



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

**I, GERRY BROWNLEE**, Minister of Transport,

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This **1<sup>st</sup>** day of **AUGUST** 2012

by **Hon GERRY BROWNLEE**

A large, handwritten signature in black ink, appearing to read 'Gerry Brownlee', is written over the printed name. The signature is fluid and cursive, extending across the line and slightly below it.

Minister of Transport.

**Civil Aviation Rules**  
**Part 119, Amendment 13**  
**Air Operator — Certification**  
*Docket 6/CAR/5*

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### **Rule objective**

The objective of amendment 13 to Part 119 is to amend the current period from 1 to 3 years for keeping records for employees. This amendment is consistent with current rule 141.59(b)(5).

### **Extent of consultation**

An issue was discussed internally within the CAA regarding the period for keeping records for personnel (Rule 119.67(3)). For consistency, with the current requirement in rule 141.59, the CAA has agreed to increase the period for keeping records from 1 year to 3 years.

A Notice of Proposed Rulemaking, NPRM 10-03, containing the proposed amendment to Part 121 was issued for public consultation under Docket 6/CAR/5 on 30 November 2010.

The publication of this NPRM was notified in the Gazette on 30 November 2010. The NPRM was published on the CAA web site and mailed to identified stakeholders including representative organisations who were considered likely to have an interest in the proposal.

A period of 36 working days was allowed for comment on the proposed rule.

### **Summary of submissions**

Two submissions (a total of 12 responses from 2 organisations) were received on the NPRM. No changes were made to Part 119 as a result of the submissions.

The rule as amended was then referred to Parliament's Regulations Review Committee before being signed by the Minister of Transport.

### **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 amendment to the rule is reflected by the revocation and replacement of rule 119.67.

**Effective date of rule**

Amendment 13 to Part 119 comes into force on 06 September 2012.

**Availability of rules**

Civil Aviation Rules are available from—

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

Freephone: 0800 GET RULES (0800 438 785)

## **Part 119 Air Operator - Certification**

### **Subpart B — Airline Air Operator – Certification Requirements**

*Rule 119.67 is revoked and replaced by the following new rule:*

#### **119.67 Records—personnel**

An applicant for the grant of an airline air operator certificate must establish procedures for ensuring that—

- (1) an accurate record is maintained of—
  - (i) each employee who, in the performance of his or her 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 referred to in 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 3 years from the date that the employee—
  - (i) ceases to perform duties requiring a licence or rating; or
  - (ii) exercises any delegation or authorisation.

**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.)*

A Notice of Proposed Rulemaking, NPRM 10-03 *Part 121 Air Operations – Large Aeroplanes*, containing the proposed rules was issued for public consultation under Docket 5/CAR/6 on 30 November 2010.

Two submissions (a total of 12 responses from 2 organisations) to the NPRM were received.

Details regarding the list of submitters and a summary of submissions can be found in the consultation details for amendment 22 to Part 121.

There were no submissions relating to the amendment of Part 119.