



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

**I, CRAIG FOSS**, Associate Minister of Transport,

**HEREBY MAKE** the following ordinary rules.

**SIGNED AT** Wellington

This *2nd* day of *Dec.* 2015

by **HON CRAIG FOSS**

A handwritten signature in black ink, appearing to read 'C. Foss', is written over the printed name 'HON CRAIG FOSS'.

Associate Minister of Transport

**Civil Aviation Rules**

**Part 147, Initial Issue**

**Maintenance Training Organisations – Certification**

*Docket 14/CAR/2*

## Contents

Rule objective.....	4
Extent of consultation.....	4
Summary of submissions.....	4
Examination of submissions.....	4
Insertion of Amendments .....	5
Effective date of rule.....	5
Availability of rules.....	5
<b>Subpart A — General</b>	<b>6</b>
147.1 Scope of this Part.....	6
<b>Subpart B — Maintenance Training Organisation Certificate</b>	<b>6</b>
147.3 Scope of this Subpart.....	6
147.5 Application for maintenance training organisation certificate .....	7
147.7 General facility requirements .....	8
147.9 Basic training facility requirements.....	9
147.11 Aircraft type and aircraft task facilities requirements.....	9
147.13 Personnel requirements.....	9
147.15 Documentation .....	11
147.17 Safety management .....	11
147.19 Records.....	12
147.21 Training courses, practical assessments, and knowledge examinations.....	14
147.23 Organisation’s exposition .....	14
147.25 Changes to certificate holder’s exposition.....	17
147.27 Exposition to be made available .....	18
147.29 Organisation to comply with procedures .....	18
147.31 Ratings specified on certificate.....	18
147.33 Duration of certificate.....	19
147.35 Grant or renewal of certificate .....	19
<b>Subpart C — Restricted Maintenance Training Organisation Certificate</b>	<b>19</b>
147.51 Scope of this Subpart.....	19
147.53 Application for restricted maintenance training organisation certificate .....	20
147.55 Personnel, general facility, and documentation requirements.....	21

147.57	Records.....	21
147.59	Ratings specified on certificate.....	23
147.61	Duration of certificate.....	23
147.63	Grant of certificate.....	23
<b>Subpart D — Transitional Provisions</b>		<b>23</b>
147.101	Transitioning from a Part 141 certificate to a Part 147 certificate.....	23
147.103	System for safety management transition for maintenance training organisation certificate holders and applicants.....	24
147.105	Transitional internal quality assurance for maintenance training organisation certificate holders and applicants.....	26
Consultation Details .....		29
Rule 147.3(a)(2).....		29
Rule 147.19(b)(3).....		29
Rule 147.27(b).....		30
Subpart C .....		30
General to Part 147.....		31

**Rule objective**

The objective of the initial issue to Part 147 is to provide rules which assist the economic development of the aircraft maintenance training sector.

**Extent of consultation**

Development of the rule proposal included informal discussions, meetings and emails with Air New Zealand Aviation Institute, Air Nelson, Eagle Airways, Airwork, Nelson Marlborough Institute of Technology, Hawker Pacific, Oceania, the Aircraft Engineers Association of New Zealand, Aviation Services Ltd, New Zealand Qualifications Authority, and Service IQ. Prior to the publication of the notice of the proposal, the Maintenance Training Organisations project was undertaken in consultation with a project working group that consisted of representatives from the aviation industry. The project working group also had support from the Aviation Community Advisory Group and Aviation New Zealand.

A Notice of Proposed Rulemaking, NPRM 15-03, containing the proposed new Part 147, and consequential amendments to Parts 66, 119 and 145, was issued for public consultation under Docket 14/CAR/2 on 16 July 2015.

The publication of this NPRM was notified in the Gazette on 16 July 2015, 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 23 days was allowed for comment on the proposed rule.

**Summary of submissions**

Four written submissions and no oral comments were received on the NPRM. These submissions and comments have been considered and as a result no significant amendments were made to the proposal. Refer also to *Consultation Details* on page 29.

**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**

Insert this new rule part into the rule series in numerical sequence.

**Effective date of rule**

Part 147 comes into force on 1 February 2016.

**Availability of rules**

Civil Aviation Rules are available from–

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

Freephone: 0800 GET RULES (0800 438 785)

***Insert new Rule Part 147 in the Civil Aviation Rules comprising all the following rules:***

## **Subpart A — General**

### **147.1 Scope of this Part**

The Director issues the following certificates under this Part:

- (1) maintenance training organisation certificate under Subpart B;
- (2) restricted maintenance training organisation certificate under Subpart C.

## **Subpart B — Maintenance Training Organisation Certificate**

### ***General***

### **147.3 Scope of this Subpart**

(a) This Subpart applies to an organisation that on an ongoing basis conducts—

- (1) maintenance training, practical assessments, or knowledge examinations that are required by Part 66 of the Civil Aviation Rules to be conducted by an organisation certificated under this Part; or
- (2) maintenance training, practical assessments, or knowledge examinations that may be credited toward the eligibility for the grant of an aircraft maintenance engineer licence; or
- (3) courses of instruction and knowledge examinations on the inspection of aircraft and components for conformity with the Civil Aviation Rules.

(b) An organisation must not conduct any of the activities specified in paragraph (a) without a certificate granted or renewed under rule 147.35.

(c) Despite paragraph (b), an organisation holding an aircraft maintenance organisation certificate granted under Part 145 may conduct the activities specified in paragraph (a) for the organisation's own staff.

(d) For the purpose of this subpart, a reference to an organisation includes, but is not limited to, the following:

(1) a sole trader:

(2) a partnership.

(e) Unless the context otherwise requires, all references in this Subpart to training courses, knowledge examinations, and practical assessments are to the training courses, knowledge examinations and practical assessments specified in the organisation's exposition required under rule 147.23.

### **147.5 Application for maintenance training organisation certificate**

(a) An organisation referred to in rule 147.3(a) must—

(1) apply for a maintenance training organisation; or

(2) if the organisation's certificate that was granted or renewed under rule 147.35 is due to expire, apply for the certificate to be renewed before the certificate expires.

(b) The organisation must apply by—

(1) submitting an application to the Director in accordance with section 8 of the Act; and

(2) paying the appropriate fee.

(c) An application must include:

(1) a completed form CAA 24147/01:

(2) the exposition required by rule 147.23.

### ***Organisational requirements***

#### **147.7 General facility requirements**

- (a) An organisation referred to in rule 147.3(a) must—
- (1) ensure its—
    - (i) facilities and resources are appropriate for its training courses, knowledge examinations, and practical assessments; and
    - (ii) facilities provide protection from the weather elements; and
    - (iii) facilities and resources ensure the proper operation of all planned training and knowledge examinations on any particular day; and
    - (iv) facilities that are used for the instruction of theory are enclosed and separate from other facilities; and
    - (v) facilities that are used for the conduct of knowledge examinations, are enclosed and separate from other facilities; and
    - (vi) facilities and resources enable students to concentrate on their studies or knowledge examination as appropriate, without undue distraction and discomfort; and
  - (2) provide premises, facilities, and resources of a standard that ensures the organisation's instructors, knowledge examiners, and practical assessors are able to prepare for their duties without undue distraction and discomfort; and
  - (3) provide secure storage facilities for knowledge examination papers and training records; and
  - (4) provide access to technical material appropriate for the training the organisation provides.

(b) The storage facility referred to in paragraph (a)(3) must be of a standard that ensures that all stored knowledge examination papers and course records remain in good condition for the period specified in rule 147.19(d).

### **147.9 Basic training facility requirements**

If an organisation referred to in rule 147.3(a) provides a basic training course then the organisation must have the following available for the basic training course—

- (1) a classroom; and
- (2) a workshop that is separate from the classroom.

### **147.11 Aircraft type and aircraft task facilities requirements**

(a) This rule applies to the following types of training:

- (1) training for the maintenance of a specific type of an aircraft:
- (2) training for the maintenance of a specific part of an aircraft.

(b) For training to which this rule applies, an organisation referred to in rule 147.3(a) must provide access for its students to appropriate facilities containing examples of a type of an aircraft or the specific part to which the training relates.

### **147.13 Personnel requirements**

(a) An organisation referred to in rule 147.3(a) must employ, or contract, or engage—

- (1) a senior person identified as the chief executive who—
  - (i) has the authority within the organisation to ensure that every activity undertaken by the organisation under the authority of the certificate can be financed and carried out in accordance with this Subpart; and
  - (ii) is responsible for ensuring that the organisation complies with this Subpart.

- (2) 1 or more senior persons accountable to the chief executive who are responsible for—
  - (i) ensuring that the organisation complies with the organisation’s exposition required by rule 147.23; and
  - (ii) the system for safety management required by rule 147.17; and
- (3) sufficient personnel to plan, conduct, and supervise its—
  - (i) training courses; and
  - (ii) practical assessments; and
  - (iii) knowledge examinations.
- (b) The senior person responsible for the function specified in paragraph (a)(2)(ii) must have knowledge and experience relevant to the management of safety systems and the activities of the organisation.
- (c) The organisation must establish procedures for assessing and maintaining the competence of personnel conducting its—
  - (1) training courses; and
  - (2) practical assessments; and
  - (3) knowledge examinations.
- (d) The organisation must ensure that—
  - (1) the maximum number of people undergoing practical training and assessments during a training course must be 15 or fewer per supervisor or assessor; and
  - (2) the maximum number of people undergoing knowledge training must not exceed 30 in a class.

**147.15 Documentation**

(a) An organisation referred to in rule 147.3(a) must have immediate access to the following documents:

- (1) current versions of all relevant technical standards and practices; and
- (2) any other documentation that is necessary for the provision of each of its—
  - (i) training courses; and
  - (ii) practical assessments; and
  - (iii) knowledge examinations.

(b) The organisation must have procedures to control the documents to ensure that—

- (1) the appropriate personnel review and authorise the documents before the documents are issued; and
- (2) current copies of the relevant documents are available to its personnel for the provision of the following—
  - (i) training courses; and
  - (ii) practical assessments; and
  - (iii) knowledge examinations; and
- (3) obsolete documents are not used by its personnel; and
- (4) the appropriate personnel review and approve all changes to the documents.

**147.17 Safety management**

An organisation referred to in rule 147.3(a) must establish, implement, and maintain a system for safety management in accordance with rule 100.3.

**147.19 Records**

(a) An organisation referred to in rule 147.3(a) must establish procedures for identifying, collecting, indexing, storing, and maintaining the records that are necessary for each of its—

- (1) training courses; and
- (2) practical assessments; and
- (3) knowledge examinations.

(b) The organisation must keep and maintain a record for—

- (1) each person who conducts a—
  - (i) training course; or
  - (ii) practical assessment; or
  - (iii) knowledge examination; and
- (2) each person who—
  - (i) is enrolled in a training course;
  - (ii) undertakes a practical assessment;
  - (iii) undertakes a knowledge examination; and
- (3) each internal quality assurance audit or review.

(c) The organisation must ensure that—

- (1) a record referred to in paragraph (b)(1) must include—
  - (i) the person's name; and
  - (ii) details of the person's experience; and
  - (iii) the person's qualifications; and
  - (iv) the person's training; and

- (2) a record referred to in paragraph (b)(2) must include—
    - (i) the person’s name; and
    - (ii) the person’s date of birth; and
    - (iii) the method used to identify the person; and
    - (iv) details of the person’s enrolment, course attendance, and subjects; and
    - (v) if applicable, details of the person’s training; and
    - (vi) if applicable, any instructor comments in relation to the person; and
    - (vii) if applicable, details of the person’s internal assessments; and
    - (viii) if applicable, details of each knowledge examination undertaken by the person; and
    - (ix) if applicable, details of each practical assessment undertaken by the person; and
    - (x) any associated knowledge deficiency report completed by the student as part of the student’s enrolment with the organisation; and
  - (3) each of the records referred to in paragraph (b) is—
    - (i) accurate; and
    - (ii) legible; and
    - (iii) of a permanent nature.
- (d) The organisation must retain records referred to in paragraph (b) for at least a period of 5 years from the date of the last entry.

**147.21 Training courses, practical assessments, and knowledge examinations**

(a) An organisation referred to in rule 147.3(a) must establish a process—

- (1) for conducting its—
  - (i) training courses; and
  - (ii) practical assessments; and
  - (iii) knowledge examinations

that specifies how the organisation complies with paragraph (b).

(b) The organisation must ensure that—

- (1) each training course is conducted in accordance with the training course's syllabus; and
- (2) each practical assessment and knowledge examination, as the case may be is conducted in a way that does not compromise its integrity; and
- (3) a person has the appropriate combination of qualifications and experience before conducting a—
  - (i) training course:
  - (ii) practical assessment:
  - (iii) knowledge examination.

**147.23 Organisation's exposition**

(a) An organisation referred to in rule 147.3(a) must provide the Director with an exposition that includes—

- (1) a statement signed by the chief executive on behalf of the organisation confirming that the exposition and any included manuals—

- (i) define the organisation; and
  - (ii) demonstrate the organisation's means and methods for ensuring ongoing compliance with this Subpart; and
  - (iii) will be complied with at all times the organisation has a current certificate; and
- (2) in relation to the system of safety management required by rule 147.17,—
- (i) all of the documentation required by rule 100.3(b); and
  - (ii) for an organisation that is not applying for a renewal of a maintenance training organisation certificate, an implementation plan that describes how the system for safety management will be implemented; and
- (3) the name of the chief executive referred to in rule 147.13(a)(1); and
- (4) for each senior person referred to in rule 147.13(a)(2), the senior person's—
- (i) name; and
  - (ii) job title; and
  - (iii) duties and responsibilities, including matters for which the senior person has responsibility to deal directly with the Director or the Authority on behalf of the organisation; and
  - (iv) responsibilities for safety management; and
- (5) an organisation chart showing lines of responsibility of each senior person referred to in rule 147.13(a)(2); and
- (6) information that identifies the lines of safety responsibilities within the organisation; and

- (7) a list of all—
    - (i) training courses to be conducted by the organisation; and
    - (ii) knowledge examinations to be conducted by the organisation; and
    - (iii) practical assessments to be conducted by the organisation; and
  - (8) the locations at which the organisation has its principal place of operation; and
  - (9) the course outline and syllabus for each training course to be conducted by the organisation; and
  - (10) details of the system for safety management required by rule 147.17; and
  - (11) the organisation’s procedures that are specified in—
    - (i) rule 147.13(c); and
    - (ii) rule 147.15(b); and
  - (12) procedures for ensuring all knowledge examination questions—
    - (i) are protected from unauthorised access; and
    - (ii) are not removed from the organisation’s facility; and
  - (13) procedures for dealing with cheating during examinations; and
  - (14) procedures for controlling, amending, and distributing the exposition.
- (b) The exposition must be acceptable to the Director.

**147.25 Changes to certificate holder's exposition**

- (a) An organisation referred to in rule 147.3(a) must—
- (1) ensure that the exposition is amended so that it remains a current description of the holder's organisation; and
  - (2) ensure that any amendment made to the exposition—
    - (i) is compliant with the Civil Aviation Rules; and
    - (ii) complies with the amendment procedure contained in the exposition; and
  - (3) provide the Director with a copy of each amendment to the exposition as soon as practicable after the amendment has been made; and
  - (4) make such amendments to the exposition as the Director considers necessary in the interests of aviation safety.
- (b) Before changing any of the following, an organisation referred to in rule 147.3(a) must obtain approval by the Director to make the change:
- (1) its chief executive as specified in the organisation's exposition required under rule 147.23:
  - (2) the title of a senior person specified in the exposition required by rule 147.23:
  - (3) the name of a senior person specified in the exposition required by rule 147.23:
  - (4) the locations at which an organisation has its principal place of operation:
  - (5) the scope of—
    - (i) each training course; or
    - (ii) each knowledge examination; or

(iii) each practical assessment:

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

(c) To avoid doubt, an organisation referred to in rule 147.3(a) must comply with paragraph (a) when making a change referred to in paragraph (b).

#### **147.27 Exposition to be made available**

An organisation referred to in rule 147.3(a) must—

- (1) hold at least 1 complete and current copy of its exposition at each major location specified in its exposition; and
- (2) make each applicable part of its exposition available to personnel who require those parts to carry out their duties.

#### **147.29 Organisation to comply with procedures**

An organisation referred to in rule 147.3(a) must comply with all procedures included in its exposition.

### ***Certificate***

#### **147.31 Ratings specified on certificate**

The Director must specify on a certificate granted or renewed under rule 147.35, 1 or more of the following ratings for which the certificate is issued:

- (1) E1 for basic training courses:
- (2) E2 for aircraft type or task training courses:
- (3) E3 for knowledge examinations conducted on behalf of the Director:
- (4) E4 for other courses relevant to maintenance training.

**147.33 Duration of certificate**

- (a) When granting or renewing a certificate under rule 147.35, the Director must specify a date on which the certificate will expire.
- (b) The Director may not specify a date under paragraph (a) that is later than 5 years after the date on which the certificate was granted.

**147.35 Grant or renewal of certificate**

- (a) The Director, in accordance with section 9 of the Act, may—
- (1) grant a certificate to an organisation that has applied under rule 147.5(a)(1); or
  - (2) renew a certificate of an organisation that has applied under rule 147.5(a)(2).
- (b) For the purpose of sections 9(1)(a) and 9(1)(b)(iii) of the Act, the relevant prescribed requirements are the requirements specified in rules 147.7 to 147.29.

**Subpart C — Restricted Maintenance Training Organisation Certificate*****General*****147.51 Scope of this Subpart**

- (a) This Subpart applies to an organisation—
- (1) that conducts the maintenance training described in paragraphs (b)(1) and (b)(2); and
  - (2) to which Subpart B does not apply.
- (b) An organisation must not conduct the following without a certificate granted under rule 147.63—
- (1) maintenance training, knowledge examinations, or practical assessments that are required by Part 66 of the Civil Aviation Rules to be conducted by an organisation certificated under this Part; or

- (2) maintenance training, knowledge examinations, or practical assessments that may be credited toward the eligibility for the grant of an aircraft maintenance engineer licence.
  - (3) courses of instruction and knowledge examinations on the inspection of aircraft and components for conformity with the Civil Aviation Rules.
- (c) For the purpose of this Subpart, a reference to an organisation includes, but is not limited to, the following:
- (1) a sole trader;
  - (2) a partnership.
- (d) Unless the context otherwise requires, all references in this Subpart to training courses,—
- (1) are to the training courses specified in the organisation’s application under rule 147.53; and
  - (2) include any knowledge exams and practical assessments.

### **147.53 Application for restricted maintenance training organisation certificate**

- (a) An organisation referred to in rule 147.51(a) must apply for a restricted maintenance training organisation certificate.
- (b) The organisation must apply by—
- (1) submitting an application to the Director in accordance with section 8 of the Act; and
  - (2) paying the appropriate fee specified in regulations made under the Act.
- (c) An application must include:
- (1) a completed form CAA 24147/01; and
  - (2) details of compliance with rules 147.55 and 147.57.

### ***Organisational requirements***

#### **147.55 Personnel, general facility, and documentation requirements**

An organisation referred to in rule 147.51(a) must—

- (1) employ, contract, or engage sufficient personnel to plan, conduct, and supervise each training course; and
- (2) ensure that a person employed, contracted, or engaged under paragraph (1) has the appropriate combination of qualifications and experience; and
- (3) have facilities and resources appropriate to conduct the training courses and associated practical assessments and knowledge examinations; and
- (4) have the following documents:
  - (i) current versions of relevant technical standards and practices; and
  - (ii) any other documentation that is necessary for the provision of its training course.

#### **147.57 Records**

(a) An organisation referred to in rule 147.51(a) must identify, collect, index, store, and maintain the records that are necessary for each training course.

(b) The organisation must keep and maintain a record for each person who—

- (1) conducts a training course; and
- (2) is enrolled in a training course.

(c) An organisation must ensure that—

- (1) a record referred to in paragraph (b)(1) must include the person's—

- (i) name; and
  - (ii) experience; and
  - (iii) qualifications; and
  - (iv) training.
- (2) a record referred to in paragraph (b)(2) must include—
- (i) the person’s name; and
  - (ii) the person’s date of birth; and
  - (iii) the details of the person’s enrolment and attendance; and
  - (iv) if applicable, details of the person’s training; and
  - (v) the instructor’s comments in relation to the person; and
  - (vi) the person’s results in relation to each knowledge examination and practical assessment undertaken by the person.
- (3) each of the records referred to in paragraph (b) is—
- (i) accurate; and
  - (ii) legible; and
  - (iii) of a permanent nature.
- (4) The organisation must retain records referred to in paragraph (b) for a period of at least 5 years from the date of the last entry.

## ***Certificate***

### **147.59 Ratings specified on certificate**

The Director must specify on a certificate granted under rule 147.63, 1 or more of the following ratings for which the certificate is issued:

- (1) E1 for basic training courses:
- (2) E2 for aircraft type or task training courses:
- (3) E3 for knowledge examinations conducted on behalf of the Director:
- (4) E4 for other courses relevant to maintenance training.

### **147.61 Duration of certificate**

When granting or renewing a certificate under rule 147.63, the Director must specify a date on which the certificate expires.

### **147.63 Grant of certificate**

- (a) The Director, in accordance with section 9 of the Act, may grant a certificate to an organisation that has applied under rule 147.53.
- (b) For the purpose of sections 9(1)(a) and 9(1)(b)(iii) of the Act, the relevant prescribed requirements are the requirements specified in rules 147.55 and 147.57.

## **Subpart D — Transitional Provisions**

### **147.101 Transitioning from a Part 141 certificate to a Part 147 certificate**

- (a) This rule applies to an aviation training organisation certificate that was granted—
  - (1) under rule 141.5 to an organisation referred to in rule 147.3(a); and
  - (2) before 1 February 2016.

- (b) An aviation training organisation certificate to which this rule applies, is deemed to be a maintenance training organisation certificate granted under rule 147.35.
- (c) If an aviation training organisation certificate to which this rule applies contains an E1 rating, the E1 rating is deemed to be an E2 rating specified in rule 147.31.
- (d) If an aviation training organisation certificate to which this rule applies contains an M3 rating, the M3 rating is deemed to be an E4 rating specified in rule 147.31.
- (e) A deemed maintenance training organisation certificate is valid—
- (1) until it—
    - (i) expires; or
    - (ii) is revoked; and
  - (2) while it is not suspended.

**147.103 System for safety management transition for maintenance training organisation certificate holders and applicants**

- (a) This rule applies to each—
- (1) organisation that is referred to in rule 147.3(a):
  - (2) applicant for a maintenance training organisation certificate.
- (b) Before 1 February 2021, an organisation to which this rule applies—
- (1) is not required to comply with—
    - (i) rule 147.13(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:

- (ii) rule 147.17, 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 147.105:
  - (iii) rule 147.23(a)(2):
  - (iv) rule 147.23(a)(4)(iv):
  - (v) rule 147.23(a)(6); but
- (2) by 30 July 2018 must submit to the Director with the accompanying completed CAA form an implementation plan that—
  - (i) includes a proposed date for implementation of the system for safety management; and
  - (ii) outlines how the organisation plans to implement the system for safety management required under rule 147.17.
- (c) the Director will—
  - (1) approve the organisation’s implementation plan; and
  - (2) set the date for implementation of the system for safety management.
- (d) To avoid doubt the date for implementation is the date the Director approves the system for safety management.
- (e) In setting the date under rule 147.103(c)(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 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.
- (f) If the organisation is an applicant for a maintenance training organisation certificate it must submit its application for such a certificate together with the plan for implementation of the system for safety management.
- (h) This rule expires on 1 February 2021.

**147.105 Transitional internal quality assurance for maintenance training organisation certificate holders and applicants**

- (a) The internal quality assurance system required by rule 147.103(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
  - (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.

## **Consultation Details**

*(This statement does not form part of the rules contained in Part 147. It provides details of the consultation undertaken in making the rules.)*

A Notice of Proposed Rulemaking, NPRM 15-03 *Maintenance Training Organisations*, containing the proposed rules was issued for public consultation under Docket 14/CAR/2 on 16 July 2015.

Four written submissions were received covering six topics. One submission supported the proposal without changes. One submission supported the proposal, and made four suggestions for improvement. Two submissions did not support the proposal, but would if certain changes were made in two areas.

The following submission topics related to Part 147:

### **Rule 147.3(a)(2)**

The submitter stated:

“There does not have to be a specific reference excluding training carried out under rule 145.60(d)(1). The mentioned rule already specifies who can carry out the training, and would exclude an organisation certified under Part 147.”

### ***CAA response***

*The CAA does not agree with this submission. Training can be delivered by a Part 145 certificate holder without that organisation being a Part 147 certificate holder. Without a provision in Part 147 for that, the provision in Part 145 would be at odds with Part 147. This provision also aligns Part 147 with what is currently required in Part 141 Aviation Training Organisations – Certification.*

### **Rule 147.19(b)(3)**

The submitter stated:

“There is a requirement for keeping records of each quality assurance audit or review, but there is no requirement to have a quality assurance/management system. Should this have read ‘safety management audit or review’?”

**CAA Response**

*The CAA agrees with this submission in part. Since this rule will come into force at the same time as the SMS rules, Part 147's safety management requirements will be aligned with the safety management rules.*

**Rule 147.27(b)**

The submitter stated:

“Part 147.27b requires all changes to be approved by the Director. If an organisation is Part 147 certified then (4) & (5) should not be required as will be carried out through the organisations MOE which is approved by CAA.”

**CAA Response**

*[Note that the rule numbering has become 147.25(b) due to the removal of proposed rule 147.23 and subsequent inclusion of the examination security requirements into rule 147.25]*

*The CAA does not agree with this submission. A change in an organisation's principal place of location and its scope of training course, knowledge examination or practical assessment is considered a significant amendment warranting the Director's review and approval. This requirement is the same for all organisational certificate holders. The CAA intends to provide further guidance on this in the relevant Advisory Circular.*

**Subpart C**

The submitter stated:

“Should read ‘Restricted Maintenance Training Organisation’ for consistency with subpart B.”

**CAA Response**

*The CAA agrees with this submission and has made the suggested change.*

**General to Part 147**

The submitter stated:

“We are aware that an industry group has been involved in the development of the NPRM. We strongly support the concept of industry and CAA working closely together on Rule development. In our view, the draft reflects the importance of enhancing NZ’s international aviation reputation will help reduce compliance costs for companies seeking international customers and will promote aviation safety. If there are any minor issues in the way some aspects are worded, we will let any affected companies work this through with CAA.

International work we have undertaken in China, Indonesia, Singapore and India has reinforced the need for an EASA type Part 147.

We also see considerable savings through the implementation of a NZ Part 147, overcoming the alternative for companies in international work to secure an expensive EASA Part 147.”

**CAA response**

*The CAA thanks the submitter for their support.*

Another submitter stated:

“I cannot understand the need for a Safety Management System. Part 147 organisations are not operational in nature and do not represent a danger or hazard to the aviation system provided they follow the other requirements of the rule (these making up a Quality Management System). The inclusion of SMS requirements makes this rule overly complex and bureaucratic in nature and adds no value to part 147 outcomes. The rule proposal indicates some confusion about the nature of both QMS and SMS and their inter-relationship. Ideally this rule should be QMS based. For example: one QMS aspect that is missing is a requirement relating to design control (see ISO9001). These requirements should be part of the rule where an organisation is in the business of designing training course. The rule does not address important aspect and this lack of QMS functionality is a good example of a fundamental misunderstanding.

Recommendations: (1) The SMS requirements should be removed entirely. (2) A rule for design control as part of the QMS should be added.”

**CAA response**

*The CAA does not agree with this submission. SMS is applicable to a Part 147 certificated organisation as they are a direct input to maintenance, which in some cases may not have other safety defences (such as a Part 145 organisation to evaluate training and competence). A Part 147 certificated organisation does not need to have a complex SMS.*

*The purpose of Part 147 is to provide rules to assist the economic development of the aircraft maintenance training sector, based upon the requirements of the equivalent Part 147 administered by the European Aviation Safety Agency (EASA). EASA Part 147 incorporates SMS into its requirements. During development of New Zealand’s Part 147, industry strongly encouraged the CAA to align the rule part with EASA Part 147.*

*The CAA agrees that design control is relevant, but does not agree that it needs to be explicitly required. Many ISO9001 elements are not explicitly required under Quality Assurance requirements.*