

17/EXE/28

Exemption from the Requirement in Civil Aviation Rule

135.369

PURSUANT TO Section 37(2)(c) of the Civil Aviation Act 1990,

I, Graeme Harris, Director Civil Aviation, being satisfied that—

- a) the requirement in CAR 135.369 that a holder of an air operator certificate must ensure that each of its helicopters with a certificated seating capacity of 10 seats or more excluding any crew member seat is equipped with a flight data recorder (FDR) in accordance with paragraph B.4 of Appendix B is unreasonable in the case of the BK117 aircraft type, for which a FDR that would meet the requirement of the rule is not available; and
- (a) the risk to safety will not be significantly increased by the granting of this exemption;

HEREBY EXEMPT—

any holder of a Part 119/135 Air Operator Certificate operating a BK117 aircraft type under the authority of the certificate;

FROM—

the requirement in CAR 135.369 that an holder of an air operator certificate must ensure that each of its helicopters with a certificated seating capacity of 10 seats or more excluding any crew member seat is equipped with a flight data recorder in accordance with paragraph B.4 of Appendix B;

ONLY WITH RESPECT TO—

all New Zealand registered Airbus Helicopters Deutschland MBB-BK117 Series and Kawasaki BK117 Series with a certificated seating capacity of 10 seats or more, excluding any crew member seat, which are operated under the authority of a Part 119/135 Air Operator Certificate;

PROVIDED THAT—

- a) the aircraft has never been fitted with a flight data recorder that meets the requirements defined in Part 135 Appendix B, paragraph B.4; and
- b) the aircraft was first issued with an Airworthiness Certificate, by an ICAO Contracting State, prior to 1 January 2016; and
- c) the aircraft is not used in air operations for the carriage of more than 9 passengers.

This exemption shall remain in effect until 30th April 2022 unless withdrawn earlier in writing by the Director.

SIGNED at Wellington)

this 13th day of April 2017)

by Graeme Harris)

Director Civil Aviation)


