

CAA Safety Policy

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CAA Safety Policy

1. Responsibility

The Director is responsible for the development, approval, maintenance and publication of this document. Any inconsistencies or change requests should be addressed to that person.

The Director will authorise all inclusions and amendments to this procedures. All amendments made to this document shall be done in accordance with the [CAA Document Control Policy](#) and [CAA Document Control Procedures](#).

All current and controlled policies and procedures are available in the CAA intranet, Cirrus. Printed policy and procedure documents are uncontrolled and must not be used unless they match the Cirrus version. The date on the top left of the page must match the date of the controlled document available in Cirrus.

2. Representing the Public Interest

The CAA is but one link in the chain of checks and balances that constitutes the aviation safety system in New Zealand. As a government regulating body, the CAA represents, through the Minister of Transport, the interests of the public of New Zealand in the aviation industry and in particular, its safety performance. In performing this function, the CAA:

- Recommends to the Minister appropriate safety targets.
- Reports to the Minister on the performance of the industry against agreed targets.
- Supports the industry in the achievement of agreed targets through regulatory functions.
- Recommends to the Minister changes to the aviation safety system.

3. The Life Cycle Approach

The CAA has adopted the 'life cycle' approach to regulating the civil aviation system as described in the 1988 Swedavia McGregor Review. This approach is characterised as a closed cycle system with the CAA Rules establishing the boundaries of the system.

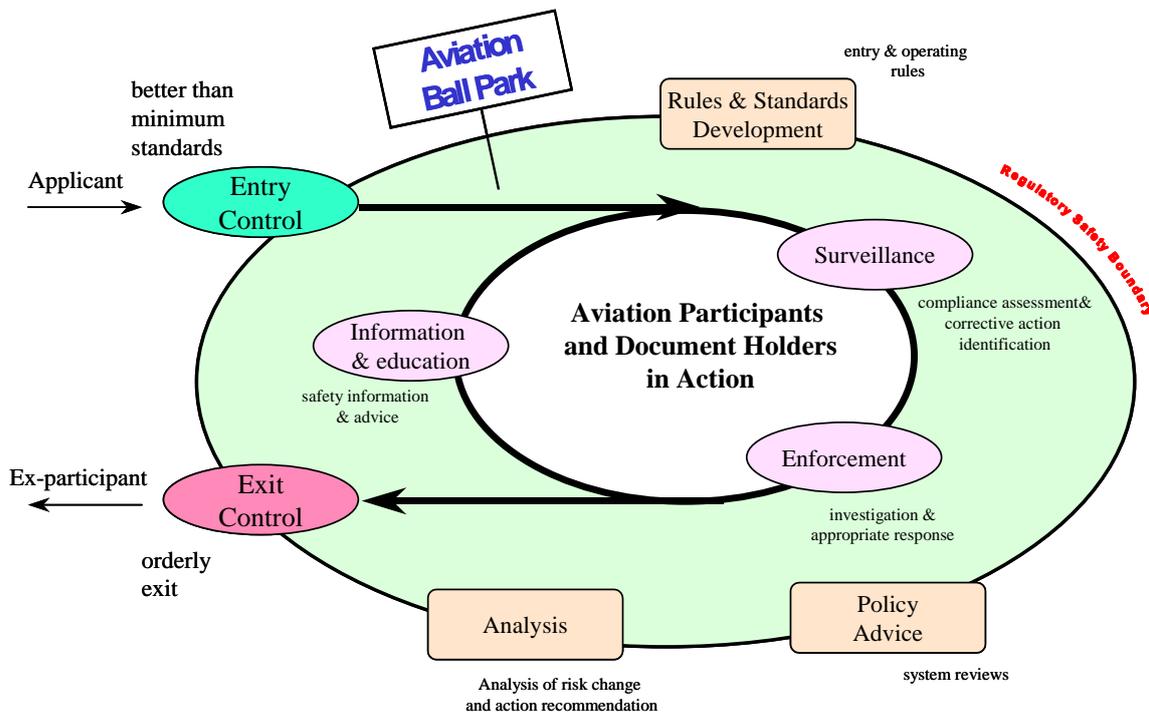


Figure 1

Within the system there are a number of CAA intervention points as follows:

- *Entry* – full compliance with the appropriate Rules and the ability to sustain compliance is required by participants at entry into the system. Documents relating to organisations are to have a defined life.
- *Continued Operation* – industry participants must continue to meet established standards while operating in the system and the CAA is to provide appropriate surveillance and corrective action support to the participants. This is to include investigation of breaches of Rules and enforcement action as necessary.
- *Exit* – The CAA may limit, suspend, or revoke a participant's aviation document if the holder deliberately breaches the Rules, or is unable to fund the costs of compliance, or is unable to maintain regulatory compliance for any other reason.

4. Intervention to Achieve Safety Targets

In the context of this policy, intervention is defined as actions by the CAA that impact on the aviation industry. Intervention measures undertaken by the CAA to achieve safety targets include the following:

- Provision of standards.
- Entry Control.
- Surveillance.
- Enforcement.
- Exit Control
- Accident and Incident Investigation.
- Provision of Safety Information.
- Safety Programmes.

5. Level of Intervention

The level of intervention by the CAA in the industry must match the risk or consequence of the failure of any component of the aviation safety system that may result in loss. Further, the existing levels of safety must be maintained and not subject to degradation as a result of any act of intervention carried by any member of the CAA.

Only those interventions deemed necessary by virtue of the risk or the consequences of a failure are to be taken by the CAA. Thus, analysis of risk, consequence and cost of failure, and cost of intervention action is necessary prior to taking any action.

6. Reduction in Compliance Costs

Regulation of the aviation system imposes costs on the industry. Without compromising safety levels, the CAA is to strive to have the least cost impact on operators in the terms of regulatory intervention.

7. Partnership and Consultation

For the CAA, partnership means the;

- sharing of information;

- reaching of common understanding through open debate and consultancy; and,
- common understanding of the safety outcomes.

The CAA is to respect and protect information provided under confidentiality to the extent possible under law and the Rules.

In the terms of consultation, the CAA is to seek input from industry appropriate to the subject. The CAA is to listen to, and take into consideration the contribution of all interested parties in, for example, the development of safety targets, Rules, pricing, safety programmes and policies.

8. Consultancy

Following the concepts set down in the Swedavia McGregor Review, the CAA is to refrain from giving any advice that could be interpreted as affecting an operator's decision-making or responsibilities. Situations where the division of responsibility between the operator and the CAA are unclear must be handled delicately with consultation with appropriate General Managers and the Chief Legal Counsel.

The CAA can provide information, direction and guidance on the following:

- CAA interpretation of written aviation standards and Rules; and,
- CAA rulings.

9. Client Focus

For the purposes of this policy, CAA clients are taken to be individual persons and organisations, including representative bodies, that are about to enter or are operating within the aviation industry or who have, by virtue of their product, membership or representation, an impact on the aviation safety industry.

Without in any way compromising the regulatory role of the CAA in the aviation industry, CAA personnel will meet the legitimate needs of its clients. The delivery of services to clients will be accomplished in an expeditious manner so as not to unduly affect client operations. This means that the client's business must be understood and that CAA personnel are responsive to client needs rather than simply recognising them. The CAA has an excellent set of values for both staff and for the performance of its functions and these are to be adhered to in the provision of client focus.

10. Industry Responsibility

As a result of the adoption of the Swedavia McGregor Review and the subsequent passing of the Civil Aviation Act 1990, aviation industry participants are responsible for their own actions and for operating safely.

The CAA supports this concept and expects development of formalised aviation management systems or industry structures that demonstrate achievement of safe operating practices. In encouraging the aviation industry to assume and exercise its responsibility, the CAA is to provide the following:

- Standards and rules that support this approach.
- Sampling programmes for monitoring the performance of individual operators.
- Compliance monitoring by assessment of management systems where possible.
- Inspection programmes where there is no formalised management system required or as part of a special investigation.

The CAA also recognises that the industry has commercial objectives and therefore requires some level of flexibility in its operating environment to achieve those objectives. The CAA supports this

concept and will work closely with any industry organisation to achieve an operating environment that meets the commercial objectives without compromising safety.

11. Quality Management Systems

The CAA supports and encourages the implementation of quality management systems (QMS) in the aviation industry. They provide a framework for industry to achieve and maintain good safety performance thereby reducing intervention by the CAA.

CAA Rules and other requirements will be compatible with the development and maintenance of QMS.

The CAA will require aviation industry participants to provide the minimum level of QMS commensurate with the size and nature of the operation while ensuring regulatory requirements are achieved.

12. Means of Compliance

All CAA Rules and Standards shall have well maintained supporting documentation that clearly explains all means of compliance acceptable to the Director. These means of compliance shall be publicly notified.

An Alternative Means of Compliance is an alternative procedure submitted by a client that, in lieu of a requirement in an Advisory Circular (or CAA policy document), provides an equivalent or improved level of safety. The CAA will always consider such a submission, and if accepted will approve and publish it. The acceptance of the alternative procedure by the Director effectively constitutes an addition to CAA's operational policy. There is no requirement for public notification of the submission or for the Director to consult with other parties.

13. Policy versus Delivery

All CAA staff have a responsibility to ensure that the delivery of services reflects an emphasis on safety. Should safety appear to be compromised by policy in any way, assistance is to be sought from appropriate managers.

14. Surveillance

Surveillance is the CAA's primary tool for actioning its responsibility to ensure that participants in the aviation industry perform to appropriate standards. The intensity of surveillance activity in any particular instance will be determined by the safety performance of the client. The Aviation Safety Management System (ASMS) is the focus point for identifying safety performance.

15. Corrective Action and Enforcement

The CAA will employ a graduated response methodology to identified failures to meet standards. In the event a client is identified as failing to meet appropriate standards, then the primary and preferred corrective action by CAA is to seek a voluntary or mutually agreed return to compliance or conformance. If this does not occur, then the CAA policy for enforcement is to warn the operator and 'request' corrective action. If the warning is unsuccessful then the CAA will take regulatory or prosecutorial action against the relevant aviation document if it is considered necessary in the public interest. The key elements in deciding the level of intervention are as follows:

- The deterrence of future incidents of a similar nature.
- The need to treat all participants fairly and equally by disciplining those individuals and operators who act outside the system.
- The need to instil respect for the national aviation system itself as established under the auspices of the [Civil Aviation Act 1990](#), the Regulations and the Rules.

The Director has a wide range of powers under the Act, for example, the ability to suspend certification, prohibit operations and/or to seize documentation. In the event an appeal against such action is taken by the operator and is successful, the Director still requires the operator to demonstrate compliance.

16. Education

Education through the publication of appropriate and timely educative material, the holding of seminars and courses, and the operations of Field Safety Advisors is to be pursued by the CAA with the aim of increasing safety awareness in the industry.

17. Aviation Safety Data: Collation, Analysis and Research

Safety data gathered in the course of CAA operations and from all other bona fide sources will be collated and analysed at a single point within the CAA. The information so gained shall be used to maintain a research and analysis programme, with the objective of identifying areas of risk in civil aviation, based on the accumulated safety and security data. Reports and recommendations for safety and security improvement based on the findings of this programme shall be provided internally and publicly as appropriate.

18. Accident and Incident Investigation

The CAA shall systematically investigate accidents and incidents in the civil aviation system in order to establish the casual factors and appropriate remedial action, and to make any recommendations necessary to prevent future such occurrences. With respect to accident investigations, the CAA will work in a complementary manner with the Transport Accident Investigation Commission (TAIC) as set down in the Memorandum of Understanding between the two parties signed 12 March 2002.

The CAA will make the purpose of any investigation clear to all involved parties, that is, whether the investigation is being pursued for safety, security or enforcement. The results of any investigation shall be recorded in the CAA database and shall be made publicly available subject to the Official Information Act, 1982, and the Privacy Act, 1993.

19. Aviation Records Management

The CAA shall maintain systems that ensure it holds and maintains all records and documents relating to activities of individuals and organisations within the civil aviation system. The CAA shall also maintain a New Zealand Register of Aircraft and Civil Aviation Registry with a single point of responsibility within the organisation that shall ensure that the requisite information can be made available.

The CAA shall develop and maintain a comprehensive database for the accumulation of data on the safety and security performance of the civil aviation system and of participants within the system.

20. Airworthiness Directives

The CAA shall maintain systems to ensure the review, development, and appropriately urgent issue of airworthiness directives covering aviation equipment in New Zealand. This is to include the following:

- Assessment of foreign airworthiness directives with a view to issuing corresponding directives in New Zealand; and
- Promulgation of information to affected international parties on domestically generated airworthiness directives or related concerns.

21. Exemptions

Exemptions are issued as a result of an external petition by a client for an exemption from certain requirements specified under a Civil Aviation Rule. The request for the exemption is publicly notified in the CARRIL, as is the decision of the CAA regarding the petition.

Exemptions may also from time to time be internally petitioned (with no external demand) and issued by the CAA to all document holders under a rule, where for some reason a requirement under a rule is inappropriate over a specific time period.

22. Determinations

Determinations are issued under Rule Part 157 following a request from an industry client intending to construct, alter, activate or deactivate an aerodrome. The CAA will carry out an aeronautical study to assess whether an intended action will have any safety implications for existing airspace procedures.

23. Equivalence

Equivalences are granted where the holder of a qualification or certificate (issued by a competent authority such as a university or foreign CAA), requests the CAA to accept the qualification or certificate as being equivalent to the document currently issued by the CAA pursuant to the appropriate Rules.

24. Publishing Safety Standards

CAA publications governed by this policy include those that are regulatory (e.g., Rules, Advisory Circulars), educational (e.g., General Aviation Publications), communicative (e.g., CAA Review, Service Charter, Internet web site and correspondence), and forms (e.g., logbooks, certificates and application forms).

CAA publications must reflect a coherent corporate image embodying the following characteristics:

- Clear simple and non-threatening language.
- Consistent and proper use of the CAA logo, and standardised layout style and typefaces.
- In the case of the Internet web site, consistent with best industry standards as determined by the State services Commission.
- Conformance with applicable legislation, e.g., the Privacy Act 1993.

All publications must be produced to the approved CAA standards and new forms of publications must be approved prior to printing. Approval authorities are contained in Group level policies and procedures.

The CAA will fund publications that are in the periodical, educational, or communication fields, and also forms on which CAA requires industry to submit information. Regulatory publications, and forms that are used by and retained by the industry (such as logbooks), will be funded on a commercial basis. Some educational publications of a more permanent nature may also be funded commercially. Commercial funding entails recovering the cost of production and excludes development of the content. Whether sub-contracting or not, the CAA will maintain control of pricing to ensure that industry pays a fair price and receives value for money.

25. International Civil Aviation Organisation

ICAO standards, to the extent that they have been adopted by New Zealand, are the minimum standards on which regulatory requirements will be based for international operations and those internal operations that interface with international activities. The CAA is free to establish other standards.