



PURSUANT to Sections 28 and 30 of the Civil Aviation Act 1990

I, Hon TIM MACINDOE, Associate Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT *Hamilton*
This *18th* day of *September* 2017

A handwritten signature in black ink, appearing to read 'Tim Macindoe', written in a cursive style.

by **Hon TIM MACINDOE**

Associate Minister of Transport

Civil Aviation Rules

Part 43, Amendment 13

General Maintenance Rules

Docket 16/CAR/10

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Rule objective

The objective of amendment 13 to Part 43 is to exclude large balloons from the requirement of rule 43.54 and to permit maintenance of large balloons to be carried out by Part 66 licensed aircraft maintenance engineers in the lighter than air aircraft category.

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 17-02, containing the proposed Small Issues rule amendments was issued for public consultation under Docket 16/CAR/10 on 20 February 2017.

The NPRM was published on the CAA web site and emailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 29 days was allowed for comment on the proposed rule.

Summary of submissions

Forty five written submissions and no oral comments were received on the NPRM. A summary of submissions for this NPRM is available on the CAA website.

Examination of submissions

Submissions may be examined by application to the Docket Clerk at the Civil Aviation Authority between 8:30 am and 4:30 pm on weekdays, except statutory holidays.

Insertion of amendments

The amendments to the rules in this Part are reflected by –

- (a) revoking and replacing rule 43.54 to exclude large balloons from the operation of rule 43.54 and thus to permit maintenance of large balloons to be carried out by Part 66 licensed aircraft maintenance engineers in the lighter than air aircraft category; and
- (b) revoking and replacing rule 43.155 to make a consequential amendment in paragraph (c), by including the new paragraph (aa) of rule 91.615.

Effective date of rule

Amendment 13 to Part 43 comes into force on 30 October 2017.

Availability of rules

Civil Aviation Rules are available from–

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

Freephone: 0800 GET RULES (0800 438 785)

Part 43 General Maintenance Rules

Rule 43.54 is revoked and replaced with the following rule:

43.54 Maintenance required under Part 145

(a) A person must not (except under the authority of a maintenance organisation certificate issued by the Director under the Act and Part 145) perform maintenance on, or certify for release-to-service,—

- (1) an aircraft that has a MCTOW of more than 5700 kg or a certificated passenger seating configuration, excluding any required crew member seat, of 10 seats or more if the aircraft is used to perform—
 - (i) air operations under the authority of an air operator certificate issued by the Director under the Act and Part 119; or
 - (ii) adventure aviation operations under the authority of an adventure aviation operator certificate issued by the Director under the Act and Part 115, excluding a hot air balloon; or
- (2) a component fitted or intended to be fitted to an aircraft referred to in paragraph (1).

(b) Except as provided in paragraph (c), a person must not (except under the authority of a maintenance organisation certificate issued by the Director under the Act and Part 145) perform any of the following kinds of maintenance on an aircraft or component, or certify the aircraft or component for release-to-service after the maintenance:

- (1) overhaul of a component;
- (2) maintenance on an aircraft or component if the relevant instructions for continued airworthiness require the use of a jig that is approved or certified by the manufacturer or that is approved by the Director;

- (3) maintenance on a component if the maintenance involves the disturbance of any part of the component that is supplied as a bench tested unit, except if—
 - (i) the disturbance is for the replacement or adjustment of a part normally replaceable or adjustable in service; and
 - (ii) subsequent functioning of the part disturbed can be demonstrated without the use of test apparatus that is additional to the test apparatus used for normal functioning checks;
- (4) maintenance on an aircraft engine if the maintenance involves—
 - (i) dismantling and reassembly of a piston engine, except where the dismantling and reassembly is to obtain access to the piston or cylinder assembly; or
 - (ii) dismantling and reassembly of a main casing or main rotating assembly of a turbine engine, except if the dismantling and reassembly is for the replacement of a main casing or rotating assembly and the instructions for continued airworthiness for the engine provides instructions for the replacement, and the replacement of the main casing or rotating assembly of the engine is achieved solely by disconnecting the flanges of main casings; or
 - (iii) disturbance of reduction gear;
- (5) aircraft propeller balancing other than in situ dynamic propeller balancing in accordance with the aircraft manufacturer's instructions;
- (6) maintenance on a helicopter if the maintenance involves the dismantling of any transmission gearbox, except if the dismantling is for separation of casings to obtain access for the purpose of internal inspection in accordance with the helicopter manufacturer's instructions.

(c) Except for an aircraft that is operated on an adventure aviation operation, paragraph (b) does not apply to—

- (1) an aircraft that has a *special category* airworthiness certificate issued by the Director under the Act and Subpart H of Part 21; or
- (2) a microlight aircraft; or
- (3) a glider or powered glider; or
- (4) a hot air balloon.

Rule 43.155 is revoked and replaced with the following rule:

43.155 Certifying review

(a) Subject to paragraph (b), a person who performs a review of airworthiness for an aircraft must, on completion of the review—

- (1) certify that the review has been completed by entering the following statement in the appropriate maintenance logbook:

“I certify that an (annual)*(biennial)* review of airworthiness has been carried out on this aircraft and that the requirements of Civil Aviation Rule 43.153(a) have been complied with”;
and

* delete as applicable

- (2) adjacent to that statement, enter—
 - (i) the person’s name; and
 - (ii) the person’s signature except if the maintenance logbook is in electronic format; and
 - (iii) the person’s inspection authorisation number; and
 - (iv) the date that the review was completed; and

- (3) as specified in paragraph (c), enter the due date for the next review of airworthiness in the technical log; and
 - (4) forward a report of the review to the Director in a form acceptable to the Director—
 - (i) within 7 days from the date of completing and certifying the review under paragraphs(1) and (2); or
 - (ii) if the review is not completed and certified under paragraphs(1) and (2), within 7 days from the expiry of the 30 day period specified in rule 43.153(a) for completing the review.
- (b) Except for instruments and equipment that are permitted to be inoperative under rule 91.537, a person who performs a review of airworthiness for an aircraft must not certify the review as being complete unless every defect has been rectified and the aircraft certified for release-to-service under Subpart C.
- (c) The next review of airworthiness must not be more than 1 year or 2 years, as specified in rule 91.615(a)(1) or rule 91.615(aa), after—
- (1) the date that the review is certified under paragraph (a) or rule 91.615(aa); or
 - (2) the beginning of the extension period if the due date for the review has been extended under rule 91.615(c)(1).