

| Airport Registration

Operational Policy

April 2025

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Preface

This **operational policy** has been prepared for the Civil Aviation Act 2023 that came into force 5 April 2025.

It should be read along side the Airport Registration: Guidance for airports and prospective airport operators document which can be found at www.transport.govt.nz/area-of-interest/air-transport-regulatory-information/airports/airport-operator-registration

Introduction

Purpose of the document

- This document sets out the Ministry of Transport's (Ministry's) approach to airport registration under the Civil Aviation Act 2023. It will be used to guide the Ministry's decision-making about airport registration applications.
- 2 Extracts from the Civil Aviation Act 2023 are shown in boxed text.
- 3 The related airport registration guidance document provides advice to airport operators on how to develop and submit an application, and how the Ministry will evaluate the application.

What is airport registration?

- The Civil Aviation Act 2023 introduces a modern regulatory framework for airports which replaces the former airport authorities regime. This change reflects current regulatory thinking and the evolution of airports' role within the transport system. The new system of registration will no longer require an Order in Council, a process that involved the Minister. Instead, the Secretary of Transport can approve a registration, making the process more streamlined and less burdensome.
- The Secretary of Transport (the Secretary) is required to maintain a register of airports on the Ministry's website. After the Secretary approves a registration, the operator is then able to exercise the powers associated with the relevant obligations as an airport operator under the 2023 Act.
- Airport registration under the 2023 Act grants airport operators certain powers and obligations similar to those of an airport authority, for that airport.
- 7 Some airports are required to register, while others may choose to register.
- Airports that must register are those that have a legislated obligation to provide space for government agencies (a space requirement) and therefore must provide a Regulatory Airport Spatial Undertaking (a RASU) as defined in section 218 of the Act.
- 9 Existing airport authorities with a space requirement must apply for registration from 5 April 2025 (the commencement of the Act) and submit the application before 1 October 2025. Other airport authorities have until 5 April 2030 to register as airport operators under the 2023 Act. If a space requirement arises during that time, the airport authority will have to register as an airport operator either before, or at the same time as, submitting a RASU.
- The Airport Authorities Act 1966 will continue to apply to existing airport authorities during that period until they are registered. The 2023 Act also includes transitional provisions preserving existing charges and bylaws when an airport authority is registered as an airport operator.
- Airport authorities that choose not to register will lose their powers and obligations as airport authorities when the Airport Authorities Act is repealed in 2030.

What is airport registration for?

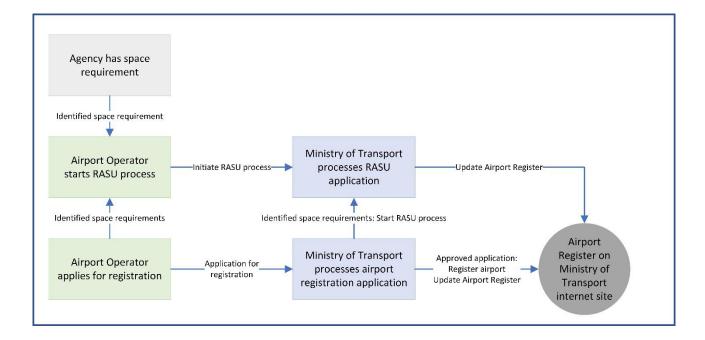
- Airport registration grants airport operators certain powers and obligations under the 2023 Act. An airport operator will need to be registered to exercise these powers, but this comes with its own set of obligations. These powers and obligations, for the most part, are transferred over from the Airport Authorities Act 1966.
- The powers include, but are not limited to, land acquisition, consultation on charges, price setting, information disclosure, leasing, and making bylaws. These powers provide the operator with the flexibility and autonomy to manage the airport effectively.
- The obligations ensure accountability and transparency. The obligations include consulting with airport stakeholders on capital expenditure plans, spatial plans, and regulatory airport spatial undertakings (RASUs).
- The Secretary is required to maintain a register of airports on the Ministry's website. After the Secretary approves a registration, the operator is then able to exercise the powers associated with the relevant obligations as a airport operator under the 2023 Act.
- The registration process allows for the tracking of changes in airport operators' status. A register of airport operators will facilitate information sharing between regulators, airport operators, and other stakeholders.
- 17 Registration will help to continue to ensure public trust in airport operators. When an airport operator is registered, it demonstrates that they have met certain standards and are committed to maintaining them.
- The integration of RASUs into the airport registration system is a key development. RASUs are plans that detail how an airport operator will accommodate government agencies. Airport operators must register under the 2023 Act if they require a RASU or a have a space requirement. RASU status, for this reason, is also recorded in the register.

Who has to submit an airport operator application?

221 Applications for registration

- (1) The operator of an aerodrome, or the proposed operator of an aerodrome not yet in operation, in which there is or will be a space requirement, must apply to the Secretary to be registered in relation to the aerodrome.
- (2) The operator of any other aerodrome, or the proposed operator of any other aerodrome not yet in operation, may apply to the Secretary to be registered in relation to the aerodrome.
- (3) An application under this section may be made by 2 or more people acting jointly as the operator or proposed operator.
- (4) An application under this section must be made in the manner specified by the Secretary on the Ministry's Internet site.

- An airport operator must apply for registration if they have space requirements to provide space to a government agency. See the RASU operational policy for more information which can be found at www.transport.govt.nz/area-of-interest/air-transport/air-transport-regulatory-information/airports/regulatory-airport-spatial-undertakings-rasus
- The flowchart below describes the relationship between airport registration and RASUs which is detailed in 'What is airport registration?' section.



Roles within airport registration

Who	Role		
Airport operators	 Must/may complete an application for registration and submit it to the Ministry of Transport, see Annex 1. 		
	 Consult with relevant stakeholders for necessary clarification. 		
	 Inform the Ministry of Transport of any changes to registration details. 		
	 Review the application and if necessary, revise and resubmit it. 		
	 For pre-application queries, consult with the Ministry of Transport or relevant government agencies. 		
	Develop any variation applications		
	 If intending to cancel or suspend registration, provide a written notice to the Ministry of Transport. 		
	 If the registration is suspended or cancelled, you have the right to appeal and may do so. 		
	 If you operate multiple airports, you may/must develop an application to register multiple airports and submit it to the Ministry of Transport. 		

Provide feedback when consulted by Ministry of Transport. **Civil Aviation Authority** Provide feedback on pre-application queries or answer questions. • **Ministry of Transport -**Administrator Upon receipt of an application, upload documents. If the check fails, request additional information/documents from the operator. Issue a receipt of application. Inform the operator if the application has been rejected or accepted. If accepted, register the airport, update the airport register. Provide written notice of the registration to the applicant. Acknowledge and confirm any requested changes to operator details. Update the airport register. Inform a new operator if they have to be registered. Process the cancellation/suspension, update the airport register, and inform the operator of the cancellation/suspension. Notify the operator that airports need to be registered individually. Verify the space requirements of the airport. **Ministry of Transport - Analyst** Ensure the application is in the manner requested by the Secretary. Confirm if the aerodrome is in operation. Determine if there are multiple airports. Verify if the information requested by the Secretary has been provided. Consult with the CAA. Confirm if substantially affected persons/representatives have been consulted. Ensure the application is broadly consistent with the main and additional purposes of the Act. Check there is no reason to believe that the applicant will not comply with airport operator obligations. Confirm that the airport is to be operated commercially, subject to s. 226 of the Act. Verify that airport operators may set charges. Ensure that airport operators must consult concerning capital expenditure Verify the consultation process to ensure there are no obvious persons substantially affected by the registration missed and confirm the rationale for identifying these persons is logical. Confirm the publication and proof of bylaws. Check if reference in the Act to the airport covered by the registration is taken instead to be a reference to each of the airports severally.

under section 222.

Confirm if the decision to add another airport to a registration must be made on the same basis as a decision to register the airport operator

	 Check if the registration may be suspended or cancelled in respect of one of those airports as if the airport operator were separately registered in relation to each airport.
	 Confirm if a reference in the Act to a registration being issued, suspended, or cancelled is to be taken to be a reference to the registration being issued, added to, suspended, or cancelled, in relation to one or more of those airports.
Ministry of Transport – Legal	Provide legal advice.
	Review the Ministry of Transport's analysts' decisions.
	 Check consistency with RASU operational policy.
Ministry of Transport – Responsible Manager	Advise the Secretary for Transport.
Secretary for Transport	Maintain the register of airports.
	 Administer the airport operator registration regime including:
	 accepting airport operators' registration
	 receiving variations of applications
	 cancelling or suspending airport operator status.

Principles for how the Ministry will carry out its airport registration functions

Partnership

The Ministry works in partnership with airport operators. This approach fosters mutual respect and understanding, and it ensures that both parties work towards the common goal of safe and efficient airport operations. The Ministry provides guidance and support throughout the registration process, and it encourages open and honest communication.

Transparency

We will provide clear and comprehensive information about the registration process, including the requirements, timelines, and evaluation criteria. We will also maintain an open line of communication with airport operators, providing timely updates and feedback.

Efficiency

The Ministry strives for efficiency in carrying out its airport registration functions. We have streamlined the application process to minimise inconvenience. We will also use technology to facilitate communication and document submission.

Fairness

We will apply the same standards and criteria to all applicants, regardless of their size or location

Compliance

The Ministry is committed to ensuring airports meet their obligations under the Civil Aviation Act 2023. We evaluate and process applications thoroughly to ensure that airport operators comply. We also monitor registered airports to ensure information on the register is up-to-date.

Continuous Improvement

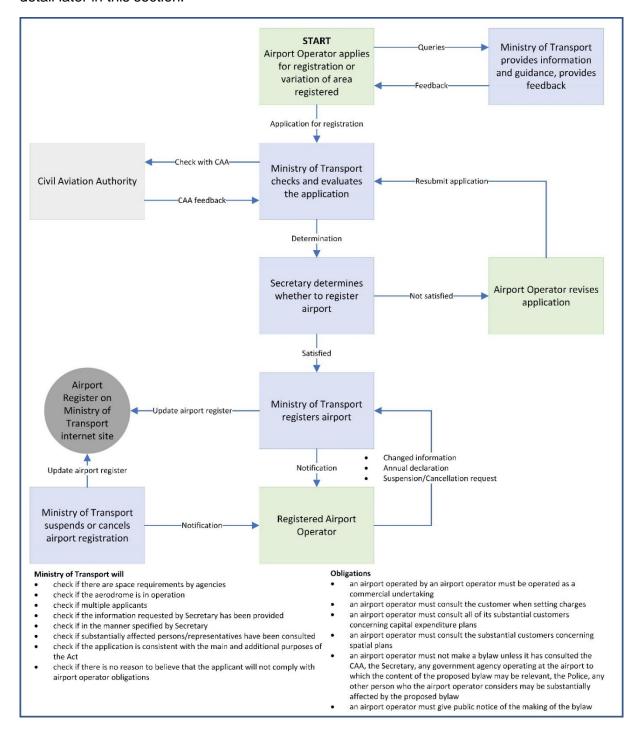
We regularly review and update our registration processes to incorporate best practices and feedback from airport operators. We also invest in training and development to enhance the skills and knowledge of our staff.

The process for registering an airport operator and its airport(s)

21 This section describes the process for registering an airport operator and its airport(s).

Airport registration process overview

The flowchart below illustrates an overview of the airport registration process which is described in detail later in this section.



Airport Registration application content

- The application should use the airport registration application template (see Annex 1). At a minimum the information and documents need to include the following:
 - The name of the airport operator and the details of the person who may be contacted for further information (if different)
 - Legal name of organisation
 - Address of service and postal address, and a contactable email address
 - A description of the aerodrome and any other area that the registration of the operator under section 222 covers. The material provided may take any form, but should be easily comprehensible.
 - If the airport operator's airport registration has previously been cancelled or suspended. If so, the date on which the cancellation or suspension took effect.
 - Any space requirements that apply or will apply in relation to the airport operator
 - RASU status, e.g. under development, in place, or exempted The ownership and management structure of the airport or aerodrome
 - The names and roles of the key personnel involved in its operation.
 - A statement saying the applicant is currently complying with obligations, including the aerodrome certification issued by the CAA; or any instances where they are not complying and what action is being taken to resolve any outstanding issues
 - A statement outlining consultation undertaken with persons likely to be substantially
 affected by the registration of the airport operator, the outcomes of the consultation,
 and the process used to identify those substantially affected. This is a legislative
 requirement under S222(1)(a) and is informed by s220 (see exception for existing
 airport authorities).
 - a statement outlining how the registration is consistent with the main and additional purposes of this Act. The operator should provide a description of how the airport operator's activities are consistent with the main and each additional purpose of the Act, including references to relevant regulations or other legislation as supporting evidence (if applicable).
- We will provide contact information, the application template, and guidance for airport operators' registration applications on our website. Visit www.transport.govt.nz/area-of-interest/air-transport/air-transport-regulatory-information/airports/airport-operator-registration

Initiation

- The airport operator notifies the Ministry of their intent to initiate their airport registration application; submit a new application or vary their existing registration.
- 25 The Ministry provides the necessary information and guidance to the operator.

The Ministry secretariat acknowledges receipt of the airport registration application and begins evaluating the application for acceptance by the Secretary.

Evaluating the application

- The Ministry will check and evaluate the registration application, and may request additional information or clarification from the applicant or other relevant parties. The evaluation process includes:
 - Checking if the airport operator has a space requirement. If there is a space requirement, we expect to see a RASU being made.
 - The airport register will state any space requirements and be updated with the status of the RASU as it is processed and accepted (or note if it has an exemption)
 - Confirming that persons likely to be substantially affected by the registration have been consulted. We expect the applicant to demonstrate their process for identifying these individuals and how they have consulted them.
 - Reviewing the compliance history and capability of the airport or aerodrome, and
 assessing the likelihood of non-compliance with their obligations under the 2023 Act
 and the Civil Aviation Rules. We will verify the accuracy of the applicant's compliance
 statement by checking with CAA about their compliance history, to evaluate their past
 and present behaviour as an indicator of future compliance.
 - Ensuring the consistency of the airport or aerodrome's activities with the main and additional purposes of the 2023 Act, and contribution to the objectives of the New Zealand transport system. We will review the applicant's submission regarding this criterion and confirm with the CAA that they have an up-to-date aerodrome certification (if applicable).

Support from the Legal team

- As part of the initial evaluation process, the secretariat, including legal team representatives, will review the applications to ensure they meet the following conditions:
 - substantially affected persons have been consulted
 - the application is consistent with the main and additional purposes of the Act
 - there is no reason to believe that the applicant will not comply with their obligations as an airport operator.
- The legal team will be involved from the outset to highlight any concerns, risks, or issues. This approach ensures that applications are reviewed thoroughly at the first check along with other members of the secretariat.
- As part of the evaluation, a legal review will check the secretariat's evaluation decision for consistency with the 2023 Act. This review can range from a quick scan to a more in-depth exploration, depending on the complexity of the application.

The legal review will also ensure consistency with the RASU operational policy. This approach ensures that all applications are evaluated thoroughly and fairly, in accordance with the 2023 Act and operational policies.

Acceptance policy

- We anticipate that the transition process for existing airport authorities will require less evaluation, since registration is unlikely to change the relationship between the airport and those it already has a relationship with, as registration is unlikely to significantly alter their operational powers. As a result, the airport operators' registration is likely to have minimal impact on others. Airports that have airport authority status will generally not be required to consult as it is a matter of fact and degree as to who is substantially affected by the registration.
- However, if the applicant chooses to undertake consultation, they should provide their rationale for including or excluding any identified potential persons affected by the registration. For example, the rationale may be that the powers from the new Act are minor in relation to how they affect these persons, and therefore, they are not 'substantially' affected by the registration.
- For airports wanting to become airport operators, who are not currently airport authorities the situation is different. There are likely to be individuals and groups who are substantially affected by the registration. These individuals and groups would need to be consulted before submitting an application.
- The applicant should demonstrate their process for identifying these individuals and how they have consulted them. This ensures transparency and allows for any concerns to be addressed in the early stages of the process rather than after the application has been submitted.
- The Secretary will decide whether to accept the application as presented, based on the review and evaluation of the application. This decision will be based on the completeness and accuracy of the information provided in the application, the consultation, the compliance history of the operator, and other relevant factors.
- 37 The Act does not provide for conditional acceptance of a registration. If the Ministry has any concerns with the application which would lead it not being accepted, we will first ask airport operators to submit any additional information required. A registration should not be declined until all required information has been submitted, assessed and evaluated.
- If after all of the information has been supplied and assessed and the application does not meet the requirements, the Secretary will decline the registration and refer it back to the airport operator, specifying which matters need to be addressed within the application before the airport operator can resubmit an application.
- 39 The Secretary will accept an airport registration application if it:
 - meets legislative requirements in s220, i.e. it must state:
 - the aerodrome and any other area that the registration of the operator under section 222 covers; and
 - the name of the operator; and

- when the operator was registered; and
- if the registration has been suspended or cancelled, that fact and the date on which the suspension or cancellation took effect; and
- o any space requirements that apply in relation to the airport operator; and
- whether a regulatory airport spatial undertaking has been accepted under section 243.
- meets legislative requirements in s222(1), i.e. it must demonstrate:
 - the persons or representatives of the persons the Secretary considers will be substantially affected by the registration have been consulted; and
 - registering the operator in relation to the aerodrome is consistent with the main and additional purposes of this Act; and
 - there is no reason to believe that the applicant will not comply with their airport operator obligations.
- The Ministry's expectations under this section are that the registration application must:
 - specify who the "substantially affected persons" of the registration are, show evidence that they have been consulted, and briefly describe their feedback and the airport operator's response to that feedback
 - describe how registering the airport operator in relation to the aerodrome is consistent with the main and each additional purposes of this Act.
 - describe how the airport operator has met their obligations in the past. In cases of non-compliance, a description of the measures the airport operator has taken or are implementing to rectify it
- meets legislative requirements in s222(2) and (3), i.e. it must specify the area covered by the registration. That area must include:
 - o 3(a) the aerodrome; and
 - 3(b) any other area that the Secretary is satisfied is being used, or held for future use, for the purposes of the airport.
- The Ministry's expectations under this section are that the application must:
 - provide land titles and a matching description of the what the land is being used/held for.
- specify:
 - the name and role of the person who signed the document for the airport operator
 - o the date it was signed, and
 - contact details for a person at the airport who will be the ongoing contact person regarding updates to the register
- clearly indicate any parts of the application that the airport operator considers are commercial in-confidence
- be readable and clearly presented.

- 40 Once a decision has been made, the Ministry will notify the applicant in writing. This notification will include:
 - The decision: whether the application has been approved or denied.
 - The reasons for the decision: a detailed explanation of the factors that contributed to the decision.
 - If approved, the terms of the registration under the 2023 Act.
 - If denied, the reason and the steps for appeal: information on how the applicant can appeal the decision, if they wish to do so.
- The Secretary will consider a resubmitted airport registration application using the same criteria set out above.
- The Ministry will log the acceptance, keep a record of the airport registration in a secure location and note the registration's acceptance in the (publicly available) airport register.

Varying a Registration

- An airport operator may apply to the Secretary to vary the area covered by a registration as per section 223. This variation process follows the same evaluation procedures as the initial registration, but specifically relates to changes in land area.
- 44 Upon receiving an application for variation, the Secretary will amend the register to reflect the new area, provided that:
 - The persons or representatives of the persons who will be substantially affected by the variation have been consulted.
 - The variation is consistent with the main and additional purposes of the Civil Aviation Act 2023.
 - There is no reason to believe that the airport operator will not comply with their obligations as a result of the variation.
- Once the variation is approved, the Secretary will provide written notice to the airport operator, specifying the newly varied area that is covered by the registration. This ensures transparency and accuracy in the registration process. If the application does not meet these requirements, the Secretary will refer it back to the airport operator, specifying which matters need to be addressed before it is resubmitted.

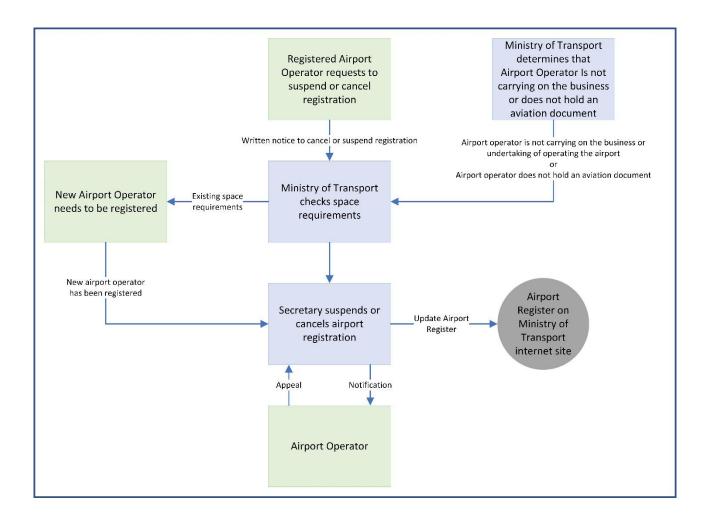
The Secretary's role in updating the register

- The Secretary will maintain a register of airport operators on the Ministry's website in accordance with prescribed requirements.
- The register must be updated if the Secretary becomes aware that there is a change or error in the information on the register (for example, a change in the name of an airport operator).
- The Ministry will monitor any changes or errors in the information related to airport operators and keep a record of all changes and communications regarding updates to the register.

Cancellation and Suspension Process

Airport registration cancellation and suspension process

The flowchart below illustrates the airport registration cancellation and suspension process which is described in detail in this section.



- The Secretary may suspend or cancel an airport registration under section 222 by issuing a written notice to the airport operator. This can occur under two circumstances:
 - The airport operator requests the Secretary to do so via a written notice.
 - The Secretary determines that the airport operator is either not operating the airport (for instance, due to insolvency) or does not hold the necessary aviation document required to operate the airport under the rules.
- The suspension can be for a specified period or until a specified requirement is met.
- If an airport operator has space requirements, their registration cannot be cancelled unless a new airport operator is first registered for the airport.
- Any person affected by a decision made under subsection (1) has the right to appeal the decision to the District Court under section 453.

Monitoring

- The Ministry expects to have a minimal monitoring role. However, to support airport operators to comply with the airport registration requirements in the Act, we will:
 - follow up and respond to any complaints, concerns, or issues as they arise
 - respond to significant updates from the Civil Aviation Authority (CAA), major news
 events, or complaints received that indicate potential non-compliance with legislative
 requirements, financial instability, or issues related to the reissuance or revocation of
 the aerodrome certificate, among other concerns.
- We expect that airport operators will keep us informed of any changes to the details of their registration.
- The CAA will inform us if any airport is found to be non-compliant with their obligations under the 2023 Act and Civil Aviation Rules, such as failing to renew their aerodrome certification.
- We expect that airport operators will fulfil their obligations under the Act. For more information, see www.legislation.govt.nz/act/public/2023/0010/latest/whole.html#LMS49346

Annex 1: Airport Registration Application Requirements Checklist

Completing the Requirements Checklist will reduce the time needed for the Secretary to assess Airport Registration applications by:

- allowing the Ministry to easily find and review the information required by the Act, and
- providing transparency to the applicant on the Ministry's review of the Airport Registration information.

Operator of airport information

Airport:	[insert name]		
Operator of Airport(s)	[insert legal name/s] [insert address of service and postal address] [insert email address]		
Primary contact person for this registration:	Name: Role: Phone: Email:		

Document submission information

Documents Submitted:	[list documents]
Date submitted:	[enter date application submitted]
Is this an application for a variation of an existing registration?	Y/N [Please variation number]
Has your registration previously been cancelled or suspended	Y/N [specify reason for suspension or cancellation] [Specify date on which the suspension or cancellation took effect].

Schedule of Airport Registration information requirements

In each section below, please provide **both**:

- page/paragraph numbers where the information requirement has been addressed in the documentation you have provided, and
- how the information requirement has been addressed.

INFO	RMATION REQUIREMENT	OPERATOR	MINISTRY OF TRANSPORT	
Requirements based on the Civil Aviation Act 2023 and other information required by the Ministry of Transport		Page references and comments	Review & Comments (for MoT internal use)	
Ref #	1. Spatial Information & Consultation			
1(a)	The area covered by the registration, including: The aerodrome (mandatory); and any other area being used, or held for future use, for the purposes of the airport (if applicable)	[Please summarise the information provided as attachments, to support evidence of area covered by registration. E.g.: maps, diagrams, tables, written description].		
1(b)	Consultation with persons likely to be substantially affected by the registration of the airport operator	[Please provide evidence of consultation and outline how you have identified those substantially affected]		
1(c)	Any space requirements that apply or will apply in relation to the airport operator.	[Please specify government agency space requirements, if any apply]		
1(d)	Status and progress of any Regulatory Airport Spatial Undertaking (RASU) development.	[Please state whether a RASU (or request for RASU exemption) has been applied for or accepted).		
		Write N/A if airport has not applied for RASU (or RASU exemption)].		
1(e)	The ownership and management structure of the airport or aerodrome, and the names and roles of the key personnel involved in its operation.	[Please summarise]		
	2. Consistency with the main and additional purposes of the Act			
2(a)	A safe and secure civil aviation system.	[Please provide a general statement and/or describe relevant policies of how your operation is consistent with		

		this purpose of the Act,
		including references to
		regulations (if applicable]
2(b)	Maintain, enhance, and promote a transport	[Please provide a general
, ,	system that contributes to environmental	statement and/or describe
	sustainability, economic prosperity,	relevant policies of how your
	inclusive access, healthy and safe people,	operation is consistent with
	and resilience and security.	this purpose of the Act,
	,	including references to
		regulations (if applicable)]
2(c)	Promote innovation, effectiveness, and	[Please provide a general
2(0)	efficiency in civil aviation.	statement and/or describe
	eniciency in civil aviation.	
		relevant policies of how your
		operation is consistent with
		this purpose of the Act,
		including references to
		regulations (if applicable]
2(d)	Ensure that New Zealand's obligations	[Please provide a general
	under international civil aviation	statement and evidence of
	conventions, agreements, and	meeting relevant civil aviation
	understandings are implemented.	conventions, agreements or
	ŭ i	understandings, including
		references to regulations (if
		applicable]
2(e)	Preserve New Zealand's national security	[Please provide a general
_(0)	and national interests.	statement and/or describe
	and national intoroco.	relevant policies of how your
		operation is consistent with
		this purpose of the Act,
		including references to
		regulations (if applicable]
0(0)		
2(f)	Take into account the adverse effects of	[Please provide evidence of
	civil of civil aviation on the interests of	consultation and describe
	people, property, and the environment.	relevant policies, including
		references to regulations (if
		applicable]
	3. Obligations	
3(a)	Airport must be operated as a commercial undertaking, except as allowed in s.226.	[Please provide evidence]
3(b)	Consult the substantial customers when	[Please describe how you do,
J(D)	setting charges.	or will, comply with this airport
	soung charges.	operator obligation]
3(c)	Consult all of its substantial customers	[Please describe how you do,
J(U)	concerning capital expenditure plans.	or will, comply with this airport
	ochoching capital experionale plans.	or will, comply with this airport operator obligation]
		Operator obligations

3(d)	Consult substantial customers concerning spatial plans.	[Please describe how you do, or will, comply with this airport operator obligation]
3(e)	Consult the CAA, the Secretary, any government agency operating at the airport to which the content of a proposed bylaw may be relevant, the Police, any other person who the airport operator considers may be substantially affected by a proposed bylaw.	[Please describe how you do, or will, comply with this airport operator obligation]
3(f)	Give public notice of the making of a bylaw.	[Please describe how you do, or will, comply with this airport operator obligation]
3(g)	Evidence of aerodrome certification issued by the CAA.	[Please provide certificate]

Ministry of Transport Use

Assessed By:

Work Request:

Date received: DD / MM / YYYY Date accepted: DD / MM / YYYY

Airport Registration

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transport.govt.nz

