



PURSUANT to Section 28 of the Civil Aviation Act 1990 and having had regard to the matters specified in section 33 of the Act,

I, CRAIG FOSS, Associate Minister of Transport,

HEREBY MAKE the following ordinary rules.

SIGNED AT Wellington

This 26th day of August 2015

by **HON CRAIG FOSS**

A handwritten signature in black ink, appearing to read 'Craig Foss', is written over the printed name.

Associate Minister of Transport

**Civil Aviation Rules
Part 135, Amendment 21**

Air Operations – Helicopters and Small Aeroplanes

Docket 14/CAR/3

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Rule objective

The objective of Amendment 21 to Part 135 is to make minor editorial corrections; and relocates crew member grace provisions to Subpart A.

This amendment forms part of the Omnibus 2014 rule project which also contains amendments to the following Parts:

Part 1	Part 93	Part 121
Part 12	Part 101	Part 125
Part 19	Part 102	Part 139
Part 43	Part 108	Part 145
Part 65	Part 115	Part 172
Part 91	Part 119	

Extent of consultation

A Notice of Proposed Rulemaking, NPRM 15-01, containing the proposed changes to Part 135 and other rules was issued for public consultation under Docket 14/CAR/3 on 24 March 2015.

The publication of this NPRM was notified in the Gazette on 24 March 2015. The NPRM was published on the CAA web site and emailed to subscribers to the automatic alert service provided by the CAA.

A period of 24 days was allowed for comment on the proposed rule.

Summary of submissions

Two written submissions and no oral comments were received on the NPRM. No submissions related to the proposed amendment to Part 135.

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 replacing the existing rules with the amended rules.

Effective date of rule

Amendment 21 to Part 135 comes into force on 24 September 2015.

Availability of rules

Civil Aviation Rules are available from–

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

Freephone: 0800 GET RULES (0800 438 785)

Replace the existing rule 135.9 with the following rule 135.9:

135.9 Crew member grace provisions

If a crew member completes a test, flight check, or assessment, that is required under Subparts I or J within 60 days before the date on which the test, flight check, or assessment is required, the crew member is deemed to have completed the test, flight check, or assessment on the date that it is required to be completed.

Replace the existing rule 135.367 with the following rule 135.367:

135.367 Cockpit voice recorder

A holder of an air operator certificate must ensure that each of its helicopters is equipped with a cockpit voice recorder if—

- (1) the helicopter's flight manual requires 2 or more flight crew members; and
- (2) the helicopter has a certificated seating capacity of 10 seats or more excluding any required pilot seat.

Replace the existing rule 135.607 with the following rule 135.607:

135.607 Flight crew competency assessments

A holder of an air operator certificate must ensure that—

- (1) **each pilot acting as pilot-in-command has**, within the immediately preceding 12 months, passed a route check and aerodrome proficiency that is administered by a flight examiner and that—
 - (i) consists of a ground-based procedure check over 1 route segment, and a flight check with 1 or more landings at an aerodrome representative of the operations to be flown; and

- (ii) establishes that the pilot can satisfactorily perform the duties and responsibilities of a pilot-in-command in air operations appropriate to this Part; and
- (2) **each pilot conducting VFR operations has**, within the immediately preceding 12 months, successfully completed a competency assessment, that is administered by a flight examiner and that covers procedures, including emergency procedures, of the pilot's flying skill in an aircraft type normally used by the pilot in the operation; and
- (3) **each pilot acting as a flight crew member of an aircraft operating under IFR has**, within the immediately preceding 6 months, passed a competency assessment that is administered by a flight examiner and that—
 - (i) covers procedures, including emergency procedures, appropriate to the equipment fitted to the aircraft and to the type of air operations to which the pilot is assigned by the certificate holder; and
 - (ii) is conducted in each aircraft type used by the pilot in the operation unless the aircraft has a seating configuration of 9 seats or less, excluding any required pilot seat, in which case the check may be taken by rotation in each aircraft type with 1 in each 6-month period; and
- (4) **each pilot has**, within the immediately preceding 12 months, successfully completed a written or oral test of the pilot's knowledge of the following:
 - (i) the relevant Civil Aviation Rules and the certificate holder's operations specifications and exposition:
 - (ii) the aircraft systems, performance, operating procedures, and the content of the flight manual for each aircraft type normally flown by the pilot:
 - (iii) navigation, ATC, and meteorology:

- (iv) special flight operations as appropriate to the type of operation normally conducted by the pilot:
 - (v) new equipment, procedures, and techniques:
 - (vi) location and operation of emergency equipment fitted to an aircraft of the type normally flown by the pilot; and
- (5) the flight examiner who administered the check or test required under paragraphs (1), (2), (3) and (4)—
- (i) certifies in the training record for the pilot that the check or test has been completed and certifies the result of the check or test; and
 - (ii) if the check or test was completed satisfactorily, certifies in the pilot logbook in accordance with rule 61.29(a)(3) satisfactory completion of the check or test; and
- (6) flight crew competency checks are carried out in an aircraft or flight simulator approved for the purpose.

Revoke rule 135.611:

135.611 [Revoked]

Replace the existing rule 135.855 with the following rule 135.855:

135.855 Documents to be carried

A holder of an air operator certificate must ensure that the following documents where appropriate are carried on each individual flight—

- (1) NOTAM and aeronautical information service briefing documentation appropriate to the operation; and
- (2) meteorological information appropriate to the operation; and

- (3) notification of dangerous goods; and
- (4) copies of the relevant aeronautical charts.