



**WELLINGTON NEW ZEALAND**

**PURSUANT** to Section 28 of the Civil Aviation Act 1990

**I, MAURICE WILLIAMSON**, Minister of Transport,

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This *29* day of *March* 1999

by **MAURICE WILLIAMSON**

Minister of Transport

A handwritten signature in black ink, appearing to read 'Maurice Williamson', written over a series of diagonal lines.

**Civil Aviation Rules**

**Part 119 – Amendment 3**

**Air Operator - Certification**

*Docket 98/CAR/1303*

**Civil Aviation Rules**

**Part 119**

**Air Operator - Certification**

**RULE OBJECTIVE, EXTENT OF CONSULTATION  
AND COMMENCEMENT**

The objective of Part 119, amendment 3 is to bring into force changes that result from amendment 6 to Part 135, the Part 135 Review, and consequential amendments to Parts 1, 12, 19, 61, 66, 93, 121, and 125 of the Civil Aviation Rules. Consultation regarding the amendment to Part 119 was conducted as part of the consultation process for the amendment to Part 135.

Part 119 Amendment 3 comes into force on 30 April 1999 and all those affected by Part 119 must be in compliance by the dates specified in the transition provisions of 119.169.



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### **Appendix A — Qualifications and Experience of Senior Persons – Airline Air Operator Certificate Holder**

### **Appendix B — Qualifications and Experience of Senior Persons – General Aviation Air Operator Certificate Holder**

## Part 119 Amendment

Part 119 is revoked and the following new Part 119 inserted:

### “Subpart A — General

#### **119.1 Purpose**

Subject to the requirements in 119.169, this Part shall apply to the certification and activities of persons domiciled in New Zealand conducting air operations under Parts 121, 125, and 135.

#### **119.3 Definitions**

In this Part:

**Airline air operator certificate** means an air operator certificate that authorises the holder to conduct air operations—

- (1) using an aeroplane that has a passenger seating configuration of more than 30 seats, excluding any required crew member seat, or a payload capacity of more than 3410 kg, in accordance with Part 121; or
- (2) using an aeroplane that has a passenger seating configuration of 10 to 30 seats, excluding any required crew member seat, or a payload capacity of 3410 kg or less and a MCTOW of greater than 5700 kg, in accordance with Part 125; or
- (3) using an aeroplane that has a passenger seating configuration of 9 seats or less, excluding any required crew member seat, and a MCTOW of 5700 kg or less, or using a helicopter, in accordance with Part 135:

**Air operator certificate** means an airline air operator certificate or a general aviation air operator certificate:

**Exposition**, unless the context otherwise requires, means the exposition required by 119.81 or 119.125:

**General aviation air operator certificate** means an air operator certificate that authorises the holder to conduct air operations using an aeroplane

that has a passenger seating configuration of 9 seats or less, excluding any required crew member seat, and a MCTOW of 5700 kg or less, or using a helicopter, in accordance with Part 135.

#### **119.5 Requirement for certificate**

(a) Each person having operational responsibility for an air operation shall hold, and comply with, an air operator certificate issued under this Part.

(b) No person shall perform an air operation except under the authority of, and in accordance with, an air operator certificate issued under this Part.

(c) For the purpose of paragraph (a) a person has operational responsibility for an air operation if the person has responsibility for two or more of the following functions:

- (1) determining whether the operation may be operated safely;
- (2) assigning crew members for the operation;
- (3) employing, contracting, or otherwise engaging crew members for the operation;
- (4) making a decision to vary the operation, other than a decision by the pilot-in-command taken on the grounds of safety.

#### **119.7 Reserved**

#### **119.9 Application for certificate**

Each applicant for the grant of a maintenance organisation certificate shall complete form CAA 24119/01, which shall require—

- (1) the name and address for service in New Zealand of the applicant; and
- (2) the details required by 119.15(b), for the operations specifications; and
- (3) the exposition required—
  - (i) by 119.81 for an airline air operator certificate; or



(ii) by 119.125 for a general aviation air operator certificate; and

- (1) such further particulars relating to the applicant as may be required by the Director as indicated on the form—

and submit it to the Director, with a payment of the appropriate application fee prescribed by regulations made under the Act, not less than 90 days before the date of intended operation, unless a shorter period is acceptable to the Director.

#### **119.11 Issue of certificate**

(a) An applicant is entitled to an airline air operator certificate if the Director is satisfied that, in accordance with section 9 of the Act—

- (1) the applicant meets the applicable requirements of Subpart B; and
- (2) the applicant, where the applicant is a natural person, and the applicant's senior persons required by 119.51(a)(1) and (2) are fit and proper persons; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.

(b) An applicant is entitled to a general aviation air operator certificate if the Director is satisfied that, in accordance with section 9 of the Act—

- (1) the applicant meets the applicable requirements of Subpart C; and
- (2) the applicant, where the applicant is a natural person, and the applicant's senior persons required by 119.101(a)(1) and (2) are fit and proper persons; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.

#### **119.13 Privileges of certificate holder**

(a) An air operator certificate specifies the privileges that the certificate holder is authorised to perform.

(b) An air operator certificate shall authorise the certificate holder to perform—

- (1) air operations listed in the certificate holder's air operator certificate; and
- (2) ground or flight training appropriate to the aircraft operated or intended to be operated; and
- (3) test or check flights to determine the competence of flight crew; and
- (4) tests or checks to determine the competence of other persons providing the services or carrying out the operations listed in the certificate holder's exposition.

**119.15 Operations specifications**

(a) The holder of an air operator certificate shall comply with the operations specifications on the certificate.

(b) Operations specifications shall contain—

- (1) the specific location of the certificate holder's principal base of operations; and
- (2) the certificate holder's address for service in New Zealand; and
- (3) other business names under which the certificate holder may operate; and
- (4) the type and registration of aircraft authorised for use; and
- (5) a list of the air operation types authorised; and
- (6) the authorisation and limitations for routes and areas of operations; and
- (7) any exemption granted from any requirement of this or any other Part; and
- (8) any other item the Director determines is necessary to cover a particular situation.

**119.17 Duration of certificate**

- (a) An air operator certificate may be granted or renewed for a period of up to five years.
- (b) An air operator certificate remains in force until it expires or is suspended or revoked by the Director.
- (c) The holder of an air operator certificate that expires or is revoked shall forthwith surrender the certificate to the Director.
- (d) The holder of an air operator certificate that is suspended shall forthwith produce the certificate to the Director for appropriate endorsement.

**119.19 Notification of termination of operations**

Each holder of an air operator certificate that terminates air operations shall notify the Director of the termination in writing within 30 days of the date of termination.

**119.21 Renewal of certificate**

- (a) The holder of the air operator certificate shall make an application for the renewal of an air operator certificate on form CAA 24119/01.
- (b) The application required by paragraph (a) 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 60 days before the certificate expires.

**Subpart B — Airline Air Operator – Certification Requirements****119.51 Personnel requirements**

- (a) Each applicant for the grant of an airline air operator certificate shall employ, contract, or otherwise engage—
  - (1) a senior person identified as the Chief Executive who—
    - (i) has the authority within the applicant's organisation to ensure that all activities undertaken by the organisation can be financed and carried out in accordance with the requirements and standards prescribed by this Part; and

- (ii) is responsible for ensuring that the organisation complies with the requirements of this Part; and
  - (2) senior persons—
    - (i) responsible for ensuring that the applicant's organisation complies with its exposition; and
    - (ii) responsible for the functions referred to in paragraph (b)(1); and
    - (iii) ultimately responsible to the Chief Executive; and
  - (3) sufficient personnel to plan, perform, supervise, inspect, and certify the operations listed in the applicant's exposition.
- (b) The senior persons required by paragraph (a) shall—
- (1) unless otherwise acceptable to the Director as a consequence of the size and expected scope of the applicant's organisation, each be responsible for no more than one of the following functions—
    - (i) air operations, including the flight operations and the supporting ground operations;
    - (ii) crew training and competency assessment;
    - (iii) the control and direction of maintenance;
    - (iv) internal quality assurance;
    - (v) where an air operator security programme is required by 119.75, air operator security;
    - (vi) conducting occurrence investigations in accordance with Part 12; and
  - (2) hold the minimum qualifications and experience listed in Appendix A as applicable to the function for which they are responsible.

(c) Notwithstanding paragraph (b)(1)(ii), and if applicable to the structure of the applicant's organisation, the senior person responsibilities for competency assessment may be assumed by the senior person responsible for air operations under paragraph (b)(1)(i).

(d) Any function referred to in paragraph (b)(1) may be delegated to other personnel provided the senior person responsible for the function retains responsibility for the function and the delegation is acceptable to the Director.

### **119.53 Personnel competency requirements**

(a) Each applicant for the grant of an airline air operator certificate shall establish procedures—

- (1) to initially assess and to maintain the competence of personnel authorised to plan, perform, supervise, inspect, or certify the air operations listed in the applicant's exposition; and
- (2) to ensure personnel are provided with written evidence of the scope of their authorisation.

(b) Each applicant may contract with an organisation that is certificated under Part 141 and appropriately authorised under that certificate to perform the functions of checking to assess, or training to maintain, the competence of the applicant's personnel in accordance with paragraph (a)(1).

(c) Each applicant that contracts with an organisation under paragraph (b) shall include in its exposition details of—

- (1) the functions to be transferred to the organisation; and
- (2) the scope of the checking or training to be carried out by the organisation; and
- (3) the authority of the organisation in respect of the checking or training functions to be carried out.

**119.55 Resource requirements**

- (a) Each applicant for the grant of an airline air operator certificate shall provide resources, acceptable to the Director—
- (1) that enable the satisfactory provision of the operations listed in the applicant's exposition; and
  - (2) that shall, where appropriate, include—
    - (i) accommodation, offices, workshops, hangars, and buildings; and
    - (ii) equipment, tools, material, training aids, data, and documentation necessary to perform the operations listed in the applicant's exposition.
- (b) The applicant shall ensure the environment it provides—
- (1) is appropriate for the tasks to be performed; and
  - (2) where appropriate, offers protection from weather elements.

**119.57 Proving flights or tests**

- (a) Each applicant for the grant or amendment of an airline air operator certificate shall, if required by the Director, perform proving flights or tests to satisfy the Director that it can meet any relevant prescribed requirement.
- (b) The flights or tests shall be conducted in a manner acceptable to the Director.

**119.59 Reserved****119.61 Maintenance responsibilities**

- (a) Each applicant for the grant of an airline air operator certificate shall establish procedures to ensure the continued airworthiness of its aircraft, including airframes, aircraft engines, propellers, rotors, appliances, emergency equipment, and parts.

(b) Each applicant for the grant of an airline air operator certificate that contracts with another person to perform its maintenance shall include in its exposition details of—

- (1) the functions to be transferred to the other person; and
- (2) the scope of the maintenance to be carried out by the other person; and
- (3) the authority of the other person in respect of the functions and maintenance to be carried out.

### **119.63 Maintenance programme**

Each applicant for the grant of an airline air operator certificate shall include in its aircraft maintenance programme required under Part 121, Part 125, or Part 135—

- (1) the registration mark of each aircraft that is subject to the programme; and
- (2) instructions and procedures for the conduct of aircraft maintenance including any required inspections and tests, setting out in detail the parts and areas of the airframe, aircraft engine, propellers, rotors, appliances, and emergency equipment, that—
  - (i) must be inspected; and
  - (ii) could result in a failure, malfunction, or defect endangering the safe operation of the aircraft if not performed properly or if improper parts or materials are used; and
- (3) a schedule for the performance of the maintenance under subparagraph (2) expressed in terms of the time in service, cycles, calendar time, number of system operations, or any combination of these; and
- (4) procedures for maintenance trend analysis if the programme utilises condition monitored maintenance or information derived from health and usage monitoring systems; and

- (5) procedures to ensure that all inspections required by the programme are performed; and
- (6) procedures for recording deficiencies found during maintenance, including examples of records; and
- (7) procedures for the correction or deferral of deficiencies found during maintenance; and
- (8) procedures for the retention of—
  - (i) a description of the work performed, or a reference to data acceptable to the Director; and
  - (ii) the name of the person certifying the release to service for the work if the work is to be performed by a person outside the applicant's maintenance organisation.

#### **119.65 Documentation**

- (a) Each applicant for the grant of an airline air operator certificate shall establish procedures to control, amend, and distribute its operational, safety, and maintenance data.
- (b) Each applicant for the grant of an airline air operator certificate shall establish a procedure for the control of documentation required by any applicable Part, including but not limited to Parts 91, 108, 121, 125, and 135.
- (c) The procedures required by paragraphs (a) and (b) shall ensure that—
  - (1) all documentation is reviewed and authorised by appropriate personnel before issue; and
  - (2) current issues of all relevant documents are available to personnel at all locations where they need access to such documentation, in either hard copy, electronic, or other form acceptable to the Director; 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; and
- (5) the current version of each item of documentation can be identified to preclude the use of superseded material.

**119.67 Records—personnel**

Each applicant for the grant of an airline air operator certificate shall establish procedures to ensure that—

- (1) an accurate record is maintained of—
  - (i) each employee who, in the performance of their duties, is required to hold a licence or rating; and
  - (ii) each employee who is exercising any delegation of the Director's functions or powers; and
  - (iii) each employee who is exercising any authorisation granted by the certificate holder; and
- (2) the record includes details of—
  - (i) the relevant experience, qualifications, and training of each employee listed under subparagraph (1); and
  - (ii) the scope, validity, and currency of any licence or rating referred to in subparagraph (1)(i); and
  - (iii) the delegations referred to in subparagraph (1)(ii); and
  - (iv) the authorisations referred to in subparagraph (1)(iii); and
- (3) the record is retained for one year from the date that the employee—
  - (i) ceases to perform duties requiring a licence or rating; or
  - (ii) exercises any delegation or authorisation.

**119.69 Records—resources**

Each applicant for the grant of an airline air operator certificate shall—

- (1) establish procedures to ensure details are accurately recorded of testing, checking, and calibration of any safety-critical resources used in carrying out the operations specified on the certificate; and
- (2) retain the record of details required by subparagraph (1) for two years from the date the details are recorded.

**119.71 Flight authorisation and control**

Each applicant for the grant of an airline air operator certificate shall establish procedures to ensure that the initiation, continuation, and termination of a flight or series of flights is authorised by the person required by 119.51(b)(1)(i).

**119.73 Flight following system**

(a) Each applicant for the grant of an airline air operator certificate shall establish procedures to ensure that, for each flight for which a flight following flight plan is not filed with an ATS organisation certificated under Part 172, the certificate holder—

- (1) has at least the information required to be included in a VFR flight plan; and
- (2) is provided with the location and time for the re-establishing of communications, if the flight will operate in an area where communications cannot be maintained; and
- (3) makes timely notification to an organisation acceptable to the Director if the aircraft is overdue or missing.

(b) The maximum time period for which an aircraft may be planned to be without communication capability as provided for in paragraph (a)(2) is 30 minutes or such longer period that is acceptable to the Director.

**119.75 Air operator security programme**

Each applicant for the grant of an airline air operator certificate that proposes to operate a regular air transport passenger service from or within

New Zealand shall establish an air operator security programme that meets the requirements of Part 108.

**119.77 Establishment of operations procedures**

Each applicant for the grant of an airline air operator certificate intending to conduct air operations shall establish procedures necessary to enable any requirement of this or any other Part to be complied with.

**119.79 Internal quality assurance**

(a) Each applicant for the grant of an airline air operator certificate shall establish an internal quality assurance system to ensure compliance with, and the adequacy of, the procedures required by this Part.

(b) The internal quality assurance system shall include—

- (1) a **safety policy** and safety policy procedures, including the procedure for occurrence investigations conducted in accordance with Part 12; 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 that may, where appropriate, 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 shall ensure that the safety policy is understood, implemented, and maintained at all levels of the organisation.
- (d) The procedure for corrective action shall specify how—
- (1) to correct an existing problem; and
  - (2) to follow up a corrective action to ensure the action is effective.
- (e) The procedure for preventive action shall 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.
- (f) The internal quality audit programme shall—
- (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) measure the effectiveness of any preventive or corrective action taken by the personnel responsible for the activity being audited since the last audit; and
  - (5) 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
  - (6) ensure follow up audits to review the effectiveness of any preventive or corrective action taken.

- (g) The procedure for management review shall—
- (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 responsible manager who shall review 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 shall have direct access to the Chief Executive on matters affecting safety.

**119.81 Airline air operator exposition**

- (a) Each applicant for the grant of an airline air operator certificate shall provide the Director with an exposition that shall 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 and any other Part; and
    - (ii) are required to be complied with by its personnel at all times; and
  - (2) the titles and names of the senior persons required by 119.51(a)(1) and (2); and
  - (3) the duties and responsibilities of the senior persons specified under paragraph (a)(2) including matters for which they have responsibility to deal directly with the Director on behalf of the organisation; and
  - (4) a summary of the scope of activities at each location where operations personnel are based for the purpose of providing air transport operations; and

- (5) an organisation chart showing lines of responsibility of the senior persons specified under paragraph (a)(2) and extending to each location listed under paragraph (a)(4); and
  - (6) a summary of the applicant's staffing structure at each location listed under paragraph (a)(4); and
  - (7) details of the principal place of operation and, where applicable, the main operations base and the main maintenance base; and
  - (8) details of the resources required by 119.55; and
  - (9) details of the applicant's procedures required by this Part; and
  - (10) details of the maintenance—
    - (i) programme required by 121.403, 125.403, or 135.403; and
    - (ii) procedures required by 119.61 and 119.63; and
    - (iii) organisation that performs its maintenance; and
  - (11) details of the programmes required, as appropriate, by this Part, Part 121, Part 125, or Part 135; and
  - (12) details of the applicant's procedures that enable it to comply with the laws of any foreign State in which it operates:
  - (13) procedures to control, amend, and distribute the exposition.
- (b) The Director shall not issue the applicant with an airline air operator certificate unless the applicant's exposition is acceptable to the Director.

## **Subpart C —General Aviation Air Operator – Certification Requirements**

### **119.101 Personnel requirements**

(a) Each applicant for the grant of a general aviation air operator certificate shall employ, contract, or otherwise engage—

- (1) a senior person identified as the Chief Executive who—
  - (i) has the authority within the applicant's organisation to ensure that all activities undertaken by the organisation can be financed and carried out in accordance with the requirements and standards prescribed by this Part; and
  - (ii) is responsible for ensuring that the organisation complies with the requirements of this Part; and
- (2) senior persons—
  - (i) responsible for ensuring that the applicant's organisation complies with its exposition; and
  - (ii) responsible for the functions referred to in paragraph (b)(1); and
  - (iii) ultimately responsible to the Chief Executive; and
- (3) sufficient personnel to plan, perform, supervise, inspect, and certify the operations listed in the applicant's exposition.

(b) The senior persons required by paragraph (a) shall—

- (1) unless otherwise acceptable to the Director as a consequence of the size and expected scope of the applicant's organisation, each be responsible for no more than one of the following functions—
  - (i) air operations, including the flight operations and the supporting ground operations:
  - (ii) crew training and competency assessment:
  - (iii) the control and direction of maintenance:

- (iv) the organisational management system:
  - (v) conducting occurrence investigations in accordance with Part 12; and
- (2) hold the minimum qualifications and experience listed in Appendix B as applicable to the function for which they are responsible.
- (c) Notwithstanding paragraph (b)(1)(ii), and if applicable to the structure of the applicant's organisation, the senior person responsibilities for competency assessment may be assumed by the senior person responsible for air operations under paragraph (b)(1)(i).

**119.103 Personnel competency requirements**

- (a) Each applicant for the grant of a general aviation air operator certificate shall establish procedures—
- (1) to initially assess and to maintain the competence of personnel authorised to plan, perform, supervise, inspect, or certify the air operations listed in the applicant's exposition; and
  - (2) to ensure personnel are provided with written evidence of the scope of their authorisation.
- (b) Each applicant may contract with an organisation that is certificated under Part 141 and appropriately authorised under that certificate to perform the functions of checking to assess, or training to maintain, the competence of the applicant's personnel in accordance with paragraph (a)(1).
- (c) Each applicant that contracts with an organisation under paragraph (b) shall include in its exposition details of—
- (1) the functions to be transferred to the organisation; and
  - (2) the scope of the checking or training to be carried out by the organisation; and
  - (3) the authority of the organisation in respect of the checking and training functions to be carried out.



(d) The applicant may, as an alternative to paragraph (b), utilise an external checking or training programme acceptable to the Director that is carried out by an appropriately qualified holder of a flight examiner rating.

#### **119.105 Resource requirements**

(a) Each applicant for the grant of a general aviation air operator certificate shall provide resources, acceptable to the Director—

- (1) that enable the satisfactory provision of the operations listed in the applicant's exposition; and
- (2) that shall, where appropriate, include—
  - (i) accommodation, offices, workshops, hangars, and buildings; and
  - (ii) equipment, tools, material, training aids, data, and documentation necessary to perform the operations listed in the applicant's exposition.

(b) The applicant shall ensure the environment it provides—

- (1) is appropriate for the tasks to be performed; and
- (2) where appropriate, offers protection from weather elements.

#### **119.107 Proving flights or tests**

(a) Each applicant for the grant or amendment of a general aviation air operator certificate shall, if required by the Director, perform proving flights or tests to satisfy the Director that it can meet the relevant prescribed requirements.

(b) The flights or tests shall be conducted in a manner acceptable to the Director.

#### **119.109 Maintenance responsibilities**

(a) Each applicant for the grant of a general aviation air operator certificate shall establish procedures to ensure the continued airworthiness of its aircraft, including airframes, aircraft engines, propellers, rotors, appliances, emergency equipment, and parts.

(b) Each applicant for the grant of a general aviation air operator certificate that contracts with another person to perform its maintenance shall include in its exposition details of—

- (1) the functions to be transferred to the other person; and
- (2) the scope of the maintenance to be carried out by the other person; and
- (3) the authority of the other person in respect of the functions and maintenance to be carried out.

**119.111 Maintenance programme**

(a) Each applicant for the grant of a general aviation air operator certificate shall include in its aircraft maintenance programme required under Part 135—

- (1) the registration of each aircraft that is subject to the programme; and
- (2) instructions and procedures for the conduct of aircraft maintenance including any required inspections and tests, setting out in detail the parts and areas of the airframe, aircraft engine, propellers, rotors, appliances, and emergency equipment, that—
  - (i) must be inspected; and
  - (ii) could result in a failure, malfunction, or defect endangering the safe operation of the aircraft if not performed properly or if improper parts or materials are used; and
- (3) a schedule for the performance of the maintenance under subparagraph (2) expressed in terms of the time in service, cycles, calendar time, number of system operations, or any combination of these; and
- (4) procedures for maintenance trend analysis if the programme utilises condition monitored maintenance or information derived from health and usage monitoring systems; and

- (5) procedures to ensure that all inspections required by the programme are performed; and
- (6) procedures for recording deficiencies found during maintenance, including examples of records; and
- (7) procedures for the correction or deferral of deficiencies found during maintenance; and
- (8) procedures for the retention of—
  - (i) a description of the work performed, or a reference to data acceptable to the Director; and
  - (ii) the name of the person certifying the release to service for the work if the work is to be performed by a person outside the applicant's organisation.

#### **119.113 Documentation**

- (a) Each applicant requiring a management system in accordance with 119.124(c) for the grant of a general aviation air operator certificate shall establish procedures to control, amend, and distribute its operational, safety, and maintenance data.
- (b) Each applicant for the grant of a general aviation air operator certificate shall establish a procedure for the control of documentation required by any applicable Part, including but not limited to Parts 91 and 135.
- (c) The procedure shall ensure that—
  - (1) all documentation is reviewed and authorised by appropriate personnel before issue; and
  - (2) current issues of all relevant documents are available to personnel at all locations where they need access to such documentation, in either hard copy, electronic, or other form acceptable to the Director; 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; and
- (5) the current version of each item of documentation can be identified to preclude the use of superseded material.

**119.115 Records—personnel**

Each applicant for the grant of a general aviation air operator certificate shall establish procedures to ensure that—

- (1) an accurate record is maintained of—
  - (i) each employee who, in the performance of their duties, is required to hold a licence or rating; and
  - (ii) each employee who is exercising any delegation of the Director's functions or powers; and
  - (iii) each employee who is exercising any authorisation granted by the certificate holder; and
- (2) the record includes details of—
  - (i) the relevant experience, qualifications, and training of each employee listed under subparagraph (1); and
  - (ii) the scope, validity, and currency of any licence or rating referred to in subparagraph (1)(i); and
  - (iii) the delegations referred to in subparagraph (1)(ii); and
  - (iv) the authorisations referred to in subparagraph (1)(iii); and
- (3) the record is retained for one year from the date that the employee—
  - (i) ceases to perform duties requiring a licence or rating; or
  - (ii) exercises any delegation or authorisation.

**119.117 Records—resources**

Each applicant for the grant of a general aviation air operator certificate shall—

- (1) establish procedures to ensure details are accurately recorded of testing, checking, and calibration of any safety-critical resources used in carrying out the operations specified on the certificate; and
- (2) retain the record of details required by subparagraph (1) for two years from the date the details are recorded.

**119.119 Flight authorisation and control**

Each applicant for the grant of a general aviation air operator certificate shall establish procedures to ensure the initiation, continuation, and termination of a flight or series of flights is authorised by the person required by 119.101(b)(1)(i).

**119.121 Flight following system**

(a) Each applicant for the grant of a general aviation air operator certificate shall establish procedures to ensure that, for each flight for which a flight following flight plan is not filed with an organisation certificated under Part 172, the certificate holder—

- (1) has at least the information required to be included in a VFR flight plan; and
- (2) is provided with the location and time for the re-establishing of communications, if the flight will operate in an area where communications cannot be maintained; and
- (3) makes timely notification to an organisation acceptable to the Director if the aircraft is overdue or missing.

(b) The maximum time period for which an aircraft may be planned to be without communication capability as provided for in paragraph (a)(2) is—

- (1) for air transport operations, 30 minutes; or
- (2) for commercial transport operations, such period established before the flight in accordance with the operator's procedures.

**119.123 Establishment of operations procedures**

Each applicant for the grant of a general aviation air operator certificate intending to conduct air operations shall establish procedures necessary to enable any requirement of this or any other Part to be complied with.

**119.124 Organisational management system**

(a) Each applicant for the grant of a general aviation air operator certificate shall establish an organisational management system to ensure compliance with, and adequacy of, the procedures required by this Part.

(b) The organisational management system procedures shall be of sufficient detail when considering the size and complexity of the operation to ensure that the appropriate organisational procedures are understood, implemented, and maintained at all levels of the organisation.

(c) Except as provided in paragraph (e), the organisational management system shall include—

- (1) a safety policy and safety policy procedures, including the procedure for occurrence investigations conducted in accordance with Part 12; and
- (2) a procedure to ensure personnel and customer feedback are monitored to identify existing problems or potential causes of problems within the system; and
- (3) a procedure to ensure problems, or potential problems, that have been identified within the system are—
  - (i) corrected; and
  - (ii) checked to ensure any corrections have been effective; and
- (4) a procedure to check that the organisation's programmes and procedures achieve the stated aims of its safety policy; and

- (5) a procedure to ensure that the management of the organisation continues to be effective in satisfying the requirements of this Part, including—
- (i) a regular plan of review; and
  - (ii) regular feedback to personnel including the results of the review and any actions undertaken to correct problems identified.
- (d) The senior person who has the responsibility for the organisational management system shall communicate with the Chief Executive on matters affecting safety.
- (e) Paragraph (c) shall not apply to an applicant for the grant of a general aviation air operator certificate that intends to conduct air operations—
- (1) with a total of three or less aircraft listed on their operations specifications; and
  - (2) from a total of two or less bases.

**119.125 General aviation air operator exposition**

- (a) Each applicant for the grant of a general aviation air operator certificate shall provide the Director with an exposition that shall 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 and any other Part; and
    - (ii) are required to be complied with by its personnel at all times; and
  - (2) the titles and names of the senior persons required by 119.101(a)(1) and (2); and

- (3) the duties and responsibilities of the senior persons specified under paragraph (a)(2) including matters for which they have responsibility to deal directly with the Director on behalf of the applicant's organisation; and
  - (4) where appropriate, an organisation chart showing lines of responsibility of the senior persons specified in paragraph (a)(2); and
  - (5) details of the principal place of operation and the main maintenance base; and
  - (6) details of the applicant's procedures required by this Part; and
  - (7) details of the maintenance—
    - (i) programme required by 135.403; and
    - (ii) procedures required by 119.109 and 119.111; and
    - (iii) organisation that performs its maintenance; and
  - (8) details of the programmes required, as appropriate, by this Part or Part 135; and
  - (9) procedures to control, amend, and distribute the exposition.
- (b) The Director shall not issue the applicant with a general aviation air operator certificate unless the applicant's exposition is acceptable to the Director.

## **Subpart D — Operating Requirements**

### **119.151 *Continued compliance***

Each holder of an air operator certificate shall—

- (1) continue to meet the standards and comply with the requirements of either Subpart B or Subpart C, as appropriate; and
- (2) comply with all procedures and programmes detailed in its exposition; and



- (3) hold at least one current copy of its operations specifications and the relevant sections of its exposition applicable to the operation at the location, in hard copy, electronic, or other form acceptable to the Director, at each location specified in its exposition if the holder holds—
  - (i) an airline air operator certificate; or
  - (ii) a general aviation air operator certificate requiring an organisational management system in accordance with 119.124(c).

#### **119.153 *Flight operation requirements***

(a) Each holder of an airline air operator certificate performing an air operation with—

- (1) an aeroplane that has a passenger seating configuration, excluding any required crew member seat, of more than 30 seats, or that has a payload capacity of more than 3410 kg, shall comply with the applicable operating requirements of Part 121; and
- (2) an aeroplane that has a passenger seating configuration, excluding any required crew member seat, of 10 to 30 seats, or a payload capacity of 3410 kg or less and a MCTOW of greater than 5700 kg, shall comply with the applicable operating requirements of Part 125; and
- (3) an aeroplane that has a passenger seating configuration of 9 seats or less, excluding any required crew member seat, and a MCTOW of 5700 kg or less, or a helicopter, shall comply with the applicable operating requirements of Part 135.

(b) Each holder of a general aviation air operator certificate performing an air operation shall comply with the applicable operating requirements of Part 135.

#### **119.155 *Flight crew qualifications***

(a) No holder of an air operator certificate shall authorise any person to act as a flight crew member, and no person may serve as a flight crew member, on an air operation, unless the person holds the licence and rating

in accordance with Part 61 that includes the privileges necessary to perform the operation.

(b) Each person authorised to perform an air operation outside New Zealand shall have in their possession the licence required by paragraph (a) and that person's current medical certificate.

**119.157 Charter, cross-hire, and leasing of New Zealand registered aircraft**

(a) Each holder of an air operator certificate that charters, cross-hires, or leases an aircraft, with or without flight crew, from another holder of an air operator certificate shall clearly establish with that other operator, and inform the pilot-in-command, prior to the aircraft's use in an air operation, under which air operator certificate the operation will be conducted.

(b) Where the holder of an air operator certificate charters, cross-hires, or leases an aircraft, with or without flight crew, from any person who does not hold an air operator certificate, then the certificate holder shall conduct the operation under its own air operator certificate.

(c) Each holder of an air operator certificate shall keep a copy of each written charter, cross-hire, or lease arrangement, under which it performs an air transport operation, for a period of at least one year after the date of completion of the last flight under the arrangement.

(d) In the case of a charter, cross-hire, or lease arrangement, that is made orally, the certificate holder shall keep a memorandum stating the elements of the arrangement, and of any amendments to it, for a period of at least one year after the date of completion of the last flight under the arrangement.

**119.159 Use of non-New Zealand registered aircraft**

(a) Each holder of an air operator certificate that uses a non-New Zealand registered aircraft under a charter, lease, or similar arrangement, to perform an air operation shall, at least 30 days prior to the performance of the operation, unless a shorter period is acceptable to the Director, notify the Director of the basic terms of the charter, lease, or similar arrangement, including—

- (1) whether the aircraft provider is authorised by an ICAO contracting State to perform air operations; and

- (2) the names of the parties to the arrangement; and
- (3) the duration of the arrangement; and
- (4) the nationality, the registration markings, and the type of each aircraft involved in the arrangement.

(b) The certificate holder shall obtain approval from the Director prior to the use of a non-New Zealand registered aircraft on air operations.

**119.161 Business or trading name**

(a) Each holder of an air operator certificate shall conduct its air operations using the trading or business name that appears on the certificate holder's certificate.

(b) No person shall perform an air operation unless the trading or business name of the certificate holder conducting the operation is displayed in such a manner that it is clearly identifiable, visible, and legible to any intending passenger before they board the aircraft.

(c) The certificate holder shall clearly identify, when it advertises any air operation conducted by it, the business or trading name that appears on the certificate.

**119.163 Limitations of general aviation air operator certificate holder**

Except in accordance with an airline air operator certificate, the holder of a general aviation air operator certificate shall not conduct operations to which Part 121 or Part 125 applies.

**119.165 Changes to certificate holder's organisation**

- (a) Each holder of an air operator certificate shall—
- (1) ensure that its exposition is amended so as to remain a current description of its organisation; and
  - (2) ensure that any amendments made to its exposition meet the applicable requirements of this or any other Part and comply with the amendment procedures contained in its exposition; and

- (3) 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; and
  - (4) make such amendments to its exposition as the Director considers necessary in the interests of aviation safety.
- (b) Where the certificate holder proposes to make a change to any of the following, prior application for and acceptance by the Director is required:
- (1) the Chief Executive:
  - (2) the listed senior persons:
  - (3) the locations nominated in 119.81(a)(7) or 119.125(a)(5), as appropriate, from which the certificate holder conducts air operations:
  - (4) the scope of the certificate holder's certificate:
  - (5) if an airline certificate holder, the overall scope or intent of the organisation's internal quality assurance procedures:
  - (6) if a general aviation certificate holder to which 119.124(c) applies, the overall scope or intent of the organisation's management system:
  - (7) the maintenance programme:
  - (8) any contractor carrying out the certificate holder's maintenance or training:
  - (9) the flight and duty scheme:
  - (10) where required, the air operator security programme.
- (c) Except as provided in paragraph (g), the holder of a general aviation air operator certificate shall, if the holder's organisation changes to require the organisational management system specified in 119.124(c)—
- (1) amend their exposition to include the organisational management system specified in 119.124(c); and

- (2) employ, contract, or otherwise engage a senior person in accordance with 119.101(b)(1)(iv); and
  - (3) ensure that that system is acceptable to the Director before performing the increased level of air operations.
- (d) The Director may prescribe conditions on the air operator certificate during or following any of the changes specified in paragraphs (b) or (c).
- (e) The certificate holder shall comply with any conditions prescribed under paragraph (d).
- (f) Where any of the changes referred to in paragraphs (b) or (c) requires an amendment to the certificate, the certificate holder shall forward the certificate to the Director as soon as practicable.
- (g) The holder of a general aviation air operator certificate may operate for a period of up to seven days without completing the amendment required by paragraph (c) provided the change to the level of air operations—
- (1) is to complete otherwise unplanned operations; and
  - (2) does not involve the organisation operating of a total of more than five aircraft; and
  - (3) is notified to the Director as soon as practicable.

#### **119.167 Changes to the maintenance programme**

The holder of an air operator certificate shall, upon the Director's request, make any revisions to a maintenance programme found by the Director to be necessary to satisfy the continuing airworthiness requirements of that programme.

#### **119.169 Transition**

(a) Each person who, on 30 April 1999, is the holder of a valid air service certificate issued under regulation 136 of the Civil Aviation Regulations 1953, or a valid aerial work certificate issued under regulation 136A of the Civil Aviation Regulations 1953 is entitled to a transitional air operator certificate.

- (b) The Director shall issue once only a transitional air operator certificate to a person who on 30 April 1999 was the holder of a valid air service certificate or a valid aerial work certificate referred to in paragraph (a).
- (c) The holder of a transitional air operator certificate may perform the operations that are authorised by the operations specifications referred to in paragraph (d) without complying with 119.5 until the dates prescribed in paragraphs (h), (i), (j), and (k).
- (d) The operations specifications that formed part of the air service certificate or aerial work certificate referred to in paragraph (a) are deemed to form part of the transitional air operator certificate issued under paragraph (b).
- (e) The Director may at any time by notice in writing to the holder of a transitional air operator certificate, or if so requested in writing by the holder of a transitional air operator certificate, amend the operations specifications and any conditions to which the certificate is subject or may add further conditions thereto as the Director considers necessary in the interests of safety.
- (f) The holder of a transitional air operator certificate shall:
- (1) continue to comply with the standards prescribed in the following requirements that were in force and applicable to the holder's air service certificate or aerial work certificate, referred to in paragraph (a), on 31 March 1997—
    - (i) the Civil Aviation Regulations 1953; and
    - (ii) the orders, notices, requirements, circulars, or other publications issued under regulation 8A of the Civil Aviation Regulations 1953; and
    - (iii) the conditions contained in the operations specifications referred to in paragraph (d); and
    - (iv) regulation 7 of the Civil Aviation (Security) Regulations 1989; and

- (2) continue to comply with the applicable requirements prescribed in Civil Aviation Rules Part 121 Subpart K and Part 135 Subpart K that were in force and applicable to the holder's air service certificate or aerial work certificate, referred to in paragraph (a), on 31 March 1997; and
  - (3) notwithstanding paragraph (f)(1), comply with the applicable requirements of the Civil Aviation Rules, other than those rules in Parts 121, 125 and 135 that have come into force on or after 1 April 1997; and
  - (4) comply with any conditions or requirements made by the Director under paragraph (e).
- (g) For the avoidance of doubt, paragraph (f) shall apply notwithstanding the revocation of the Civil Aviation Regulations 1953 and the expiry of the orders, notices, requirements, circulars, or other publications issued under regulation 8A of the Civil Aviation Regulations 1953.
- (h) Each transitional air operator certificate shall expire on 28 February 2003.
- (i) The holder of a transitional air operator certificate shall not conduct operations under the authority of that certificate using an aeroplane with a passenger seating configuration of more than 30 seats, excluding any required crew member seat, or a payload capacity of more than 3410 kg after 28 February 2000.
- (j) The holder of a transitional air operator certificate shall not conduct operations under the authority of that certificate using an aircraft with a passenger seating configuration of more than nine seats, excluding any required crew member seat after 30 June 2000.
- (k) The holder of a transitional air operator certificate shall not conduct operations under the authority of that certificate using an aircraft with two or more engines after 28 February 2001.

(l) For the purpose of complying with the requirements listed in paragraph (f)(1), the holder of a transitional air operator certificate may have its checks for the maintenance of pilot skill as required by regulation 76 of the Civil Aviation Regulations 1953, carried out by—

- (1) the holder of an aviation training organisation certificate issued under Part 141, provided that the certificate authorises the holder to carry out such checks; or
- (2) a checking and training organisation, provided that the organisation—
  - (i) on 30 October 1998, was the holder of a valid certificate of approval issued under regulation 191 of the Civil Aviation Regulations 1953; and
  - (ii) is the holder of a transitional air operator certificate issued under paragraph (b); and
  - (iii) complies with the standards prescribed in the requirements that were in force and applicable to the holder of a certificate of approval issued under regulation 191 of the Civil Aviation Regulations 1953, on 31 March 1997; and
  - (iv) complies with any conditions or requirements made by the Director under 19.13.

(m) Any person performing operations, in compliance with the Civil Aviation Rules before 30 April 1999, that are classified as commercial transport operations as defined in amendment 13 to Part 1, may continue to perform those commercial transport operations without complying with 119.5 until 31 March 2000.

(n) A person employed, on or after 1 April 1997, by the holder of a valid air service certificate or a valid aerial work certificate referred to in paragraph (a) or a valid transitional air operator certificate issued under paragraph (b), shall not be required to meet the requirements in Appendix A or B in respect of a position equivalent to that of the senior person required in the certificate holder's organisation for certification under Part 119 while that person is employed in that position by the certificate holder.



## Appendix A — Qualifications and Experience of Senior Persons – Airline Air Operator Certificate Holder

This Appendix prescribes the qualifications and experience for the senior persons responsible under 119.51(b)(1)(i), (ii), (iii), and (iv).

### A.1 Senior person responsible for air operations

Part 121 Operation	
Document required	Airline Transport Pilot Licence
Pilot-in-command experience	3 years as pilot-in-command under Part 121 operations
Managerial experience	3 years in an operational control position

	Part 125 Operation		Part 135 Operation
	Multi-crew	Single pilot	
Document required	Airline Transport Pilot Licence	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Refer Appendix B
Pilot-in-command experience	3 years as pilot-in-command under Part 121, Part 125 or Part 135 operations; or ↓	3 years as pilot-in-command under Part 121, Part 125 or Part 135 operations; or ↓	Refer Appendix B
Managerial experience	3 years in an operational control position	3 years in an operational control position	Refer Appendix B

## A.2 Senior person responsible for crew training and competency assessment

Part 121 Operation	
Document required	Airline Transport Pilot Licence with ratings
Currency	Current to act as pilot-in-command of one type of operator's aircraft
Experience	3 years as pilot-in-command under Part 121, Part 125, or Part 135 operations and 2 years experience in the check and training role

	Part 125 Operation		Part 135 Operation
	Multi-crew	Single pilot	
Document required	Airline Transport Pilot Licence with ratings	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Refer Appendix B
Currency	Current to act as pilot-in-command of one type of operator's aircraft	Current to act as pilot-in-command of one type of operator's aircraft	Refer Appendix B
Experience	3 years as pilot-in-command under Part 121, Part 125, or Part 135 operations and 2 years experience in the check and training role	3 years as pilot-in-command under Part 121, Part 125, or Part 135 operations and 2 years experience in the check and training role	Refer Appendix B

In addition, where there is a requirement for experience under Part 121, Part 125, or Part 135 operations, a person may be assessed as meeting that requirement if they have had equivalent experience in air transport operations conducted under the authority of an Air Service Certificate issued under regulation 136 of Civil Aviation Regulations 1953 or an equivalent type of operation acceptable to the Director.

### **A.3 Senior person responsible for the control and direction of maintenance**

#### **A.3.1 Part 121 Operations**

(a) The senior person responsible for the control and direction of maintenance in an organisation conducting air operations under Part 121 shall—

- (1) have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of Part 121; and
- (2) meet the requirements of paragraph (b); and
- (3) undertake any examination or test that the Director may require to determine the applicant's competency to perform the maintenance planning and control functions required.

(b) The senior person in paragraph (a)—

- (1) shall—
  - (i) hold or have held an aircraft maintenance engineer licence or equivalent, acceptable to the Director, with appropriate ratings; and
  - (ii) have at least five years experience in the maintenance of aircraft of a similar size and type as that to be operated by the organisation; and
  - (iii) have at least two years experience in a supervisory position which may be undertaken during the five years experience required under subparagraph (1)(ii); or
- (2) shall—
  - (i) be a graduate engineer or equivalent in an aeronautical, mechanical or electrical discipline; and

- (ii) have at least five years experience of the maintenance of aircraft, which may be gained while working in a maintenance supervision, maintenance planning, engineering development, or workshop environment; and
- (iii) have at least six months practical experience in aircraft maintenance tasks which may be undertaken during the five years experience required under subparagraph (2)(ii); and
- (iv) have at least two years experience in a supervisory position which may be undertaken during the five years experience required under subparagraph (2)(ii).

(c) The experience requirements in paragraphs (b)(1)(ii) and (b)(2)(ii) may be met through a course of instruction conducted by a Part 141 organisation acceptable to the Director.

### **A.3.2 Part 125 Operations**

(a) The senior person responsible for the control and direction of maintenance in an organisation conducting air operations under Part 125 shall—

- (1) have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of Part 125; and
- (2) meet the requirements of paragraph (b); and
- (3) undertake any examination or test that the Director may require to determine the applicant's competency to perform the maintenance planning and control functions required.

(b) The senior person in paragraph (a)—

- (1) shall meet the requirements of A.3.1; or

(2) shall—

- (i) hold or have held an aircraft maintenance engineer licence or equivalent, acceptable to the Director, with appropriate ratings; and
- (ii) have at least three years experience of maintenance of aircraft of a similar size and type as that to be operated by the organisation; and
- (iii) have at least one year experience of releasing aircraft to service, which may be undertaken during the three years experience required under subparagraph (2)(ii); or

(3) shall have experience acceptable to the Director including at least five years experience of the control and direction of maintenance and the continuing airworthiness of aircraft of a similar size and type as that to be operated by the organisation.

(c) The experience requirements in paragraphs (b)(1)(ii) and (b)(2)(ii) may be met through a course of instruction conducted by a Part 141 organisation acceptable to the Director.

#### A.4 Senior person responsible for internal quality assurance

	Part 121 Operation	Part 125/135 Operation
Document required	Certificate in Quality Assurance or equivalent qualification or ↓	Certificate in Quality Assurance or equivalent qualification or ↓
	5 years experience in quality assurance management in the aviation industry	5 years experience in quality assurance management in the aviation industry
Experience	5 years experience in aviation with flight operations or maintenance background	5 years experience in aviation with flight operations or maintenance background

In addition, a person may be assessed as meeting the qualification requirements for this senior person position if they have had equivalent experience in quality assurance management acceptable to the Director.

## Appendix B — Qualifications and Experience of Senior Persons – General Aviation Air Operator Certificate Holder

This Appendix prescribes the qualifications and experience for the senior persons responsible under 119.101(b)(1)(i), (ii), (iii), and (iv).

### B.1 Senior person responsible for air operations

	Part 135 Operation	
	Greater than three aircraft and/or greater than two bases	Less than four aircraft and/or less than three bases
Document required	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Commercial Pilot Licence, with Instrument Rating if operations include IFR
Pilot-in-command experience	3 years as pilot-in-command under Part 135 operations; or ↓	750 hours flight time on the category of aircraft to be operated or ↓
Managerial experience	3 years in an operational control position	equivalent experience in air operations conducted under the authority of an Air Service Certificate issued under regulation 136 of Civil Aviation Regulations 1953 or an equivalent type of operation acceptable to the Director

## B.2 Senior person responsible for crew training and competency assessment

	Part 135 Operation	
	Greater than three aircraft and/or greater than two bases	Less than four aircraft and/or less than three bases
Document required	Commercial Pilot Licence, with Instrument Rating if operations include IFR	Commercial Pilot Licence, with Instrument Rating if operations include IFR
Currency	Current to act as pilot-in-command of one type of operator's aircraft	Current to act as pilot-in-command of one type of operator's aircraft
Experience	3 years as pilot-in-command under Part 135 operations and 2 years experience in the check and training role	

## B.3 Senior person responsible for the control and direction of maintenance

(a) The senior person responsible for the control and direction of maintenance in an organisation conducting air operations under Part 135 shall—

- (1) have a clear knowledge and understanding of the maintenance parts of the organisation's exposition and the applicable maintenance provisions of Part 135; and
- (2) meet the requirements of paragraph (b); and
- (3) undertake any examination or test that the Director may require to determine the applicant's competency to perform the maintenance planning and control functions required.

(b) The senior person in paragraph (a)—

- (1) shall meet the requirements of Appendix A.3.1; or
- (2) shall meet the requirements of Appendix A.3.2; or

- (3) for organisations not requiring an organisational management system in accordance with 119.124(c), shall have sufficient knowledge of maintenance to be able to ensure that the aircraft is maintained in an airworthy condition and that any maintenance required by its maintenance programme is satisfactorily accomplished.

(c) The knowledge requirements in paragraph (b)(3) may be met through a course of instruction conducted by a Part 141 organisation acceptable to the Director.

#### B.4 Senior person responsible for the organisational management system

Part 135 Operation		
	Greater than three aircraft and/or greater than two bases	Less than four aircraft and/or less than three bases
Document required	Certificate in Quality Assurance or equivalent qualification or ↓	General knowledge and awareness of quality assurance or management systems
	General knowledge and awareness of quality assurance or management systems or ↓	
	2 years experience in management systems in the aviation industry	
Experience	3 years experience in aviation with flight operations or maintenance background	

In addition, a person may be assessed as meeting the qualification requirements for this senior person position if they have had equivalent experience in quality assurance management acceptable to the Director."



## CONSULTATION DETAILS

(This statement does not form part of the rules contained in Part 119.  
It provides details of the consultation undertaken in making the rules.)

The consultation details relating to the amendment 3 to Part 119 are contained with the associated amendment 6 to Part 135. The comments and all the background material used in developing the rules are held on the docket and are available for public scrutiny. Persons wishing to view the docket should call at Aviation House, 1 Market Grove, Lower Hutt and ask for docket 98/CAR/1303.