

---

**NOTICE OF RULE MAKING**  
**COOK ISLANDS CIVIL AVIATION RULE PART 145**  
**Aircraft Maintenance Organisations – Certification.**

I, Hon Henry Puna Minister of Civil Aviation of the Cook Islands, make the following Rule:

Cook Island Civil Aviation Rule (CICAR): Part 145 Aircraft Maintenance Organisations –  
Certification

**Content of Rule Incorporated by Reference**

In accordance with section 39 of the Civil Aviation Act 2002 this Rule Part, incorporates by way of reference, the Rules contained in **New Zealand Civil Aviation Rule Part 145** in force as at **18<sup>th</sup> April 2018** as modified hereunder and shall be read subject to the following Interpretation and Modification Statement.

**Objective of the Rule**

The purpose of the Rule is to prescribe the certification requirements for organisations wishing to conduct aircraft maintenance activities in the Cook Islands and the operating requirements for the continuation of this certification.

Part 145 may be obtained for various maintenance activities but in particular Part 145 certification is required for air transport aircraft and its components with greater than 9 passenger seats; or a MCTOW greater than 5700 Kg involving:

- Overhaul:
- Maintenance involving the use of a jig:
- Maintenance requiring the disturbance of bench tested units:
- Dismantling main cases of engines and rotorcraft transmissions:
- Propeller and rotor balancing.

The Rule recognises the capability of an organisation to perform maintenance and determine the compliance of an aircraft and its components with the airworthiness requirements and provides for the certification of that compliance.

**Commencement of Rule into Force**

This Rule, as modified below, comes into force on the 1st July 2018.

---

### Availability of Rules

A copy of Part 145 of the New Zealand Civil Aviation Rule will be attached to this document and physically filed at:

The Ministry of Transport  
Port of Avatiu  
Avatiu  
Rarotonga  
Cook Islands

Copies of the New Zealand Civil Aviation Rules are available from:

- CAA web site: <http://www.caa.govt.nz/>
- NZ +64 0800 GET RULES (0800 438 785)

### Extent of Consultation

In addition to public notification of proposed Rule-making, targeted notification of the intention to make this Rule was made to:

- All key document holders including holders of Foreign Air Operator Certificates
- Relevant Ministries
- Mayors and Executive Officers of the Outer Islands (Pa Enea)

The Ministry of Transport met on request with:

- The Office of the Public Service Commission
- Air Rarotonga
- Infrastructure Cook Islands (including representatives from the Pa Enea)
- Airport Authority Cook Islands
- Cook Islands Police Service
- Ministry of Finance and Economic Management (Customs)
- Pacific Island Energy PTE Ltd
- Cook Island Meteorological Service
- Cook Islands Tourism

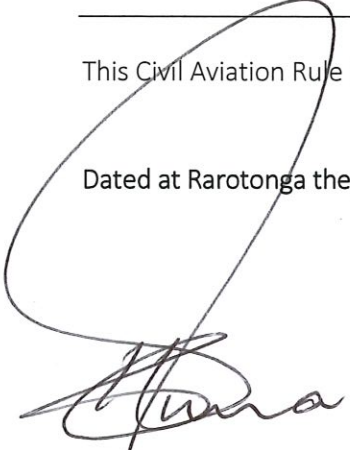
The Ministry of Transport received written submissions from:

- Airport Authority Cook Islands
- Air Rarotonga Ltd
- Pacific Islands Energy PTE Ltd.

Copies of the written submissions are available from the Ministry of Transport.

This Civil Aviation Rule is made pursuant to section 29 of the Civil Aviation Act 2002.

Dated at Rarotonga the 28<sup>th</sup> day June 2018.

A large, stylized handwritten signature in black ink, appearing to read 'H. Puna', is written over the date and extends upwards into the header area.

Hon Henry Puna  
Minister of Civil Aviation

### Interpretation and Modification Statement for Part 145

(1) Words and numbers to be substituted. Unless otherwise stated, all references to civil aviation legislation are to be read as referring to the Cook Islands Civil Aviation Act 2002.

#### Throughout

- For “New Zealand” substitute “the Cook Islands” or “Cook Islands” as appropriate.
- For “Act” or “Civil Aviation Act” substitute “2002 Act”
- For “regulations” substitute “regulations made under the Civil Aviation Act 2002”
- For “Authority” or “Civil Aviation Authority of New Zealand” substitute “Cook Island Ministry of Transport”
- For “form CAA” substitute “form MOT”. Cook Island Ministry of Transport form numbers are otherwise identical to New Zealand CAA form numbers.
- For “CAA Form One” substitute “MOT Form One”
- For “CAA of NZ” substitute “Ministry of Transport – Civil Aviation Division of Cook Islands”
- For “CAA Consolidation” substitute “Cook Islands Incorporated Consolidation”
- For “section 9 of the Act” or “section 9(1)(a)” or “section 9(1)(b)(iii)” substitute “section 28 of the 2002 Act”

Below, “NZCAR” means New Zealand Civil Aviation Rule

NZCAR Subpart D – Transition Provisions	
Delete: 145.151(c) and 145.15 (f) (6) 145.151(h)	Insert: 145.151(c) and 145.15 (f) (6) 145.151(h)
145.151(c) “A completed CAA form and implementation plan must be submitted to the Director— (1) after 1 February 2016 for an applicant for the grant of a maintenance organisation certificate under subparagraph (a)(2); and (2) by 30 July 2016 for a holder of a maintenance organisation certificate under subparagraph (a) (1). “	145.151(c) “A completed CAA form and implementation plan must be submitted to the Director— (1) after 1 February 2019 for an applicant for the grant of a maintenance organisation certificate under subparagraph (a)(2); and (2) by 30 July 2019 for a holder of a maintenance organisation certificate under subparagraph (a) (1). “
145.15 (f) (6) “the date for implementation must not be later than 1 February 2018.”	145.15 (f) (6) “the date for implementation must not be later than 1 February 2020.”

145.151(h) "This rule expires on 1 February 2018."	145.151(h) "This rule expires on 1 February 2020."
<b>Explanation of Change:</b> Changes transition dates for the implementation of SMS.	

(ii) Any subpart, Rule or appendix of the adopted Rule Part which shall not apply in the Cook Islands

<b>NZCAR 145.11 Privileges of certificate holder</b>
<b>Delete: 145.11(a)(11)</b>
"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:"
<b>Explanation of Change:</b> Technical arrangements are not provided for in the legislation

<b>NZCAR – 145.60 Authorisation procedures</b>
<b>Delete: 145.60(b)(3) and 145.60(b)(5)</b>
Subparagraph (b)(3): "holds an appropriate current aircraft maintenance engineer licence with an appropriate rating issued by the Civil Aviation Safety Authority of Australia, and has had that licence registered by the Director in New Zealand under the Trans-Tasman Mutual Recognition Act 1997; or" Subparagraph (b)(5) for maintenance performed outside of New Zealand— (i) holds an appropriate current maintenance engineer document that is issued under the authority of an ICAO Contracting State, acceptable to the Director, for the type of aircraft or component for which the authorisation is intended; or (ii) holds an equivalent authorisation that is issued by an organisation that is certificated to perform maintenance by an ICAO Contracting State, acceptable to the Director, for the type of aircraft or component for which the authorisation is intended; or



**Explanation of Change:**

Not applicable to Cook Islands. It is not advisable for the Cook Islands to authorise a maintenance organisation under its system to be performing overseas.

**(iii) Any general exemptions which will apply in the Cook Islands**

Nil

**(iv) Any additional provisions or requirements not found in the New Zealand Rule Part but which will apply in the Cook Islands**

Nil

**(v) Any direction as to the application or non-application to the Cook Islands of any amendment or repeal of an adopted Rule Part by its country of origin**

This Rule Part adopts all New Zealand amendments in force as at 1 July 2017, including:

- Part 145 Original Issue: 16 February 1992
- Amendment 1; 07 October 1993
- Amendment 2; 01 June 1995
- Amendment 3; 08 Feb 1996
- Amendment 4; 01 April 1997
- Amendment 5; 01 April 1997
- Amendment 6; 25 December 1997
- Amendment 7; 01 March 2007
- Amendment 8; 25 October 2007
- Amendment 9; 25 March 2010
- Amendment 10; 01 November 2010
- Amendment 11; 01 April 2014
- Amendment 12; 24 September 2015
- Amendment 13; 01 February 2016
- Amendment 14; 10 March 2017

**(vi) Any other matter which would assist in the practical, clear and unambiguous interpretation and application of the adopted Rule Part in the Cook Islands.**

Unless the Director issues specific acceptable means of compliance for this Cook Island Rule Part, the standards, practices and procedures that the Director has found to be acceptable are those published in the associated Advisory Circulars issued by the Civil Aviation Authority of New

Zealand. Interpretative or explanatory material for this Rule Part may also be found in New Zealand Advisory Circulars.

In this Rule, “CAA Advisory Circulars” means Advisory Circulars issued by the Civil Aviation Authority of NZ.

If further guidance regarding acceptable means of compliance for this Cook Island Rule Part is required, the Director shall issue such guidance on request.

Any references to other Rule Parts is intended to refer to the applicable Cook Island Civil Aviation Rule (for example “Part 12” refers to Part 12 of the Cook Islands Civil Aviation Rules, which adopts by way of reference, with modifications, the New Zealand Civil Aviation Rule Part 12).

If no relevant Cook Island Civil Aviation Division form exists, the relevant New Zealand form may be used.

[Ends]