



**Summary of Public Submissions
Received on
NPRM 15-03— Part 147 Maintenance Training
Organisations**

**Prepared by Bryce Wigodsky
Senior Policy Advisor**

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General

Notice of Proposed Rule Making NPRM 15-03(docket 14/CAR/2) was issued for public consultation on 16 July 2015, with a submission close-off date of 7 August 2015. The purpose of NPRM 15-03 was to provide rules which assist the economic development of the aircraft maintenance training sector.

The proposed new rules are based on the requirements in the current Civil Aviation Rule Part 141 and the equivalent European Aviation Safety Agency (EASA) Part 147. The intention behind this is that the proposed new Part 147 is internationally recognised and acceptable to the overseas market.

The proposed new Part 147 prescribed rules governing the certification and operation of organisations conducting –

- standard maintenance training; and
- restricted maintenance training.

A copy of the NPRM was sent to:

- The Ministry of Transport;
- The Aviation Community Advisory Group (ACAG);
- The Project Working Group.

The NPRM was also published on the CAA website on 16 July 2015 and notified to affected industry participants by automatic email alerts.

Summary of Submissions

Four written submissions were received. One submission supported the proposal without changes. One submission supported the proposal, and made suggestions for improvement. Two submissions did not support the proposal, but would if certain changes were made.

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 145. 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

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.

Rule 66.103(3)(ii)(A)

The submitter stated:

“May be out of scope, but there is no proof of knowledge required if the training course is provided by a Part 147 certificate holder. Simply attending a course does not guarantee adequate knowledge has been imparted to the attendee.”

CAA response

The CAA agrees with the intent of this submission, and notes that matters of receiving adequate training and the competency of licensed aircraft maintenance engineers is within the scope of Part 66 Aircraft Maintenance Personnel Licensing. The CAA is currently reviewing Part 66, which includes consideration of license holders’ training and competency requirements.