



Memorandum of Cooperation

BETWEEN

The Pacific Aviation Safety Office (PASO)

AND

The Civil Aviation Authority of New Zealand (CAANZ)

1 PURPOSE

- 1.1 The Pacific Aviation Safety Office (PASO) and the Civil Aviation Authority of New Zealand (CAANZ) (the "Organisations") are mindful of the desire of the New Zealand Government and the Governments of those States party to the Pacific Islands Civil Aviation Safety and Security Treaty ("PASO member States") to increase the standard and coverage of aviation safety and security regulatory oversight among the PASO member States.
- 1.2 To this end, both Organisations are committed to cooperating in the exchange of information, systems and procedures to allow the development by PASO member States of aviation safety and security regulatory structures with minimal national variations.
- 1.3 Both Organisations consider that the aims of such a coordinated and cooperative approach are to:
 - a) Ensure that existing levels of safety and security in civil aviation in the PASO member States are further developed to meet ICAO Requirements;
 - b) Provide a standardised, regionally based and collaborative approach to safety and security regulatory oversight among PASO member States; and
 - c) Move towards the adoption of a uniform set of standards by PASO member States and a consistent application of these standards through PASO.

2 RECOGNITION OF HISTORICAL RELATIONSHIPS

- 2.1 Recognising the longstanding and useful relationships between the CAANZ and the PASO member States, both Organisations agree to cooperate by the exchange of regulatory documents, procedures and guidance materials. This includes any guidance based initially on New Zealand Civil Aviation Rules which may be further developed or amplified by PASO for use by PASO member States.
- 2.2 The Organisations agree that there is benefit in a continuing exchange of information on regulatory matters leading to closer working relationships.
- 2.3 The Organisations have capability to mutually plan and deliver advisory, coaching and training services to assist PASO member States in developing their State Safety Programmes (SSP) and achieving required aviation standards.

3 OBJECTIVES OF THE COOPERATIVE PROCESS

- 3.1 The objective of the cooperative process is initially to establish aviation standards in PASO member States which are largely based on the existing New Zealand rules and guidance material.
- 3.2 The Organisations agree to exchange information to develop on-going surveillance procedures which will meet the needs of the changing operating environment.
- 3.3 The Organisations agree that PASO will be advised of proposed changes to New Zealand Civil Aviation Rules as soon as practical in the rule-making process so that PASO will have the opportunity to provide comment.



- 3.4 The Organisations will work towards establishing and maintaining appropriate surveillance programmes for PASO member States and the management of these programmes by PASO.
- 3.5 Details of cooperation which may be undertaken in any specific areas may be expanded via written arrangements which by mutual consent, can be added as Annexes forming an integral part of this Memorandum of Cooperation (MOC). Refer Annex 1 'Enhancing Aviation Regulatory Standards'.

4 LIAISON BETWEEN ORGANISATIONS

- 4.1 The Organisations agree to undertake regular liaison to allow the greatest possible familiarity with respective legislation, policies and procedures. Such liaison may include regular visits, information exchange and exchange of personnel.
- 4.2 An Annual Programme Steering Group will provide governance and review activities and performance over the past year and will agree on plans, initiatives for the forthcoming two years.

5 LIAISON WITH OTHER AUTHORITIES

- 5.1 The Organisations agree to keep each other informed on matters arising from their liaison with other aviation authorities of relevance to the development and application of standards and procedures by PASO member States or CAANZ.

6 CONSULTATION

- 6.1 The Organisations will endeavour to address any matters concerning the interpretation or implementation of this Memorandum of Cooperation through prompt and friendly consultations and negotiations.

7 AMENDMENT

- 7.1 This Memorandum of Cooperation may be added to or amended at any time by mutual written consent of the Organisations.

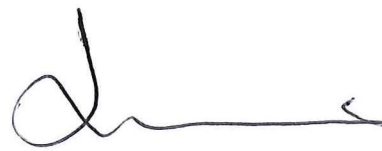
8 COMMENCEMENT

- 8.1 This Memorandum of Cooperation will come into effect on the date of its signing.

9 TERMINATION

- 9.1 This Memorandum of Cooperation shall remain in effect unless terminated in writing by either party in which case it will be terminated 12 months from the date of receipt of a written notification of termination.


Wilson Sagati (Chairman)
For and on behalf of the
Pacific Aviation Safety Office
Date **11 FEBRUARY 2016**


Graeme Harris (Director)
For and on behalf of the
Civil Aviation Authority of New Zealand
Date **3 Feb 2016**

Acknowledging Memorandum of Cooperation (Initial version) between the Pacific Aviation Safety Office (PASO) and the Civil Aviation Authority of New Zealand (CAANZ) dated 2nd March 2005.

Acknowledging the 'Working Agreement' between the Pacific Aviation Safety Office (PASO) and the Civil Aviation Authority of New Zealand (CAANZ) dated 14th June 2011.

Stating: this revision to the Memorandum of Cooperation (ie. of 2nd March 2005) between the Pacific Aviation Safety Office (PASO) and the Civil Aviation Authority of New Zealand (CAANZ) seeks to further enhance aviation regulatory standards in the Pacific region in order to meet International Civil Aviation Organisation (ICAO) requirements. Details of the programme, responsibilities and working relationships are contained in Annex 1.

ANNEX 1 - 'Enhancing Aviation Regulatory Standards'

1) STATEMENT OF PURPOSE

The Ministry of Foreign Affairs and Trade (MFAT), acting through the New Zealand Secretary of Foreign Affairs and Trade, commits to support the Partner Agencies of the Civil Aviation Authority of New Zealand (**CAANZ**), and the Pacific Aviation Safety Office (**PASO**) to cooperate and deliver advisory, coaching and training services to assist each PASO member State in designing and implementing its own State Safety Programme (SSP) (**Assignment**) that complies with International Civil Aviation Organisation (ICAO) requirements.

2) INTENT

Pacific Island States will remain accountable for the aviation oversight within their sector per their ICAO Member State obligations.

MFAT's New Zealand Aid Programme will strengthen capability within the Civil Aviation Authority of NZ (CAANZ) so that resources can be deployed via the Pacific Aviation Safety Office (PASO) or directly to Pacific Island Governments to help achieve an ICAO Universal Safety Oversight Audit Programme (USOAP) Rating of ~50 to 60% in the next 5 years.

This is a systematic approach with direction, verifiable milestones and a long-term sustainable goal. Future reactive, tactical and ad-hoc interventions should align with the milestones and the overall objectives of this Annex 1.

All parties will commit to building capacity, capability and sustainability at an acceptable level of governance and oversight that meets ICAO requirements.

CAANZ and PASO will work closely to ensure services are complementary and synchronised. The CAANZ at times will also assist PASO in developing capability and achieving the objectives of its Business Plan.

3) ASSIGNMENT/IMPLEMENTATION STAGES

The CAANZ and PASO in liaison with PASO member States will develop a Regional Implementation Plan and a customised Pacific State Activity Implementation Plan for each Pacific State's aviation Sector. The Plans will :



- name the Pacific Island States involved, their undertakings and a list of key personnel and their roles;
- report the results of a Gap Analysis to establish the needs, opportunities, strengths and weaknesses within each Pacific Island State;
- design a customised (and scalable) State Safety Programme (SSP);
- implement the State Safety Programme (SSP) (NOTE: this may mean initially implementing a robust Quality Management System which begins to introduce ICAO Annex 19 principles at a later date);
- assist Pacific member States in preparing for new legislation, rules and requirements as promulgated by ICAO and/or the CAANZ;
- ensure the 8 core elements of the ICAO USOAP (Programme) are an integral part of the (applicable) SSP;
- assist Pacific Island States in formulating targets, metrics and measurement reports in the aviation system for analysis/action;
- assist in building capacity, capability and sustainability at an acceptable level of governance and oversight that meets ICAO requirements.

4) IMPLEMENTATION RESPONSIBILITIES

Under the Chicago Convention and International Civil Aviation Organisation (ICAO) Requirements (i.e. Annexes, Standards and Recommended Practices and other ICAO documents) each ICAO Member State (i.e. Pacific Island State) is responsible for the effective oversight and management of aviation activity within their Pacific Island State's aviation sector.

Therefore, CAANZ and PASO will act as advisers and offer recommendations for improvement. Pacific Island States will then perform their own risk analysis and take responsibility implementation of all changes to their aviation system.

a) Pacific Island States

PASO and the CAANZ acknowledge that the Pacific Island State government ministries and aviation regulators will:

- continue to manage and provide effective oversight of their aviation sector;
- ensure compliance with ICAO requirements, ensure safety margins meet international requirements and risks are eliminated, isolated or minimised as appropriate in a timely manner;
- be briefed on the principles, processes and benefits of the services and be invited to request the advisory services;
- contribute to the development of the Regional Implementation Plan and the Pacific State's customised Activity Plan;
- commit to resourcing and implementing the requirements of ICAO and the actions derived from their Pacific Island State Activity Plan;

- manage their own: tasks, targets and action items within the agreed target dates;
- share their learning's, experiences and perhaps data with other Pacific Island States to help lift standards within the Pacific region;
- facilitate and coordinate logistics of CAANZ and PASO Representatives; and
- develop capacity and capability to build and sustain an acceptable level of governance and oversight that meets ICAO requirements.

Per the Pacific Island Civil Aviation Safety & Security Treaty (PICASST) undertakings, Pacific Island States will first request assistance through PASO.

Pacific Island States are responsible for funding additional resources that may be required to administer the State Safety Programme (ICAO USOAP category 2 refers).

b) Civil Aviation Authority of New Zealand (CAANZ)

The CAANZ will:

- assist each Pacific Island State Civil Aviation Regulators to design a State Safety Programme (SSP) and safety management system within their aviation sector that complies with International Civil Aviation Organisation (ICAO) requirements;
- provide advisory, coaching and training services to assist each Pacific Island State;
- liaise with Pacific State Ministries of Transport, their Pacific Island State Regulatory Authorities and PASO and to create a Regional Implementation Plan;
- cooperatively create and document a customised Activity Plan with each Pacific Island State;
- assist Pacific Island States in striving to achieve an ICAO USOAP Rating of ~50% to 60% in the next 5 years in each Pacific Island State;
- ensure interventions complement the services provided by PASO;
- oversee the activities and performance of their staff and contractors who are engaged in delivering the supporting services;
- update the PASO Council as appropriate;
- at times, provide direct support to increase the capacity and capability of PASO; and
- seek to build capability in each Pacific Island State so that each State meets and sustains an acceptable level of governance and oversight that meets ICAO requirements.

No fee for these services will be charged to PASO, as the costs of these services are funded by the NZ Aid Programme.

c) Pacific Aviation Safety Office (PASO)

PASO will:

- strive to deliver the products and services expected in the PICASST (Treaty) and implement the objectives of the Business Plan agreed (and as amended) by the PASO Council;
- develop its Annual Work Plans and review them along-side the Regional Implementation Plan and the Pacific State customised Activity Plans (as applicable);
- not charge MFAT and/or the CAANZ a management or other fee for administering any intervention documented in this Annex 1; and
- ensure its interventions (in the area of SSPs and ICAO Requirements) complement the services being provided by the CAANZ.



