Notes from CAA/ACAG Meeting
Tuesday 12 November 2013
CAA Office, Wellington

Present: Mark von Motschelnitz, Lisa Sheppard, Sue Holliday, George Rogers, Mike Groome, Qwilton Biel, Paul Drake, Derek Edwards, Mark Stretch, Chris Snelson, Helen Robertson, Rob Torenvlied.

Apologies: John Kay, Mike Caldwell, Chris Ford, Steve Moore, Stephen Hunt, Errol Burtenshaw, Max Stevens.

- Minutes of the 6 June 2013 meeting were accepted.

- ACAG's final refinements of the draft Terms of Reference were tabled and acknowledged. Mark von Motschelnitz conveyed some thoughts from John Kay (not present) that it was important to ensure adequate representation from emerging sectors that may need representation. Two identified candidates were remotely piloted aircraft and BARNZ. It was noted that BARNZ members and Air NZ have the same system interfaces with the NZ regulatory system. The meeting agreed that John Kay and Mike Groome address these matters as part of their 14 November meeting.

- The meeting was advised that consideration is being given to engaging ACAG in the next round of CAA funding reviews.

- It was requested that Graeme Harris attend the upcoming ACAG Election Forum and provide a presentation on rules development.

- Lisa Sheppard briefed the meeting on the functioning of the CAA's issues review process to date and provided a briefing paper (copy attached). It was noted that the limited information provided as an issue description is in most cases the total available information on the topic. Feedback was requested from ACAG to:

    1. Provide an additional detail that may be available.
    2. Assist with establishing a prioritization of issues not yet assessed.
    3. Develop a list of subject matter experts on the issues listed.

- Peter Meade is the new policy analyst working on RPA's (remotely piloted aircraft) and he briefed the meeting that CAA have shifted to a position whereby any such aircraft under 25kg are being treated as model aircraft under Part 101. The FAA has recently released a roadmap for the USA and this is being reviewed here at present. A discussion paper is under development by CAA on the near term and longer term way forward for RPA's in New Zealand.

- Lisa Sheppard briefed the meeting on the National Airspace and Air Navigation Plan which is open for consultation until 3 February 2014 and is the subject of workshops throughout the country in the week beginning 19 November.

- Next meeting March 2014, date to be confirmed.

ISSUES REVIEW PANEL
STATUS REPORT

Issue Assessment Status

For Panel Meeting 22 October 2013

Summary

This paper summarises the current status of the issue assessment list at the current date and seeks guidance on priorities for issue assessments.

Status of Issue Actions

A total of 173 issues have been logged with the Civil Aviation Authority since 2005. Of these:

- 44 issues are open (including 9 new ones since July 2012) – this list is attached. ACAG has identified 10 priorities for next assessment. We seek guidance from the panel on its priorities for assessment.
- 20 issues are under assessment, with 3 of these to be reviewed at this review panel meeting. The Policy team is aiming to clear this list by Christmas, with Panel meetings to be held every 2-3 weeks.
- 28 issues have been transferred to the policy projects workstream. They will be closed once the policy project is closed.
    - Risk based regulation (3 issues)
    - Act review (3 issues)
    - Airspace and air navigation (9 issues)
    - Remotely piloted aircraft (1 issue)
    - Engineer licencing (5 issues)
    - Portable electronic devices (2 issues)
    - Fuel tank inerting (1 issue)
    - Helicopter performance (1 issue)
- 46 have been assessed with actions assigned to relevant teams for implementation (via email to the responsible General Manager). These issues have now been closed in the issue assessment system. **An email was sent to managers of all CAA teams who submitted issues** summarising the outcome of issues originating in their group.
    - 4 issues rejected

- 4 issues are to be monitored, with report back to the issue review panel by a specified time
- 8 actions will become policy projects for further investigation. These will be assigned to policy advisors as resources become available
- 26 actions are non-regulatory, including amendments to advisory circulars, encouragement and training, guidance, education, increased focus on audits and investigation, technical assessments and letters and notifications to participants.
- 25 actions involve regulatory change – 4 of these have already been notified to MoT recommending inclusion on the rule programme and 6 actions have been assigned to an omnibus rule.

- 43 issues have been cancelled and closed following panel or ACAG review:

Recommendations

1) **Note** the current status of the issue assessment list
2) **Prioritise** the open list of issues for assessment

Prepared by:

Lisa Sheppard
Principal Policy Adviser

Notes from Panel Discussion 22 October 2013

- Panel agreed that next priorities should be ACAG priorities
- In the next Panel meeting the issues should be grouped in like themes, so that the Panel can see whether there are any patterns or trends. The panel noted that these could be allocated in groups so that any common themes could be assessed and considered together – eg it was noted that there are a number of issues around GA maintenance
- Issue 07_ISS_95 can be closed as this was subsequently addressed through an advisory circular
- Of the new issues (year 13 and 14) none were considered major priorities. There was some discussion around issue 14_ISS_3 – while this issue was related to low end recreational sector and did not pose significant risk, the issue could be addressed as part of the next tranch of issues. It is therefore identified as priority number 11
- Issue 14_ISS_2 could be included as an issue to be addressed as part of the Airspace and Air Navigation regulatory review

ISSUES REVIEW PANEL
STATUS REPORT

OPEN ISSUES as at 30/09/13				
Title	**Submitted Issue**	**Source**	**External rec (eg.ICAO)**	**ACAG Priority**
Part 141 Issues	A critical need has been identified for NZ CAR Part 141 to be amended so as to bring it into line with the ICAO Annex 1 requirements relating to both approved training organisations and safety management systems. Annex 1 contains the following stipulation: "1.2.8.2 The approval of a training organization by a State shall be dependent upon the applicant demonstrating compliance with the requirements of Appendix 2 and Appendix 4." NZ CAR Part 141 was introduced on 22 February 1996 and has had only one subsequent minor amendment which was effective from 30 August 2007, so it is need of updating. At present 57 Aviation Training Organization Certificates have been issued under Part 141. Due to shortcomings in Part 141, the individuals and organisations concerned have in effect not been certificated in accordance with the requirements of Annex 1. ICAO Annex 1 addresses personnel licensing and at present all but four of the eighteen types of training courses and assessments that require approval under Part 141 as listed in AC141-1 come under the ambit of personnel licensing and thus have relevancy under Annex 1 and NZ Civil Aviation Rule Part 61.	Aviation Infrastructure and Personnel	Yes	4
13_ISS_09 Electrical wiring interconnection systems_EWIS	Both FAA and EASA require Instructions for Continued Airworthiness (ICA) for large transport aircraft to consider electrical wiring interconnection systems (EWIS). While no Part 25 aircraft are type certificated in NZ, STCs are approved for these aircraft and the applicants must ensure that EWIS is considered in the ICA. Our bilateral partners expect NZ to have in place certification standards and processes equivalent to their own and this requirement is missing from NZ Rules. Intention is to align our rules with the FAA. FAR Part 26 establishes requirements for support of the continued airworthiness of and safety improvements for transport category aircraft. These requirements are based on the findings of the TWA FLT 800 accident where the centre fuel tank ignited. This issue should be combined with the separately raissed one regarding fuel tank inerting.	Air Transport;#Aircraft Certification	Yes	
13_ISS_06 Fuelling of Aircraft Part 91.15	A recent review of a prosecution recommendation has identified an issue with the way that 91.15 has been written. The following advice from the instructed crown solicitor is relevant: 'Upon drafting the informations for the charge relating to hot refuelling we have encountered a difficulty in charging the defendant based on the wording of the provision. This states that "a person refuelling or defueling an aircraft must ensure that..." when looking at the circumstances of the refuelling, the defendant was not actually the person who was refuelling the aircraft. He was sitting in the cockpit with the engine going , however, the way the charge is worded means the person that should be charged in relation to this would be the person who is pouring the petrol into the helicopter. On this basis we cannot charge the defendant with this charge.' In these particular circumstance the helicopter was being hot refueled whilst on a 137 operation and therefore the refueling was being carried out under the direction of the PIC. The PIC however can not be liable as he was not the person refueling the aircraft. A decision has been taken not to pursue this charge. I am assuming that 91.15 was broaden to 'a person' to capture thefact that it is not always the PIC who refuels. However in my view this broadening has result in an unexpected consequence of creating a abolute defence for the PIC. Submitted for consideration.	Policy and System Interventions	Yes	

10_ISS_21 Part 121, 125 and 135 FDR Filtering	The FAA have issued a SNPRM to limit the filtering allowable on Flight Data Recorder parameters. The FAA are taking this action in reponse to difficulties in aircraft accident investigations where critical parameters have been subject to filtering. The SNPRM requires all filtering restricted data to be capabler of being reconstructed using simple techniques; a new section, 121.346, is being added to the rule with an equivalent in Pt 125 and 135. The FAA are proposing that TC holders have to show that all FDR data meets the SNPRM criteria within four years of the rule coming into force.	Aircraft Certification		
10_ISS_15 Design Assurance	The Part 146 Rule does not address design assurance for 146 organisations; this an important element for design. The current rule makes numerous references to quality assurance and the associated actvities. Within a design organisation, quality assurance is largely associated with ensuring that the defined procedures and policies are followed. The personnel responsible for quality assurance are not necessarily design engineers. Unless they are experienced design engineers, they are not qualified to assess design compliance. Design assurance encompasses all the aspects quality assurance but also adds the additional level where compliance of designs with the applicable requirements of the type certification basis is reviewed. Design assurance must be carried out be experienced design engineers familiar with design and certification processes and establishing the type certification basis associated with the making of findings of compliance. EASA Part 21 Subpart J 21A.239 defines the requirements for a design assurance system. A simple quality assurance system does not meet all the requirements for a design organisation. Therefore it is recommended that Part 146 be revised to amend the quality assurance provisions to design assurance provisions. The changes that need to be made to implement design assurance could be made as part of the SMS implentation project.	Aircraft Certification		
10_ISS_13 CVR and FDR Requirements	The FAA have released the Final Rule that requires significant upgrades to the CVR and FDR installations in aircraft operating under FAR Parts 121, 125 and 135. The new requiements are in response to problems experienced in the investigation of aircraft accidents. The major changes in the new rule are: 1. The CVR and FDR must be provided with an alternate power supply (a single failure must not result in the loss of power to the CVR or FDR). 2. The CVR recording duration must be at least two hours. 3. CVR recording medium must be solid state. 4. The FDR must record data more frequently and retain the last 25 hours or recorded information. The implementation dates are: 7 Mar 2010 - All new aircraft must be fitted with recorders meeting the new requirements. 7 Mar 2012 - All aircraft (but not helicopters) will have to have CVRs that meet the new requirements.	Aircraft Certification	Yes	
10_ISS_12 Required Communications Performance equipment	Annex 6 Pt II is being amended to add the requirement for aircraft to be suitably equipped when operating in airspace where an Required Communications Performance (RCP) type has been prescribed. CAR 91 will require revision to add the requriemnts for the carriage of RCP equipment in accordance with the ICAO Manual of Required Communications Performance. CAR 1 will also require revision.	Aircraft Certification	Yes	
10_ISS_09 Part 119 B.3 Senior person responsible for the control and direction of maintenance	Currently an operator with up to three aircraft and two bases only requires to have a maintenace controller that "shall have sufficient knowledge of maintenance to be able to ensure that the aircraft is maintenaned in an airworthy condition and that any maintenance programme is satisfactorily accomplished." Generally the CAA require someone that has attended and passed a maintenance controllors course. In this situation this works very well. If or when an operator increases their fleet to four or more aircraft three or more bases the qualifications of the maintenance controller increases to those of Appendix A.3.1 or A.3.2. In a 119/135 situation that means the operator now has to nominate a licenced aircraft maintenance engineer as the maintenance controller. The reality of the situation is the LAME does not carry out the functions at all, but has the responsibility of the senior person position. The LAME does not have the time to carry out his responsibilities as an engineer and those of a maintenance controller. The result is a very marginal (if at all) job is done of the maintenance control for the operator.	General Aviation		

09_ISS_17 ATS Instructor/Examiner privileges and eligibility	Rule 65.403(a) requires an ATS Instructor conducting on-the-job training (OJT Instructors) to have one years' experience and an initial practical test but does not require further assessment or to demonstrate their ability after that. Rule 65.405((b)(3) requires ATS Instructors that conducts rating and validation assessment and issue (CHK Instructors) to have two years' experience and an assessment by an ATS Examiner within the preceeding 13 months by passing a test but does not require training to identify the specific and critical assessment issues that must be taken into account in such circumstances, as well as the need to conduct assessments with an understanding of learning styles and limitations. Airways sensibly requires staff progressing to an ATS Instructor CHK role to undertake an Instructor Upgrade Course in order to achieve this. ATS Examiners can only assess people for the issue of an ATS licence but without a rating and/or a validation, a licence itself has no practical operational privilege. The only thing special then that an ATS Examiner does is to assesss for and issue ATS Instructor ratings. ATS Instructors are allowed to 'assess' ATS personnel for ratings and validations so this does not preclude the conduct of written, oral and practical tests which are specifically mentioned as being the role of the ATS Examiner. Thus the exercise of privileges unique to the ATS Examiner is an occasional one practically confined to assessment of Instructors but for this privilege they require an assessment by a CAA Checking Officer every 13 months. This obviously entails resources from the ATS provider and the regulator making this an onerous requirement if the privilege is not being used regularly, compared to the ATS Instructors. Due to the cost involved and the onerous eligibility requirements, ATS Examiner ratings are not commeon and many units do not have an Examiner, using external resource when necessary. In the Pacific Islands this has prven to be an issue and their costs are magnified by the travelling costs involved, as well as the cost of employing an Airways staffmember from time to time. There is no requirement in the rules for ATS Examiners to actually exercise the privilege of their ratings, except they somehow have to demonstrate their ABILITY to exercise the privilege of the rating, and that is demonstarted to a CAA testing officer is is not current and has not themselves necessarily completed training to assess ATS Examiners, if that is required (and this is debatable). The role of the CAA testing officer is not one that should be cast as a specal font-of-all-knowledge role because it cannot be by definition of not being current controllers operating in an ATS environment and also not being required by the rules to attend any specific training or competencies themselves.	Personnel and flight training;#Closed RPB		
09_ISS_16 ICAO changes to be incorporated in Part 65	ICAO Annex 1 changes affecting Air Traffic Control ratings came into effect 23 November 2007. Part 65 of the NZCAR's needs to be amended to conform with these changes which: Defines; ATS surveillance service, and ATS surveillance system Introduces a requirement for threat and error management Changes the title of ratings to; Approach control procedural rating Approach control surveillance rating Area control procedural rating Area control surveillance rating	Personnel and flight training;#Closed RPB	Yes	
09_ISS_06 Operating rules when ATC is not on watch	Due to concerns regarding the temporary cessation of ATC service requiring activation of complex contingency NOTAM or other ad-hoc response to withdrawal of services at Whenuapai, after-hours operations at Palmerston North, alternate requirements for Ohakea and temporary withdrawal of terminal services at Wellington, CAA, Airways NZ, ALPA and Air NZ met on 2 July and agreed that the only sensible solution was a rules amendment that imposed standard operating requirements to ensure an adequate level of safety. All agreed unanimously that a new Part 91 rule was urgently needed (in accordance with memo DW1153124-0 dated 3 March 2008) to ensure that an appropriate level of safety was provided. The parties to this decision agreed that they would commence immediate consultation with other industry members and that as the rule involved only a relatively short textual passage, it was considered that there should not be an onerous impact on Rules resources to facilitate this.	Aeronautical Services		2

08_ISS_55 Emergency exits for large bizjets	There is an anomaly in the Rule Part 26 which is causing difficulties during type acceptance. Part 26 is intended to add additional requirements for Air Transport aircraft to bring them up to the latest design standards where appropriate. Some of the requirements are clearly intended to apply to older aircraft, and derive from the old FAR Part 135 Appendix A requirements. Unfortunately because of the way they have been written we now have the situation where aircraft certificated to the latest Design Standards do not comply with the Rule. The reason for this is because the Rule is categorised by seating capacity, which is one of the dividing parameters between small (FAR 23) and large (FAR 25) aircraft. However the Rule did not envision the case of business jets, which are large heavy aircraft certificated under FAR Part 25 but which generally have a maximum certificated passenger seating capacity of 19 seats, and generally are fitted with much fewer seats still. They cannot comply with Part 26 paragraph C2.1(b)(2), which effectively calls up the requirement in FAR §23.807(d)(1)(ii). The reason is because the requirements in FAR Part 25 are different, requiring fewer but larger exits. A comparison is shown below: FAR 23 Commuter Category §23.807(d)(1)(ii); 16-19 seats; Required Doors/Emergency Exits 1x Type I (48"x24"); 3x Type IV (26"x19") FAR 25 Transport Category §25.807(g)(2); 10-19 seats; Required Doors/Emergency Exits 1x Type II (44"x20"); 2x Type III (36"x20") As can be seen above the requirements the two categories are different, and generally reflect that the fuselages in Transport Category aircraft are larger and generally afford better access to the emergency exit. FAR 25 is acknowledged as the higher design standard.	Aircraft Certification		
08_ISS_25 Use of Correct Terminology for Flight Simulator	All references made to the use of the word "flight simulator" to be replaced with the correct terminology as "Synthetic Training Devices". This is to be consistent with ICAO and Rule Part 1 definittions: Synthetic flight trainer means equipment in which flight conditions are simulated on the ground; and includes- (1) a flight simulator, (2) a flight procedure trainer, (3) a basic instrument flight trainer,	Air Transport;#Closed RPB	Yes	
08_ISS_21 Changed Product Rule	Part 21 is currently ambiguous as to which airworthiness requirements are applicable for approval of an STC, the requirements referenced on the products TCDS, or the lastest FAR requirements (colloquially known as the "changed product rule").	Aircraft Certification;#Closed RPB		5
08_ISS_20 Requirement for STC	Part 21 does not specify any requirements for when a design change must be approved by way of an STC approval.	Aircraft Certification;#Closed RPB		6
08_ISS_16 ANS 13 Routine, local and special reports	The provisions for basic weather reporting in Part 174 are not compliant with Annex 3. Consequential amendments to Parts 121, 125 and 172 will also need to be considered. DMS reference DW1117774-0 sets out the necessary changes to the rules and AIP.	Aeronautical Services	Yes	
08_ISS_14 ICAO Finding AIR_03 - Airworthiness Information	CAR 91.603(a)(2) and (b) only require operators to comply with airworthiness directives and with the 'airworthiness limitations mandated by the airworthiness authority of the State of Design in the instructions for continued airworthiness issued for the aircraft'. As identified during the ICAO audit, the CARs do not contain a requirement for operators of aeroplanes over 5 700 kg and helicopters over 3 l80 kg maximum certificated take-off mass to obtain and assess continuing airworthiness information from the organization responsible for the type design.	Air Transport	Yes	
08_ISS_09 Recall of defective products, components and parts	Parts 19F and 145 do not have a requirement for procedures related to the recall of defective products, components and parts. A CAA safety investigation raised the need to include procedures in an exposition for product recall. The CAA safety investigation noted that: "The FAA Part 145 certification guidelines indicate that there should be procedures/systems for tracking and recalling non-conforming product, for example, when it is discovered that a precision tool is found to be out of calibration and which was used for a series of jobs. This came under the rule part associated with quality assurance, i.e under our rules this would be CAR 145.65 Internal Quality Assurance."	Aircraft Certification;#Closed RPB	Yes	

08_ISS_03 Use of aerodromes	121.71(h)(2), 125.77(d)(3) and 135.77(e)(3) all prescribe the minimum runway strip width that may be used by aeroplanes. The details are inconsistent with Part 139 which allows the Director to certificate aerodromes that do not meet the specs prescribedin the above rules. In Annex 14 the ICAO prescribes minimum strip widths as either a standard "where practicable" or a recommendation, and their manual on operator certification advises Authorities to enter approved aerodromes on the operator's Ops Specs when the authority is satisfied that the operator is competent to use those aerodromes. This is consistent with the practice adopted by the FAA. We have granted a number of exemprions to the above rules, the most significant being a general exemption covering Wellingtom airport, which has only half the prescribed strip width, This is nothing but rule making by exemption, and will expose he CAA to liability in the event of an accident. We should revoke these rules ASAP and follow the ICAO and FAA line.	Aeronautical Services	Yes	8
07_ISS_95 Express requirement for catering security controls	The ICAO Security Audit of New Zealand conducted in September 2006 resulted in a recommendation being made concerning Standard 4.6.5 of Annex 17 Security. The recommendation provided that: New Zealand should develop and disseminate specific guidance with regard to the security measures to be implemented for catering operations and should ensure that catering operators security programmes are reviewed and approved. This Standard requires the State to ensure that catering stores and supplies intended for carriage on passenger aircraft are subject to appropriate security controls and thereafter protected until loaded on the aircraft. It does not specifically require catering companies to develop and submit a security programme for State review and approval before conducting operations with airlines, i.e. to become certificated organisations, and the manner in which the vast majority of Contracting States ensure compliance with the Standard is by placing a relevant regulatory obligation on the air operator to ensure catering supplies carried on their aircraft are subject to appropriate security controls. Within the New Zealand regulatory environment CAR 108 (Air Operator Security Programme) does not currently explicitly refer to the security of catering supplies to be carried on international passenger aircraft. CAR Part 108.55 (10) refers to the security of aircraft supplies and stores in general but only within the context of their movement on aerodromes. CAR 108.55 (b) (6), which relates to the security of items being carried on passenger aircraft refers only to baggage, cargo, courier parcels, express parcels and mail. CAR 108.53 (domestic services) refers to security controls for a range of items that are carried on aircraft including aircraft supplies but is again silent on the question of catering supplies. Notwithstanding this regulatory "gap" appropriate controls on catering supplies are applied by virtue of airlines ensuring contractual arrangements with catering suppliers address security matters and that such suppliers have necessary measures in place. These necessary measures are also generally detailed in individual air operator security programmes and as such are subject to approval by CAA at the time the operators' security programme is initially approved and are the subject of ongoing regulatory surveillance during audit and inspection activity. However the lack of express reference at a rule level for the need for catering security controls and therefore a lack of a clear indication of direct formal approval of the relevant measures by CAA has resulted ICAO issuing the recommendation in question.	Aviation Security;#Closed RPB	Yes	
07_ISS_89 Restricted Category Surplus Military Aircraft	That no further Restricted Airworthiness Certificates be issued to RCSM helicopters in NZ nor will aircraft of this category be permitted to operate in NZ under foreign registration. Pt 21.173 new para (e) wording to the effect of limiting the Directors discretion to issue new Restricted Category certificates to RCSM aircraft with effect from, say, January 2008.	Helicopters and Agricultural		
07_ISS_80 Finding Air 01_02 - noise certification document	Refer 2006 ICAO Audit Finding Corrective Action Plan - 3 August 2006, Finding # Air 01 and Air 02. Annex 6 Part 1 (International Commercial Air Transport - Aeroplanes) para 6.13 and Part 3 (International operations - Helicopters) para 4.13 require aircraft to carry document attesting to noise certification standards specified in Annex 16 Volume I. NZCARs only require foreign registered aircraft operating within NZ to carry written evidence [91.111(5)].	Air Transport	Yes	

07_ISS_75 Finding Air 01 - carriage of air operator cert	Refer 2006 ICAO Audit Findings Correctrive Action Plan - 3 August 2006, Finding # Air 01. NZCARs do not require carriage of air operator certificate specified in Annex 6, Part 1, para 4.2.1, as required by Annex 6, Part 3 (International Commercial Air Transport - Aeroplanes), para 6.1.2.	Air Transport	Yes	
07_ISS_55 Establishing Aerodrome Operating Minima	ICAO Finding OPS/04 states the CARs do not require air operators to establish aerodrome operating minima for each aerodrome to be used in operations. 86. Implement procedures for approving the method of determining aerodrome operating minima for each aerodrome to be use	Air Transport	Yes	
07_ISS_41 Flight Safety Document System	ICAO finding OPS/01 statet hat although potential applicants for an air operator certificate are required to present a number of documents as part of the certification process, the CARs do not include a requirment for air operators to establish and maintain a flight safety document system to include a system for providing aircraft operating inormation to the operations staff and flight crew including mandatory revisions. In addition, there is no requirement for applicants to have a system for ensuring that air operators include certification limitations and operating limitations in the aircraft operating manual.	Air Transport	Yes	
07_ISS_36 Human Factors requirements relating to Maintenance	Our Rule requirements should reflect the ICAO Annex 6 IS&RPs for Human Factors principles to be built into operator's maintenance programmes (8.3.1) and maintenance orgainisations pesonnel training (8.7.6.4); 27. Implement procedures for assessing and monitoring new maintenance programmes with regards to the incorporation of human factors principles.	Air Transport	Yes	
07_ISS_33 Airworthiness Monitoring	The investigation of an accident involving a flight training school (Part 141 Aviation Training Organisation) aircraft (ZK-SFE Occ 06/626) and student/instructor established that the organisation had no procedures for a maintenance planning and monitoring system to allow the effective management of the airworthiness of its fleet of aircraft. It is considered that a airworthiness monitoring system would have highlighted ongoing reoccurring airworthiness issues with this aircraft and probably prevented the accident from happening. It is requested consideration be given to mandating in the CARs that certificated organisations (Part 119 and Part 141) operating more than nine aircraft be required to have a fleet fault monitoring program which will help operators identify recurring aircraft faults and trends in individual aircraft and across the fleet.	Air Transport Maintenance;#Closed RPB	Yes	
06_ISS_50 Release certification for aeronautical products	A question has been raised regarding the need for a Part 145 certificated organisation to also hold a Part 19F certificate in order to supply parts. Part 145 and AC145-1A Aircraft Maintenance Organisations (and the associated AC20-2A Acceptability of Parts and AC20-3 Storage and distribution of aeronautical supplies) provide for the supply of parts by a Part 145 certificated organisation. The Part 145 certificated organisation cannot issue a 'Release Note' but instead is required to provide a CAA Form One with the Parts. The procedures for the supply, segregation, storage, inspection of parts etc is the same for both Part 145 and Part 19F organisations in that AC20-2A and AC20-3 are applicable to both organisations. The Part 145 certificated organisation has an additional requirement to have a documented QA process which is not required for a Part 19F organisation. Some confusion is created in AC43-3 Rev 1 Parts documentation - CAA Form One and CAA Form Two which states in part: The purpose of the CAA Form One is to identify airworthiness and eligibility status of aircraft components * where the CAA Form One is certified by a certificated manufacturing organisation after manufacture * where the CAA Form One is certified by a certificated maintenance organisation- * after maintenance * after inspection for confrmity * after the receipt, inspection, and breaking of a batch of components The CAA Form One should not be used as a Release Note. Only supply organisations approved in accordance with Part 19, Subpart F may use Release Notes, and then only in specific circumstances. An organisation not approved for supply must provide the original documentation, that is the original CAA Form One with the component.	Air Transport Maintenance;#Closed RPB		1

	AC43-3 Rev 1 indicates that Part 145 organisations can break a batch of components and supply the 'smaller' batches using a CAA Form One. However this is not feasible, if for each 'smaller' batch the organisation 'must provide the original documentation'. Other issues are raised in AC20-2A where acceptable parts "should be accompanied with a correctly completed authorised release certificate, such as- * NZCAA Form One * FAA 8130 * JAA Form One * CASA D1 * Transport Canada TC24-0078 * An equivalent document issued by an organisation in accordance with the airworthiness requirements of an ICAO state" Nowhere in the AC does it specifically mention a 'Release Note issued by a Part 19F certificated organisation' as being acceptable documentation. Also, the terms 'release certificate' and 'release documentation' are used but not 'release note'. I have previously discussed the issue with Peter Blackler and it appears that there should not be a problem with a Part 145 certificated organisation supplying parts under a CAA Form One. Any 'conformity' check could be a check of the incoming documentation to ensure that the batch/part is bona fide - similar to what is carried out by Part 19F organisation. Amendments would be required to various advisory circulars to clarify this position. There are 25 organisations that hold both Part 145 and Part 19F certificates: * Airlines Group: Air Nelson Limited (Technical Division) Eagle Airways Ltd Fieldair Engineering Ltd Flight Interiors Ltd J.M.I. Aerospace Ltd Safe Air Ltd * General Aviation Group: Aeromotive South Ltd Aviation Ni-Cad Services Ltd Aviation Power Supply 1991 Ltd Aviation Radio Ltd Eurocopter International Pacific NZ Pty Ltd Flightline Aviation Ltd (Dunedin) Flightline Aviation Ltd (Papakura) Hamilton Aero Maintenance Ltd Hawker Pacific NZ Ltd Heli Maintenance Ltd Milford Sound Flightseeing Limited National Aircraft Interiors Ltd North Shore Aviation Services Limited Oceania Aviation Limited Rotor & Wing Maintenance Ltd South Pacific Avionics Ltd A rules project needs to be formed to carry out a more in-depth review of the rules, advisory circulars and organisation procedures etc to determine whether there should be a requirement for a Part 145 certificated organisation to also hold a Part 19F certificate for the supply of parts, or whether this activity can be carried out under the Part 145 certificate. A proposal had been previously submitted to add an 'S' rating to the Part 145 rule (the same rating that is issued for supply organisations under Part 19F). A similar review should also be carried out for Part 148/Part 19F organisations.			

06_ISS_47 Optional Equipment Items in Flight Manuals	Currently, individual aircraft flight manuals are not required to list optional equipment items of operational significance that which are installed in the aircraft. TAIC Final Safety Recommendation 018/99 recommends this be rectified. This issue is the result of finding 99F501.	Aircraft Certification;#Closed RPB	Yes	7
06_ISS_28 Unclear responsibilities re external load equipment	Part 133 Subpart G does not clearly identify who can perform and certify for maintenance on external load equipment.	Helicopters and Agricultural;#Closed RPB		10
06_ISS_24 Part 65 - Various Issues	"Part 65 Air Traffic Service Personnel Licenses and Ratings. The rule has been in place for seven years, and the issues identified soon after implementation have not yet been addressed. The issues already identified include: The Trans Tasman Mutual Recognition Agreement requirements need to be incorporated. Annual renewal proficiency assessments have been a standard for the industry sector but were notincorporated into the rule. This needs to be incorporated. The Rule does not detail the standards for the Flight Service ratings. These need to be incorporated. The currency requirements for ATS Examiner and ATS Instructor require clarification in the rule. The requirement for 'trainee' air traffic controllers to hold a medical certificate adds no value and has caused administrative problems. An exemption was required from current operating requirements for flight service and air traffic control personnel, as the rule was not practical in this area. Flight deck experience may also require amendment to ensure the desired learning outcomes are reflected more accurately in the rule. A review of Part 65 is now due."	Personnel and flight training;#Closed RPB		
To be added (from ICAO 2006 Audit SLT paper)	Review the requirements and define an adequate reference for the airworthiness code to be included on the Airworthiness Certificate; 33. Implement new format for Airworthiness Certificate. 32. Review the process for producing the Airworthiness Certificate and implement database system changes to include an adequate reference to the airworthiness code on the certificate.	Policy and Regulatory Strategy	Yes	
To be added (from ICAO 2006 Audit SLT paper)	Review the provision and use of "basic weather reports" by pilots performing an approach and landing on domestic air operations under Parts 121, 125 and 135, keeping in mind that many of the aerodromes used by Part 125, and more so Part 135, operators do not have a meteorological observation and reporting service.	Policy and Regulatory Strategy	Yes	9
14_ISS_05 VHF Communica Requirements	Referring to rules 91.513, 91.519 and Part 91 Appendix A: The rules refer to obsolescent speficiations, other State's standards that are no longer applicable, current or available, CAA permits use of low specification radios that are likely to be used in operations that they are not suitable for, licenced engineers are not sure of the level of equipment being installed because of standards being referenced, the rules do not provide a means to accept new radio equipment standards in NZ	Aircraft certification		Not assessed
14_ISS_3 Medical cause accidents in recreational sectors	On 01 March 2013 the Principal Medical Officer (PMO) raised concerns with the Director of Civil Aviation concerning the system of handling medical matters in some of the recreational sectors of our aviation industry. Those concerns were subsequently followed-up via email, titled 'Low-end industry medical safety concern ... and possible engagement with safety recommendation CAA 13F95' (S-M045-01 DO1185276-0). In his submission the PMO noted a number of 'preventable medical cause' fatal accidents, cross referenced these events to safety recommendation CAA 13F95 (relating to a fatal hang-glider accident (11/829)), and recommended that the CAA formally evaluate the medical systems of the 'low-end' (recreational) aviation sectors further. Safety action recommendation 13F95 was "... that the CAA and the NZHGPA review the process of medical self declarations for recreational pilots, who belong to a Part 149 organisation that issues pilot certificates."	Medical		Not assessed

14_ISS_2 Part 175 update to meet ICAO Annex 15 changes	Annex 15 in regard to Aeronautical Information Service has undergone several recent amendments which require both the Part 175 Rule Part and associated Advisory Circular to be updated. The areas for amendment and update include: Definitions (Annex 15 - 1.1): Aerodrome mapping data and aerodrome mapping database. Aeronautical information management Integrity classification Responsibilities and Functions (Annex 15 - 2.1) Need to add need for formal agreements see Annex 15 - 2.1.5. Aeronautical data and aeronautical information (Annex 15 - 2.3) Need to amend wording to cover aeronautical data and aeronautical information. Aeronautical Information Management (Annex 15 - Chapter 3) Need to update data quality specifications in regard to accuracy, resolution and integrity (Annex 15 3.3) Need to include data protection (Annex 15 - 3.5). Training (Annex 15 - 3.7.4) Need to include training requirements as per Annex 15 3.7.4. Electronic Terrain and Obstacle Data (ETOD) (Annex 15 - Chapter 10) Need to include eTOD requirements applicable to NZ from November 2015. Aerodrome Mapping Data (Annex 15 - Chapter 11) Need to include Aerodrome Mapping into Part 1754 Advisory Circular.	Aeronautical Services		Not assessed
14_ISS_01 Rule 12 reporting requirement issues	The defect reporting requirements under Rule Part 12 and AC-12-1 are unclear, confusing and excessive. They do not enable the CAA to clearly analyse aviation risk, and impose unnecessary obligations on industry. They are not conducive to supporting SMS and risk based regulation. Specific examples include: " EDTO reporting is required within 3 days under Rule 12.55(2), and quarterly by Rule 121.417; " CAA AC12-1 requires all malfunctions to be reported but also includes long lists of specific types of defect; " CAA requires considerably more to be reported than overseas jurisdictions. " The avenue or process for reporting results of AD/SB's required by overseas airworthiness authorities is not well explained/defined. " The CAA is not resourced to carry out reliability monitoring of large airlines and any attempt to do so would needlessly duplicate extensive existing programmes by those airlines. Reporting defects of a reliability nature is therefore superfluous	Safety Data Management		Not assessed
13_ISS_04 Instrument and Equipment Requirements	Effective 21 October 2013, US FAR 121.321 introduces new requirements for Instruments and Equipment in Aircraft with a maximum T/O weight of less than 60,000 pounds operating in conditions conducive to airframe icing. NZ CARs need to align with these requirements.	Air Transport	Yes	Not assessed
13_ISS_08 Repair of composites training	There is no reference in the rules regarding any specific training that person should pocess prior to the repair of composite structures, and there is no reference in any of the CAANZ ACs regarding guidance material available that mnay be used e.g. FAA EASA etc.	Air Transport		Not assessed
13_ISS_07 Repair and Alteration of Composite Structures	There is no reference in the rules regarding the repair of composite structures, and there is no reference in any of the 43 ACs regarding guidance material available that mnay be used e.g. FAA AC20-107B	Air Transport		Not assessed
10_ISS_24 Add Requirements of FAR 121.311(j) to CAR Part 26	FAR 121.311(j) at Amendment 121-315 states (j) After October 27, 2009, no person may operate a transport category airplane type certificated after January 1, 1958 and manufactured on or after October 27, 2009 in passenger-carrying operations under this part unless all passenger and flight attendant seats on the airplane meet the requirements of §25.562 in effect on or after June 16, 1988. CASA have already adopted this requirement by the issue of Airworthiness Directive AD/GENERAL/85 issued in 2006. New Zealand will be out of step with the recognised aviation countries if we do not adopt this requirement, and we would risk being a dumping ground for non-compliant aircraft. (We have already been contacted by Airbus regarding delivery of Air New Zealand's A320 fleet which start deliveries next year.)	Aircraft Certification		Not assessed

10_ISS_23 Radio Equipment Approval Levels	The current rules have Level 1 through 4 approval criteria for radio equipment; this classification standard has been in existence for a number of years and precedes the current rule structure. Problems are now arising beause both Austrlia and the UK have ceased approving radio equipment and publishing the approvals. The original basis of the classification structure comes from the UK CAA where they classified equipment on the basis of its suitability for the intended application. In the past the capability and reliability was a significant part of the assessement. With modern technology, equipment that has same capabilities as TSO approved equipment is readily available but much less expensive. Much of this equipment it produced for the US amateur built and experimental market. Local spart aviation participants are buying this equipment and then wanting it approved for use in NZ. The resutl is that there are number of aircraft operating with radios that do not have the appropriate Level approval for the operations being carried out. VHF Comms is the area where most problems are being experienced. It is therefore appropriate that the equipment requirements be simplified and mor aligned to the technology around now. It is therefore proposed that the following form the basis of revised requirements: For type certificated aircraft, any required equipment must be TSO approved and suitable for the intended purpose. For non-type certificated aircraft, equipment that is shown to meet the minimum opearting performance standards (MOPS) for TSO approval would be acceptable. The only exception would be for equipment that has a clear safety implication for VFR operations such as encoding altimeters and transponders. This will be consistent with other determinations made with regards to the use of non TSO equipment in type certificated aircraft. For the transition to the new requirements, approvals issues under the existing classification system will remain valid but any new installations will have to meet the new requirements. It is expected that the transition period will last 10 - 15 years with current equipment obsolescence rates.	Aircraft Certification		Not assessed
09_ISS_22 Night Vision Imaging Systems (NVIS)	The use of NVIS in general aviation in New Zealand including Night vision goggles (NVG) and associated equipment, NVIS lighting (cockpit and external), training and recency requirements and continuing airworthiness.	General Aviation		Not assessed
07_ISS_62 Inclusion of Fast Roping	Part 133 was written before fast roping was developed. Therefore the Rule needs to be expanded to include it. This can be done by aemding 133.3 adding (5) a helicopter fast roping operation and inserting, wherever "performing a helicopter winching, rapelling or human sling load operation" appears in the rule, "fast roping" after the word "rapelling". ie, in CAR 133.5 (b), 133.53 (c), 133.71.(a) (5) (iii), 133.71. (d) (need to amend rapelling operation to rapelling or fast roping opperation in (d) and (d) (1), 133.75 (a).	Helicopters and Agricultural;#Closed RPB		Not assessed