



**Notice of Proposed Rule Making
NPRM 20/08-41
11 November 2020**

**Part 145
Aircraft Maintenance Organisations -
Certification**

**Docket 20/08/CAR/145/41
2020 Rules Review**

Proposed Rule Applicable 11th December 2020

Background to the Civil Aviation Rules

The Civil Aviation Rules establish the minimum regulatory safety boundary for participants to gain entry into, operate within, and exit the Papua New Guinea civil aviation system. The Rules as structured in a manner similar to the Civil Aviation Rules of New Zealand and the Federal Aviation Regulations of the USA. Where practicable the Rules also align with the regulatory code of the Civil Aviation Safety Authority of Australia.

Rules are divided into Parts and each Part contains a series of individual rules, which relate to a particular aviation activity. Advisory Circulars accompany many rule Parts and contain information about standards, practices and procedures that the Director has established to be an Acceptable Means of Compliance (AMC) with the associated rule. An Advisory Circular may also contain guidance material (GM) to facilitate compliance with the rule requirements.

The objective of the Civil Aviation Rules system is to strike a balance of responsibility between, on the one hand, the State and regulatory authority, the Civil Aviation Safety Authority of PNG (CASA PNG) and, on the other hand those who provide services and exercise privileges in the civil aviation system. This balance must enable the State and regulatory authority to set standards for, and monitor performance of aviation participants whilst providing the maximum flexibility for the participants to develop their own means of compliance within the safety boundary.

Section 45 of the Civil Aviation Act 2000 prescribes general requirements for participants in the civil aviation system and requires, amongst other things, participants to carry out their activities safely and in accordance with the relevant prescribed safety standards and practices.

Section 72 of the Act allows the Minister to make ordinary rules for any of the following purposes:

- (a) The implementation of Papua New Guinea's obligations under the Convention;
- (b) To provide for a safe, sustainable, effective and efficient aviation services;
- (c) The provision of aviation meteorological services, search and rescue services and civil aviation security programmes and services;
- (d) Assisting aviation safety and security, including but not limited to personal security;
- (e) Assisting economic development;
- (f) Improving access and mobility;
- (g) Protecting and promoting public health;
- (h) Ensuring environmental sustainability;
- (i) Any matter related or reasonably incidental to any of the following:
 - (1) The Minister's functions and role under section 8 of the Act;
 - (2) The Authority's general objects and functions under section 11 of the Act;
 - (3) The Authority's functions in relation to safety under section 12 of the Act; and
 - (4) The Director's functions and powers under section of 17 the Act
 - (5) The Director's powers under section 52A, 53 and 54 of the Act
- (j) Any other matter contemplated by any provision of the Act.

Contents

1. Purpose of this NPRM	4
2. Background to the Proposal.....	4
2.1 General Summary	4
2.2 Key Stakeholders	5
3. Issues Addressed during Development	6
3.1 Consequential Amendments	6
3.2 Exemptions	6
3.3 ICAO SARPS and Level of Risk to Papua New Guinea Aviation Safety.....	6
3.4 Compliance Costs	6
4. Summary of changes.....	6
5. Legislative Analysis.....	6
5.1 Power to Make Rules	6
5.2 Matters to be taken into account	8
5.2.1 ICAO Standards and Recommended Practices.....	8
5.2.2 Assisting Economic Development.....	8
5.2.3 Assisting Safety and Personal Security	8
5.2.4 Improving Access and Mobility	8
5.2.5 Protecting and Promoting Public Health	8
5.2.6 Ensuring Environmental Sustainability	8
6. Submissions on the NPRM.....	8
6.1 Submissions are invited.....	8
6.2 Examination of submissions	8
6.3 Disclosure	9
6.4 How to make submission.....	9
6.5 Final date for submissions	9
6.6 Availability of the NPRM	9
6.7 Further information	9
Proposed Rule Amendments.....	10

1. Purpose of this NPRM

The purpose of this Notice of Proposed Rulemaking (NPRM) is to put forward for consideration the proposed amendments to Civil Aviation Rule (CAR) Part 145.

2. Background to the Proposal

2.1 General Summary

ICAO Annex 6, Part I, 8.1.2 and Part III, Section II, 6.1.2, prohibit operators from operating any of their aircraft unless maintenance on the aircraft and any associated part of the aircraft is carried out by:

- (a) an AMO that is either approved in accordance with Annex 8, Part II, Chapter 6, by the State of Registry of the aircraft or another Contracting State and is acceptable to the State of Registry; or
- (b) by persons or organizations in accordance with procedures authorized by the State of Registry.

A review of ICAO Annex 8, - Airworthiness of Aircraft, Part II, Chapter 6 contains the Standards which are applicable to the approval of organizations involved in the maintenance of aircraft and associated parts of aircraft.

Further Annex 8, Part II, Chapter 4, requires PNG as the State of Registry for an aircraft to establish requirements to ensure the continuing airworthiness of the aircraft during its service life, including requirements to ensure that the aircraft is maintained in an airworthy condition. PNG therefore has an obligation to either approve maintenance organizations or accept approval of maintenance organizations that have been approved by a foreign State to facilitate the ongoing maintenance of the aircraft and associated parts of the aircraft.

Maintenance organisation's procedures manual

Part 1 referred to the definition of the above in Part 145 when there was no definition. The definition was misunderstood as the one described in rule 145.119. This is not the case as this is a requirement for the content of an exposition. It is proposed to define the above in the definition section of Part 145 for clarity purposes.

Approval Certificate and Scope of Approval

Following a review of the scope of approval contained in the approval certificate, it is proposed that the contents of an approval certificate issued to the AMO at Rule 145.10 be amended to include the following information as set out in Annex 8, Part II, 6.2.3:

- (a) the issuing authority and the name, title and signature of the person issuing the certificate;
- (b) the maintenance organization name and registered address;
- (c) the maintenance organization approval reference number;
- (d) the date of current issue;
- (e) in the case of certificates of limited duration, the expiration date;
- (f) the scope of approval in relation to aircraft, component and/or specialized maintenance, and to the type of aircraft and components covered by the approval; and
- (g) the locations of the maintenance facilities, unless the information is included in a separate document referred to in the certificate.

The consequential effect of this proposed change will lead to the deletion of Rule 145.13(b), (1 - 6) with a proposal to renumber the rest of the content of the rule. It is further proposed to meet Annex 8, Part II, 6.2.3.1 that AMOs are issued with a standardized approval certificate as included in Appendix B which uses a comprehensive class and rating system to define the AMO's scope of approval.

The standardized certificate along with its class and rating system would facilitate harmonization of AMO approvals internationally and help Contracting States in the recognition of approved AMOs.

The scope of maintenance that an AMO is approved to carry out will be classified into various classes and described in an AC:

Other amendments are proposed at Rule 145.11(b) and 145.109(b)(6) & (7) to correct minor spelling errors.

Under Subpart B - Foreign Aviation Maintenance Organisation and Rule 145.53 recognised aviation maintenance, Rule 145.53 (b)(3) states the responsibilities for Chief Executive and those senior persons in dealing directly with the Director on maintenance delivery and release to service certification.

Under Subpart C - Certification requirement and Personnel requirements for AMOs within PNG and with the senior persons required by rule 145.101 (a)(2) having responsibility for the following functions:

- (1) the performance of maintenance activities:
- (2) personnel competency and authorisations:

For consistency with the rule 145.101, it is proposed that the terms maintenance delivery and release to service certification under rule 145.53(b)(3) be replaced with the terminologies:

- performance of maintenance activities; and
- personnel competency and authorization

It is further proposed to Insert Appendix A to cover the following;

- A1 – for Chief Engineer/Engineering Manager qualifications and experience
- A2 – for Quality and Safety Manager qualifications and experience.
- B – Sample of Approved Maintenance Organization Certificate.

2.2 Key Stakeholders

The Civil Aviation Safety Authority identifies the following as key stakeholders for the proposed rule amendments contained in this NPRM:

- The Civil Aviation Safety Authority
- The Minister for Transport
- The Ministry for Transport
- The Minister for Civil Aviation
- Aircraft operators

3. Issues Addressed during Development

The only issues addressed during the development of this NPRM is to amend the Maintenance Organisation Certificate to include the Operations Specification of each Maintenance Organisation onto its Certificate.

3.1 Consequential Amendments

There are no other consequential amendments in other Rule Parts.

3.2 Exemptions

There are no current Exemptions against this Rule Part.

3.3 ICAO SARPS and Level of Risk to Papua New Guinea Aviation Safety

The proposed rule amendments are intended to align, where practicable, with the SARPs contained in ICAO Annexes and are written in consultation with Annex 8 – Airworthiness of Aircraft. This proposed rule amendment incorporates requirements for all maintenance organisations to maintain a standard minimum content prescribed by ICAO.

3.4 Compliance Costs

The proposed amendments do not require aircraft operators and maintenance organisation to install new or additional equipment or component to the aircraft. Therefore, the proposal does not impose any compliance costs and has the potential to reduce costs in the future.

4. Summary of changes

CAR Part 145 is being amended to reflect the requirements of Annex 8, Also included in the amendment are corrections where required. Amendments and corrections are as follows:

- (1) Approval Certificate contents and Scope of Approval,
- (2) Minor corrections on to correct spelling error and terminology included for consistency.
- (3) Rule 145.13 amended because section 4 of the operations specification is now amalgamated into the MOC to as per Annex 8 Chapter. 6.2.3
- (4) Insertion of Appendices A1- A2
- (5) Insertion of Appendix B..

5. Legislative Analysis

5.1 Power to Make Rules

The Minister may make ordinary rules under sections 69, 70, 71 and 72 of the Civil Aviation Act 2000, for various purposes including implementing Papua New Guinea's obligations under the Convention, assisting aviation safety and security, and any matter contemplated under the Act.

These proposed rules are made pursuant to:

- (a) Section 69(1)(a) which allows the Minister to make rules for the purpose of the implementation of Papua New Guinea's obligations under the Convention:
- (b) Section 69(b) which allows the Minister to make rules for the purpose of assisting aviation safety and security, including (but not limited to) personal security:

-
- (c) Section 69(5) which allows the Minister to make rules that provide for matters to be determined or approved by the Authority, the Director, or any other person or empower the Authority, the Director or any other person to impose requirements, or conditions on the performance of any activity including but not limited to procedures to be followed:
- (d) Section 70(c) which allows the Minister to make rules providing for general operating rules, air traffic rules, and flight rules, including but not limited to the following:
- (1) the conditions under which aircraft may be used or operated, or under which any act may be performed in or from an aircraft:
 - (2) the prevention of aircraft endangering persons or property.
- (e) Section 72(a) which allows the Minister to make rules for the designation, classification, and certification of all or any of the following:
- (1) aircraft:
 - (2) aircraft pilots:
 - (3) flight crew members:
 - (4) air traffic service personnel:
 - (5) aviation security service personnel:
 - (6) aircraft maintenance personnel:
 - (7) aviation examiners or medical examiners:
 - (8) air services:
 - (9) air traffic services:
 - (10) aerodromes and aerodrome operators:
 - (11) aeronautical navigation service providers:
 - (12) aviation training organisations:
 - (13) aircraft design, manufacture, and maintenance organisations:
 - (14) aeronautical procedures:
 - (15) aviation security services:
 - (16) aviation meteorological services:
 - (17) aeronautical communication services:
 - (18) any other person who provides services in the civil aviation system, and any aircraft, aeronautical products, aviation related services, facilities, and equipment operated in support of the civil aviation system, or classes of such persons, aircraft, aeronautical products, aviation related services, facilities, and equipment operated in support of the civil aviation system:
- (f) Section 70(b) which allows the Minister to make rules for the setting of standards, specifications, restrictions, and licensing requirements for all or any of those persons or things specified in paragraph 70(a) including the specifications of standards of design, construction, manufacture, processing, testing, supply, approval, and identification of aircraft and aeronautical products:
- (g) Section 70(c) which allows the Minister to make rules setting the conditions of operation of foreign aircraft and international flights to, from, or within Papua New Guinea:

- (h) Section 70(d) which allows the Minister to make rules for the definitions, abbreviations, and units of measurement to apply within the civil aviation system.

The proposed amendment of Part 1 complies with the requirements of the Civil Aviation Act and does not contravene the Constitution, the Aerodrome (Business Concession) Act, Civil Aviation (Aircraft Operator Liability) Act, Aircraft Charges Act, Airport Departure Tax Act, the Explosive Act, Firearms Act, Customs Act, Plant and Disease Control Act and the Environmental Act.

The proposed Rule has been checked for language and compliance with the legal conventions of Papua New Guinea.

5.2 Matters to be taken into account

The development of this NPRM and the proposed rule changes take into account the matters under section 75 of the Act that the Minister must take into account when making ordinary rules including the following:

5.1 ICAO Standards and Recommended Practices

The proposed rule amendments comply with applicable sections of International Civil Aviation Organization (ICAO) Annex 8, Amendment 106.

5.2 Assisting Economic Development

The proposed rule amendments will have no detrimental impact on economic development, and in some cases will reduce costs incurred by the aviation industry.

5.3 Assisting Safety and Personal Security

The proposed rule amendments will maintain safety levels in respect to clarifying and maintaining common standards of definitions, abbreviations and units of measurements used throughout the industry.

5.4 Improving Access and Mobility

The proposed rule amendments will have no impact on access and mobility.

5.5 Protecting and Promoting Public Health

The proposed rule amendments will have no impact on protecting and promoting public health.

5.6 Ensuring Environmental Sustainability

The proposed rule amendments will have no impact on environmental sustainability.

6. Submissions on the NPRM

6.1 Submissions are invited

Interested persons are invited to participate in the making of the proposed rule amendment by submitting written data, views, or comments. All submissions will be considered before final action on the proposed rule amendment is taken. If there is a need to make any significant change to the rule requirements in the proposal as a result of the submissions received, then interested persons may be invited to make further submissions.

6.2 Examination of submissions

All submissions will be available in the rules docket for examination by interested persons both before and after the closing date for submissions. A consultation summary will be published with final rule.

Submissions may be examined by application to the Docket Clerk at the Civil Aviation Safety Authority between 8:30 am and 3:30 pm, on weekdays, except statutory holidays.

6.3 Disclosure

Submitters should note that any information attached to submissions will become part of the docket file and will be available to the public for examination at the Civil Aviation Safety Authority offices.

Submitters should state clearly if there is any information in their submission that is commercially sensitive or for some other reason the submitter does not want the information to be released to other interested parties.

6.4 How to make submission

Submissions may be sent by the following methods:

- By Mail: Docket Clerk (NPRM 20/08-41)
Civil Aviation Safety Authority
PO Box 1941
BOROKO
National Capital District
- Delivered: Docket Clerk (NPRM 20/08-41)
Civil Aviation Safety Authority
Morea-Tobo Road
Six Mile, Jacksons Airport
Port Moresby NCD
- By Fax: Docket Clerk (NPRM 20/08-41)
3251789 / 325 1919
- By Email: Docket Clerk (NPRM 20/08-41)
rules@casapng.gov.pg

6.5 Final date for submissions

Comments must be received before **COB on 20th November, 2020**

6.6 Availability of the NPRM

Any person may obtain a copy of this NPRM from – CASA web site: www.casapng.gov.pg

Or at a cost from

Docket Clerk (NPRM 20/08-01)
Civil Aviation Safety Authority
Morea-Tobo Road
Six Mile, Jacksons Airport
Port Moresby NCD

6.7 Further information

For further information, contact:

Carol Jaran (Ms.)
Manager - Legal Services
CASA PNG
Email: cjaran@casapng.gov.pg
Phone: 325 7320
Mobile: 73847504

Proposed Rule Amendments

Part 145 Aircraft Maintenance Organisations - Certification

Subpart A - General

145.1 Purpose

This Part prescribes rules governing the certification and operation of aircraft maintenance organisations.

145.3 Definitions

In this part—

Authority, when the context requires, means the national aviation regulatory body responsible for issuing a foreign maintenance organisation certificate of approval.

Maintenance organisation's procedures manual means a document endorsed by the head of the maintenance organization which details the maintenance organization's structure and management responsibilities, scope of work, description of facilities, maintenance procedures and quality assurance or inspection systems.

145.5 Requirement for certificate

A person shall not exercise the privileges in rule 145.11 except under the authority of and in accordance with the provisions of a maintenance organisation certificate issued under this Part.

145.7 Application for certificate

An applicant for the grant of a maintenance organisation certificate must complete form CA 145/01 and submit it to the Director with—

- (1) the exposition required by 145.53(b)(2) or 145.119 as applicable; and
- (2) a payment of the appropriate application fee prescribed by regulations made under the Act.

145.9 Issue of certificate

An applicant is entitled to a maintenance organisation certificate if the Director is satisfied in accordance with section 49 of the Act that—

- (1) the applicant meets the applicable acceptance requirements in Subpart B or the certification requirements of Subpart C; and
- (2) in the case of an application for certification under Subpart C, the applicant and the applicant's senior person or persons required by 145.101(a) are fit and proper persons; and
- (3) the granting of the certificate is not contrary to the interests of aviation safety.

145.10 Specification for certificate

The aircraft maintenance organization certificate must at least contain the following –

- ~~(4) the organisation's name and location; and~~
- ~~(5) the date of issue and period of validity; and~~
- ~~(6) the terms of approval.~~
- (1) the issuing authority and the name, title and signature of the person issuing the certificate;
- (2) the maintenance organisation's name and registered address;

- (3) the maintenance organisation approval reference certificate number;
- (4) date of current issue;
- (5) in the case of certificates of limited duration, the expiry date;
- (6) the scope of approval, in relation to aircraft, component and/or specialized maintenance, and to the type of aircraft and components covered by the approval; and
- (7) the location of the maintenance facilities, unless the information is included in a separate document referred to in the approval certificate;

145.10 Privileges and limitations

- (a) A holder of a maintenance organisation certificate may conduct aircraft maintenance which is authorised by the ratings specified on the certificate and within the scope detailed in the organisation's exposition according to the following:
 - (1) A1 for the maintenance of aircraft with a MCTOW of more than ~~13 610~~ 13610 kg as detailed in the organisation's exposition:
 - (2) A2 for the maintenance of aircraft with a MCTOW of more than 5700 kg but not exceeding 13610 kg as detailed in the organisation's exposition:
 - (3) A3 for the maintenance of aircraft with a MCTOW of 5700 kg or less and a maximum certificated passenger seating configuration, excluding any required crew member seat, of 10 seats or more:
 - (4) A4 for the maintenance of aircraft with a MCTOW of 5700 kg or less and a maximum certificated passenger seating configuration, excluding any required crew member seat, of 9 seats or less:
 - (5) A5 for the maintenance of aircraft with a MCTOW of 5700 kg or less which are type accepted in the restricted category:
 - (6) C1 for the maintenance of aircraft engines and propellers as detailed in the organisation's exposition:
 - (7) C2 for the maintenance of components as detailed in the organisation's exposition:
 - (8) C3 for the maintenance of aircraft electrical equipment as detailed in the organisation's exposition:
 - (9) C4 for the maintenance of aircraft instrument equipment as detailed in the organisation's exposition:
 - (10) C5 for the maintenance of aircraft radio equipment as detailed in the organisation's exposition:
 - (11) E1 for the conduct of aircraft maintenance engineer technical training as detailed in the organisation's exposition:
 - (12) F1 for the maintenance of foreign aircraft and components for foreign aircraft as detailed in the organisation's exposition and in accordance with a technical arrangement with the State of registry of the aircraft:
 - (13) P1 for the maintenance of aircraft and components involving processing not otherwise included in any of the above ratings and as detailed in the organisation's exposition.
- (b) Subject to rule 145.111, the holder of a maintenance organisation certificate may authorise a person to maintain any aircraft or component for which the holder is ~~certificated~~ certificated
- (c) Subject to rule 145.111, the holder of a maintenance organisation certificate may authorise a person to certify release-to-service any aircraft or component for which the holder is certificated.

145.13 Operating specifications

- (a) An aircraft maintenance organisation certificate issued in accordance with this Part must be accompanied by the operating specifications specified in paragraph (b).
- (b) The operating specifications must contain—
 - ~~(1) the certificate holder's address for service in Papua New Guinea; and~~
 - ~~(2) other business names under which the certificate holder may operate; and~~
 - ~~(3) the type of every aircraft and every component that the certificate holder is authorised to maintain; and~~
 - ~~(4) details of maintenance processes authorised; and~~
 - ~~(5) details of the physical location of the certificate holder's principal base of maintenance activity; and~~
 - ~~(6) details of remote bases and geographical areas where field maintenance is authorised; and~~
 - ~~(7)~~(1) details of any external service provider contracted to provide subcontracted maintenance, training or competency assessment or supply; and
 - ~~(8)~~(2) the exposition reference (manual, section, procedure or page as applicable), including revision status and issue date, for the following:
 - (i) the senior persons required by rule 145.101:
 - (ii) the certificate holder's safety management system:
 - (iii) the certificate holder's quality management system:
 - (iv) the certificate holder's capability list:
 - (v) the certificate holder's duty time scheme:
 - (vi) the certificate holder's procedures for granting authorisations; and
 - ~~(9)~~(3) any exemption granted from any requirement of this or any other Part; and
 - ~~(10)~~(4) any other item the Director determines is necessary to cover a particular situation.

145.15 Duration of certificate

- (a) A maintenance organisation certificate may be granted or renewed for a period of up to five years.
- (b) A maintenance organisation certificate remains in force until it expires or is suspended or revoked by the Director.
- (c) The holder of a maintenance organisation certificate that expires or is revoked must immediately surrender the certificate to the Director.
- (d) The holder of a maintenance organisation certificate that is suspended must immediately produce the certificate to the Director for appropriate endorsement.

145.17 Notification of ceasing maintenance

A holder of an aircraft maintenance organisation certificate that ceases to offer maintenance services must notify the Director in writing within 30 days of the date of cessation and request revocation of the aircraft maintenance organisation certificate.

145.19 Renewal of certificate

- (a) An application for the renewal of a maintenance organisation certificate must be made by the certificate holder of a maintenance organisation certificate on form CA 145/01.
- (b) The application must be submitted to the Director by the application renewal date specified on the certificate or, if no such date is specified, not less than 30 days before the certificate expires.

Subpart B – Acceptance of Foreign Maintenance Organisations**145.51 Purpose**

This Subpart prescribes the rules for the grant of an aircraft maintenance organisation certificate to a foreign organisation which the Director finds acceptable on the basis of an approval issued by an ICAO contracting State.

145.53 Recognised foreign certifications

- (a) Subject to the requirements of paragraphs (b) and (c), an aircraft maintenance organisation certificate issued by any of the following authorities will be accepted by the Director for the issue of an aircraft maintenance organisation certificate under this Part:
 - (1) the Civil Aviation Safety Authority of Australia:
 - (2) the Civil Aviation Authority of New Zealand:
 - (3) the Civil Aviation Authority of the United Kingdom:
 - (4) the Department of Transport Canada:
 - (5) the European Aviation Safety Authority:
 - (6) the National Civil Aviation Agency of Brazil:
 - (7) the Civil Aviation Department of Hong Kong:
 - (8) the Civil Aviation Authority of Singapore:
 - (9) the Civil Aviation Bureau of Japan:
 - (10) the Civil Aviation Administration of China:
 - (11) the Federal Aviation Administration of the United States.
- (b) An applicant for an aircraft maintenance organisation certificate to be issued under paragraph (a) must provide the Director with the following:
 - (1) a copy of the foreign maintenance organisation certificate;
 - (2) a copy of the exposition required by the foreign Authority;
 - (3) the name of the chief executive and those senior persons who have responsibility for dealing directly with the Director on the following matters-
 - (i) ~~maintenance delivery~~ the performance of maintenance activities:
 - (ii) ~~release to service certification~~ personnel competency and authorization:
 - (iii) safety management system:
 - (iv) quality management system:
- (c) Any information the Director may require regarding continuing validity of the foreign certificate.
- (d) The Director may impose conditions and limitations on an aircraft maintenance organisation certificate issued under paragraph (a).

Subpart C - Certification Requirements

145.101 Personnel requirements

- (a) An applicant for the grant of a maintenance organisation certificate must employ, contract or otherwise engage—
 - (1) a senior person identified as the Chief Executive who—
 - (i) has the authority within the applicant's organisation to ensure that every activity undertaken by the organisation can be financed and carried out in accordance with the requirements and standards prescribed by this Part; and
 - (ii) is responsible for ensuring that the organisation complies with the requirements of this Part; and
 - (2) senior persons—
 - (i) responsible for ensuring that the applicant's organisation complies with its exposition; and
 - (ii) responsible for the functions referred to in paragraph (b); and
 - (iii) ultimately responsible to the Chief Executive.
 - (3) Sufficient personnel to plan, perform, supervise, inspect, and certify the maintenance activities listed in the applicant's exposition.
- (b) The senior persons required by paragraph (a)(2) must be responsible for the following functions:
 - (1) the performance of maintenance activities;
 - (2) personnel competency and authorisations;
 - (3) the safety management system; and
 - (4) the quality management system.
- (c) Except as required in paragraph (d), more than one of the functions referred to in paragraph (b) may be assumed by one senior person provided that the Director accepts that such an arrangement is appropriate to the structure of the applicant's organisation.
- (d) Except as provided for in paragraph (e), the quality assurance function must not be carried out by a person responsible for any other function referred to in paragraph (b).
- (e) One senior person may be responsible for the functions of both quality assurance and safety management provided the applicant establishes procedures for independent quality assurance of the safety management system.
- (f) Any function referred to in paragraph (b) may be delegated to other personnel provided the senior person responsible for the function retains responsibility for the function and the delegation is acceptable to the Director.
- (g) For personnel involved in planning, performing, supervising, inspecting, or certifying the maintenance activities performed by the applicant's organisation, an applicant for an aircraft maintenance organisation certificate must –
 - (1) establish qualification and experience standards for appointment; and
 - (2) establish procedures for maintaining competence, where recent experience requirements have not been maintained; and
 - (3) provide those personnel with written evidence of the scope of their authorisation; and
 - (4) establish procedures for the transfer of functions in the absence of senior persons; and
 - (5) ensure that all personnel receive initial and continuation training appropriate to their assigned tasks and responsibilities, including knowledge and skills training related to human performance and coordination with other maintenance personnel and flight crew.

145.103 Maintenance personnel duty time limitations

(a) An applicant for the grant of a maintenance organisation certificate must establish procedures to ensure a person who is authorised under rule 145.111 to perform or supervise maintenance or to certify release to service, or to certify conformity to acceptable standards is relieved from duty for—

- (1) in the case of non-tour engineers-
 - (i) a period of at least 8 consecutive hours in the 24-hour period immediately before exercising the authorisation; and
 - (ii) at least 4 periods of at least 24 consecutive hours each in the 30 day period immediately before exercising the authorisation; and
 - (iii) following a period of duty exceeding 16 hours, at least 8 consecutive hours before next exercising the authorisation.
- (2) in the case of equal time tour engineers—
 - (i) a period of at least 8 consecutive hours in the 24-hour period immediately before exercising the authorisation; and
 - (ii) following a period of 6 consecutive hours on duty, at least 45 minutes before next exercising the authorisation; and
 - (iii) following a period of duty exceeding 18 hours, at least 6 consecutive hours before next exercising the authorisation; and
 - (iv) at least 7 consecutive days immediately before commencing a tour of duty exceeding 21 days; and
- (b) A tour engineer must not exceed—
 - (1) 110 hours duty in a 7 consecutive day period; and
 - (2) 400 hours duty in a 28 consecutive day period.
- (c) For the avoidance of doubt, a tour engineer is a person who-
 - (1) is domiciled in a place other than the location where the organisation requires the person to perform his or her duties; and
 - (2) travels in to the location the organisation requires the person to perform duties and travels out to his or her place of domicile on a regular cycle; and
 - (3) while on location, performs duties over a consecutive number of days followed by a substantial absence from that location.

145.105 Facility requirements

(a) An applicant for the grant of a maintenance organisation certificate must provide facilities appropriate for all maintenance activities performed by the applicant's organisation, including—

- (1) Office accommodation for the administration of its maintenance activities; and
- (2) maintenance facilities that include—
 - (i) protection from the weather; and
 - (ii) appropriate segregation of specialised work areas to prevent environmental and work area contamination; and
- (3) storage facilities for equipment, tools, parts, and material that include—
 - (i) security for serviceable items; and
 - (ii) segregation of serviceable from unserviceable items; and
 - (iii) controls to prevent deterioration of, and damage to, stored items.

(b) An applicant for the grant of a maintenance organisation certificate must ensure that the environment the certificate holder provides is appropriate for the tasks to be performed and, in particular, meets any special requirements specified in the applicable airworthiness data.

145.107 Equipment, tools, and material

An applicant for the grant of a maintenance organisation certificate must—

- (1) have access to the equipment, tools, and material necessary for all maintenance activities performed by the applicant's organisation; and
- (2) establish a procedure to control the equipment, tools, and material required by paragraph (1), including, at a frequency and to a standard acceptable to the Director, the calibration of precision tooling and equipment.

145.109 Maintenance management procedures

(a) An applicant for the grant of a maintenance organisation certificate must hold, or have electronic access to, copies of maintenance procedures manuals, engineering drawings, specifications, technical standards and practices, and any other documentation that is necessary for the provision of the maintenance activities detailed in the applicant's exposition.

(b) An applicant for the grant of a maintenance organisation certificate must establish procedures for—

- (1) the procurement and inspection of raw materials, parts, and assemblies, including—
 - (i) methods to ensure the acceptable quality of parts and assemblies that cannot be completely inspected upon delivery to the organisation; and
 - (ii) purchasing and maintenance of raw materials, parts, and assemblies by subsidiary maintenance organisations; and
- (2) dealing with materials, parts, and assemblies that do not conform to the type design or specifications, including the recording of decisions and the disposal of rejected materials, parts, and assemblies; and
- (3) the performance of the maintenance activities detailed in the applicant's exposition, including methods to ensure—
 - (i) the use of acceptable maintenance techniques and practices; and
 - (ii) the compliance with contractual maintenance obligations with aircraft operators including a description of the additional procedures for complying with the operator's maintenance procedures and requirements and
 - (iii) maintenance at locations other than those specified in the applicant's exposition is limited to scheduled maintenance specifically identified in the applicant's exposition or maintenance arising solely from unserviceability of the aircraft; and
- (4) ensuring that each maintenance activity to be performed on behalf of the applicant's organisation by a subcontractor—
 - (i) is identified in the applicant's exposition; and
 - (ii) complies with the systems, procedures, and specifications detailed in the applicant's exposition; and
- (5) the identification, handling, storage, and packing of materials, parts, and assemblies; and
- (6) a person authorised in accordance with rule 145.111 to certify an aircraft or component for release-to-service; and ~~the maintenance of a list of the persons who hold such authorisations to certify a release to service; and~~

-
- (7) ~~a person authorised in accordance with rule 145.111 to issue an authorised release certificate,~~ and the maintenance of a list of the persons who hold such authorisations to issue an authorised release certificate; and
- (8) ensuring authorisations are current and continue to provide an adequate level of authority for the work carried out; and
- (9) a description of the procedures for preparing the maintenance release and circumstances under which the maintenance release is to be signed; and
- (10) controlling the documentation required by paragraph (a) to ensure that—
- (i) the documentation is reviewed and authorised by appropriate personnel before issue; and
 - (ii) current issues of relevant documentation are available to personnel at every location where they need access to such documentation to perform the maintenance activities detailed in the applicant's exposition; and
 - (iii) obsolete documentation is promptly removed from every points of issue or use; and
 - (iv) changes to documentation are reviewed and authorised by appropriate personnel; and
 - (v) the current version of each item of documentation can be identified to ensure out-of-date documentation is not used; and
- (11) make maintenance information, engineering drawings, technical standards and practices, and inspection records available to the Director, on he Director 's request.

145.111 Authorisation procedures

- (a) Subject to paragraphs (b), (c), (d), (e), (f), and (g), an applicant for the grant of a maintenance organisation certificate must establish procedures for authorising a person to perform the following types of maintenance activities under the authority of a maintenance organisation certificate:
- (1) perform and supervise maintenance on aircraft or components as specified in the authorisation; and
 - (2) certify aircraft or components as specified in the authorisation for release to service after maintenance has been performed; and
 - (3) certify the conformity of major modifications and major repairs to aircraft and components to acceptable technical data.
- (b) Except as provided in paragraph (c), a person must not be authorised to release an aircraft or component to service after maintenance unless the person—
- (1) hold a current aircraft maintenance engineer license with an appropriate rating issued in accordance with Part 66, or
 - (2) holds a current aircraft maintenance engineer license in an appropriate category issued in accordance with Part 66 and meets a standard at least equal to that required by Subpart B of Part 66 for the grant of an aircraft maintenance engineer rating; or
 - (3) holds a current aircraft maintenance specialist certificate, with appropriate endorsement, issued under Part 66; or
 - (4) for maintenance performed outside Papua New Guinea—
 - (i) holds a current maintenance engineer license that is issued under the authority

-
- of a recognised national aviation authority; or
- (ii) holds a current authorisation that is issued by an organisation certified to perform maintenance by a recognised national aviation authority— granting release to service privileges for the type of aircraft or component for which authorisation under this rules granted; or
- (5) for a limited authorisation to certify an aircraft for release-to-service following limited maintenance activities as specified in the procedure, holds a current ad appropriate aircraft maintenance engineer license issued in accordance with Part 66 and has training and experience acceptable to the Director appropriate to the limitations in the authorisation; or
 - (6) for maintenance specified in Appendix A of Part 43, meets the requirement of rule 43.51(a)(2) and is appropriately trained to perform the maintenance and certify the release-to-service for the aircraft type for which the authorisation is intended.
- (c) A person may be authorised to certify a component for release-to-service after maintenance if the person has—
- (1) successfully completed a course of training relevant to the component for which the authorisation is intended or passed an examination acceptable to the Director relevant to the component for which the authorisation is intended; and
 - (2) 36 months of practical aviation related experience with the procedures, practices, materials, tools, machine tools, and equipment generally used in constructing, maintaining, or modifying airframes, power plants, or avionic equipment; and
 - (3) 6 months supervised experience directly relevant to the component for which authorisation is sought;
- (d) The course of training specified in paragraph (c)(1) shall be—
- (1) conducted by the holder of a maintenance organisation certificate issued in accordance with Part 145 with an E.1 rating for the training of the organisation’ s staff; or
 - (2) conducted by the holder of an aviation training organisation certificate issued in accordance with Part 141 if the training organisation certificate authorises such a course; or
 - (3) conducted by the manufacturer of the applicable component; or
 - (4) approved by the aviation authority of a recognised ICAO Contracting State.
- (e) A person must not be authorised to—
- (1) certify an aircraft or component for release-to-service after maintenance, unless the person has been examined by an appropriate senior person for—
 - (i) familiarity with the maintenance management procedures required by 145.109(b); and
 - (ii) technical competence in respect of the authorisation to beheld.
 - (2) certify the conformity of major modifications and major repairs to aircraft and components to acceptable technical data unless the person—
 - (i) is the holder of an authorisation to certify the aircraft or component for release to service; and
 - (ii) has completed a course of training relevant to modification and repair conformity; and
 - (iii) has passed an examination acceptable to the Director relevant to

modification and repair conformity.

- (f) A person holding an authorisation issued under paragraph (a) must not exercise the privileges of the authorisation unless that person satisfies the applicable recent experience requirements prescribed in Part 66 irrespective of whether the person holds an aircraft maintenance engineer licence issued in accordance with Part 66.
- (g) An authorisation issued under paragraph (a) to a person who meets the requirements of paragraph (b) or (c) may not confer greater privileges than those conferred by an equivalent rating issued under Part 66 or an equivalent aviation maintenance specialist certificate issued in accordance with Subpart C of Part 66.

145.113 Continued airworthiness

An applicant for the grant of a maintenance organisation certificate must establish procedures for—

- (1) collecting, investigating, and analyzing information relating to defects in the aircraft or component maintained by the applicant and distributing that information to—
 - (i) the applicable design organization; and
 - (ii) the owner or operator of that aircraft or component; and
- (2) providing defect incident information to the Authority in accordance with Part 12.

145.115 Continuous Airworthiness Records

- (a) An applicant for the grant of a maintenance organisation certificate must establish procedures to identify, collect, index, maintain and store the records that are necessary to ensure that each product or component is fit for release to service.
- (b) An applicant for the grant of a maintenance organisation certificate must establish procedures to—
 - (1) record details of the experience, qualifications, training, and current authorisations of each person who exercises certification privileges under the authority of the maintenance organisation certificate; and
 - (2) record every aircraft and component that is maintained by the holder including a description of the work performed; and
 - (3) record every calibration on equipment and tools that is required under rule 145.107 and the standards used for calibration; and
 - (4) ensure that—
 - (i) every record is legible and of a permanent nature; and
 - (ii) every record for an aircraft is available to the operator of the aircraft; and
 - (iii) the records required by paragraphs (b)(1) to (3) are retained for a period of one year after the work is released to service; and
 - (iv) the records required by paragraph (b) are made available to the Director, on the Director's request.

145.116 Safety Management System

An applicant for the grant of an aircraft maintenance organisation certificate must establish and implement a safety management system which meets the requirements of Part 100.

145.117 Quality Management System

An applicant for the grant of an aircraft maintenance organisation certificate must establish and implement a quality management system which meets the requirements of Part 100.

145.119 Maintenance organisation exposition

- (a) An applicant for the grant of a maintenance organisation certificate must provide the Director with an exposition that contains—
- (1) a statement signed by the applicant's Chief Executive on behalf of the applicant's organisation confirming that the exposition and any included manuals—
 - (i) define the maintenance organisation and demonstrate its means and methods for ensuring ongoing compliance with this Part; and
 - (ii) are required to be complied with by its personnel; and
 - (2) the titles and names of the senior person or persons required by rules 145.101(a)(1) and (2); and
 - (3) the duties and responsibilities of the person or persons specified in paragraph (a)(2) including matters for which they have responsibility to deal directly with the Director on behalf of the maintenance organisation; and
 - (4) an organisation chart showing lines of responsibility of the senior persons specified in paragraph (a)(2); and
 - (5) except as provided in paragraph (b), details of every location where the applicant performs maintenance and detail of the facilities at those locations; and
 - (6) details of the applicant's staffing structure at each of the locations listed under paragraph (a)(5); and
 - (7) a detailed description of the scope of work undertaken by the applicant; and
 - (8) details of the applicant's procedures required by—
 - (i) rule 145.101(b) regarding the assessment of competence of personnel; and
 - (ii) rule 145.101(g) regarding initial and on-going training to maintain competence of personnel; and
 - (iii) rule 145.103 regarding the maintenance personnel duty time limitations; and
 - (iv) rule 145.107(2) regarding the control and calibration of tools, jigs, maintenance equipment, and test equipment; and
 - (v) rule 145.109(b)(1) regarding inspections of raw materials, parts, and assemblies; and
 - (vi) rule 145.109(b)(2) regarding non-conforming materials and parts; and
 - (vii) rule 145.109(b)(3) regarding the performance of maintenance activities; and
 - (viii) rule 145.109(b)(4) regarding the subcontracting of maintenance activities; and

-
- (ix) rule 145.109(b)(5) regarding the identification, handling, storage, and packing of materials, parts and assemblies; and
 - (x) rule 145.109(b)(6) regarding the certification of aircraft and components for release-to-service; and
 - (xi) rule 145.109(b)(7) regarding issue of authorised release certificates; and
 - (xii) rule 145.109(b)(8) regarding currency and adequacy of authorisations issued to personnel; and
 - (xiii) rule 145.109(b)(9) regarding the control and distribution of documentation; and
 - (xiv) rule 145.111 regarding the issue of authorisation to appropriate persons including the scope of authorisation; and
 - (xv) rule 145.113 regarding the collection, and provision of information for the continued airworthiness of the aircraft and components that the applicant maintains; and
 - (xvi) rule 145.115(a) regarding the identification, collection, indexing storage, maintenance, and disposal of records; and
 - (xvii) rule 145 115(b)(1) regarding the recording of personnel experience, qualifications and training; and
- (9) details of the facilities required by rule 145.105(a)(3) for the storage and segregation of parts; and
 - (10) details of the means to provide appropriate environmental conditions required by rule 145.105(b); and
 - (11) details of the safety management system required by rule 145.116; and
 - (12) details of the quality management system required by rule 145.117; and
 - (13) procedures to control, amend and distribute the exposition; and
 - (14) if the certificate holder has been granted an E1 rating in accordance with rule 145.111, procedures at least equivalent to those required by subpart D of Part 141 for conducting training under the E1 rating; and
 - (15) procedures for changing the scope within a rating; and
 - (16) procedures to ensure that the language of the exposition is comprehended by all personnel who are required to do so, including where necessary the use of an alternative language to English; and
 - (17) procedures for reporting significant occurrences that have or may have an adverse effect on the continuing airworthiness of aircraft over 5700 kg and helicopters over 3175 kg maximum certificated take-off weight to both the State of Registry and aircraft type certificate holder;
- (b) The Exposition must be accepted by the Director before the operating specifications document required by rule 145.13 is issued.

Subpart D - Operating Requirements

145.151 Continued compliance

- (a) A holder of a maintenance organisation certificate must—
 - (1) hold at least one complete and current copy of its exposition at every work location specified in its exposition; and
 - (2) comply with all procedures and processes detailed in the certificate holder's exposition; and
 - (3) make every applicable part of the exposition available to personnel who require those parts to carry out their duties; and
 - (4) determine that every aircraft or component released to service by it is in an airworthy condition; and
 - (5) make records available to the Director upon request; and
 - (6) comply with any limitations or conditions prescribed by the Director on the certificate.
- (b) Continued compliance of a maintenance organisation certificate issued under Subpart B is conditional upon –
 - (1) the foreign maintenance certificate accepted by the Director continuing to be valid; and
 - (2) where required by the Director, the supply of audit and inspection reports produced by, or on behalf of, the national aviation authority in respect of the foreign maintenance organisation certificate accepted under Subpart B.

145.153 Changes to certificate holder's organisation

- (a) A holder of a maintenance organisation certificate must—
 - (1) ensure that the exposition is amended to reflect changes to the organisation and changes to the procedures for conducting maintenance activities; and
 - (2) provide the Director with a copy of every amendment to its exposition as soon as practicable after the amendment has been incorporated in the exposition.
- (b) If a holder of a maintenance organisation certificate proposes to make a change to any of the following, prior application to, and acceptance by, the Director is required:
 - (1) the Chief Executive;
 - (2) the senior persons required by rule 145.53(b)(3) and 145.101(b);
 - (3) the scope of the maintenance activities the certificate holder under takes;
 - (4) the procedures for changing the scope within a rating;
 - (5) the locations at which maintenance is carried out;
 - (6) the procedures for authorising persons to certify maintenance.
- (c) Changes to any of the subjects listed in paragraph (b) must be approved by the Director through the issue of revised operating specifications issued in accordance with rule 145.13 prior to the effective date of changes to the exposition.
- (d) The Director may specify in writing conditions under which the certificate holder must operate during or following any of the changes listed in paragraph (b) to ensure continued compliance with this Part.
- (e) A certificate holder must comply with the conditions specified by the Director under paragraph (d).
- (f) If any change referred to in this rule requires an amendment to the maintenance organisation certificate, the certificate holder must forward the certificate to the Director immediately for amendment.
- (g) The certificate holder must amend the exposition for the holder's organisation as the Director may consider necessary in the interests of aviation safety.

Appendix A – Qualifications and Experience of Senior Persons

A1 Senior person responsible for provision maintenance

<u>Aircraft Maintenance Organisation</u>	
<u>Chief Engineer/Engineering Manager</u>	
<u>Document required</u>	<u>Holder of an aircraft maintenance engineer license or equivalent, acceptable to the Director.</u>
<u>Technical experience</u>	<u>Minimum 8 years' experience in the maintenance of aircraft of a similar size and type or bigger to the one maintained by the organisation; and</u> <u>Has 5 years or more of release to service experience.</u>
<u>Managerial experience</u>	<u>Minimum 5 years' experience in a supervisory position which have been undertaken during the 8 years' of technical experience required above.</u>
<u>Knowledge</u>	<u>Have a clear knowledge and understanding of the organisation's expositions and the applicable Rule Parts and the Civil Aviation Act.</u>
<u>Competency</u>	<u>Undertake any examination or test that the Director may require to determine the applicant's competency to perform the functions required.</u>

A2. Senior Person Responsible for Safety and Quality Management Systems

	<u>MOC Operations Specifications</u> <u>RATING A1 & A2</u>	<u>MOC Operations Specifications</u> <u>Rating A3, A4 & A5</u>
<u>Document required</u> <u>(Responsibility for SMS and QMS, or SMS or QMS only)</u>	<u>Certified Lead Auditor AND</u> <u>Have successfully completed a formal course of training in safety management systems acceptable to the Director</u>	<u>Certified Lead Auditor AND</u> <u>Have successfully completed a formal course of training in safety management systems acceptable to the Director</u>
<u>Experience</u>	<u>More than 5 years' experience in quality management and integrated safety systems; and</u> <u>More than 5 years' experience in aviation with aircraft repair and maintenance background.</u> <u>2 years supervisory experience.</u>	<u>More than 5 years' experience in the aviation industry.</u> <u>2 years supervisory experience.</u>
<u>Knowledge</u>	<u>Have a clear knowledge and understanding of the organisation's expositions and the applicable Rule Parts and the Civil Aviation Act.</u>	

In addition, a person may be assessed as meeting the qualification requirements for this senior person position if they have equivalent experience in quality assurance management acceptable to the Director

Appendix B Sample of Maintenance Organisation Certificate

APPROVED MAINTENANCE ORGANIZATION CERTIFICATE		
Issuing authority: ¹		
Approval reference number: ²	Organization name: ³ Registered address: Telephone: E-mail:	Expiration date (if applicable): ⁴
Class(es) and rating(s) authorized		
Class⁵	Rating⁶	Limitations⁷
Aircraft maintenance		
Engine maintenance		
Component maintenance		
Training		
Specialized maintenance		
Terms of Approval		
This certificate certifies that ⁸ _____ is authorized to engage in activities specified in the Terms of Approval annexed hereto, subject to the compliance with the ⁹ _____ and the latest maintenance organisation procedures manual (MOPM)		
Locations of maintenance facilities: As per ¹⁰ _____ of the latest MOPM.		
This certificate shall remain valid during the period of validity specified above unless it is surrendered, superseded, suspended or revoked.		
Name: ¹¹ _____ Date of original issue: ¹² _____ Title: ¹³ _____ Date of current issue: ¹⁵ _____ Signature: ¹⁴ _____		

Notes:

1. Name of the authority issuing the approval;
2. Unique approval reference number as issued by the State of Registry;
3. Registered address, telephone and email;
4. Expiry date (dd-mm-yyyy) if applicable, if not applicable, insert N/A;
5. Scope of approval using the classes as follows: aircraft, engine, component or specialized maintenance;
6. Scope of approval using the ratings as follows;
 - a) Aircraft maintenance – large airplanes, medium airplanes, small airplanes, helicopters, other kinds of aircraft (such as gliders, balloons, airship, light sport aircraft);
 - b) Engine maintenance – categories of engine (such as reciprocating, turbine and electric);
 - c) Component maintenance – standard numbering system (SNS) code derived from ASD/ATA S1000D specification for identifying the aircraft system applicable to the rating (Airworthiness Manual (Doc 9760, Chapter 10, Attachment F refers); and
 - d) Specialized maintenance – class of approval necessary for the specialized maintenance using the following ratings: composite material maintenance, surface treatment such as peening, plating, painting, non-destructive testing, welding, other unique processes accepted/approved by the State (Doc 9760, Chapter 10, Attachment F refers).
7. Limitation in the scope of approval if required for aircraft, components or specialized maintenance. If the limitations are described in the approved maintenance organization's procedures manual a reference to the manual should be included in the AMO certificate;
8. Name of organization authorized to perform maintenance. In the case where a State does not annex terms of approval to the AMO certificate, the State should amend this item as follows:

"This certificate certifies that⁸ _____ is authorized to engage in activities listed in this certificate, subject to compliance with the _____ and the latest maintenance organization's procedures manual."
9. Reference to relevant State regulations;
10. Reference to the appropriate section/chapter and paragraph of the maintenance organization's procedures manual in which the approved locations of the organization's facilities are listed; for example, Section/Chapter 1, paragraph 1.1.
11. Name of the authority representative signing the AMO certificate.
12. Date of original issue (if different from the date of current issue), if not, use NA.
13. Title of the authority representative signing the AMO certificate.
14. Signature of the authority representative. In addition, an official stamp may be applied on the AMO certificate.
15. Issuance date of the AMO certificate (dd-mm-yyyy).