



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

**I, HARRY JAMES DUYNHOVEN**, Minister for Transport Safety,

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This *24<sup>th</sup>* day of *September* 2007

by **HARRY JAMES DUYNHOVEN**

A handwritten signature in black ink, appearing to read 'Harry James Duynhoven', is written over the printed name.

Minister for Transport Safety

**Civil Aviation Rules**

**Part 145, Amendment 8**

**Aircraft Maintenance Organisations - Certification**

*Docket 5/CAR/3*

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### **Part 145 Aircraft Maintenance Organisations – Certification**

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**Rule objective**

The objective of amendment 8 to Part 145 is to make minor and technical changes as part of a general rule fix up project.

**Extent of consultation**

A Notice of Proposed Rulemaking, NPRM 06/02, containing the proposed changes to Part 145 was issued for public consultation under Docket 5/CAR/3 on 13 April 2006.

The publication of this NPRM was notified in the Gazette on 13 April 2006 and advertised in the daily newspapers in the five main provincial centres on 13 April 2006. The NPRM was published on the CAA web site and mailed to stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 41 days was allowed for comment on the proposed rule.

Following public notifications of this NPRM, a supplementary NPRM proposing amendments to Part 67 Medical Standards and Certification was Gazetted on 11 May 2006 with a submission closing date of 8 June 2006. This proposal was distributed to all DME's via email.

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

**Summary of submissions**

Two submissions were received by the closing date of the original NPRM issued 13 April 2006, both of which were in regard to rule 121.91- Refuelling and defuelling operations. In addition to the comments received from industry, a comment was also received from within the CAA in regard to Part 133 - Helicopter External Load Operations.

One submission was received in relation to the supplementary NPRM issued on 11 May 2006 proposing changes to Part 67.

No submissions were received on the proposed amendments to Part 145. Minor editorial corrections were made to the proposed rule changes after further internal CAA review.

The rule as amended with editorial corrections was then referred to Parliament's Regulations Review Committee before being signed by the Minister for Transport Safety.

### **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 the revocation of the existing rule and insertion of the amended rule.

### **Effective date of rule**

Amendment 8 to Part 145 comes into force on 25 October 2007.

### **Availability of rules**

Civil Aviation Rules are available from–

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

Freephone: 0800 GET RULES (0800 438 785)

## Part 145 Amendments

### Subpart B — Certification Requirements

*Rule 145.51 is revoked and the following new rule is substituted:*

#### **145.51 Personnel requirements**

(a) An applicant for the grant of a maintenance organisation certificate must engage, employ, or contract—

- (1) a senior person identified as the Chief Executive who has the authority within the applicant's organisation to ensure that every activity 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 group of senior persons who is or are responsible for ensuring that the applicant's organisation complies with the requirements of this Part. The nominated person or persons must be ultimately responsible to the Chief Executive for the following functions:
  - (i) the control and direction of maintenance activities;
  - (ii) personnel authorisations;
  - (iii) internal quality assurance; and
- (3) sufficient personnel to plan, perform, supervise, inspect, and certify the maintenance activities listed in the applicant's exposition.

(b) The applicant must —

- (1) establish a procedure for initially assessing and maintaining the competence of those personnel involved in planning, performing, supervising, inspecting, or certifying the maintenance activities performed by the applicant's organisation; and

- (2) provide those personnel with written evidence of the scope of their authorisation.

**Consultation Details**

*(This statement does not form part of the rules contained in Part 145. It provides details of the consultation undertaken in making the rules.)*

A Notice of Proposed Rulemaking, NPRM 06-02 Omnibus Rule Fix Up, containing the proposed rules was issued for public consultation under Docket 5/CAR/3 on 13 April 2006.

A supplementary NPRM proposing amendments to Part 67 Medical Standards and Certification was published under the same docket number on 11 May 2006.

A total of 3 submissions were received by the closing date of the original NPRM and 1 submission was received in relation to the supplementary NPRM. No submissions were received on the proposed amendments to Part 145.

The comments and all background material used in developing these rules are held on the docket. The docket is available for public inspection at Aviation House, 10 Hutt Road. Persons wishing to view the docket should contact the Docket Clerk on Phone 64-4-560-9603 and ask for docket 5/CAR/3.