

Terms of Reference: Rules Update Programme Part 61 Project Industry Advisor

These Terms of Reference outline the arrangements between Captain David Morgan (Captain Morgan) and the Civil Aviation Authority of New Zealand (CAA) in relation to his role as the Part 61 Project Industry Advisor for the Rules Update Programme.

Context: Rules Update Programme, Project #11 – Part 61 pilot licensing review.

The Part 61 pilot licensing review (the Project) is among the most significant projects in the Rules Update Programme. The Project has wide-reaching implications for pilots, flight training organisations, operators, examiners, instructors, medical certification, emerging aviation, sport and recreation aviation, and New Zealand's standing in international aviation.

The Project's objective is to modernise New Zealand's pilot licensing regime, so it remains safe, practical, and internationally aligned, while flexible enough to keep pace with advances in aviation technology, training methods, and evolving sector needs.

On 9 June 2026, the RUP Steering Group agreed to engage Captain David Morgan as the Rules Update Programme Part 61 Project Industry Advisor to lead early industry engagement activities and provide structured sector input to inform subsequent Ministry of Cities, Environment, Regions and Transport (the Ministry) and the CAA policy development and rulemaking activities.

Captain Morgan will act as an external industry facilitator to seek and synthesise sector input and in doing so, he will not represent any single operator, sector, employer, or predetermined policy outcome.

The Project Industry Advisor's engagement activities and process will not determine the future rule or replace statutory consultation.

Purpose of the Project Industry Advisor's engagement with the sector and interested stakeholders

In considering New Zealand's future-state pilot licensing regime, the engagement process will identify:

- perspectives on the current effectiveness of the pilot-licensing regime, including:
 - licensing architecture, ICAO Annex 1 alignment, overseas comparator models, type and class ratings, instructor and examiner systems, medical interfaces;
- perspectives on how the Rule Part could be modernised to meet future needs;
- areas where there is broad sector alignment about issues or desirable changes and conversely, areas where there are differences in views;

- policy questions, issues, and opportunities requiring the Ministry/CAA or wider consideration.

The engagement process should also consider:

- practical implementation considerations, including the benefits and costs of change and any risks of moving to a modernised pilot-licensing regime;
- any safety and training impacts;
- impacts on other CAA rules, including CAR Parts 67, 141 and 149;
- international alignment considerations; and
- matters that could be addressed by non-regulatory means (e.g., improved processes, operational issues, guidance) for consideration in the Project and implementation.

Note: Once Captain Morgan has provided his report, and the Ministry and CAA have undertaken more detailed policy work, a Technical Advisory Group (TAG) will be convened for this Project, alongside other key stakeholder engagement. This ensures that there continues to be a series of engagements on this Project across its different stages, consistent with best practice regulatory process.

Scope

This project focuses on Part 61. While it should consider impacts on other rule parts, it will not include contemplation of changes to other rules. The Project Industry Advisor may collate feedback on other related rule parts and refer those back to the CAA for prioritisation and consideration.

The Project Industry Advisor should not provide the Ministry and CAA with recommendations on policy options or rule wording. The Project Industry Advisor will explain and maintain a clear distinction between early discovery engagement and policy development including formal statutory consultation and rulemaking decisions.

The Project Industry Advisor will develop with CAA and the Ministry a practical engagement approach for the Part 61 discovery phase.

The Project Industry Advisor will work with CAA and the Ministry to also develop a schedule of meetings, key communications messages, and other necessary documents.

The Project Industry Advisor will present a final written report to the Project Executive Group and/or RUP Steering Group.

The Ministry's and CAA's roles and responsibilities

The Ministry and the CAA are working together on the Rules Update Programme. In addition, the Ministry and the CAA have distinct responsibilities.

The Ministry is New Zealand's lead government agency for transport policy. It advises Ministers and develops policy frameworks across all transport modes, including aviation, and

coordinates across government. The Ministry is responsible for the Civil Aviation Act 2023 and oversees the broader legislative and regulatory framework.

The CAA is the regulatory agency responsible for facilitating a safe and secure civil aviation system. This is achieved through helping, influencing and enabling those who operate in the aviation system to meet their safety and security responsibilities which are defined in the Civil Aviation Rules.

Schedule: The engagement programme schedule is to be developed by the Project Industry Advisor with the CAA and the Ministry as part of the development of the communications and engagement planning.

The Project Industry Advisor will deliver a written report to the Project Executive Group by 1 October 2026.

The Project Industry Advisor will deliver a formal briefing to the Project Executive Group by 15 October 2026.

These dates may be altered with agreement of the RUP Project Executive Group.

Reporting to: The Project Industry Advisor will provide monthly updates to the RUP Project Executive Group, which comprises:

CAA DCE Aviation Safety Oversight Group – Catherine MacGowan

CAA DCE System, Strategy and Practice – John Kay

Ministry Director Aviation – Siobhan Routledge

Support from CAA: The Project Industry Advisor will be supported by the RUP Programme Support team, comprising:

- RUP Snr Programme Manager – Pete Sutherland
- Rules Programme Manager – Kate McNabb
- Programme Coordinator - Sophie Kelsall
- RUP Senior Advisor External Relations Projects – Jon Pheloung

CAA and the Ministry will provide support to enable the Project Industry Advisor to perform the role, including access to relevant background material, coordination support, meeting scheduling, stakeholder contact pathways, record-keeping support, and alignment with communications, governance, and policy processes.

CAA and Ministry policy advisers will, where possible, attend discussions that the Project Industry Advisor holds, as appropriate, to provide any relevant policy or regulatory context, and to hear first-hand from participants. This will assist CAA and the Ministry as they undertake further policy work.

Code of Conduct: When undertaking the role of Project Industry Advisor Captain Morgan is required to adhere to the CAA's Code of Conduct¹.

Kane Patena
Director and Chief Executive of CAA

¹ Hard copy of CAA's Code Of Conduct is included as an attachment to this TOR.