

Ministry of Transport Four Year Regulatory Plan 2015-2018

Reference	Title	Mode	Description	Action	Regulation type	Category of regulation	Net regulatory cost impact	Comment on cost impact	Key milestones	Consultation	Comment
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Amendment Rules

Aviation Rule 1	International Civil Aviation Organization (ICAO) Equipment Compliance Rule Amendments	Aviation	The objective of these Rule amendments is to ensure New Zealand is compliant with ICAO standards, and to ensure that New Zealand-registered aircraft are properly equipped to mitigate safety risks.	Amend	Secondary	International obligation	Increase/Minor	Costs will be refined through consultation on the rule. Ongoing maintenance costs are still to be ascertained.	Final draft rule to Minister for signing in Q2 2015/16 year.	Draft rule to be consulted on in Q1 2015/16	N/A
Aviation Rule 2	Civil Aviation Rule Part 61, Licences & ratings Stage 2	Aviation	The current Part 61 prescribes the requirements to hold pilot licences and ratings, the prerequisites for those qualifications, and their privileges and limitations. Part 61 has not kept pace with licensing developments.	Amend	Secondary	Regulatory reform (minor)	Increase/Minor	Expected cost impacts are negligible.	Final draft rule to Minister for signing by Q1 2015/16	Draft rule consulted on in December 2012 and January 2013.	N/A
Aviation Rule 3	Civil Aviation Rule - Safety Management Systems (SMS)	Aviation	This work is needed to support a shift to a risk-based regulatory methodology to achieve optimal safety outcomes in the rapidly changing aviation industry.	Introduce	Secondary	Regulatory reform (material)	Increase/Minor	There will be compliance costs for operators to develop the initial documentation for a SMS, as well as costs for the modification or purchase of new equipment/software, additional staff and promotional materials, and training. SMS is inherently scalable so costs depend on the size of operators and the type of operations that they provide. Furthermore, operators may have existing quality management systems or other voluntary programs, which may lower the estimated compliance costs.	Final draft rule to Minister for signing in Q1 2015/16	Draft rule consulted on in May/June 2015	N/A
Aviation Rule 4	Part 147: Maintenance training organisations	Aviation	New rule Part 147 needed to ensure training organisational certification is aligned with best practice and is internationally recognisable.	Introduce	Secondary	Regulatory reform (material)	No change	N/A as organisations will not be required to hold this certification.	Final draft rule to Minister for signing Q1 2015/16	Draft rule will be consulted on July 2015	Consequential regulation changes
Aviation Rule 5	Aviation Omnibus 2014	Aviation	The proposed amendment will cover issues related to abbreviations, definitions, terminology, referencing and formatting.	Amend	Secondary	Technical law change	No Change	N/A	Final draft rule to Minister for signing in Q1 2015/16	Draft rule consulted on March - April 2015	N/A
New rules for 15/16 TBC											

Act amendments

Aviation Act 1	Review of the Civil Aviation Act 1990	Aviation	The review will cover a broad range of issues to update the Act, and includes issues of information disclosure for major international airports and the Airports Authorities Act.	Amend	Primary	Regulatory reform (material)	decrease/minor	Reduced compliance cost for aviation participants through proposed enhancements to the medical certification regime. Reduced compliance cost for the Ministry and international airlines through proposed enhancements to the international air services licensing framework.	Parliamentary process to effect legislative change 2016	Consultation document published August 2014	May require amendments to the Commerce Act and Airport Authorities Act
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Amendment Rules

Road Rule 1	Land Transport Omnibus Rule Amendment	Land	The matters included in these Rules are non-contentious, minor or technical and can result in amending numerous Rules.	Amend	Secondary	Technical law change	No change.	Regulated parties unlikely to be affected by such amendments.	Milestones to be confirmed.	Public consultation is currently underway	N/A
Road Rule 2	Vehicle Dimension & Mass rule		Enabling use of double-decker buses.	Amend	Secondary	Regulatory reform (material)	Unknown	N/A	Final draft rule to Minister for signing Q1 2015/16		

New rules for 15/16 TBC

Regulation amendments (not linked to amendment rules)

Road Reg-1	Railways Regulations 2008	Land	The NZTA has undertaken a review of its rail safety regulatory role. The review is likely to lead to an increase in rail fees and charges.	Review	Secondary		Unknown	Unknown at this point	N/A	N/A	Treasury recommends cyclical reviews of funding.
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Act amendments

Road Act 1	Land Transport Amendment Bill 2015	Land	Amendments relating to speed, driver licensing, drink and drug driving, and public transport.	Amend	Primary	Regulatory reform (material)	Unknown	Unknown at this point	Bill introduction Dec 2015	Early 2016	N/A
Road User charges Act 2012	Road User Charges Amendment Bill 2017	Land	Amendments to RUC Act to respond to findings of the RUC evaluation cycle which will be completed in 2016	Amend	Primary	Regulatory reform (minor)		Unknown at this point	RUC Act amendment bill to be introduced in 2017	N/A	N/A

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Amendment Rules

Maritime Rule 1	Maritime Rule Part 300 Ballast Water Management	Maritime	New rules to give effect to the technical standards in the International Convention for the Management and Control of Ships' Ballast Water and Sediments, 2004.	Introduce	Tertiary	International obligation	Increase/Material	Ship operators will be required to manage ballast water by installing ballast water treatment systems. Systems will be subject to survey, certification and inspection. Minimal impact to New Zealand operators.	Envisaged that rules will be made in the 2015/16 year.	Consultation 2015/16	N/A
Maritime Rule 4	Marine Protection Rules Part 132 Dispersants and Demulsifiers	Maritime	Amendment to enable New Zealand access to global stockpiles in the event of a major spill emergency and to, possibly, extend the Part's scope to cover approval of other response products, such as sorbents.	Amend	Tertiary	Regulatory reform (minor)	Increase/minor	Manufacturers and importers of response equipment could face additional costs in meeting and warranting compliance with new standards. Manufacturers and importers of dispersants could enjoy cost reductions as a result of a more aligned arrangement for trans-Tasman approval of dispersants.	Draft rule to Minister for signing 2015/16	Consultation in June to July 2015.	N/A
Maritime Rule 7	Maritime Labour Convention 2006	Maritime	Assesses the potential need for regulatory changes if New Zealand were to adopt the Convention.	Amend	Tertiary	International obligation (if agreed)	Increase/Minor	Primarily would apply to foreign ships visiting New Zealand ports and to New Zealand and to New Zealand merchant ships unlikely to involve direct increased costs.	Rules will be ready for signing before December 2015	Consultation completed in 2014	This work would consider the practical implications for the existing maritime rule if the convention were to be adopted by New Zealand.

New rules for 15/16 TBC

Regulation amendments (not linked to amendment rules)

Maritime Reg 1	Maritime (Offences) Regulations 1998	Maritime	Changes to reflect Maritime Operator Safety System and Seafarers Certification	Amend	Secondary	Regulatory reform (material)	No Impact	NA	2015/16	Consultation 2013/14	N/A
Maritime Reg 2	Marine Protection (Offences) Regulations 1998	Maritime	Changes will reflect amendments to Marine Protection Rules Parts 180 & 200	Amend	Secondary	Regulatory reform (minor)	No change.	No cost - only penalty provisions involved.	Align with the Part 180 and 200 changes.	Rules consulted on in 2014.	On hold pending decisions from Ministry for the Environment
Maritime Act	Maritime Transport Amendment Bill	Maritime	Changes to give effect to international convention and proposals to improve flexibility of the system.	Amend	Primary	Regulatory reform (minor)	Unknown	Unknown	Bill introduced 2016		NA
Maritime Reg 3	Ballast water levy regulations	Maritime	Levy regulations, under the Maritime Transport Act, to fund Maritime NZ (MNZ) administration of the Ballast Water Management (BWM) convention.	Introduce	Secondary	International obligation	Increase/Material	Ship operators will be required to fund MNZ port state control of visiting foreign ships to verify compliance with the BWM convention.	Milestones to be determined by Ministry of Transport.	Consultation to take place through a discussion paper prepared by the Ministry of Transport.	Dependant on date Convention comes into force