2025



This legislation is administered by the Ministry of Transport. For more information please see: Website: <u>http://www.transport.govt.nz</u> Contact phone: +64 4 439 9000 Contact address, PO Box 3175, Wellington 6011

# Civil Aviation (Direction to Require Searching for Inorganic Powders, Liquids, Aerosols, and Gels) Notice 2025

This Notice is made under section 152 of the Civil Aviation Act 2023 (the Act) by the Acting Minister of Transport, after —

- (a) considering the exercise of the power to require searching to be necessary to
  - i. improve or enhance aviation security, and
  - ii. enable New Zealand to be part of a concerted international response to a threat to aviation security.
- (b) consulting with
  - i. the Director of Civil Aviation, and
  - ii. as the Acting Minister of Transport considered appropriate and practical, representative groups in the aviation industry.

### Contents

|    | Pa   | age |
|----|--|-----|
| 1. | Title  | 2   |
| 2. | Commencement   | 2   |
| 3. | Interpretation   | 2   |
| 4. | Authorised aviation security service providers must use their aviation security officers |     |
|    | to search for substances at international screening points                               | 2   |

Civil Aviation (Direction to Require Searching for Inorganic Powders, Liquids, Aerosols, and Gels) Notice 2025

### Notice

# 1. Title

This Notice is the Civil Aviation (Direction to Require Searching for Inorganic Powders, Liquids, Aerosols, and Gels) Notice 2025.

# 2. Commencement

This Notice comes into force on 5 April 2025.

#### 3. Interpretation

In this Notice, unless the context otherwise requires,— Act means the Civil Aviation Act 2023

Authorised Aviation Security Service Provider has the same meaning as in section 5 of the Act Aviation Security Officer has the same meaning as in section 5 of the Act

**Inorganic powder** means a powder, or a similar granular substance (for example, salt and bath salts), that does not consist of, and is not derived from, living matter

**International Screening Point** means a passenger inspection and screening station that is used for searching people and items that enter a sterile area that services international flights (including transit flights)

Sterile area has the same meaning as in section 133 of the Act.

#### Part 1

#### **Direction to require screening**

4. Authorised aviation security service providers must use their aviation security officers to search for substances at international screening points

Authorised Aviation Security Service Providers must ensure that, at every international screening point at which they are operating, aviation security officers employed by them use all or any of the powers in section 141 of the Act to undertake searches for–

- (1) inorganic powders
- (2) liquids, aerosols, and gels, including (but not limited to):
  - a. water and other drinks, soups, syrups, jams, stews, sauces, and pastes (including toothpaste); and
  - b. foods in sauces or containing a high liquid content; and
  - c. creams, lotions, cosmetics, and oils; and
  - d. gels (including hair and shower gels); and
  - e. contents of pressurised containers (including shaving foam, other foam, and deodorants); and
  - f. waxy substances (including hair wax); and
  - g. mascara, lipstick, lip gloss, and lip balm; and
  - h. any item of similar consistency at room temperature to the items specified in paragraphs (a) to (g).

Clause 4: amended on 5 April 2025 by clause 4 of the Civil Aviation (Direction to Require Searching for Inorganic Powders, Liquids, Aerosols, and Gels) Amendment Notice 2025.

Made at Wellington on 3 March 2025

Hon James Meager, Acting Minister of Transport

#### **Explanatory Note**

This note is not part of the Notice but is intended to indicate its general effect.

This notice, which comes into force on 5 April 2025, replaces the <u>Direction to Require Screening</u> Notice 2007 (SR 2007/78) and the <u>Civil Aviation (Direction to Require Screening and Searching)</u> Notice 2018 (2018/108), which are revoked by section 489 of the Civil Aviation Act 2023.

This notice is secondary legislation and is published by the Ministry of Transport on its website and notified in the *Gazette* as required by the Legislation Act 2019. It sets out the direction given by the Acting Minister of Transport to authorised aviation security service providers that all or any of the powers conferred on aviation security officers under this subpart be used by its aviation security officers to detect the items or substances specified in the direction. The notice is consistent with recommended security control guidelines for screening inorganic powders, liquids aerosols, and gels, including those issued by the International Civil Aviation Organization.

| This is secondary legislation | on issued under the authority of the Legislation Act 2019.  |
|-------------------------------|---|
| Title                         | Civil Aviation (Direction to Require Searching for Inorganic Powders,<br>Liquids, Aerosols, and Gels) Notice 2023 |
| Empowering Act                | Civil Aviation Act 2023   |
| Empowering provision(s)       | Section 152   |
| Maker name                    | James Meager, Acting Minister of Transport  |
| Administering agency          | Ministry of Transport   |
| Date made                     | 3 March 2025  |
| Publication date              | 6 March 2025  |
| Notification date             | 12 March 2025   |
| Commencement date             | 5 April 2025  |