

Changes to the Fit and Proper Person Process

If you are in aviation you will have heard about the fit and proper person assessment. In simple terms, anyone holding or applying for an aviation document, or anyone who has control over the exercise of the privileges of an aviation document, must satisfy the Director of Civil Aviation that they are a fit and proper person to do so.

This is a requirement of the Civil Aviation Act 1990, Section 9(3). You can read an article that gives more information about the process in the May/June 2006 edition of *Vector*. This can also be seen on the CAA web site, www.caa.govt.nz, see "Safety information – Publications".

Examples of aviation documents are licences and air operator certificates. Certificated organisations must nominate Senior Person(s), and they must go through the fit and proper person process. This is what we mean by, "anyone who has control over the exercise of the privileges of an aviation document".

In 2006, the Director of Civil Aviation, John Jones, decided to improve the fit and proper person process to better fulfill his responsibilities under the Civil Aviation Act. More information needed to be supplied in order to make an informed assessment of an applicant's fit and proper status, and new forms were designed to provide that information. The opportunity has also been taken to clarify the meaning of some questions that may not have been clear to applicants in the past.

Applicants are required to complete a new form for the fit and proper person assessment for applications received by the CAA from 1 February 2007. The new form is called 24FPP and has clear instructions outlining what is required, and how to comply. It requires applicants to do four new things:

1. Provide proof of identity.

This can be a copy of a document (you can choose from a list of eight) signed by a referee. The requirements for a referee are on the 24FPP form and summarised later in this article.

2. Provide proof of address-for-service.

There are four acceptable documents in this category. You need to provide a copy of one – it must have your current name and address for service on it, and be signed by your referee.

3. Provide a Criminal Record History from the Ministry of Justice.

You must apply in writing, on the correct form, which can be downloaded from the internet. The Ministry requires this signed authority from you before they can access your information, so your application must be posted to them. Details are on the 24FPP form.

4. Obtain an Offence History Report from Land Transport New Zealand (LTNZ).

You apply to LTNZ in writing (fax is acceptable). Details are on the 24FPP form.

All applicants must provide these official records of their Criminal and Transport Offence History from all countries that they have resided in for more than 6 consecutive months within the past 5 years. Even if you have no offences or criminal record, you must still obtain the reports to show that fact.

Aircraft owners do not need to use the 24FPP form – the existing forms for change of possession of an aircraft have appropriate questions for dealing with the fit and proper person assessment in this context.

Your referee must hold a position of standing in the community, eg, a solicitor, police officer, Justice of the Peace, MP, religious or community group leader, medical professional, chief flying instructor, CEO or Quality Manager of an Aviation Organisation. The referee must be contactable during normal business hours. The referee must not be related to the applicant, or a partner or spouse of the applicant, or a resident at the same address as the applicant.

It will take three to four weeks to obtain the reports from the Ministry of Justice and LTNZ – applicants need to consider this when applying for individual documents, or when nominating Senior Persons for organisations.

Most of the individual application forms have been changed because of the new fit and proper person process. Some of the organisation forms have also changed. All the new forms are on the CAA web site.

Applications received by the CAA on or after 1 February 2007 will not be processed unless they use the new forms and provide all the required information – there is a checklist at the end of the 24FPP form to help with this. ■



Fit and Proper Person Questionnaire

Instructions for completing this form

1. This Fit and Proper Person Questionnaire (CAA 24FPP) must accompany **every** application for an aviation document or for the acceptance of a senior person appointment.
2. A Fit and Proper Person Declaration (CAA 24FPPDEC) may be used by applicants who have been determined Fit and Proper previously and:
 - within the past 24 months who have completed a Fit and Proper Person Questionnaire (CAA 24FPP - Rev 7 or later), since 1 Feb 2007, and
 - where the facts and information declared previously are unchanged.
3. Further instructions for completing this form are contained in the grey boxes in the left hand margin throughout the form.

1. Personal Details

NZ CAA Client / Licence Number (if known)	Date of Birth (dd/mm/yy)
(Mr/Ms/Miss)	
Last Name	