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|  | 24011-02 Section 37 petition for exemption  Use this form to petition for an exemption under the [Civil Aviation Act 1990](https://www.legislation.govt.nz/act/public/1990/0098/latest/whole.html), section 37(2) for a person, aircraft, aeronautical product, aerodrome, or aviation related service from any specified requirement in the [Civil Aviation Rules](https://www.aviation.govt.nz/rules/). |

# We must receive your petition at least 90 days before you require an exemption

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| To start your petition, email us this completed petition for exemption form and any supporting documents to [exemptions@caa.govt.nz](mailto:exemptions@caa.govt.nz) |

# About making a petition

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| * The Director has to assess the petition against strict legal and regulatory criteria under the Civil Aviation Act 1990 and this incurs a cost under the [Civil Aviation Charges Regulations (no 2) 1991](https://www.legislation.govt.nz/regulation/public/1991/0143/latest/DLM148321.html?search=qs_act%40bill%40regulation%40deemedreg_Civil+Aviation+Charges+Regulations_resel_25_h&p=1&sr=1) * The Director’s assessment will only start once yourpetition is complete. How long the assessment takes depends on the complexity of your operation and accuracy of the information you provide * You’re liable for CAA’s hours taken at the [CAA standard hourly rate](https://www.aviation.govt.nz/about-us/what-we-do/how-we-are-funded/fees-levies-and-charges/), even if the petition is declined * We’ll email you invoices during and at the end of the Director’s assessment for CAA’s hours taken | * Find out about exemptions [here](https://www.aviation.govt.nz/rules/exemptions/) * If an exemption is granted, we’ll email you the conditions imposed and exemption expiry date * You must keep exemptions up-to-date * Once expired, you must apply for a new exemption if you still require it |

# Section 37(2) grounds for exemption

The Director of CAA can *only* consider and grant exemptions on the grounds set out in below. You must show that your exemption petition fits within one of those grounds and that the risk to safety will not be significantly increased by the granting of the exemption.

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| Section 37 Exemption power of Director  (2) Before granting an exemption under subsection (1), the Director shall be satisfied in the circumstances of each case that—   1. the requirement has been substantially complied with and that further compliance is unnecessary; or 2. the action taken or provision made in respect of the matter to which the requirement relates is as effective or more effective than actual compliance with the requirement; or 3. the prescribed requirements are clearly unreasonable or inappropriate in the particular case; or 4. events have occurred that make the prescribed requirements unnecessary or inappropriate in the particular case,  * and that the risk to safety will not be significantly increased by the granting of the exemption. |

# Organisation petitioning for the exemption Click in the field areas and type (they expand as you type).

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| Organisation legal name [i](#_top) | | | |  | | | | | | | | | | | | Organisation’ CAA ID no. | |  |
| Contact person for this application | | | | | | | | | | | | | | | | | | |
| Name | |  | | | | | | | Position title | | | |  | | | | | |
| Email | |  | | | | | | | | | | | | | | | | |
| Mobile | |  | | | | | Their CAA ID no. or N/A | | | | |  | | | | | | |
| Address for service Must be a physical address in New Zealand (not a PO Box) [i](#i4" \o "A physical address for service in New Zealand is required under s 8 Civil Aviation Act 1990) | | | | | | | | | | | Postal address If different from address for service (can be a PO Box) | | | | | | | | | |
| No. & street |  | | | | | | | | | No. & street | | | |  | | | | | | |
| Suburb |  | | | | | | | | | Suburb | | | |  | | | | | | |
| City/Town |  | | | | | | | | | City/Town | | | |  | | | | | | |
| Postcode |  | | | | | | | | | PO Box | | | |  | | | | | | |
|  | | | | | | | | | | Postcode | | | |  | | | | | | |
| Details for CAA invoices | | | | | | | | | | | | | | | | | | | |
| Organisation or person to be invoiced by CAA | | | | | |  | | | | | | | | | | | | | |
| Their CAA ID no. or N/A | | |  | | Your reference no. or N/A | | |  | | | | | | | Phone no. for invoice enquiries | |  | | |
| Emailforinvoices | | |  | | | | | | | | | | | | | | | | |

1. Exemption being petitioned for Click on the square box to select.

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| Rule e.g. 121.517(b)(2) | |  |
| SELECT the ground(s) for the exemption you are petitioning for | | |
| 37(2)(a) | The requirement has been substantially complied with and that further compliance is unnecessary and the risk to safety will not be significantly increased by the granting of the exemption | |
| 37(2)(b) | The action taken or provision made in respect of the matter to which the requirement relates is as effective or more effective than actual compliance with the requirement and the risk to safety will not be significantly increased by the granting of the exemption | |
| 37(2)(c) | The prescribed requirements are clearly unreasonable or inappropriate in the particular case and the risk to safety will not be significantly increased by the granting of the exemption | |
| 37(2)(d) | Events have occurred that make the prescribed requirements unnecessary or inappropriate in the particular case and the risk to safety will not be significantly increased by the granting of the exemption | |

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| Reason for the petition (why you are not able to comply with the rule) |
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| Justification for the grounds for exemption (information and documents to support your petition)  Set out below your:   * understanding of the safety risk the rule intends to manage * actions or provisions being made so the risk to safety will not be significantly increased by the exemption. |
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| What would be the impact to your operation if the exemption is declined? |
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| Supporting documents referenced above and emailed with this petition (e.g. safety case you commissioned or detailed risk assessment)  To add rows to this table copy and paste the last row | |
| Document name | Document name |
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1. Declaration by authorised officer/representative
2. I confirm in relation to this petition:

* I hold the necessary authority to sign on behalf of the organisation
* the person or organisation set out in the ‘details for CAA invoices’ section of this form is aware they are required to pay the invoice(s) from CAA.

1. I declare to the best of my knowledge that the information in this application is complete and correct.

Note:Under s 49 Civil Aviation Act 1990 communicating false information or failing to disclose information relevant to granting or holding of aviation document is an offence and liable on conviction, in the case of an individual, to imprisonment for a term not exceeding 12 months or a fine not exceeding $10,000; and a body corporate, to a fine not exceeding $50,000.

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| Full name |  | | Position title | |  | |
| Their CAA ID no. or N/A |  | |  | Application date | | Click or tap to enter a date. |
|  | | Electronic signature  **To add your electronic signature**:   1. Right click on the X in the signature box 2. Select **Sign** from the drop-down list 3. Follow the instructions to sign | | | |  |