

Application for an exemption

Use this form to apply for an exemption under section 322(1) of the Civil Aviation Act 2023 (the CA Act 2023). We recommend applicants refer to the [Exemptions – Operational Policy](#) for further information.

Section 322(3) requirements for exemption

The Director of the Civil Aviation Authority (CAA) can only grant exemptions which satisfy the requirements and considerations in section 322(3) of the CA Act 2023. These are:

section 322(3) of the CA Act 2023:

- (a) the extent of the exemption is no broader than is reasonably necessary to address the matters that gave rise to the proposed exemption; **and**
- (b) the exemption is consistent with the main purpose of this Act; **and**
- (c) it is appropriate to grant the exemption after considering –
 - (i) the additional purposes of this Act; **and**
 - (ii) consistency with relevant international standards (if any); **and**
 - (iii) any other matter that the Director considers appropriate in the circumstances.

Note: Your application must provide justification and evidence to demonstrate how it satisfies each requirement. The Director must be satisfied **ALL** of section 322(3)(a), (b) and (c) are met. This means the Director must be satisfied that the exemption sought is consistent with the CA Act 2023's main purpose of a safe and secure civil aviation system, as well as being appropriate according to the other requirements and considerations.

About making an application

- Currently, only exemptions from rule requirements can be considered. Exemptions from regulations will only be possible if the regulations state that an exemption is allowed, and currently none do so.
- The Director's assessment will only start once your submitted application is complete. How long the assessment takes depends on the complexity of your application and accuracy of the information you provide.
- Exemptions incur a cost under the [Civil Aviation Charges Regulations \(No 2\) 1991](#). You're liable for CAA's hours taken at the [CAA standard hourly rate](#), even if the application is rejected.
- We'll email your invoice at the end of the Director's assessment for CAA's hours taken.

- Find more about exemptions on our website [here](#).
- If an exemption is granted, we'll email you the conditions imposed (if any) and the exemption's expiry date (up to a maximum period of five years).
- You must comply with any conditions imposed and tell us if anything changes that affects your exemption or operation.
- Once expired, you must apply for a new exemption if you still require it.

We must receive your application at least 90 days before you require an exemption.

To start your application, complete this form and email the form and any supporting documents to exemptions@caa.govt.nz.

1. Organisation applying for the exemption

Organisation's details			
Legal name	<input type="text"/>	Participant ID no.	<input type="text"/>
Main contact			
Name	<input type="text"/>	Position title	<input type="text"/>
Mobile	<input type="text"/>	Participant ID no. (if applicable)	<input type="text"/>
Email	<input type="text"/>		
Address for service		Postal address	
<i>Section 38 of the CA Act 2023 requires your address for service to be a physical address in New Zealand. It cannot be a PO Box.</i>		<i>If different from address for service (can be a PO Box).</i>	
No. and street	<input type="text"/>	PO Box (if applicable)	<input type="text"/>
Suburb	<input type="text"/>	No. and street	<input type="text"/>
City/town	<input type="text"/>	Suburb	<input type="text"/>
Postcode	<input type="text"/>	City/town	<input type="text"/>
		Postcode	<input type="text"/>
Finance details			
Organisation or person to be invoiced	<input type="text"/>	Participant ID no. (if applicable)	<input type="text"/>
Your reference no. (if applicable)	<input type="text"/>	Phone no. for invoice enquiries	<input type="text"/>
Email for invoices	<input type="text"/>		

2. Exemption being applied for

Regulation or rule, eg, 121.517(b)(2)	<input type="text"/>
Confirm your exemption application satisfies all of the requirements under section 322(3) of the CA Act 2023:	
<input type="checkbox"/>	The extent of this exemption is no broader than is reasonably necessary to address the matters that gave rise to the proposed exemption; and
<input type="checkbox"/>	This exemption is consistent with the main purpose of the CA Act 2023 (a safe and secure civil aviation system); and
<input type="checkbox"/>	This exemption takes into consideration the additional purposes of the CA Act 2023 and consistency with relevant international standards (if any).

3. Reason for the application

State the reason you are not able to comply with the regulation or rule and the nature of the relief requested

4. Justify how the exemption requirements in section 322(3) of the CA Act 2023 have been met

Provide information to support your application and evidence to confirm your proposed exemption meets the requirements in section 322(3) of the CA Act 2023.

The extent of the exemption is no broader than is reasonably necessary to address the matters that gave rise to the proposed exemption (section 322(3)(a)):

The exemption is consistent with the main purpose of the CA Act 2023 (section 322(3)(b)):

The additional purposes of the CA Act 2023 and consistency with relevant international standards (section 322(3)(c)):

5. Comment on the safety or security issues and impacts that may arise if the exemption is granted or rejected

6. Supporting documents referenced above and emailed with this application

Eg, safety case commissioned or detailed risk assessment

Document name

7. Declaration by authorised officer/representative

Note: under section 362 of the Civil Aviation Act 2023, communicating false information or failing to disclose information relevant to granting or holding of aviation document is an offence and liable on conviction, in the case of an individual, to imprisonment for a term not exceeding 12 months or a fine not exceeding \$30,000, or both; and in the case of any other person, to a fine not exceeding \$100,000.

By submitting this form I am declaring that:

I hold the necessary authority to sign on behalf of the organisation specified in this form.

the person or organisation specified in the finance section of this form knows they are responsible for paying any invoice(s) from CAA in regard to this application.

to the best of my belief, the information supplied in this application and any documentation attached is true and correct.

Full name

Position title

Participant ID no.
or N/A

Application date