

Civil Aviation Rules



Part 141

CAA Consolidation

10 March 2017

Aviation Training Organisations — Certification

DESCRIPTION

Part 141 prescribes rules governing the certification and operation of organisations conducting aviation training and assessments that are required by Civil Aviation Rules to be conducted by an organisation certificated under the Part.

The following certificates are issued under Part 141 —

- (1) standard aviation training organisation certificate;
- (2) restricted aviation training organisation certificate.

This document is the current consolidated version of Part 141 produced by the Civil Aviation Authority, and serves as a reference only. It is compiled from the official ordinary rules that have been signed into law by the Minister of Transport. Copies of the official rule and amendments as signed by the Minister of Transport may be obtained from the Civil Aviation Authority or may be downloaded from the official web site at: www.caa.govt.nz

Bulletin

This Part first came into force on 22 February 1996 and now incorporates the following amendments:

| Amendment | Effective Date |
|------------------|-----------------------|
| Amendment 1 | 30 August 2007 |
| Amendment 2 | 6 September 2012 |
| Amendment 3 | 1 April 2014 |
| Amendment 4 | 1 February 2016 |
| Amendment 5 | 10 March 2017 |

Summary of amendments:

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|---------------------------|--|
| Amendment 1 (6/CAR/1) | Rule 141.5 is revoked. |
| Amendment 2 (6/CAR/5) | Rule 141.59 is revoked and replaced. |
| Amendment 3 (13/CAR/1) | Rule 141.63 is revoked and replaced. |
| Amendment 4 (8/CAR/1) | Rules 141.51, 141.61, 141.63, and 141.103 are revoked and replaced and rules 141.201 and 141.203 are inserted. |
| Amendment 5 (16/CAR/1) | Rule 141.201 is revoked and replaced. |

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Subpart A — General

141.1 Applicability

(a) This Part prescribes rules governing the certification and operation of organisations conducting aviation training and assessments that are required by Civil Aviation Rules to be conducted by an organisation certificated under this Part.

(b) The following certificates are issued under this part:

- (1) standard Aviation Training Organisation Certificate;
- (2) Restricted Aviation Training Organisation Certificate.

141.3 Application for certificate

Each applicant for the grant of an aviation training organisation certificate shall complete form CAA 24141/01 and submit it to the Director with payment of the appropriate application fee prescribed by regulations made under the Act, together with—

- (1) for a standard aviation training organisation certificate, the exposition required by 141.63; or
- (2) for a restricted aviation training organisation certificate, the information required by 141.151(b).

141.5 Issue of certificate

(a) An applicant is entitled to a standard aviation training organisation certificate if the Director is satisfied that—

- (1) the applicant, and any senior person or persons required by 141.51(a)(1) and (2), are fit and proper persons; and
- (2) the applicant meets the requirements of Subpart B; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.

(b) An applicant is entitled to a restricted aviation training organisation certificate if the Director is satisfied that—

- (1) the applicant is a fit and proper person; and
- (2) the applicant meets the requirements of 141.151; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.

141.7 Privileges of certificate

The aviation training organisation certificate specifies the training courses and assessments that the holder is authorised to conduct.

141.9 Duration of certificate

(a) A standard aviation training organisation certificate may be granted or renewed for a period of up to 5 years.

(b) A restricted aviation training organisation certificate may be granted for the period required to conduct a single training course.

(c) An aviation training organisation certificate remains in force until it expires or is suspended or revoked.

(d) The holder of an aviation training organisation certificate that is revoked shall forthwith surrender the certificate to the Director.

(e) The holder of an aviation training organisation certificate that is suspended shall forthwith produce the certificate to the Director for appropriate endorsement.

141.11 Renewal of certificate

(a) An application for the renewal of a standard aviation training organisation certificate shall be made on form CAA 24141/01.

(b) The application shall be submitted to the Director before the application renewal date specified in the certificate or, if no such date is specified, not less than 30 days before the certificate expires.

141.13 Safety inspections and audits

(a) The Director may require in writing the holder of an aviation training organisation certificate to undergo or carry out such inspections and audits of the holder's facilities, documents and records as the Director considers necessary in the interests of civil aviation safety and security in accordance with section 15 of the Act.

(b) The Director may require the holder of an aviation training organisation certificate to provide such information as the Director considers relevant to the inspection or audit.

Subpart B — Standard Certification Requirements

141.51 Personnel requirements

(a) An applicant for the grant of a standard aviation training 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 every training course and assessment conducted by the organisation can be financed and carried out in accordance with the requirements and standards prescribed by this Part;
- (2) a senior person or persons ultimately responsible to the chief executive who are responsible for—
 - (i) ensuring that the applicant's organisation complies with the requirements of this Part; and
 - (ii) the system for safety management; and
- (3) sufficient personnel to plan, conduct, and supervise the training courses and assessments listed in the applicant's exposition.

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

(b) The applicant must establish a procedure for initially assessing, and a procedure for maintaining, the competence of those personnel conducting the training courses and assessments listed in the applicant's exposition

141.53 Facility requirements

Each applicant for the grant of a standard aviation training organisation certificate shall provide facilities and resources appropriate to the training courses and assessments listed in the applicant's exposition.

141.55 Documentation

(a) Each applicant for the grant of a standard aviation training organisation certificate shall hold current copies of all relevant technical standards and practices and any other documentation that is necessary for the provision of the training courses and assessments listed in the applicant's exposition.

(b) The applicant shall establish procedures to control the documentation required by paragraph (a). The procedures shall ensure—

- (1) all documentation is reviewed and authorised by appropriate personnel before issue; and
- (2) current issues of relevant documentation are available to personnel for the provision of training courses and assessments listed in their exposition; and
- (3) all obsolete documentation is promptly removed from all points of issue or use; and
- (4) changes to documentation are reviewed and approved by appropriate personnel.

141.57 Training courses and assessments

(a) Each applicant for the grant of a standard aviation training organisation certificate shall establish procedures for conducting the training courses and assessments listed in the applicant's exposition.

(b) The procedures shall ensure that—

- (1) training courses meet the applicable syllabus requirements of the Civil Aviation Rules; and
- (2) assessments meet the applicable syllabus requirements of the Civil Aviation Rules, and are conducted without any compromise of the integrity of the assessments; and
- (3) each person conducting aviation training or assessments that are required by Civil Aviation Rules to be conducted by an organisation certificated under this Part, has a combination of qualifications and experience greater than the level of qualification being taught or assessed.

141.59 Records

(a) An applicant for the grant of a standard aviation training organisation certificate must establish procedures for identifying, collecting, indexing, storing, and maintaining the records that are necessary for the training courses and assessments listed in the applicant's exposition.

(b) The procedures required by paragraph (a) must provide for a record to be maintained for the following—

- (1) every person who conducts a training course or assessment; and
- (2) every person who undertakes a training course or an assessment; and
- (3) every internal quality assurance audit or review.

(c) The records required by paragraph (b)(1) must include the person's name and details of the person's experience, qualifications, training, and competency assessments.

(d) The records required by paragraph (b)(2) must include the following details:

- (1) the person's name and date of birth;
- (2) the method used to identify the person;

- (3) details of any aviation document held by the person:
 - (4) details of the person's enrolment, course attendance, and subjects:
 - (5) details as applicable of the person's ground training and flight training, instructor comments, internal assessments:
 - (6) details of any external examination, and any associated knowledge deficiency report, that is undertaken by the person as part of the person's enrolment with the applicant's organisation:
 - (7) details of, and the result of, any aviation assessment undertaken by the person as part of the person's enrolment with the applicant's organisation, to meet a rule requirement.
- (e) The records required by paragraph (b) must be—
- (1) accurate, legible and of a permanent nature; and
 - (2) retained for a period of 3 years from the date of the last entry.

141.61 Safety management

An applicant for the grant of a standard aviation training organisation certificate must establish, implement, and maintain a system for safety management in accordance with rule 100.3.

141.63 Standard aviation training organisation exposition

- (a) An applicant for the grant of a standard aviation training organisation 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) are to be complied with at all times; and
- (1A) in relation to the system for safety management required by rule 141.61,—
- (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 standard aviation training organisation 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 141.51(a)(1) and (2); and
- (3) the duties and responsibilities of the senior person or persons required by rules 141.51(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) an organisation chart showing lines of responsibility of the senior person or persons referred to in paragraph (a)(2); and
- (4A) information identifying the lines of safety responsibility within the organisation; and
- (5) a list of the training courses and assessments to be covered by the certificate; and
- (6) the locations at which each training course or assessment will be conducted; and
- (7) the course outline and the curriculum for each of the training courses and assessments to be conducted by the organisation; and
- (8) details of the applicant's procedures required by—

- (i) rule 141.51(b) regarding the competence of personnel; and
 - (ii) rule 141.55(b) regarding the control of documentation; and
 - (iii) rule 141.57(b) regarding training courses and assessments; and
 - (iv) rule 141.59(b) regarding records; and
 - (v) [*revoked*]
- (9) procedures for controlling, amending and distributing the exposition.
- (b) The applicant's exposition must be acceptable to the Director.

Subpart C — Standard Operating Requirements

141.101 Continued compliance

Each holder of a standard aviation training organisation certificate shall—

- (1) hold at least one complete and current copy of their exposition at each major location specified in their exposition; and
- (2) comply with all procedures detailed in their exposition; and
- (3) make each applicable part of their exposition available to personnel who require those parts to carry out their duties; and
- (4) continue to meet the standards and comply with the requirements of Subpart B prescribed for certification under this Part; and
- (5) forthwith notify the Director of any change of address for service, telephone number or facsimile number required by form CAA 24141/01.

141.103 Changes to certificate holder's organisation

(a) A holder of a standard aviation training organisation certificate must ensure that the exposition is amended so as to remain a current description of the holder's organisation.

(b) The certificate holder must ensure that any amendment made to the holder's exposition meets the applicable requirements of this Part and complies with the amendment procedures contained in its exposition.

(c) The certificate holder must forward to the Director for retention a copy of each amendment to its exposition as soon as practicable after the amendment is incorporated into its exposition.

(d) Before a certificate holder changes any of the following, prior acceptance by the Director is required:

(1) the chief executive:

(2) the listed senior persons:

(3) the locations at which training courses or assessments may be carried out:

(4) the training courses or assessments for which the certificate is granted:

(5) the system for safety management, if the change is a material change.

(e) The Director may impose conditions under which a certificate holder must operate during or following any of the changes specified in paragraph (d).

(f) A certificate holder must comply with any condition imposed by the Director under paragraph (e).

(g) If any change referred to in this rule requires an amendment to the certificate, the certificate holder must forward the certificate to the Director for endorsement of the change as soon as practicable.

(h) A certificate holder must make such amendments to the holder's exposition as the Director may consider necessary in the interests of aviation safety.

Subpart D — Restricted Aviation Training Organisation Certificate

141.151 Certification requirements

(a) Each applicant for the grant of a restricted aviation training organisation certificate shall—

- (1) engage, employ, or contract sufficient personnel to plan, conduct, and supervise the training course listed in the application; and
- (2) ensure that the personnel who are conducting the training course have a combination of qualifications and experience greater than the level of qualification being taught; and
- (3) have facilities and resources appropriate to the training course listed in the application; and
- (4) hold current copies of relevant technical standards and practices and any other documentation that is necessary for the provision of the training course listed in the application; and
- (5) have documented procedures for conducting the training course listed in the application.

(b) The applicant shall provide the Director with the details of their compliance with each of the requirements of paragraph (a).

141.153 Continued compliance

Each holder of a restricted aviation training organisation certificate shall continue to comply with the certification requirements in 141.151(a).

141.155 Records

(a) Each holder of a restricted aviation training organisation certificate shall identify, collect, index, store, and maintain the records that are necessary for the training course listed in the application for the certificate.

- (b) The certificate holder shall ensure that—
- (1) there is a record for each person who conducts the training course. The record shall include details of their experience, qualifications, and training; and
 - (2) there is a record for each person enrolled on the course. The record shall include details of enrolment, attendance, subjects and any flight operations covered in their training and instruction, any flight times, instructor comments, and the results of any assessments; and
 - (3) all records are legible; and
 - (4) all records shall be retained for a period of at least 3 years from the date of the last entry made on that record.

Subpart E — Transitional Provisions

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:
 - (2) applicant for the grant of a standard aviation training organisation certificate.
- (b) Before the date for implementation set in accordance with subparagraph (e)(2), an organisation to which this rule applies is not required to comply with—
- (1) 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:
 - (2) 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:

- (3) rule 141.63(a)(1A)(i):
 - (4) rule 141.63(a)(3)(ii):
 - (5) rule 141.63(a)(4A).
- (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 under subparagraph (a)(2); and
 - (2) by 30 July 2018 for a holder of a standard aviation training organisation certificate under subparagraph (a)(1).
- (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.
- (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.
- (f) In setting the date under subparagraph (e)(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 under subparagraph (a)(1) does not have to submit an implementation plan with its certificate renewal application.
- (h) This rule expires on 1 February 2021.

141.203 Transitional internal quality assurance for standard aviation training organisation certificate holders and applicants

(a) The internal quality assurance system required by rule 141.201(b)(1)(ii) must be established to ensure the organisation's compliance with, and the adequacy of, the procedures required by this Part.

(b) The internal quality assurance system must include—

- (1) a safety policy and safety policy procedures that are relevant to the applicant's organisational goals and the expectations and needs of its customers; and
- (2) a procedure to ensure quality indicators, including defect and incident reports, and personnel and customer feedback, are monitored to identify existing problems or potential causes of problems within the system; and
- (3) a procedure for corrective action to ensure existing problems that have been identified within the system are corrected; and
- (4) a procedure for preventive action to ensure that potential causes of problems that have been identified within the system are remedied; and
- (5) an internal audit programme to audit the applicant's organisation for conformity with the procedures in its exposition and achievement of the goals set in its safety policy; and
- (6) management review procedures, which must include the use of statistical analysis, to ensure the continuing suitability and effectiveness of the internal quality assurance system in satisfying the requirements of this Part.

(c) The safety policy procedures must ensure that the safety policy is understood, implemented, and maintained at all levels of the organisation.

(d) The procedure for corrective action must specify how—

- (1) to correct an existing problem; and

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- (2) to follow up a corrective action to ensure the action is effective; and
 - (3) management will measure the effectiveness of any corrective action taken.
 - (e) The procedure for preventive action must specify how—
 - (1) to correct a potential problem; and
 - (2) to follow up a preventive action to ensure the action is effective; and
 - (3) to amend any procedure required by this Part as a result of a preventive action; and
 - (4) management will measure the effectiveness of any preventive action taken.
 - (f) The internal quality audit programme must—
 - (1) specify the frequency and location of the audits taking into account the nature of the activity to be audited; and
 - (2) ensure audits are performed by trained auditing personnel who are independent of those having direct responsibility for the activity being audited; and
 - (3) ensure the results of audits are reported to the personnel responsible for the activity being audited and the manager responsible for internal audits; and
 - (4) require preventive or corrective action to be taken by the personnel responsible for the activity being audited if problems are found by the audit; and
 - (5) ensure follow up audits to review the effectiveness of any preventive or corrective action taken.

- (g) The procedure for management review must—
- (1) specify the frequency of management reviews of the quality assurance system taking into account the need for the continuing effectiveness of the system; and
 - (2) identify the manager who is responsible for the review of the quality assurance system; and
 - (3) ensure the results of the review are evaluated and recorded.
- (h) The senior person who has the responsibility for internal quality assurance must have direct access to the chief executive on matters affecting safety.
- (i) This rule expires on 1 February 2021.