



New Zealand

Annex Reference	SAFETY MANAGEMENT Standard or Recommended Practice	State Legislation, Regulation or Document Reference	Level of implementation of SARP's	Text of the difference to be notified to ICAO	Comments including the reason for the difference
Chapter 3 Reference 3.3.2.3 Standard	<p>3.3.2.3 The State of Registry shall establish criteria for international general aviation operators of large or turbojet aeroplanes in accordance with Annex 6, Part II, Section 3, to implement an SMS.</p> <p><i>Note.— Further provisions related to the implementation of SMS by international general aviation operators can be found in Chapter 4.</i></p>	CARs.	Less protective or partially implemented or not implemented	Not implemented.	Unlikely to be in foreseeable future, due to small size of sector and prioritization of implementation plans, although voluntary adoption is encouraged. Likely to be in place by the applicability date of 7 November 2019.



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Chapter 4 Reference 4.2 Standard	<p>4.2 International general aviation — aeroplanes</p> <p><i>Note.— Guidance on the implementation of an SMS for international general aviation is contained in the Safety Management Manual (SMM) (Doc 9859) and industry codes of practice.</i></p> <p>The SMS of an international general aviation operator, conducting operations of large or turbojet aeroplanes in accordance with Annex 6, Part II, Section 3, shall be commensurate with the size and complexity of the operation and meet the criteria established by the State of Registry.</p> <p><i>Note 1.— Further provisions related to the criteria to be established by the State of Registry can be found in Chapter 3.</i></p> <p><i>Note 2.— Guidance concerning the responsibilities of the State of Registry in connection with lease, charter and interchange operations is contained in the Manual of Procedures for Operations Inspection, Certification and Continued Surveillance (Doc 8335). Guidance concerning the transfer of State of Registry responsibilities to the State where the aircraft operator has its principal place of business or, if it has no such place of business, its permanent address in accordance with Article 83 bis is contained in the Manual on the Implementation of Article 83 bis of the Convention on International Civil Aviation (Doc 10059).</i></p>	CARs.	Less protective or partially implemented or not implemented	Not implemented.	Unlikely to be in foreseeable future, due to small size of sector and prioritization of implementation plans, although voluntary adoption is encouraged.



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Chapter 5 Reference 5.1.3 Standard	5.1.3 States shall establish a voluntary safety reporting system to collect safety data and safety information not captured by mandatory safety reporting systems.	CARs, Part 12.	Different in character or other means of compliance	Resources preclude the establishment of a separate voluntary system, but voluntary reports can be made via the existing system; confidentiality can be requested.	Additionally, any participant or member of the public can raise an "Aviation Related Concern" via a toll-free number or via the CAA's online reporting system (isi@caa.govt.nz). See web page www.caa.govt.nz/Accidents_and_Incidents/accidents_and_incidents.htm .
Chapter 5 Reference 5.1.5 Recommendation	5.1.5 Recommendation. — <i>The safety database should use standardized taxonomy to facilitate safety information sharing and exchange.</i> <i>Note.— States are encouraged to use an ADREP-compatible system. More information on ADREP can be found in Annex 13, Chapter 7.</i>	CAA Aviation Safety Monitoring System (ASMS).	Less protective or partially implemented or not implemented	The ASMS database utilizes selected ADREP references, but is not fully compatible.	
Chapter 5 Reference 5.3.1 Standard	5.3 Safety data and safety information protection 5.3.1 States shall accord protection to safety data captured by, and safety information derived from, voluntary safety reporting systems and related sources in accordance with Appendix 3. <i>Note.— Sources include individuals and organizations.</i>	CAR 12.63.	Less protective or partially implemented or not implemented	The rule affords prosecution immunity to the submitter, within defined parameters; submitters may request confidentiality. The CAA cannot guarantee absolute protection of safety data and information, due to the provisions of the Official Information Act 1982.	



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Chapter 5 Reference 5.3.2 Recommendation	<p>5.3.2 Recommendation.— <i>States should extend the protection referred to in 5.3.1 to safety data captured by, and safety information derived from, mandatory safety reporting system and related sources.</i></p> <p><i>Note 1.— A reporting environment where employees and operational personnel may trust that their actions or omissions that are commensurate with their training and experience will not be punished is fundamental to safety reporting.</i></p> <p><i>Note 2.— Guidance related to both mandatory and voluntary safety reporting systems is contained in the Safety Management Manual (SMM) (Doc 9859).</i></p>	CAR 12.63.	Less protective or partially implemented or not implemented	The rule affords prosecution immunity to the submitter, within defined parameters; submitters may request confidentiality. The CAA cannot guarantee absolute protection of safety data and information, due to the provisions of the Official Information Act 1982.	The rule provides for release if unnecessary danger is revealed; false information has been provided; or if required by court order.
Chapter 5 Reference 5.3.5 Standard	<p>5.3.5 States shall take necessary measures, including the promotion of a positive safety culture, to encourage safety reporting through the systems referred to in 5.1.2 and 5.1.3.</p> <p><i>Note. — Guidance related to positive safety culture is contained in the Safety Management Manual (SMM) (Doc 9859.)</i></p>	CARs.	Less protective or partially implemented or not implemented	This concept is not sufficiently mature to inspire the necessary confidence amongst the aviation community.	
Chapter 5 Reference 5.3.6 Recommendation	<p>5.3.6 Recommendation.— <i>States should facilitate and promote safety reporting by adjusting their applicable laws, regulations and policies, as necessary.</i></p>	CARs.	Less protective or partially implemented or not implemented	This concept is not sufficiently mature to inspire the necessary confidence amongst the aviation community.	



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Chapter 5 Reference 5.3.7 Recommendation	<p>5.3.7 Recommendation.— <i>In support of the determination referred to in 5.3.3, States should institute and make use of appropriate advance arrangements between their authorities and State bodies entrusted with aviation safety and those entrusted with the administration of justice. Such arrangements should take into account the principles specified in Appendix 3.</i></p> <p><i>Note.</i>— <i>These arrangements may be formalized through legislation, protocols, agreements or memoranda of understanding.</i></p>	CARs.	Less protective or partially implemented or not implemented	This concept is not sufficiently mature to inspire the necessary confidence amongst the aviation community.	
Chapter 5 Reference 5.4.2 Standard	<p>5.4.2 States shall promote the establishment of safety information sharing or exchange networks among users of the aviation system, and facilitate the sharing and exchange of safety information, unless national law provides otherwise.</p> <p><i>Note.</i>— <i>Information on the sharing of safety information can be found in the ICAO Code of Conduct on the Sharing and Use of Safety Information in the Global Aviation Safety Plan (Doc 10004).</i></p>	CARs.	Different in character or other means of compliance	There is no formal process, but the concept is frequently encouraged at CAA safety seminars, training workshops, and by means of safety promotion material such as the bi-monthly CAA safety magazine "Vector".	Safety information is freely available on the CAA web site, www.caa.govt.nz .

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