Minutes of the 47th Joint Meeting of the Civil Aviation Authority and the Aviation Community Advisory Group

Date:	Tuesday 19 July 2022
Venue:	Virtual - Teams
Attending:	**ACAG:** Qwilton Biel, Frank Usmar, John Nicholson, Kevin Ward, Lachlan Thurston, Steve Horne, Steve Kelly, Chris Jackson, Mark Blanchard, Rob George,
	CAA: Keith Manch, John Kay, Mike Hill, David Harrison, 9(2)(a) ark von Motschelnitz, Steve Smyth, 9(2)(a)
	MoT: Tom Forster

1. Welcome

John Kay opened the meeting at 2pm and welcomed everyone.

The CAA and ACAG acknowledged the passing of Paul Drake, noting Paul's significant contribution to ACAG and to aviation in New Zealand.

Action: Rob George to engage directly with John Kay about contributing to the funeral.

2. Apologies

The following members provided their apologies: Bruce Robertson, Don McCracken.

3. Minutes of previous meeting

The minutes of the previous meeting were agreed with no amendments and all actions had been completed.

4. Ministry of Transport update

Civil Aviation Bill

Tom provided an overview of the Bill's progress through Parliament to date. The Bill is awaiting its second reading in the House, and the timeline for the remainder of the process is uncertain. Minister McAnulty is now responsible for the Bill.

One of the recommended changes to the Bill includes an independent review function, which would enable the appointment of an independent reviewer to review the Director's decisions. The Ministry are working on how they will give effect to this.
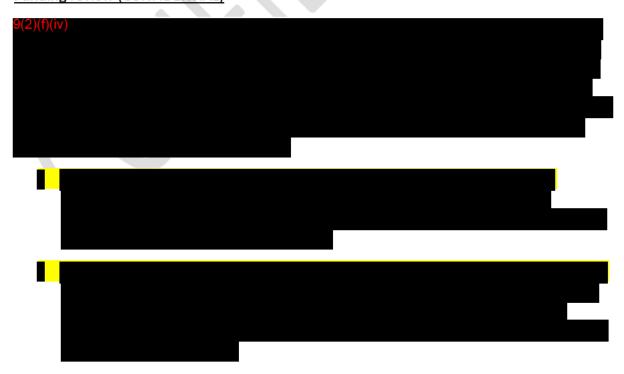
Tom confirmed that a large implementation project would shortly begin, and that there would be 18 months between Royal Assent to commencement to allow for implementation. Implementation will include remaking the rules and regulations.

- The CAA confirmed that in its present form the review function will not be able to overturn the Director's decision. It was acknowledged that this differed from the model that some submitters on the Bill had advocated for.

- All parties agreed that implementation would take up significant CAA resource. The CAA are currently working with the Ministry on an implementation plan.

Air Navigation Review

Tom provided an overview of the Air Navigation Review. The Terms of Reference have been confirmed by Cabinet, the Ministerially appointed Panel have met twice, and the reference Group has been set up. The Panel want to work with the sector to develop the Air Navigating System that New Zealand needs now and into the future. Tom confirmed that a number of people from ACAG are on the reference Group, and that the GA community was represented.

Funding review (CONFIDENTIAL)

9(2)(f)(iv)

5. CAA update

Keith Manch confirmed that the CAA leadership team is now complete with the addition of Andrea Cooke (People) and Mark Davis (Corporate – information technology, finance and property).

The CAA leadership team provided an overview of top priorities.

- Significant projects are underway: implementation of the Civil Aviation Bill; ICAO security audit (beginning 29 August for two weeks) and wider ICAO obligations; funding review.
- Emerging technology – working with MBIE and MoT to increase our resource in this area and ensure that our regulatory effort is, as far as possible, not preventing innovation.
- Our focus on being intelligence-led and risk based in our regulatory approach, focussing on things that really matter in terms of safety and security outcomes.
- COVID-19 and the rapid re-escalation of activities. The CAA is stretched by illness and stress like other organisations. Avsec are very stretched at airports.
- We continue to work out of temporary office accommodation and hope to be back in Asteron mid-2023.
- There is a ramp up on international engagement. Feedback from DCGA conference in Seoul is that we are not unique all States are facing similar issues. The UK Minister of Transport will announce a National Aviation Authority partnership involving UK, USA, Australia, Canada and New Zealand – to share lessons, safety issues and to influence ICAO to take a pragmatic and risk-based approach. We are also discussing a range of technical arrangements with a number of States including Singapore, EASA, USA.
- The Authority will send a four-person delegation to ICAO Assembly in Montreal, Canada in September. The Ministry will also attend with three delegates. Emission reduction is likely to be one of the key issues.
- Certification teams are under pressure with a surge in activity. Advice is to get applications in early. There is good sector engagement on a number of pieces of work including operational policy, improvements to part 149 relationships and delegations, and safety messages specifically aimed at the GA sector.

9(2)(a) provided the policy project update. She reinforced the key priorities for the International and Regulatory Strategy Team and provided a quick overview of the status of the ongoing policy and rules projects.

The group discussed the status of Fatigue Risk Management. The CAA confirmed that they would prefer not to prescribe prescriptive standards across all the activities in the aviation system, and the expectation is that fatigue management is a critical element of responsibility under SMS and HSWA.

Action: 9(2) to look into the links between the 'definition of cost sharing flights' as part of the ICAO alignment project, and any work on 'hire and reward' (22/ISS/02).

Action: 9(2) to follow up on any work related to EDTO.

6. ACAG Terms of Reference

The group agreed that it is important that ACAG reflects the full diversity of the aviation sector, and there is a desire from all parties to move towards an electronic election platform for the three elected positions in future. The group recognised that there would be some challenges, but that we would continue to work toward that goal.

The CAA thanked ACAG for its constructive engagement on this matter.

Action: 9(2)(a) and Mark von Motschelnitz to update the terms of Reference and circulate them to ACAG.

7. Emerging Technology Update

Steve Smyth (Director of Emerging Technology) provided an overview of the Emerging Technology Programme (ETP) approach. Different overseas models were assessed and the UKCAA model (innovation hub, sandbox, regulatory lab) was found to be the most appropriate for New Zealand.

The ETP is intended to act as a bridge between the CAA and stakeholders, with relationship management a primary activity. The ETP will not necessarily be the lead within the CAA for all issues germane to emerging technology and will not participate in certification decision making but will provide a regulatory interface and a coordination function to ensure all relevant units are working in an integrated manner.

9(2)(f)(iv)

The group discussed some of the key challenges:

- The difficulty with 'good' and 'bad' ideas and how the ETP will explain the complexity of the regulatory pathways.

- The work that the CAA was doing to streamline some applications and reduce burden in line with risks, and messages on expectations.

- The breadth of 'emerging technology' which includes things like zero emission aircraft and infrastructure, not just drones.

- The need for transparency with the whole aviation sector so the rest of the system understands the activities that have been approved and the impacts.

- The perception that regulation is in competition with innovation. Regulation can be supportive and useful, and the emerging technology sector needs to understand why its vital that risks are managed.

8. Matters Arising

Qwilton Biel and 9(2)(a) provided a quick update on the issue assessment prioritisation process. Summaries of all issue assessments have been circulated to ACAG and Qwilton is collecting initial comments from members. Qwilton and Jo will arrange a session for CAA policy and ACAG members to discuss the issues.

Action: 9(2)(a) Qwilton to engage on the next steps.

9. Next Meeting

The group agreed to have one more meeting between now and the end of the year, aiming for late October.

Action: CAA will engage with Qwilton and the Ministry on arranging the next ACAG meeting.