



Advisory Circular

AC141

Aviation Training Organisations – Certification and Operation

Initial Issue
01 March 2002

GENERAL

Civil Aviation Authority Advisory Circulars (AC) contain information about standards, practices and procedures that the Director has found to be an Acceptable Means of Compliance (AMC) with the associated rule.

An AMC is not intended to be the only means of compliance with a rule, and consideration will be given to other methods of compliance that may be presented to the Director. When new standards, practices or procedures are found to be acceptable, they will be added to the appropriate Advisory Circular.

This Advisory Circular also includes Explanatory Material (EM) where it has been shown that further explanation is required. Explanatory Material must not be regarded as an acceptable means of compliance.

PURPOSE

This Advisory Circular provides methods, acceptable to the Director, for showing compliance with the aviation training organisation requirements of Rule Part 141 and explanatory material to assist in showing compliance.

RELATED CAR

This AC relates specifically to Civil Aviation Rule Parts 141

CHANGE NOTICE

There was no previous issue of this AC, consequently no change is in effect.

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INTRODUCTION

This AC supports Part 141.

Table of Contents

Aviation Training Organisations – Initial Issue	1
Certification and Operation 01 March 2001	1
INTRODUCTION	2
Subpart A — General	3
141.1 Applicability	3
141.3 Application for Certificate	3
141.7 Privileges of Certificate	3
141.9 Duration of Certificate	4
141.11 Renewal of Certificate	4
Subpart B — Certification Requirements	5
141.51 Personnel Requirements	5
141.53 Facility Requirements	6
141.57 Training Courses and Assessments	7
141.59 Records	8
141.61 Internal Quality Assurance	8
141.63 Organisation Exposition	9
Subpart C — Operating Requirements	11
141.101 Continued Compliance	11
141.103 Changes to Certificate Holder’s Organisation	11
Subpart D — Restricted Aviation Training Certificates	11
141.151 Certification Requirements	11

Subpart A — General

141.1 Applicability

141.1.1 Rule 141.1 prescribes rules governing the certification and operation of organisations where the Civil Aviation Rules require an organisation to be certificated under this Part in order to conduct aviation training and assessments. Part 141 does not itself determine which training courses and assessments are to be conducted under this Part.

141.1.2 Part 141 provides a means for the Director to ensure that certain training courses and assessments are conducted by either -

- (a) organisations holding standard Aviation Training Organisation Certificates for the purpose of conducting ongoing training courses and assessments; and subject to audit against their exposition by the Director; or
- (b) organisations holding Restricted Aviation Training Organisation Certificates for the purpose of conducting one-off training courses; and subject to inspection by the Director against the appropriate requirements of this Part.

141.1.3 Since Part 141 certification is not required for training generally, it is up to training organisations to decide for themselves whether to seek certification. Part 141 certification may be seen as Civil Aviation Authority accreditation of a training organisation; however its primary purpose is to enable organisations to satisfy the Civil Aviation Authority that they can conduct the training courses and assessments that require this certification. The standard aviation training organisation certificate will allow the on-going conduct of a range of training courses and assessments without the need for continuous monitoring by the Director. The restricted aviation training organisation certificate will allow one-off courses without the need for expositions or internal quality assurance.

141.3 Application for Certificate

141.3.1 Rule 141.3 requires an application for the grant of an aviation training certificate to be made on form CAA 141/01.

141.7 Privileges of Certificate

141.7.1 The aviation training certificate specifies the training courses and assessments that the holder is authorised to conduct under the classifications “training courses” and “assessments”.

141.7.2 The following is the list of training courses and assessments that presently require approval. Once the requirement for those approvals has been reconsidered, and if necessary transferred into the Civil Aviation Rules, these training courses and assessments may be conducted under an aviation training organisation certificate—

- (a) Training Courses:
 - (i) Pilot type rating technical training courses for aircraft exceeding 5700 kg MCTOW, and for multi-engine helicopters:
 - (ii) Basic gas turbine courses which can issue a BGT Rating without external examination:
 - (iii) Human factors courses, completion of which is accepted as the equivalent to a written examination pass:
 - (iv) 150-hour Commercial Pilot Licence (Aeroplane) courses:
 - (v) 125-hour Commercial Pilot Licence (Helicopter) courses:
 - (vi) Dangerous goods training courses:

- (vii) Flight engineer type rating training courses:
- (viii) Aircraft maintenance engineer licence training courses:
- (ix) Aircraft maintenance engineer type rating training courses:
- (x) Helicopter supplementary crew training courses:
- (xi) Cabin crew emergency procedures training courses:
- (xii) Aviation medicine hypoxia training courses.

(b) Assessments:

- (i) Private pilot licence issue flight tests:
- (ii) Instrument rating annual competency flight tests:
- (iii) Instrument rating flight tests for the additional privileges of ILS or PRA, or multi-engine aircraft:
- (iv) Instructor rating annual competency flight tests:
- (v) Instructor rating flight tests for the additional privileges of night or aerobatic instruction:
- (vi) Operational competency assessments.

141.9 Duration of Certificate

141.9.1 Rule 141.9(a) allows a standard aviation training organisation certificate to be granted or renewed for a period of up to 5 years. This complies with the Swedavia - McGregor recommendation that no Certificate of Approval for an organisation should be non-terminating.

141.9.2 Rule 141.9(b) allows a restricted aviation training organisation certificate to be granted for the period required to conduct a single training course, and it will be dated accordingly to comply with the Swedavia - McGregor recommendation that no Certificate of Approval for an organisation should be non-terminating.

141.9.3 Civil Aviation Authority policy is that a certificate will normally be issued for an initial period. An audit programme will be agreed between the organisation and the authority at this time, and subject to satisfactory performance, the document will be renewed for a further period not exceeding 5 years.

141.11 Renewal of Certificate

141.11.1 Rule 141.11(a) requires an application for the renewal of a standard aviation training certificate to be made on form Civil Aviation Authority 141/01.

141.11.2 Rule 141.11 (b) requires application for renewal to be submitted to the Director before the application renewal date specified in the certificate or, if no such date is specified, not less than 30 days before the certificate expires. Notwithstanding this requirement, it is the responsibility of the applicant to ensure application is made in sufficient time to avoid certification expiring.

141.11.3 Where a standard aviation training organisation certificate has been in force for the full 5-year period, the application will be subject to an entry-level audit. The scope of such an audit would depend on a review of the conduct of the certificate holder and on the safety audit programme findings over the preceding period of validity.

141.11.4 Restricted aviation training organisation certificates may not be renewed or extended, however new certificates may be issued.

Subpart B — Certification Requirements

141.51 Personnel Requirements

141.51.1.1 Rule 141.51(a)(1) requires each applicant for the grant of a standard aviation training organisation certificate to engage, employ or contract a senior person identified as the Chief Executive. He or she is to have the overall authority within the organisation, including financial authority, to ensure that the necessary resources are available to provide the training courses and assessments conducted under this Part. The Chief Executive is required to ensure that the organisation's activities are carried out in accordance with the procedures contained in their exposition.

141.51.1.2 Some large organisations that have developed several independent business units as part of their operating structure may wish these units to apply independently for appropriate certification. The independent business unit would have to nominate a senior person within that unit to be identified as the Chief Executive for certification under Part 141. This senior person may however have another designation within the overall structure of the organisation but the Director needs to be satisfied that the person meets the criteria of 141.51(a)(1).

141.51.2.1 Rule 141.51(a)(2) requires the applicant to engage, employ or contract a senior person or group of senior persons. They should be suitably qualified for the position held. Irrespective of the titles used or the number of senior persons nominated, all areas of responsibility applicable to the organisation's activities are to be addressed. All such persons are to be fit and proper persons and are, at the time of application, to provide the Director with the details required on form CAA FPP.

141.51.2.2 The areas of responsibility referred to in 141.51.2.1 include—

Internal Quality Assurance—

- Responsibility for the organisation's internal quality assurance procedures:
- Responsibility for monitoring of the organisation's compliance with Part 141 and with its exposition:
- Responsibility for ensuring the adequacy of the organisation's exposition and associated procedures in meeting the requirements specified in Part 141 and in reflecting the organisation's activities:
- Responsibility for ensuring the implementation of actions to correct deficiencies in the organisation's documentation and procedures that are detected during internal quality assurance reviews, audits, or inspections of the organisation's activities:
- Responsibility for ensuring that conditions attached to the certificate or to any exemption are complied with.

141.51.3 Rule 141.51(a)(3) requires each applicant to engage, employ or contract sufficient personnel to plan, conduct, and supervise the training courses and assessments listed in the applicant's exposition. Where a certificate holder engages a third party to meet any requirement, the certificate holder remains responsible for that requirement. This includes compliance with the procedures, including personnel competence, as detailed in the certificate holder's exposition.

141.51.4 Rule 141.51(b) requires the applicant to establish a procedure for initially assessing and a procedure for maintaining the competence of those personnel conducting the training courses and assessments listed in the applicant's exposition. The competence assessments are expected to ensure that—

- staff have the necessary levels of training, qualification, and experience:

- staff have an adequate knowledge of the organisation's procedures relevant to their role in that organisation:
- on-the-job competency checks are carried out at regular intervals with appropriate continuation training to maintain competency levels:
- continuation training includes instruction on changes in regulatory requirements and standards; and changes to the organisation's procedures and exposition.

141.51.5 To help in the assessment of a person's competence referred to in 141.51.6, job descriptions should be formulated for all positions within the certificate holder's organisation. The job descriptions for all personnel should define their responsibilities, authority, and their interrelationships. This is particularly important for personnel who need organisational freedom and authority and should include written documentation of any person's authorisations.

141.53 Facility Requirements

141.53.1 Rule 141.53 requires applicants for the grant of a standard aviation training organisation certificate to provide facilities and resources appropriate to the training courses listed in the applicant's exposition. This AC does not list these in detail because that would be too restrictive, especially with the range of activities that could be conducted under a Part 141 certificate. However the following guidelines are taken from the current FAR Part 141 Subpart B—

- facilities to be kept in a clean and orderly condition consistent with the required professional character of the organisation; and
- each space used for instructional purposes to be adequately equipped, heated, lighted, and ventilated. In addition, the training facility to be so located that students using it are isolated from any significant distractions; and
- training aids and equipment, including any audio-visuals, mock-ups, charts, or aircraft components listed in the training course outline, to be accurate and appropriate to the course for which they are used; and
- rooms in which briefings are carried out to be suitably furnished and equipped for the proper conduct of pre-flight and post-flight briefings; and
- sufficient aircraft to be available to enable flying programmes to be carried out in the correct sequence, with due allowance being made for unfavourable weather.
- students enrolled on a training course to have text books and study notes available, covering the complete syllabuses to the appropriate standard. This material to be supplemented by general reading material and specimen examination papers.

141.53.2 Rule 141.53 requires applicants for the grant of a standard aviation training organisation certificate to provide facilities and resources appropriate to the assessments listed in the applicant's exposition. Examples of these are—

- facilities to be kept in a clean and orderly condition consistent with the required professional character of the organisation; and
- each space used for examination purposes to be adequately equipped, heated, lighted, and ventilated. In addition, the examination facility to be so located that students using it are isolated from any significant distractions; and
- examination rooms to be dedicated to that sole use from at least 10 minutes before the examination until at least 10 minutes afterwards; and
- all subject reference material, other than that permitted for that particular examination, to be removed prior to the examinations; and

- only examination candidates and the conducting officer to be permitted in the examination room; and
- the conducting officer to have absolute control over the examination room and over the candidates for the period of the examination; and
- secure storage for examination papers and scripts.

141.57 Training Courses and Assessments

141.57.1 Rule 141.57(b)(2) requires procedures to ensure that assessments meet the applicable syllabus requirements of the Civil Aviation Rules and are conducted without any compromise of the integrity of the assessments.

Examples of good examination practice that would help ensure the integrity of written assessments include—

- Examination papers are drawn from a question bank where both the bank and the individual papers are moderated to ensure full coverage of the syllabus at the appropriate level.
- The bank is sufficiently large for the system to ensure that the instructor is unaware of the actual questions to be asked. Normally the bank would have to hold 3-5 times as many questions as a question paper.
- Answers to question papers are analysed to ensure they discriminate properly.
- Questions are checked and updated as necessary.
- The type of questions, eg multi-choice, short answer, or full written answer, is appropriate to the level of assessment.
- The examinations are conducted responsibly.

141.57.2 Rule 141.51(b)(3) requires the applicant to ensure that each person conducting training or assessments that are required by the Civil Aviation Rules to be conducted by an organisation certificated under this Part, has a combination of qualifications and experience greater than the level of qualification being taught or assessed. Part 141 covers many areas of training and assessment, and because of all the permutations of qualifications and experience available (professional, technical and educational), it is neither possible nor desirable to completely list these.

[This provision has drawn considerable question and criticism. It has been asked who is higher than an ATPL or a Category A Instructor, in order to teach and assess them. The answer is that this Rule does not apply to ATPL and A Category, because they do not require approved courses. This Rule only applies to approved courses and should be seen in that light.

This requirement is a permissive Rule, to allow the widest possible options for an organisation to choose suitably qualified and/or experienced people to instruct and assess. What we do not want, on these approved courses, is a repeat of brand-new instructors giving illegal flight instruction, or brand new CPLs reciting from their own notes, on short CPL courses.

This Rule is in lieu of the old Reg 192 requiring individual approval for instructors, and in lieu of the FAR 143 requiring ground instructor certificates with written tests for ratings for each authorised subject. This present requirement is very similar to that of NZQA.

This rule therefore gives a flexibility to responsible organisations. However if Industry wishes to develop with the Civil Aviation Authority fixed criteria for the instructing of any particular course, or associated assessment, rather than retain this flexibility, then those details can be published in an amended AC.]

141.59 Records

141.59.1 Rule 141.59 requires each applicant for the grant of a standard aviation training organisation certificate to establish procedures to identify, collect, index, store, and maintain the records that are necessary for the training courses and assessments listed in the applicant's exposition.

141.59.2 The records required by 141.59 may be kept in any format and should be controlled by a responsible senior person. Access to the record system should be controlled to ensure that the integrity of the records is maintained. The Director may require access to any of the records for certification or safety audit purposes. Records may also be required by the Director or TAIC for the investigation of any accident or incident.

141.59.3 Computer based systems may be used in place of paper for documents provided sufficient controls are established to maintain the integrity of the information held, and to provide a level of traceability equivalent to that required for paper documents.

141.59.4 The question of privacy legislation has been raised in regard to student records. Civil Aviation Authority advice would be to obtain students' permission on the grounds that having these records allows Civil Aviation Authority to accept the course. It will also be in the students' interests if the proof of their training is retained as long as possible.

141.61 Internal Quality Assurance

141.61.1 Rule 141.61(a) requires each applicant for the grant of a standard aviation training organisation certificate to establish internal quality assurance procedures to ensure compliance with, and adequacy of, the procedures required by this Part. These procedures form part of the quality management system.

141.61.2 The Director considers that the quality systems approach to management is the optimum means of promoting aviation safety. Quality assurance is one element of the quality system. When properly implemented, the quality assurance procedures should provide the certificate holder with the confidence that the organisation is properly conducting the training courses and assessments to meet the regulatory requirements. Quality systems are dealt with in AC120-01 *Internal Quality Procedures*.

141.61.3 The Director expects that the internal quality assurance procedures will describe the ongoing review of the certificate holder's documentation, procedures and performance. These reviews should check that all relevant requirements, standards, procedures and instructions are adequately defined, documented, continue to be appropriate, and are being complied with. The reviews should include an analysis of the performance of the organisation, records, and any complaints.

141.61.4 Quality assurance reviews are to include an investigation of the cause of any non-compliance with the procedures, instructions and standards. Quality assurance procedures should establish a programme of reviews. The programme should show when reviews are due, who is to carry out the review, what items are to be checked, how it is to be documented, when it is to be completed, and to whom the report is to be made.

141.61.5 The management review procedures must be detailed with a clear system for indicating what action is to be taken to rectify any deficiencies.

141.61.6 The way in which quality assurance is established, and the procedures used, will vary with the size of the organisation and the services offered. Organisations that do not have their own resources to maintain the quality assurance reviews as an independent function within the organisation may use suitably experienced independent persons to carry out their reviews. Such independent persons are to have direct access to the Chief Executive on quality assurance matters that affect the quality of the training and assessments conducted by the organisation.

141.61.7 Quality assurance is a management tool. It should be used to ensure that the quality system is effective. Therefore the certificate holder's policy, objectives, and procedures for, and commitment to, quality assurance needs to be defined and documented.

141.61.8 The quality assurance document should contain—

- a clear policy definition of the level of quality the service provider intends to achieve; and
- a procedure that sets out the level and frequency of the internal reviews; and
- a procedure to record the findings of the reviews and to communicate them to management; and
- a list of responsible persons; and
- procedures by which other quality indicators such as reports, incidents, complaints and defects are brought into the quality assurance reviews; and
- a procedure for management analysis and overview; and
- a procedure for rectifying any deficiencies that may be found; and
- procedures for documenting the complete review process from the inspection to the satisfactory management review so that this is available to the Director during a safety audit.

141.61.9 Measures are to be taken to ensure that the quality system policy is understood, implemented, and complied with at all levels.

141.61.10 ISO 9001 *Quality Systems — Model for Quality Assurance in Design/Development, Production, Installation and Servicing*, and ISO 9004 *Quality Management and Quality System Elements — Guidelines*, provide guidance information for establishing quality systems. Part 141 also requires organisations to hold copies of ICAO Human Factors Digest No 10 - Human Factors, Management and Organisation. The Chief Executive and the senior person or persons should be familiar with this ICAO publication.

141.63 Organisation Exposition

141.63.1 Rule 141.63 requires an applicant for the grant of a standard aviation training organisation certificate to provide the Director with an exposition. The purpose of the exposition is to set forth the procedures, means and methods of the organisation. The exposition will only be accepted if it meets the requirements of Part 141.

141.63.2 The exposition is the means by which the certificate holder defines the operation. It shows both the employees and the Director how the certificate holder will conduct their day-to-day business. The exposition is intended to be a tool to assist management in the operation of the business.

141.63.3 Paragraphs 141.63(a)(1) to (a)(6) provide the management part of the exposition and should normally be contained within one document. It should commence with the corporate commitment by the Chief Executive. The remaining parts of the exposition may be produced as any number of separate manuals. Any separate documents must be cross-referenced in the management part of the exposition and must be controlled by the procedures listed under 141.63(a)(9).

141.63.4 Senior persons should hold copies of those parts or manuals that affect their areas of responsibility and staff should be familiar with the parts of the exposition that affect their activities.

141.63.5 The following paragraphs address the individual requirements of the exposition:

- **(a)(1)** Under the new rules system, each certificate holder has the responsibility to ensure that their operation is planned, organised, carried out, maintained, developed and

documented according to applicable regulatory requirements, standards, and operating specifications.

- As part of their quality system of management, each certificate holder should establish goals and objectives for their operation including safety standards equal to or above the level prescribed by the Director.
- The statement by the Chief Executive required by 141.63(a)(1) is accepted by the Director as a Corporate commitment by the certificate holder. The statement should clearly address the goals and objectives of the certificate holder in respect of the safety requirements prescribed by Part 141. The statement may also contain the certificate holder's goals and objectives in respect of their commercial activities. The exposition should be a tool of management to present the certificate holder's operation to their staff, customers and to the Director.
- **(a)(2) and (3)** are expanded in the comments made against paragraph 141.51.
- **(a)(4)** The certificate holder needs to show the lines of responsibility and communication between the Chief Executive and the work front. The chart should show the relationship between the central body of the organisation and any satellite locations where staff are permanently based.
- **(a)(5) and (6)** The applicant is to list the training courses and assessments to be covered by the certificate, and the locations at which they will be conducted.
- **(a)(7)** The course outline and curriculum is more than just the syllabuses and might include the following information, which is based on the requirements of the current FAR 141.55—
 - A description of each room used for ground training, including its size and the maximum number of students that may be instructed in the room at one time:
 - A description of which textbooks, distance education courses, or other material will be used and how the quality and effectiveness of that teaching material will be monitored:
 - A description of each type of audio-visual aid, computer, mock-up, aircraft component and other special training aid used for ground training:
 - A description of each pilot ground trainer used for instruction:
 - A listing of the aerodromes to be used for training flights and a description of the facilities, including pilot briefing areas that are available for use by the students and operating personnel at each of those aerodromes:
 - A description of the type of aircraft including any special equipment used for each phase of flight:
 - The qualifications and experience for each instructor position for either ground or flight training:
 - The prerequisites required for enrolment in the course:
 - A description of each lesson, including its objectives and standards and the measurable unit of student accomplishment or learning to be derived from the lesson or course:
 - The time scale of the course:
 - A description of the tests and checks used to measure a student's accomplishment at appropriate stages during the training:
 - The student attendance required by the organisation for satisfactory completion of the course and how any reasonable shortfall can be made up.

- **(a)(8)** These procedures are required as part of the exposition as they provide the working documents for controlling the certificate holder's activities that can directly affect the training courses and assessments conducted. The information should include the types of training courses and assessments conducted. The procedures may include references to other internal instructions and are to include the quality assurance procedures that are an essential element of the quality management system. The headings are generally self-explanatory and are to be addressed by all applicants to the extent that they apply to the particular scope of intended activity. More detailed information will be found under the paragraphs that call for the procedure.
- **(a)(9)** These procedures show how the certificate holder plans to control, amend and distribute the exposition. The procedures should be similar to those required in 141.55(b) for controlling, amending and distributing the certificate holder's documentation.

141.63.6 The acceptance of the applicant's exposition by the Director is the final step in approval for the issue of an aviation training organisation certificate.

Subpart C — Operating Requirements

141.101 Continued Compliance

141.101.1 It is the responsibility of the standard aviation training organisation certificate holder to ensure that the organisation continues to meet the certification requirements. A complete copy of the exposition needs to be held at each major location covered by the exposition. Smaller satellite locations may however only need those parts that directly apply to their scope of activities.

141.103 Changes to Certificate Holder's Organisation

141.103.1 Rule 141.103 requires each holder of a standard aviation training organisation certificate to ensure that their exposition is amended so as to remain a current description of the holder's organisation. The exposition is intended to be a living document to reflect the organisation's activities and its means to carry out those activities. Therefore, as the organisation's activities, means, methods and facilities change, the exposition is to be changed accordingly. The Director is to be kept informed of these changes and therefore a copy of each amendment to the exposition is to be forwarded to the Director.

141.103.2 Any changes to the certificate holder's procedures or standards that may effect the functions of the organisation need to be properly documented with background information and reasons for the change. Such documentation should be retained for possible audit trail purposes.

141.103.3 Paragraph (d) specifies the changes to the exposition that require the prior approval of the Director. This includes the senior personnel where the fit and proper person criteria are to be met, and changes that require a change to the certificate. The Director may also prescribe conditions that may be necessary because of a change in these items. The conditions may be transitional to allow the certificate holder to continue to operate while arrangements are made to incorporate permanent changes.

Subpart D — Restricted Aviation Training Certificates

141.151 Certification Requirements

141.151.1 Rule 141.151(a)(1) requires each applicant for the grant of a restricted aviation training certificate to engage, employ or contract sufficient personnel to plan, conduct, and supervise the training course listed in the application. Where a certificate holder engages a third party to meet any requirement, the certificate holder remains responsible for that requirement.

141.151.2 Rule 141.151(a)(2) requires the applicant to ensure the personnel who are conducting the training course have a combination of qualifications and experience greater

than the level of qualification being taught. Part 141 covers many areas of training, and because of all the permutations of qualifications and experience available (professional, technical and educational), it is neither possible nor desirable to completely list these. *See also AC 141.57.2.*

141.151.3 Rule 141.151(a)(3) requires the applicant to have facilities and resources appropriate to the training course listed in their application. The detail of AC 141.53 would meet these requirements.

141.151.4 Rule 141.151(a)(5) requires the applicant to have documented procedures for conducting the training course listed in their application. The detail of AC141.57 would meet these requirements.