is not required to comply with—

- (i) rule 171.51(a)(2)(ii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance;
- (ii) rule 171.73, 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 171.253;
- (iii) rule 171.77(a)(1A)(i);
- (iv) rule 171.77(a)(3)(ii);
- (v) rule 171.77(a)(5A); ~~but~~

~~(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 an aeronautical telecommunication service certificate and
- (2) by 30 July 2016 for a holder of an aeronautical telecommunication service certificate ~~holder~~—

~~(e)(d) The implementation plan referred to in paragraph (c) must; must submit to the Director with a completed CAA form an implementation plan that —~~

- (1) ~~includes~~ a proposed date for implementation of the system for safety management; and
- (2) ~~outlines~~ how the organisation plans to implement the system for safety management required under rule 171.73.

(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule 171.251(ee)(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 an aeronautical telecommunication service certificate does not have to submit an implementation plan with its certificate renewal application.

(h) This rule expires on 1 February 2018.

## Part 172 Air Traffic Service Organisations - Certification

### 172.451 Transition for air traffic service certificate holders and applicants

(a) This rule applies to each—

- (1) ~~holder of an~~ air traffic service certificate ~~holder~~;
- (2) an applicant for the grant of an air traffic service certificate .

(b) Before ~~1 February 2018~~ the date for implementation set in accordance with paragraph (e)(2), an organisation to which this rule applies—

(1) is not required to comply with—

- (i) rule 172.51(a)(2)(ii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance;
- (ii) rule 172.123, 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 172.453;
- (iii) rule 172.125(a)(1A)(i);
- (iv) rule 172.125(a)(3)(ii);
- (v) rule 172.125(a)(9), ~~but~~

(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 an air traffic service certificate and
- (2) by 30 July 2016 for a ~~holder of an~~ air traffic service certificate ~~holder~~—

~~(e)(d)~~ The implementation plan referred to in paragraph (c) must: ~~must submit to the Director with a completed CAA form an implementation plan that —~~

- (1) includes a proposed date for implementation of the system for safety management; and
- (2) outlines how the organisation plans to implement the system for safety management required under rule 172.123.

~~(d)(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

~~(e)(f)~~ In setting the date under rule 172.451(~~ee~~)(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 an air traffic service certificate holder does not have to submit an implementation plan with its certificate renewal application.

~~(g)(h)~~ This rule expires on 1 February 2018.

## Part 173 Instrument Flight Procedure Service Organisation – Certification and Operation

### 173.301 Transition for instrument flight procedure service certificate holders and applicants

(a) This rule applies to each—

- (1) holder of an instrument flight procedure service certificate ~~holder~~;
- (2) an applicant for the grant of an instrument flight procedure service certificate .

(b) Before ~~1 February 2018 the date for implementation set in accordance with paragraph (e)(2)~~, an organisation to which this rule applies—

- (1) is not required to comply with—
  - (i) rule 173.51(a)(2)(iii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for the safety management system.
  - (ii) rule 173.69, if instead of establishing, implementing, and maintaining the system for safety management, the organisation has established a safety management system that complies with rule 173.303:
  - (iii) rule 173.71(a)(1A)(i):
  - (iv) rule 173.71(a)(3)(ii):
  - (v) ~~rule 173.71(a)(4A); but~~

~~(c) A completed CAA form and implementation plan must be submitted to the Director—~~

- (3) after 1 February 2016 for an applicant for the grant of an instrument flight procedure service certificate and
- (4) by 30 July 2016 for a holder of an instrument flight procedure service certificate ~~holder~~—

~~(e)(d) The implementation plan referred to in paragraph (c) must; must submit to the Director with a completed CAA form an implementation plan that —~~

- (1) includes a proposed date for implementation of the system for safety management; and
- (2) outlines how the organisation plans to implement the system for safety management required under rule 173.69.

(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule ~~173.301(ee)(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 an instrument flight procedure service certificate does not have to submit an implementation plan with its certificate renewal application.

(h) This rule expires on 1 February 2018.

## Part 174 Aviation Meteorological Service Organisations - Certification

### 174.151 Transition for meteorological service certificate holders and applicants

(a) This rule applies to each—

- (1) holder of a meteorological service certificate holder:
- (2) applicant for the grant of a meteorological service certificate .

(b) Before ~~1 February 2018~~ the date for implementation set in accordance with paragraph (e)(2), an organisation to which this rule applies—

(1) is not required to comply with—

- (i) rule 174.51(a)(2)(ii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance:
- (ii) rule 174.77, 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 174.153:
- (iii) rule 174.79(a)(1A)(i):
- (iv) rule 174.79(a)(3)(ii):
- (v) rule 174.79(a)(5A); ~~but~~

~~(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 meteorological service certificate and
- (2) by 30 July 2016 for a holder of a meteorological service certificate holder;—

~~(d) The implementation plan referred to in paragraph (c) must: must submit to the Director with a completed CAA form an implementation plan that —~~

- ~~(2)~~(1) includes a proposed date for implementation of the system for safety management; and
- ~~(3)~~(2) outlines how the organisation plans to implement the system for safety management required under rule 174.77.

(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule 174.151(ee)(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 meteorological service certificate does not have to submit an implementation plan with its certificate renewal application.

(h) This rule expires on 1 February 2018.

## Part 175 Aeronautical Information Services Organisations - Certification

### 175.301 Transition for aeronautical information service certificate holders and applicants

(a) This rule applies to each—

- (1) ~~holder of an~~ aeronautical information service certificate ~~holder~~:
- (2) applicant for the grant of an aeronautical information service certificate .

(b) Before ~~1 February 2018 the date for implementation set in accordance with paragraph (e)(2)~~, an organisation to which this rule applies—

(1) is not required to comply with—

- (i) rule 175.51(a)(2)(ii), if instead of a senior person responsible for the system for safety management, the organisation has a senior person responsible for internal quality assurance:
- (ii) rule 175.67, 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 175.303:
- (iii) rule 175.69(a)(1A)(i):
- (iv) rule 175.69(a)(3)(ii):
- (v) rule 175.69(a)(5A). ~~;- but~~

~~(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 an aeronautical information service certificate and
- (2) by 30 July 2016 for a ~~holder of an~~ aeronautical information service certificate ~~holder~~.

~~(e)(d) The implementation plan referred to in paragraph (c) must: must submit to the Director with a completed CAA form an implementation plan that —~~

- (1) includes a proposed date for implementation of the system for safety management; and
- (2) outlines how the organisation plans to implement the system for safety management required under rule 175.67.

(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.

~~To avoid doubt, the date for implementation is the date the Director approves the system for safety management.~~

(f) In setting the date under rule 175.301 ~~(ee)~~(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 an aeronautical information service certificate does not have to submit an implementation plan with its certificate renewal application .

(h) This rule expires on 1 February 2018.

## **Advisory Circular AC**

There is no advisory circular associated with this NPRM.