

Certification and Licensing – Operational Policy

Contents

1.	Purpose	2
2.	Scope	2
3.	Definitions	2
4.	Our role.....	3
5.	Certification and licensing	4
6.	Independence and impartiality.....	4
7.	Applicant responsibility.....	4
8.	Engagement with applicants	5
9.	Objectivity, transparency, and documentation	7
10.	Certification of emerging technologies	8
11.	Applications for aviation documents.....	9
12.	Applications for medical certificates	13
13.	Detailed scope.....	16
14.	Measuring our performance	17
15.	Document control	17

1. Purpose

The purpose of this operational policy is to set out our intentions and direction for our regulatory function of certification and licensing. The policy provides guidance and direction for our certification and licensing personnel in performing their operational roles and duties, in exercising their regulatory functions and powers, in allocating resources against risks to aviation safety and security, and in exercising the range of discretion and professional judgment inherent in their roles.

The policy supports our vision and purpose of a safe and secure aviation system – so that people are safe, and feel safe, when they fly. It includes the high-level legislative provisions, and it draws from, and gives effect to, our regulatory safety and security strategy.

2. Scope

The scope of this policy comprises all processes and activities necessary for:

- a) receiving, assessing, and deciding upon applications
- b) granting, renewing, amending, and issuing aviation documents
- c) issuing medical certificates
- d) upholding CAA's commitments that apply to certification and licensing under the technical and operational agreements and arrangements CAA is party to with civil aviation authorities of other countries (or with multinational agencies)
- e) updating CAA's registries accordingly.

The section 'Detailed scope' expands upon these matters towards the end of this document.

3. Definitions

Application: an application or request for the grant, renewal, amendment, or endorsement of an aviation document; or an application for the issue or reissue of a medical certificate.

Assessment: the processes, methods, and activities we use to determine whether an application meets requirements.

Note 1: for medical certificates, an assessment includes a medical examination of an applicant by a medical examiner, and also an accredited medical conclusion if obtained.

Note 2: 'assessment record' means the documentation we maintain to record the progress and completion of our assessment of an application (including any associated fit and proper person assessments, and also including a 'medical assessment report' as defined in the rules for medical standards and certification).

Delegation holder: a person who holds a relevant delegation to act on behalf of the Director.

Director: the person who is for the time being the Director of Civil Aviation (or the Acting Director) together with all persons who hold a relevant delegation to act on behalf of the Director.¹

Requirements: the requirements an application must meet and, subsequently, the requirements that the holder of an aviation document or medical certificate must continue to satisfy.

Note 1: requirements include requirements in the Act; in the rule or rules that apply to the application; and in any applicable regulation (including CAA Notices issued under the rules).

Note 2: for medical certification, requirements include general directions issued under the Act, and the medical standards prescribed in the rules.

Note 3: in the case of an application for the grant of a New Zealand air operator's certificate with ANZA privileges, the requirements to be satisfied extend to include the relevant requirements of the Civil Aviation Act 1988 (Australia) together with regulations and civil aviation orders made under that Act that relate to safety.

4. Our role

We perform our operational regulatory function of certification and licensing in accordance with the following legislation: the Civil Aviation Act 1990 (the Act), the New Zealand Civil Aviation Rules (rules), and regulations made under the Act (regulations).

The Director's functions and powers under the Act include exercising control over entry into, activities within, and exit from the aviation system through aviation documents or other instruments. The Director is responsible for granting, renewing, and amending aviation documents, and for issuing medical certificates.

Delegation holders are acting on behalf of the Director when they perform their delegated functions and exercise their delegated powers. Delegations are held by CAA employees, and by persons who are not employees. The delegations to persons who are not employees are delegations issued in accordance with the requirements of the Act and applicable rules. Delegation holders act in accordance with the requirements of CAA's policy for regulatory and security delegations.

Independently of the Director, there are persons with roles designated in the rules who are permitted to, in accordance with the rules, perform specified assessment and approval activities (including determining competency and eligibility for the issue of ratings).

¹ In this operational policy, the Civil Aviation Authority of New Zealand is referred to as 'CAA' wherever it is the legal entity that is specifically referred to. Similarly, the Director of Civil Aviation (who is also CAA's chief executive) is referred to as 'the Director' where specific reference to that statutory role is needed. Otherwise, the convention of referring to our combined regulatory roles in the singular as 'we', 'us', or 'our', is used.

5. Certification and licensing

For entry into New Zealand's civil aviation system (aviation system), and for continuing operation within it, a valid and current aviation document is generally required by, or in respect of, aviation participants (individuals and organisations), New Zealand registered aircraft, aerodromes, aeronautical products, and aviation-related services.

There are few exceptions to this requirement. The Act provides for an aviation participant to apply for, or renew, an aviation document if required to do so by the rules.

The purpose of our certification and licensing function is to obtain and provide assurance that applications meet, or exceed, the requirements for entry into, and continuance within, the aviation system. When an application satisfies our assessment, we provide written assurance – a certificate, licence, permit, or other form of approval or authorisation (including ratings) – that the application meets all applicable requirements.

The outcome we seek from our certification and licensing activities is that aviation document holders will support a safe and secure aviation system by exercising their privileges safely and securely, and by continuing to meet or exceed the requirements placed upon them.

6. Independence and impartiality

In assessing and deciding upon applications, our certification and licensing personnel act independently and impartially. Sector and public trust in the integrity of our certification and licensing function is vital. Our independence and impartiality are critical to maintaining this trust.

In a small country like ours, it is natural and unavoidable that potential or perceived conflicts of interest will arise from time to time among our personnel in relation to particular applications as there are many existing relationships between our personnel and the wider aviation sector. Such conflicts are managed by processes that provide for prior disclosure and appropriate separation of the individuals involved from the associated assessment activity and decision-making.

For CAA employees and contractors, conflicts of interest are identified and managed in accordance with CAA's staff conflicts of interest policy. For delegation holders who are not CAA employees or contractors, conflicts of interest are identified and managed in accordance with the corresponding duties they have under their delegations and, in some cases, also in accordance with the requirements of the rules under which they are operating. Through our monitoring function, we maintain oversight of compliance by these external parties with these duties.

7. Applicant responsibility

The purpose of an application for an aviation document is for the applicant to satisfy us that their application meets, or exceeds, all requirements. An applicant is solely responsible for fulfilling this purpose.

Applicants for aviation documents are expected to observe the process and timeframe for submission of complete applications to CAA. Deviations from this requirement may jeopardise our capacity to assess an application by a proposed start date for a new document, or before the expiry date of a current document. We provide applicants with our estimated timeframes for assessing applications, and – where appropriate – we may advise an applicant there is no entitlement to priority based on the urgency of their individual situation.

Similarly, an applicant for a medical certificate to be issued under the Act is solely responsible for submitting their application to a CAA approved medical examiner and for meeting all associated requirements including the process, medical examination, and timeframe.

8. Engagement with applicants

8.1 A safe and secure aviation system is a shared responsibility

Aviation document holders have a fundamental responsibility to act and operate safely and securely within the scope of the approvals and authorisations they hold. We engage with the domestic and international aviation community to support this responsibility, and to provide a safe and secure aviation system. We do so through our system design role, and through our operational regulatory functions of engagement, and of information and education.

We aim to engage effectively with applicants (and prospective applicants) throughout our certification and licensing processes. In doing so:

- a) we are clear about our vision and purpose of supporting and enabling a safe and secure aviation system
- b) we seek to establish understandings that promote well prepared applications, and that assist applicants to be clear about our regulatory role
- c) we ensure we verify an applicant's identity and are using their correct legal identity before proceeding with their application.

We seek to build trusting relationships through our engagements by always demonstrating our organisational values.

8.2 Application and assessment processes

Our application processes are designed to support and assist applicants while providing us with the information we need to help us understand and respond to applications. We provide clear and accessible information about how to submit applications that are correct and complete; what to expect from us in response; and the potential costs involved, including upfront fees.

We conduct our assessments of applications in a timely manner, and we may engage with applicants at key stages to keep them informed of our assessment and decision-making processes, and of our

progress towards completion. However, in doing so, we refrain from offering opinions or making commitments about the success or other outcome of applications prior to our formal determinations. We may – on a case-by-case basis consistent with the interests of aviation safety and security – seek solutions to unusual or difficult situations that might otherwise hinder or prevent the timely activation of an approval or authorisation (including situations where a seamless transition from an expiring aviation document to a renewal needs to be achieved). We seek continuous improvement and efficiency in our processes, focussing especially on productive use of our resources and on minimising rework by applicants and by ourselves.

8.3 Providing guidance and advice

We assist applicants (and prospective applicants) by providing guidance and advice that helps them to understand the requirements their application must meet. We may do so by guiding applicants towards our website and by suggesting other sources of further guidance or support. Applicants are able to engage with us directly in discussion, whether in person or in writing. If and when shortcomings become apparent during our assessment of an application, we work with the applicant to assist them to understand the problem and how to go about resolving it.

The assistance we provide does not diminish an applicant's responsibility to understand and meet all requirements. We are not industry consultants. The scope of advice we may provide is:

- a) clarification of the requirements an application must meet, including guidance and information about the acceptable means of compliance described in CAA's associated advisory circulars
- b) generic information and advice to assist applicants in thinking about their own situations and the options available to them for compliance with requirements
- c) information of sufficient scope and clarity such as to enable an applicant to adequately address issues of concern or non-compliance that we identify during our assessment of their application.

We otherwise refrain from providing application-specific opinion, advice, or direction that either could or does direct an applicant towards any particular product, service, or solution for their own situation, or that could otherwise be interpreted as improperly influencing their responsibilities and the decisions they need to make in preparing their applications. Additionally, we refrain from giving any informal opinion on the interpretation of a rule.

8.4 Confidentiality and privacy of information provided to us by applicants

CAA recognises that information provided in the course of an application may be commercially sensitive, confidential to the applicant, or personal information. We collect, hold, protect, and use such information in accordance with the purposes for which it was collected, and the obligations we have under legislation, notably the Privacy Act 2020 and the Official Information Act 1982. We will not disclose to a third party such information, unless by law it is necessary to do so, and we will consult on a proposed release to persons who may be adversely affected by its release when we are

required to do so, and when we consider it would be beneficial to do so. Our policies, guidelines, and procedures for maintaining the privacy and confidentiality of information apply not only to all CAA employees but also to all other individuals and organisations that undertake certification and licensing functions and activities on behalf of the Director, including medical certification.

8.5 Chargeable time

The charges payable by applicants for the time we spend in responding to their applications are determined in accordance with the Civil Aviation Charges Regulations (No 2) 1991, and with CAA's operational policy for chargeable time. We maintain accurate and complete records of our chargeable time on a timely and ongoing basis in accordance with CAA's accounts receivable policy. Our documentation requirements and chargeable time for a particular application begin once we begin responding to an interested party's communication to us of their firm intention to make a formal application. Any time we spend in rework activity resulting from error or omission by us is not chargeable. We do not charge for our time when we are responding to initial informal enquiries and requests for information made by potential applicants who would be newly entering the aviation system.

8.6 Requests for exemptions from requirements

Requests to the Director for exemptions from compliance with particular requirements in regulations and rules are outside the scope of our operational role. A decision to request an exemption is the sole prerogative of the individual or organisation seeking the exemption. We avoid advising participants on whether or not to do so. Participants who seek exemptions should be referred to our website: <https://www.aviation.govt.nz/rules/exemptions/>.

9. Objectivity, transparency, and documentation

9.1 Acting in good faith

Our written communications with applicants are formal in tone and content. Decisions on applications are conveyed or confirmed by email (or letter). Our processes for assessing and deciding upon applications are clear and transparent. They incorporate checks and balances sufficient to ensure that:

- a) in relation to any particular application, all data and information received or created by us is saved – in accordance with CAA's information and records management policy – as the official record of the full transaction²

² CAA's information and records management policy applies to CAA employees and contractors. Delegation holders who are not CAA employees or contractors operate in accordance with the rules under which their associated aviation documents and delegations were issued. Those rules include requirements that the holders of the associated aviation documents establish and maintain procedures to identify, collect, index, store, maintain, and dispose of the records that are necessary for the activities listed in the document holder's exposition.

- b) we ensure we receive acknowledgement of any requirement for action we have communicated to an applicant
- c) our methods and considerations are evidence-based, relevant, timely, and without bias or predetermination
- d) applicants have fair and reasonable opportunity to make representations to us
- e) our assessment records provide a level of detail and commentary commensurate with the complexity and nature of the aviation safety and security risks associated with any particular application
- f) our assessment records clearly set out the rationale for our conclusions and decisions (including the reasons and grounds and the evidence we have relied upon)
- g) we observe the rights of transparency and internal and external oversight that are provided in the Act to persons negatively affected by decisions we make.

9.2 Checks and balances

The checks and balances we may use include the following approaches: peer review; review by a subject matter expert (either internal to CAA, or external); legal review; managerial review by the delegation holder's team leader and/or unit manager; managerial review by the executive manager responsible for the delegation holder's role; review by the Director.

Additionally, when a delegation holder recognises that, rather than exercising their own delegation in response to a particular application, the implications involved are such that it is prudent for a decision to instead be made at a higher level, then they will appropriately refer the matter that requires decision.

Note too that the scope of CAA's complaints policy includes investigation of complaints received by CAA about the conduct of CAA employees; about our regulatory decisions; and about invoices issued by CAA.

10. Certification of emerging technologies

New technologies that are being applied to aviation bring challenges to the capability and capacity of participants and regulators alike. Our regulatory stewardship role requires us to ensure that the aviation regulatory system remains fit for purpose as we facilitate and authorise the operation of such technologies. New rules and standards that are designed to bring such advances into the aviation system in a safe and timely manner will be needed.

We will advocate for these new rules and standards (where appropriate), and we will investigate the use of performance-based rules for this purpose. We will strike a balance between performance-based and prescription in order to ensure the whole aviation system remains safe and secure while

providing flexibility and clarity to the innovation sector. In this regard, we provide policy and rule development advice to the Ministry and the Minister as appropriate.

Recognising that these innovations require substantial investment across long lead times, and that they bring additional complexity into the aviation and regulatory systems, we aim to – where needed – proactively engage early on in a collaborative, facilitative, and formalised manner with organisations seeking to bring the new technologies into their operations.

This approach is, on a case-by-case basis, coordinated and consolidated across those of our certification teams and personnel who will be responsible for assessing and deciding upon eventual applications for approval (in accordance with our operational policy for certification and licensing). The approach aims to enable our certification teams to be involved early on, to become familiar with the requirements that eventual applications must meet, and to plan effectively for coordination and scheduling of resources in responding to such applications.

11. Applications for aviation documents

11.1 Intelligence-led, risk-based assessment

Under the Act, we must grant or renew an application for an aviation document if we are satisfied that all things in respect of which the document is sought meet requirements; and that it is not contrary to the interests of aviation safety and security for the document to be granted or renewed. Our objective in response to applications is to gain reasonable assurance that the evidence we obtain through our assessments is sufficient and appropriate to meet that standard. In pursuing this objective, we maintain a clear focus on risks to aviation safety and security, with passenger carrying operations and public safety and security considerations being paramount. Our prime duty is to protect passengers and the general public by seeking and obtaining assurance that risks to public safety and security are properly managed.

In thinking about risks to aviation safety and security, we think about the types of risk that lie within or across the civil aviation system as a whole; or that are confined to a particular sector or other area within the system; or that are confined to particular individuals or organisations; or that are associated with particular aircraft or aeronautical products.

In assessing an application, we begin by considering a range of indicators of potential risk as relevant to the application. The purpose of this is to identify areas we need to give priority to in determining the focus and nature of our assessment activities. Such indicators are:

- a) the subject and scope of an application, including the nature of the aviation safety and security risks that must be managed
- b) any need to, within the scope of the application, maintain and improve aviation safety and security performance relative to a particular risk existing more generally, either in

New Zealand or in an international context (with particular regard to any related regulatory interventions and initiatives we are implementing)

- c) any other matters we consider to be material to the application and our assessment of it, including any significant safety and security concerns, issues, and uncertainties we identify as needing to be addressed
- d) and additionally, for applications for renewal:
 - the applicant's performance against requirements since their preceding application
 - the areas of focus of, and findings from, our assessment of the preceding application (including fit and proper person tests)
 - the nature and scope of any changes involved in the current application in comparison to the preceding application³
 - the extent and nature of any changes the applicant has experienced since their preceding application that might indicate a potential underlying risk to aviation safety and security⁴.

Our professional knowledge and awareness of these indicators and the risks involved is supported and further informed on an ongoing basis by:

- a) insights developed by our intelligence function
- b) information derived by analysis from our monitoring, inspection, and investigation activities, and from accident and incident notifications we have received
- c) other sources of relevant information, both domestic and international, including research and accident investigations.

We systematically develop intelligence products and information services that add value to our certification and licensing function including in particular the associated assessment and decision-making activities.

Our assessments of applications for the grant of aviation documents are comprehensive and cover all requirements relevant to any particular application.

³ Such changes during that time include any applications for substantive amendments that we have accepted, and any material changes to the applicant's management system for ensuring compliance with the relevant prescribed safety and security standards and with the conditions attached to their aviation document (if such a system is required, including any requirement for a safety management system).

⁴ Such changes during that time might include, for example, substantial growth or decline, unusual turnover among their senior persons or the workforce at large, changes of key external suppliers, and events that might have affected the sufficiency of the resources available to them, including their financial resources.

Our assessments of applications for amendment of aviation documents are comprehensive and cover all requirements within the scope of the amendment or amendments sought. Additionally, we may extend the scope and depth of such assessments to include any wider matters raised by the proposed amendment.

In considering applications for renewal of aviation documents, we may seek an applicant's input into our determination of particular areas of focus in light of our consideration of the indicators of potential risk that are listed above.

Detailed consideration of applications is provided for by our procedures and work tools as they relate to specific rule parts. In conducting an assessment, we may as we progress vary our initial plan in view of our preceding observations and findings.

11.2 Means of compliance with requirements

The onus is on applicants to satisfactorily demonstrate to us that they are capable of complying with requirements. In doing so, they may decide to seek guidance from or rely upon the relevant acceptable means of compliance published in our CAA advisory circulars. Our advisory circulars are not intended to be the only source of acceptable means of compliance. We give due consideration to alternative means of compliance that may be proposed by applicants.

11.3 Fit and proper person test

In assessing and deciding upon applications, we must determine whether – having regard to the degree and nature of their proposed involvement in the aviation system – an applicant, and any person who will have or is likely to have control over the exercise of the privileges under the document being sought, is a fit and proper person to have such control or to hold the document. We apply the fit and proper person test on a case-by-case basis in accordance with our operational policy for fit and proper person assessments.

In conducting fit and proper person assessments, we are directly focused upon:

- a) the fitness and the propriety of an applicant to fulfil the requirements of the aviation document they have applied for, and
- b) for applicants that are organisations, the fitness and propriety of their proposed senior person or persons to exercise the responsibilities of the roles they have been nominated to hold.

In setting out the matters we must have regard to, the Act provides discretion as to the weight we give them. Also, the Act allows us to extend our considerations beyond those particular matters by taking into account any other matters and evidence that we consider may be relevant. We may, as provided for by the Act, seek and receive any information as we think fit, and consider information obtained from any source. In making our assessments, we assess the sources and credibility of our evidence together with its relevance, significance, and sufficiency.

11.4 Eligibility

Our assessment of an application will determine whether we accept the application; or accept the application subject to conditions; or decline the application. If declining an application, we state our reasons.

11.5 Conditions of use

An aviation document may be issued, or amended, subject to any conditions that are considered to be appropriate or reasonable in any particular case. Document holders must comply with conditions to ensure their documents remain current. Our purpose in imposing conditions on an aviation document is to ensure that the privileges granted to the document holder can continue to be exercised safely and securely throughout the document's duration. Conditions include restrictions and duties, or any other form of limitation or requirement we may consider to be appropriate and reasonable for this purpose.

When an application does not meet the full set of requirements, it may be appropriate in particular cases to use conditions to limit our acceptance of the application to a lesser scope than that applied for, provided we are satisfied the application meets the requirements of that lesser scope. Sometimes, it may be appropriate to impose conditions that make particular aspects of approvals and authorisations subject to specific regulatory oversight by us for specific periods. We do not use conditions to mitigate fundamental flaws in an application, nor to allow an applicant to get underway with what they have proposed while they are still addressing shortcomings in their application.

Conditions imposed in any particular case are additional to the requirements prescribed in the Act, rules, or regulations that document holders must continue to observe or satisfy. Such prescribed requirements include currency requirements (such as currency requirements for recent experience and regular review), and limitations on privileges.

11.6 Duration

Subject to the rules, an aviation document may be issued for a specified period that we consider to be appropriate in any particular case. Our general policy is to issue aviation documents for the maximum permissible period prescribed in the rules. For aviation documents subject to periodic renewal, this general policy applies to the initial document that is granted, and to subsequent renewals.

The duration of an amendment to an aviation document may be for any specified period commensurate with the purpose of the amendment except that it cannot extend beyond the expiry date of the main document, if any.

Variations to this general policy are as follows:

- a) For aviation documents that are issued for one-off, provisional, temporary, or other short-term purposes, we – commensurate with a particular document’s purpose, and in accordance with the rules – determine its duration up to the maximum permissible period prescribed, if any.
- b) In the case of a document holder who holds multiple documents, we may align the expiry dates of selected documents to provide both the holder and us with the benefits of more efficient renewal processes.
- c) The maximum permissible duration of any document subject to periodic renewal may be slightly shortened by us solely to assist with scheduling our operational resources to meet the anticipated timing and volume of future applications for renewal of documents.
- d) A maximum period for designation of medical examiners is not prescribed in the rules. As a matter of specific policy, the period of designation is limited to a maximum of 3 years.

12. Applications for medical certificates

12.1 Scope

The Act and the rules determine who is required to hold a medical certificate. A valid and current medical certificate allows its holder to exercise the privileges to which the certificate relates. An applicant for a medical certificate must have a medical examination by a Medical Examiner (ME) designated by us for this purpose. An ME is a suitably qualified medical practitioner who holds a valid and current medical examiner certificate (an aviation document) issued under the rules.

Before issuing a medical certificate, the Director must have regard to the report of the ME and any other information that may be relevant. If the Director is satisfied that the applicant meets the medical standards prescribed in the rules, the Director must issue a medical certificate unless the Director believes on reasonable grounds that the applicant has any characteristic that may interfere with the safe exercise of the privileges to which the medical certificate relates.

The purpose of the medical standards is to provide for the safe exercise of the privileges, or the safe performance of the duties, to which a medical certificate relates.

12.2 Risk-based assessment

MEs usually hold delegations from the Director that provide for them to assess applications and issue medical certificates.⁵ MEs with appropriate delegations assess applications for medical certificates against the medical standards prescribed in the rules. Public safety is paramount in their

⁵ We may, in unusual situations, and by agreement with an applicant, refer their application to the convener for advice before deciding upon it (as provided for by the Act). The convener is a medical practitioner appointed to that role by the Minister.

considerations. In conducting medical examinations and assessing applications, MEs must have due regard to general directions issued by the Director (and also to any current emergency directives).

Additional to a medical examination, an ME with appropriate delegations may require the applicant, at their own expense, to undertake any other tests, examinations, or re-examinations conducted by any suitably qualified and experienced person, or to provide any medical information, that the ME reasonably considers necessary to assess the applicant. Also, for the purpose of determining whether they are eligible for a medical certificate, the ME may, by written notice, require the applicant to disclose, or authorise the disclosure of, any information relevant to their medical condition or history.

MEs are supported administratively and clinically by our aviation medicine team. Our Medical Manual provides MEs with relevant information, guidance, and direction in relation to:

- a) our administrative policies and processes and other requirements relating to medical certification
- b) assessing medical conditions that may be of aeromedical significance together with the potential risks to aviation safety arising from such conditions.

12.3 Eligibility

In light of the results of their assessment of an application for a medical certificate, an ME determines the applicant's eligibility as follows:

a) Direct eligibility

If the ME is satisfied by their assessment that the applicant meets the medical standards prescribed in the rules, they will issue a medical certificate unless they have reasonable grounds to believe the applicant has any characteristic that may interfere with the safe exercise of the privileges to which the medical certificate relates.

b) Flexibility pathway

In cases where the applicant fails to meet the prescribed medical standards, or where there is a respect in which the ME is not satisfied as to whether or not the applicant meets those standards, the ME may decide – if appropriate in that particular case – to progress the assessment along the flexibility pathway, as provided for in the Act, by obtaining expert medical input in the form of an 'accredited medical conclusion' (AMC).

The purpose of the AMC is to establish whether aviation safety is not likely to be jeopardised by issuing a medical certificate in the special circumstances of the particular case. If the AMC indicates that aviation safety is not likely to be jeopardised, the ME may decide to issue a medical certificate after completing their assessment with due consideration given to the other relevant

factors as required by the Act. The ME must decline the application if the AMC does not identify special circumstances such that a medical certificate may be issued.

It is appropriate for an ME to obtain an AMC in any particular case if they judge that the outcome of an AMC is likely to be favourable to the applicant, or that there is reasonable doubt about the likely outcome.

c) Declined outright

An ME may determine that an application be declined outright because the applicant is not directly eligible, and because the flexibility pathway is inappropriate in that particular case.

12.4 Conditions of use

Conditions may be imposed on medical certificates to mitigate risks to aviation safety. They include restrictions and endorsements, or any other form of limitation or requirement considered to be appropriate and reasonable for this purpose. Medical certificates are issued subject to any conditions considered by the ME in any particular case to be necessary in the interests of aviation safety, and on which the safe performance of the applicant's duties is dependent.

In relation to determining any conditions to be imposed on a medical certificate which is to be issued via the flexibility pathway, the ME takes into account the corresponding AMC. The conditions imposed will be no less restrictive – but may be more restrictive – than any conditions indicated by the AMC.

12.5 Duration

Medical certificates are issued for the maximum permissible duration prescribed in the rules (including any allowable extension), unless the ME judges in any particular case, in light of their assessment or of any related AMC, that a shorter period is necessary in the interests of aviation safety in view of the privileges and duties to which the medical certificate relates. Limiting the duration of a medical certificate mitigates risks to aviation safety by increasing the frequency of the certificate holder's medical examinations and assessments.

12.6 Delegations held by CAA personnel

CAA personnel with appropriate delegations may require additional tests, examinations, and medical information, and they may also assess applications and issue medical certificates. In doing so, they are bound by the same requirements that apply to MEs when carrying out these activities.

12.7 DL9 driver licence medical certificates

A person who is applying for a private pilot licence may meet the medical requirements for that licence by relying on a current medical certificate that has been issued to them under the separate jurisdiction of land transport legislation for driver licensing. This is a 'DL9' commercial driver licence

medical certificate. It must meet the requirements set out in the rules. CAA is not involved with individual applications for these medical certificates.

13. Detailed scope

For avoidance of doubt, this operational policy also applies to:

- a) determining, in accordance with the applicable regulations and with CAA's operational policy for chargeable time, the fees and charges payable in any particular case for applications, and for certification and licensing activities and services (including authorising refunds or waivers)
- b) granting a New Zealand air operator's certificate (AOC) with ANZA privileges by amending an appropriate existing aviation document, or by granting an appropriate new aviation document
- c) receiving and amending or endorsing an aviation document for any of the following reasons:
 - in the manner requested in writing by the holder
 - following our response to changes proposed by a certificate holder to their exposition
 - to reflect the fact that any privilege or duty for which the document was granted is no longer being carried out, or is no longer able to be carried out, by the holder
 - when the document has been made subject to permanent conditions or revoked in part
 - to give effect to an airworthiness directive issued by the Director
 - to correct any typographical error or obvious mistake in the document
- d) actioning the requirements of the rules in respect of change of possession of New Zealand registered aircraft, including transfers of certificates of registration
- e) in relation to applications for medical certificates:
 - the process of receiving from medical examiners, and recording, the documentation they are required to forward to CAA for each assessment they have completed in response to an application for a medical certificate (including maintaining the register of current medical certificates issued under the Act)
 - issuing a new certificate to correct any typographical error or obvious mistake in the original certificate
 - issuing replacement certificates in place of certificates that have been lost, stolen, destroyed, or damaged
 - receiving and responding to applications for reissue of certificates that were previously withdrawn by us.

14. Measuring our performance

CAA’s Annual Statement of Performance Expectations sets out the certification and licensing outputs that we provide together with the quality and timeliness standards against which we assess our performance for the business year under consideration. Insights gained through our monitoring activities may assist us in assessing the effectiveness of our certification and licensing activities.

15. Document control

Title	Certification and Licensing – Operational Policy
Effective date	1 December 2023
Author	Douglas Lynn, Principal Advisor Operational Policy
Approver	John Kay, Deputy Chief Executive System and Practice Design
Quality approver	Yvette Bartholomew, Senior Advisor Quality Systems and Assurance
Owner	John Kay, Deputy Chief Executive System and Practice Design
Endorsed by	Authority Leadership Team
Revision	1.0
Review date	1 December 2026
InfoHub ID	60248868

Revision	Date	Description of change
1.0	1 December 2023	Revision one – new Operational Policy.