
NOTICE OF RULE MAKING
COOK ISLANDS CIVIL AVIATION RULE PART 21
Certification of Products and Parts

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

Cook Island Civil Aviation Rule (CICAR): Part 21, Certification of Products and Parts

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 21** in force as at **18th April 2018** as modified hereunder and shall be read subject to the following Interpretation and Modification Statement.

Objective of the Rule

The purpose of this Rule is to prescribe the requirements for the issue of documents for products, their components, and appliances to allow for their use in the aviation environment.

The Rule has requirements for the following:

- The issue and ongoing revision of type certificates, type acceptance certificates, and airworthiness certificates
- The issue of export airworthiness certificates
- The approval of modifications, repairs, and the issue of supplemental type certificates
- The approval of technical data and development of specifications
- The acceptability and identification of materials, processes, parts, and appliances
- The approval of organisations to manufacture items under Authorisations.

Commencement of Rule into Force

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

Availability of Rules

A copy of Part 21 of the New Zealand Civil Aviation Rule (Consolidated version dated 10 March 2017) will be attached to this document and physically filed at:

The Ministry of Transport
Avatiu Port
Avatiu
Rarotonga
Cook Islands

Copies of the amendments to 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)
- Airports 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:

- Airports 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 28th day of June 2018



Hon Henry Puna
Minister of Civil Aviation

Interpretation and Modification Statement for Part 21

(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 “Regulation(s)” substitute “Regulations made under the Civil Aviation Act 2002”
- For “Authority” or “Civil Aviation Authority of New Zealand” substitute “Cook Islands Ministry of Transport”
- For “form CAA” substitute “form MOT”. Cook Islands Ministry of Transport form numbers are otherwise identical to New Zealand CAA form numbers.
- For “CAA of NZ” or CAA substitute “Ministry of Transport – Civil Aviation Division of Cook Islands”
- For “CAA Consolidation” substitute “Cook Islands Incorporated Consolidation”.
- For “section 9 of the Act” substitute “section 28 of the 2002 Act”
- For “NZTSO” substitute “CITSO”
- For “NZPMA “substitute “CIPMA”

Below, “NZCAR” means New Zealand Civil Aviation Rule

NZCAR 21.303 Replacement and modification materials, parts, and appliances	
Delete 21.303	Insert 21.303
<p>“(4) be issued with a CAA Form one authorized release certificate _issued by the holder of a manufacturing organisation certificate issued in accordance with Part 148 who manufactured the part or appliance in accordance with a—</p> <p>(i) NZTSO authorisation; or</p> <p>(ii) NZPMA authorisation; or</p> <p>(iii) supplemental type certificate issued under Subpart E; or</p>	<p>“(4) be issued with a CAA Form one authorized release certificate _issued by the holder of a manufacturing organisation certificate issued in accordance with Part 148 who manufactured the part or appliance in accordance with a—</p> <p>(i) supplemental type certificate issued under Subpart E; or</p> <p>(ii) any other authorisation or approval acceptable to the Director; or”</p>

(iv) certificate of type approval issued under regulation 163 of the Civil Aviation Regulations 1953; or”	
<p>Explanation of Change: Reference to specific systems have been removed and replaced with the Directors power to accept any other approval or authorisation given that it is unlikely that the Cook islands will be able to achieve its own CITA and CIPMA even though they are contemplated In the Rules. .</p>	

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

NZCAR Appendix A –Transitional arrangements
Delete
<p>Transitional Arrangements</p> <p>(a) A certificate of type approval that was issued for a standard category aircraft under regulation 163 of the Civil Aviation Regulations 1953 before 1 July 1995, and is in force on 3 December 2009 is deemed to be a standard category type certificate for the purpose of this Part.</p> <p>(b) A certificate of type approval that was issued for an agricultural or restricted category aircraft under regulation 163 of the Civil Aviation Regulations 1953 before 1 July 1995, and is in force on 3 December 2009 is deemed to be a restricted category type certificate for the purpose of this Part.</p> <p>(c) If approved by the Director, aircraft of a type and model issued with a certificate of airworthiness under regulation 161 of the Civil Aviation Regulations 1953 before 1 July 1995 is deemed to have a type acceptance certificate in the same category for the purpose of this Part.</p> <p>(d) If approved by the Director, an engine type and model, and a propeller type and model that is fitted to a New Zealand registered aircraft that—(1) has a standard category airworthiness certificate or a restricted category airworthiness certificate that was issued before 1 March 2007 and is valid on 3 December 2009; or</p>

- (2) is deemed to have a standard category airworthiness certificate under paragraph (e), or a restricted category airworthiness certificate under paragraph (f) and the deemed certificate is valid on 3 December 2009—
is deemed to have a type acceptance certificate for the purpose of this Part.
- (e) A standard category certificate of airworthiness for an aircraft that was issued under regulation 161 of the Civil Aviation Regulations 1953 before 1 July 1995 and is in force on 3 December 2009 is— (1) deemed to be a standard category airworthiness certificate for the purpose of the Civil Aviation Rules; and
(2) subject to the same conditions and limitations prescribed on the certificate of airworthiness.
- (f) An agricultural or restricted category certificate of airworthiness for an aircraft that was issued under regulation 161 of the Civil Aviation Regulations 1953 before 1 July 1995 and is in force on 3 December 2009 is— (1) deemed to be a restricted category airworthiness certificate for the purpose of the Civil Aviation Rules; and
(2) subject to the same conditions and limitations prescribed on the certificate of airworthiness.
- (g) A permit to fly that was issued for an Amateur-built aircraft under regulation 161A of the Civil Aviation Regulations 1953 before 1 July 1995 and is in force on 3 December 2009 is— (1) deemed to be a special category—experimental airworthiness certificate for the purpose of the Civil Aviation Rules; and
(2) subject to the same conditions and limitations prescribed on the permit to fly.

Explanation of Change:

The deleted information applies to the New Zealand system.

(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 Cook Island

NZCAR Appendix D

Insert: Under Acceptable Technical Data (a) 8 and
Acceptable Technical Data (a) 9 after "Transport Canada "

8 "(iv) the Civil Aviation Authority of New Zealand;"
and
9 "or the Civil Aviation Authority of New Zealand:"

Explanation of Change:

This allows the Cook Islands to accept technical data that has been accepted by the Civil Aviation Authority of New Zealand

(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 18th April 2018, including:

- Part 21 Original Issue: 1 July 1995
- Amendment 1; 12 October 1995
- Amendment 2; 15 February 1996
- Amendment 3; 1 April 1997
- Amendment 4; 1 April 1997
- Amendment 5; 25 December 1997
- Amendment 6; 28 July 2003
- Amendment 7; 1 March 2007
- Amendment 8; 3 December 2009
- Amendment 9; 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 Cook Island.

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 Island 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]