
How to navigate the rules



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Every effort is made to ensure the information in this booklet is accurate and up-to-date at the time of publishing, but numerous changes can occur with time, especially in regard to airspace and legislation. Readers are reminded to obtain appropriate up-to-date information.



See the CAA website for Civil Aviation Rules, advisory circulars, airworthiness directives, forms, and more safety publications. Visit www.caa.govt.nz.



The rules need you

The Civil Aviation Rules set the common standards that everyone can depend on to help manage risks in aviation. The rules are divided into about 50 groups of related rules, called 'parts'. They cover all aspects of the aviation system, including:

- ✓ aircraft, including drones
- ✓ pilots
- ✓ air traffic controllers
- ✓ engineers
- ✓ training organisations
- ✓ airspace
- ✓ commercial operations
- ✓ recreational operations
- ✓ aerodromes
- ✓ designers and manufacturers
- ✓ aviation security
- ✓ occurrence reporting.

Every aviation participant shares a responsibility for safety and security. The rules set the minimum standards for entering, and operating within, the civil aviation system. It's in the best interests of every aviation participant to perform to a standard above the minimum.

The rules are made under the Civil Aviation Act 1990 by the Minister of Transport. While the Minister makes the rules, there are several opportunities for aviation participants and the general public to get involved in the rule-making process.



Why we have Civil Aviation Rules

Rules are generally made when setting a common or consistent standard is the best way to manage a safety risk or address an issue within the aviation system. The Civil Aviation Rules framework functions as a combination of prescribed standards and performance-based rules.



An effective rule set will have a balance between the two depending on the nature of the risks in the aviation system.

For example, standards are used when more operational clarity is required in the interest of safety, eg, minimum safe operating altitude.

Performance-based rules are generally less prescriptive and set criteria or processes, but allow participants the ability to take different approaches to meet the criteria. These rules are more appropriate in a risk-based environment as they allow operators more flexibility to address their own unique operational risks while still maintaining safety within the system.

Rules are only one way to address a safety problem. The approach used depends on the nature and severity of the risk posed. Some other approaches to manage risk in the aviation community are:

- issue an airworthiness directive (these are mandatory)
- create or amend an advisory circular for guidance
- educating the aviation community, possibly through:
 - *Vector* magazine
 - special campaigns
 - dialogue with relevant stakeholders.

CAA notices

From time to time, the Director will issue CAA notices to ensure that it remains responsive and adaptable to changes or emerging risks in the aviation system.

Notices specify requirements that must be complied with. Notices can only be developed within the authority and scope of an empowering rule made by the Minister of Transport. The empowering rule will set out the criteria for consideration, and procedures to follow for developing the CAA notice. Each notice will be issued by the Director of Civil Aviation and will list the specific detail.

CAA notices:

- support performance-based regulation
- are more adaptable to technological changes than rules
- are more responsive than rules to immediate safety issues
- can refer to specific operations and equipment.

For more information, visit www.caa.govt.nz/notices.



Emergency rules

Unlike ordinary rules, which are made by the Minister of Transport, emergency rules can be made by the Director of Civil Aviation. They can be created only if necessary to alleviate or minimise the risk of death, serious injury, or damage to property. Emergency rules are rare. They are temporary, lasting 90 days or less.

The Director may extend them once for an additional 30 days, and if necessary, the Minister of Transport may extend the period with a further 180 days. This is intended to allow the ordinary rule making process to cover the issue when appropriate.

Advisory circulars

Most rules are supported by advisory circulars (ACs) that provide guidance on complying with the rules. They are often used by the CAA to explain an acceptable means of compliance, but they may not be the only acceptable means.

Airworthiness directives

Sometimes an aircraft or component has a safety problem that requires all other aircraft of the same type to be checked. To achieve that, the Director issues an airworthiness directive (AD). ADs usually require aircraft owners or operators to have specific inspections, repairs, or modifications completed by a licensed aircraft maintenance engineer.

ADs can result from defect reports by engineers, accident investigations, manufacturers' recommendations, or from ADs issued by other States. The CAA issues new and amended ADs monthly, but emergency ADs can be issued at any time.

Exemptions

You can make a request to the Director of Civil Aviation to be exempted from a specified requirement in a civil aviation rule. The Director may grant an exemption from a rule requirement on the grounds specified in the Civil Aviation Act 1990, with appropriate conditions.

The applicant must provide a risk-based and evidence-based justification for the proposed exemption. This applies regardless of any exemptions granted in the past. For the Director to successfully assess an application, the documentation and supporting evidence must clearly demonstrate the reason for the exemption, including any proposed actions or conditions to maintain an equivalent level of safety.

What if updates are needed?

Issues with our aviation regulatory system can arise. For example, technology or international requirements may change, or our existing regulatory requirements could be resulting in unintended safety or economic outcomes.

The CAA is contracted by the Minister of Transport to develop the rules. The CAA also has the ability to implement other non-regulatory approaches like guidance, education, and operational changes that could help the system to work better.

The rule development process has four stages.



Issue assessment

The CAA will first look at the problem to identify its root cause; what safety, economic, or other risk it presents, and explore options to address it. A panel approves the final recommendations that may include continuing to a policy investigation.

Policy investigation

Policy investigation involves a more rigorous assessment of the problem. It analyses the options available and impacts of any intervention.

Often, policy investigation will conclude that an action other than a rule amendment would be more effective in addressing the issue. That could include revising advisory circulars, initiating education campaigns, developing promotional material, or working directly with certain operators.

Where that is the case, consultation with the aviation community and relevant experts is used to ensure accurate and effective information is provided.

If an issue assessment indicates that a rule amendment may be a good option, the CAA will establish the policy intent for proposed rule changes. The CAA will then produce a Regulatory Impact Statement (RIS) for the Minister of Transport and Treasury.

This document describes the options considered, and quantifies the impacts of the proposed changes, including the safety, economic, environmental, social, cultural and legal implications. The RIS makes sure that the CAA's proposals for rule changes are based on sound analysis and evidence.

Once the RIS is approved by the Minister (and depending on the nature of the change, sometimes Cabinet), the rule can be included on the Ministry of Transport rules programme.

Rule development

The rule drafting will begin once the rule project has been accepted onto the rules programme. The CAA publishes a Notice of Proposed Rule Making (NPRM) and asks for comments on the proposed rule changes during a consultation period. Anyone can make a submission. After consultation, the CAA will publish a summary of submissions responding to the points made, and may make adjustments to the proposed rule changes to address the comments received.

Rule finalisation

The Ministry of Transport reviews any updates based on the submissions received, and then provides the rule package to the Minister for signing. Once signed, the CAA will publish the changes in the *New Zealand Gazette* and on the CAA website, www.caa.govt.nz. The rules normally come into effect after 28 days.

Which rules apply to me?

Part 1	Definitions and Abbreviations	Part 115	Adventure Aviation – Certification and Operations
Part 12	Accidents, Incidents, and Statistics	Part 119	Air Operator – Certification
Part 19	Transition Rules	Part 121	Air Operations – Large Aeroplanes
Part 21	Certification of Products and Parts	Part 125	Air Operations – Medium Aeroplanes
Part 26	Additional Airworthiness Requirements	Part 129	Foreign Air Transport Operator – Certification
Part 39	Airworthiness Directives	Part 133	Helicopter External Load Operations
Part 43	General Maintenance Rules	Part 135	Air Operations – Helicopters and Small Aeroplanes
Part 47	Aircraft Registration and Marking	Part 137	Agricultural Aircraft Operations
Part 61	Pilot Licences and Ratings	Part 139	Aerodromes – Certification, Operation and Use
Part 63	Flight Engineer Licences and Ratings	Part 140	Aviation Security Service Organisations – Certification
Part 65	Air Traffic Service Personnel Licences and Ratings	Part 141	Aviation Training Organisations – Certification
Part 66	Aircraft Maintenance Personnel Licensing	Part 145	Aircraft Maintenance Organisations – Certification
Part 67	Medical Standards and Certification	Part 146	Aircraft Design Organisations – Certification
Part 71	Designation and Classification of Airspace	Part 147	Maintenance Training Organisations – Certification
Part 77	Objects and Activities Affecting Navigable Airspace	Part 148	Aircraft Manufacturing Organisations – Certification
Part 91	General Operating and Flight Rules	Part 149	Aviation Recreation Organisations – Certification
Part 92	Carriage of Dangerous Goods	Part 157	Notice of Construction, Alteration, Activation, and Deactivation of Aerodromes
Part 93	Special Aerodrome Traffic Rules and Noise Abatement Procedures	Part 171	Aeronautical Telecommunication Services – Operation and Certification
Part 95	Instrument Flight Procedures – Registration	Part 172	Air Traffic Service Organisations – Certification
Part 100	Safety Management Systems	Part 173	Instrument Flight Procedure Service Organisation – Certification and Operation
Part 101	Gyrogliders and Parasails, Unmanned Aircraft (including Balloons), Kites, and Rockets – Operating Rules	Part 174	Aviation Meteorological Service Organisations – Certification
Part 102	Unmanned Aircraft Operator Certification	Part 175	Aeronautical Information Service Organisations – Certification
Part 103	Microlight Aircraft – Operating Rules		
Part 104	Gliders – Operating Rules		
Part 105	Parachuting – Operating Rules		
Part 106	Hang Gliders – Operating Rules		
Part 108	Air Operator Security Programme		
Part 109	Regulated Air Cargo Agent – Certification		

This chart gives you an idea of the rules that apply to you depending on your aviation activity. It does not necessarily include every rule you will need.

		Part 1	Part 12	Part 19	Part 21	Part 26	Part 39	Part 43	Part 47	Part 61	Part 66	Part 67	Part 71	Part 77	Part 91	Part 92	Part 93	Part 100	Part 101	Part 102	Part 103	Part 104	Part 105	Part 106	Part 108	Part 115	Part 119	Part 121	Part 125	Part 129	Part 133	Part 135	Part 137	Part 139	Part 141	Part 145	Part 146	Part 147	Part 149	Part 157						
Sport and recreation	Balloons	✓	✓		✓		✓	✓	✓	✓			✓		✓																															
	Gliders	✓	✓	✓			✓	✓	✓				✓		✓							✓	✓																		✓					
	Hang gliders	✓	✓	✓									✓		✓										✓																	✓				
	Microlights	✓	✓	✓			✓		✓				✓		✓							✓																				✓				
	Parachutes	✓	✓										✓	✓		✓									✓																	✓				
	RPAS (drones)	✓	✓										✓	✓		✓				✓	✓																									
Pilots	Private pilots (PPL, RPL)	✓	✓	✓			✓			✓		✓	✓		✓	✓	✓																													
	Professional pilots (CPL, APTL)	✓	✓	✓			✓			✓		✓	✓		✓	✓	✓				✓	✓					✓						✓	✓	✓											
Training	Flight training organisations (Part 141)	✓	✓	✓			✓	✓	✓			✓	✓		✓	✓	✓	✓																		✓										
	Maintenance training organisations (Part 147)	✓	✓	✓	✓	✓	✓	✓	✓		✓				✓			✓																									✓			
Maintenance	Licensed aircraft maintenance engineers	✓	✓	✓	✓	✓	✓	✓	✓		✓				✓			✓								✓		✓	✓				✓				✓									
	Maintenance organisations	✓	✓	✓	✓	✓	✓	✓	✓		✓				✓			✓								✓		✓															✓			
Certificated operations	Adventure aviation (Part 115)	✓	✓				✓	✓	✓				✓		✓	✓	✓	✓				✓	✓	✓	✓		✓																			
	Agriculture (Part 137)	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓	✓	✓																									✓			
	Foreign operators (Part 129)	✓	✓										✓		✓											✓					✓															
	Small aircraft and helicopters (Part 135)	✓	✓	✓		✓	✓	✓	✓	✓			✓		✓	✓	✓	✓	✓								✓		✓				✓	✓												
	Medium aircraft (Part 125)	✓	✓	✓		✓	✓	✓	✓	✓			✓		✓	✓	✓	✓	✓							✓		✓		✓																
	Large aircraft (Part 121)	✓	✓	✓		✓	✓	✓	✓	✓			✓		✓	✓	✓	✓	✓							✓		✓	✓																	
	RPAS (drones) (Part 102)	✓	✓										✓							✓	✓																									
Aerodromes	✓	✓	✓									✓	✓				✓	✓																										✓		
Design changes (modifications and repairs)	✓			✓			✓											✓																											✓	
Buying/selling/importing/exporting an aircraft	✓		✓	✓			✓	✓	✓																																					

Parts 95, 109, 140, 148, 171,172,173,174, and 175 apply to specific certificated service providers only.



Get involved

Participate by making submissions on NPRMs when they are published.

In addition, the CAA regularly calls for feedback, advice, and expert assistance on policy issues and draft advisory circulars through updates to the CAA website, *Vector* magazine, and email notification lists.

If you believe an update to a civil aviation rule is required, you can complete the *Petition to Raise a Regulatory Issue* form (24011/01), available on the CAA website, www.caa.govt.nz, "Quick Links > Forms".

Aviation Community Advisory Group

The Aviation Community Advisory Group (ACAG) is a representative group providing advice to the CAA on issues affecting aviation safety and the aviation operating environment. ACAG membership reflects the range of interests in the aviation community. It includes permanent members provided by representative organisations, and elected members from the aviation community.

Further information

Getting copies

The rules, ACs, and ADs are available for free on the CAA website, www.caa.govt.nz. You can also buy printed copies by calling 0800 GET RULES (0800 438 785).

Email notification service

You can subscribe to receive an email whenever there is a change to the Civil Aviation Rules or advisory circulars. Options include airworthiness directives and ACAG. Visit: www.caa.govt.nz/subscribe.



Good Aviation Practice



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