

Table 1. Rules projects 2018/19

No.	Project name	Rationale	Brief summary of the problem or opportunity	Future Cabinet consideration proposed
Aviation – rule projects				
1	Update Aircraft Maintenance Engineers Licence requirements to reflect new technology and best practice	Improving safety Enabling new technology Maintenance	This project proposes changes to requirements for maintenance engineer licensing to better accommodate modern aircraft technology and reliability, and reflect best practice.	No
2	Align rules with International Civil Aviation Organization (ICAO) standards	Regulatory maintenance Align with international standards	This project considers changes to various rules to align them with ICAO standards, in response to issues that were identified by the ICAO Audit in 2006.	No
3	Omnibus Amendments Rule 2017/18	Maintenance	This project considers a range of proposed amendments covering issues related to abbreviations, definitions, terminology, referencing and formatting.	No
4	Omitted [Redacted]	[Redacted]	[Redacted]	[Redacted]
5	Review the medical certification standards for the Private Pilot Licence	Maintenance	The Civil Aviation Authority has reviewed the medical certification standards for the Private Pilot Licence. This project will consider changes to medical certification standards for the licence that do not materially reduce safety. This includes identifying potential alternative medical certification standards.	No
Land – rule projects				
6	Amend the Driver Licensing Rule to reduce eyesight checks and streamline the heavy vehicle licence process	Maintenance Improving efficiency	This project considers reducing the requirements for repeated eyesight checks for Class 1 (car) and Class 6 (motorbike) licence holders. The need for counter-based agents to repeatedly administer vision screening checks as part of a driver licence transaction is a barrier to the Transport Agency being able to offer online licence renewal as a customer option. Other changes include streamlining the heavy vehicle licence process, standardising some requirements, removing some licence endorsements and improving oversight of course providers.	Yes, prior to consultation and rule being made
7	Regulatory Stewardship Amendment Rules (Omnibus) 2018 and 2019	Maintenance	Most proposals in this project are simple corrections or adjustments to achieve alignment across rules or with the Land Transport Act (for example updating a cross-reference) or correcting minor errors or omissions, and validating new and already approved traffic control devices. Some proposals represent a minor shift in policy position, but the change is not significant enough to warrant a separate project. This	No

			project also includes a 2019 Regulatory Stewardship Rule.	
8	Accessible Streets Package	Improving safety Maintenance Enabling new technology	The Accessible Streets Package seeks to clarify rules for what types of vehicles should be allowed on footpaths, cycleways, shared paths and roadways, and under what conditions. The current rules (contained in a raft of subordinate legislation) that regulate who can use pathways are complex, prescriptive and inconsistent. For example, some vehicles such as two-wheeled Segways are currently prohibited, possibly unintentionally, while others, sold as mobility devices are unregulated. The package will develop a framework to determine which parts of the roadway and its surrounds people and vehicles should be allowed to use and under what conditions.	Yes, prior to consultation and rule being made
9	Amend Setting of Speed Limits Rule to accelerate implementation of the speed management guide	Improving safety Maintenance	Councils have identified impediments to them accelerating the implementation of the speed management guide. The project involves reviewing the process for road controlling authorities (principally local authorities, NZ Transport Agency and Auckland Transport) to set speed limits. It will consider changes to the requirement to set speed limits through bylaws and support meaningful engagement on proposed changes to speed limits with communities. More substantive policy work is required to consider whether more comprehensive changes to the current approach to speed management is required.	Yes, prior to consultation and rule being made
10	Amend the Light-vehicle Brakes Rule to mandate anti-lock braking (ABS) system for motorcycles	Improving safety	Setting minimum standards for vehicles is an important and proven mechanism to enhance the safety of vehicles in the fleet. An initial cost benefit analysis has highlighted the benefit of mandating anti-lock braking systems (ABS) for motorcycles, a regulatory change recently adopted in Australia. ABS prevents the wheels from locking during braking situations. This project considers whether to mandate ABS for motorcycles that are new to the fleet.	Yes, prior to rule being made

Maritime – rule projects

11	[REDACTED]	[REDACTED]	The Maritime Transport Act 1994 requires that owners/operators of offshore oil installations must have a current Certificate of Insurance issued by Maritime NZ before commencing their activity. [REDACTED] [REDACTED] Omitted	[REDACTED]
12	[REDACTED]	[REDACTED]	[REDACTED] [REDACTED]	[REDACTED]

Omitted

13	Rules to implement the new powers for the Director to test operators for drugs and alcohol (Clear Heads)	Improving safety Implementing primary legislation	New maritime rules are required to implement new powers for the Director to test operators for drugs and alcohol. This power is in the new Part 4B of the Maritime Transport Act 1994 (introduced by the Maritime Transport Amendment Act 2017).	Yes, prior to consultation
14	Review the rules that set the standards for the design, construction and equipment of ships (40 series of Maritime rules)	Future focus Maintenance	There have been a number of ongoing issues with application of the current 40 Series Rules, which set standards for the design, construction and equipment of ships. The structure of the current 40 Series Rules imposes unnecessary regulatory burden and cost on the industry and is potentially hampering innovation in the sector. The Rules also drive a considerable amount of ongoing maintenance work by Maritime NZ. This project comprises a significant review of the regulatory structure and the mechanism to achieve change. A new structure would facilitate amendment of content and the regulatory mechanism by which change is achieved.	No
15	Make mostly minor or technical changes to rules to allow New Zealand to give full effect to the Cape Town Agreement 2012	Meeting international obligations Improving safety Maintenance	Rule changes, mainly of a minor technical nature, are required to allow New Zealand to become a party to the Cape Town Agreement. The changes will increase safety standards on board foreign fishing vessels, giving New Zealand jurisdiction to enforce minimum safety standards. This will decrease Crown costs associated with fishing vessel incidents, and reduce compliance costs for New Zealand vessels operating internationally, as they will only have to meet a single set of standards.	No
16	Reframe the regulatory framework for small craft to ensure that requirements are consistent and proportionate to risk (Stage 2: new Rule Part One (operation of small craft))	Maintenance Future focus	The current requirements for the commercial operation of small craft are spread across a number of maritime rules and are inconsistent. Similar operations involving small craft are variously subject to no specific requirements and to a range of requirements including vessel survey, crewing, and operator certification. This project reframes the regulatory framework for small craft to ensure that requirements are consistent and proportionate to risk. The current regulatory framework also does not accommodate occasional and intermittent operation of small craft. For the purpose of consistency of treatment and proportionality of requirements for those operating small craft a new rule is proposed.	Yes, prior to consultation
17	New rule to bring together the requirements for not-for profit craft (Reframing Commercial Regulation Stage 1 (completion of not-for profit rule))	Maintenance Future focus	The current requirements for the commercial operation of not-for-profit craft are spread across a number of maritime rules and are inconsistent. For the purpose of consistency of treatment and proportionality of requirements for those operating not-for-profit craft a new rule is proposed.	Yes, prior to consultation
18	Relocating commercial rafting regulation to the Health and Safety at Work regime	Maintenance	This project proposes revocation of Maritime Rules Part 81 (commercial river rafting). As a consequence of this change, commercial rafting will be regulated through the Adventure Activities Regulations made under the Health and Safety at Work Act 2015, with WorkSafe as the regulator. A similar change for commercial jet-boating and commercial diving operations is considered as a policy project.	No

	(revoking Maritime Rules Part 81)			
19	International Omnibus 2018 Rule	Meeting international obligations Maintenance	This project considers amendments to rules from changes to SOLAS, MARPOL, the Maritime Labour Convention and other international maritime conventions as required, and to clarify requirements relating to the Ballast Water Management convention. This will ensure NZ is up to date with meeting its treaty obligations related to mandatory updates to IMO instruments. The 2018/19 international omnibus rule change will be quite large, because several convention changes in 2017 were deferred in the 2017/18 omnibus in order to speed up the ballast water rule amendments.	No
20	Maritime and Marine Protection Omnibus Amendments Rule 2018/19	Maintenance	Minor corrections and amendments to ensure the rules are easy to use and fit for purpose.	No

Table 2. Policy projects 2018/19

No.	Project name	Rationale	Brief summary of the problem or opportunity	Is Cabinet consideration required?
Aviation – policy projects				
21	Mandate Automatic Dependent Surveillance - Broadcast (ADS-B) equipment for aircraft flying below 24,500 feet	Improving safety Future focus Enabling new technology	This is the second of a two-phase process to mandate ADS-B for aircraft that enter controlled airspace, required to implement the National Airspace and Air Navigation Plan approved by Government in 2014. Aircraft using ADS-B constantly broadcast their position to other aircraft and air traffic controllers. ADS-B is scheduled to replace the current secondary surveillance radar system, which reaches the end of its life in 2021. A mandate for use of ADS-B for aircraft that operate above FL 245 will come into force on 31 December 2018. This project proposes to extend the mandate for use of ADS-B in controlled airspace to aircraft that operate below FL 245 (which includes most smaller commercial and non-commercial aircraft). The extended requirement is proposed to come into force in 2021.	No
22	Implementing Transport Accident Investigation Commission recommendations to capture flight data in helicopters	Improving safety Future focus Enabling new technology	The Director of Civil Aviation has agreed to implement recommendations made by the Transport Accident Investigation Commission (TAIC) to require operators to fit certain classes of helicopters with cockpit video recorders and/or other forms of data capture. This followed the TAIC investigation of a mast bump and in-flight breakup of a Robinson R44, ZK-IPY, near Queenstown, which occurred on 19 February 2015. TAIC's final report (AO-2015-002) noted that cockpit video and/or other forms of data capture could collect information to inform measures that could prevent mast bumps in the future. This project will consider the costs and benefits of implementing TAIC's recommendation.	No

23	Updates to Unmanned Aircraft Vehicle (i.e. Drone) rules (Civil Aviation Rules Parts 101 and 102)	Improving safety Future focus Enabling new technology	This project will consider and develop proposals to ensure that the regulatory framework for unmanned aircraft (i.e. drones), introduced in August 2015, is fit for purpose and future focussed.	Yes, prior to consultation and rule being made
Land – policy projects				
24	Review the vehicle classifications and standards system to reflect changes in technology	Maintenance Enabling new technology Future focus	The vehicle classification system has not kept up with changes in vehicle technology, This is creating confusion about what vehicles can and cannot be legally and safely used on the footpath or on public roads. It is also proving a barrier to the uptake of new transport technologies. This review aims to look to fundamentally simplify the way in which NZ ensures that vehicles entering the NZ fleet meet appropriate safety and environmental requirements, whether this is by means of a classification system or not.	Yes, prior to rule being made
25	Review of the Land Transport Rule: Passenger Service Vehicles 1999 to determine if this rule in its current form is still required	Maintenance Future focus	The Passenger Service Vehicle Rule specifies the legal requirements for the design and construction of all passenger service vehicles in New Zealand. Currently, passenger service vehicles include privately owned and operated vehicles with more than 12 seats or heavy motor vehicles with more than nine seats. This rule has not been substantially reviewed since it was introduced in 1999, and many of the provisions in the Rule were carried over from earlier regulations dating back decades. Some of the requirements in this rule is covered in other rules and other parts are out of date and incompatible with current technology. This project is a fundamental review of the Rule, and will consider what rules are required for a vehicle based solely on the nature of how it is used i.e. as a Passenger Service Vehicle.	No
Maritime – policy projects				
26	Investigate implementation of a framework to provide cover for damage caused by hazardous and noxious substances (HNS) accidents in line with international standards	Environmental protection Meeting international obligations	This project considers an international convention proposing a framework to provide cover for damage caused by HNS accidents at sea. The framework is aimed at setting up an international compensation fund similar to what already exists for oil pollution damage.	Yes, prior to consultation and rule being made

27	Investigate aligning New Zealand's system for preparing and responding to pollution events from ships involving hazardous and noxious substances with international standards	Environmental protection Meeting international obligations	This project considers an international convention setting out national systems for preparedness and response co-operation in relation to pollution events from ships involving hazardous and noxious substances.	Yes, prior to consultation and rule being made
28	Consider whether commercial jet boat and commercial diving operations should be regulated as an adventure activity under the Health and Safety at Work Act 2015 instead of Maritime Safety Rules (Part 19 Maritime Transport Operator – certification and responsibilities – exclusions)	Maintenance	This project examines whether commercial jet boat and commercial diving operations should be regulated under the Health and Safety at Work adventure activities framework, rather than under maritime rules, on grounds that they are high risk activities that deliberately expose participants to risk. The project will look further into the cost implications for operators and will also involve considering with MBIE, WorkSafe and industry, the intersection between the maritime framework and the Health and Safety at Work framework for commercial jet boating operations and commercial diving operations.	Yes, prior to consultation and rule being made
29	Improving the workability of the national navigation safety rules for recreational vessels (Part 91 Navigational Safety Rules)	Maintenance Future focus	The current Rule Part 91 (navigation safety rules) is extremely difficult to work with. Issues identified to date include the provisions around the establishment of reserved areas, temporary speed up-liftings, permanent speed up-liftings, and the revocation process for the latter. There have also been issues identified in relation to PFD requirements for some types of recreational craft.	Yes, prior to consultation and rule being made
30	Post implementation amendment to Maritime Operation Safety System (MOSS)	Maintenance	By the start of 2018/19, the MOSS framework will have been in place for four years. In light of the experience gained through implementation and management of the MOSS system, this project will consider if there are any issues with the operation of the MOSS regulatory framework that might require rule amendments.	No
31	Identify and address regulatory issues arising during implementation of the SeaCert system	Maintenance	Additional work to identify and address regulatory issues arising during implementation of the SeaCert system, which provides certification for seafarers, as required by New Zealand's international commitments May need to implement corrective actions from STCW white list and III audits.	No