



Craft Risk Management Standard

Aircraft from All Countries

CRMS Aircraft

27 May 2021

TITLE

Craft Risk Management Standard: Aircraft from All Countries

COMMENCEMENT

This consolidated Craft Risk Management Standard comes into force on 27 May 2021

This craft risk management standard amends the Aircraft from All Countries, which came into force on 11 May 2015, and consolidates all amendments made up to commencement of this standard.

The amendment history to this craft risk management standard is set out in the Document History.

ISSUING AUTHORITY

This Craft Risk Management Standard is issued under section 24G of the Biosecurity Act 1993 and incorporates amendments made in accordance with section 24H(1)(a) of the Act.

Dated at Wellington this day: 27 May 2021

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(acting under delegated authority of the Director-General)

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Introduction

This introduction is not part of this Craft Risk Management Standard (CRMS) but is intended to indicate its general effect.

Purpose

This Craft Risk Management Standard specifies the requirements needed to manage the biosecurity risks associated with the arrival of aircraft in New Zealand.

Nothing in this CRMS is to be read as reducing or relieving the operators or persons in charge of an aircraft of their responsibility to meet the requirements of other enactments or regulations including those relating to the safety of the aircraft, crew and passengers.

Background

Aircraft arriving in New Zealand from outside New Zealand have the potential to bring in exotic pests, pathogens, and unwanted organisms.

The Biosecurity Act 1993 (the Act) prescribes requirements for the exclusion, eradication and effective management of pests and unwanted organisms in New Zealand. These organisms have the potential to cause harm to natural and physical resources and human health in New Zealand. The Ministry for Primary Industries (MPI) is responsible for enforcing the provisions of the Biosecurity Act 1993.

This CRMS has been developed under the Act. It specifies the biosecurity risk management and information requirements that must be met when aircraft enter New Zealand territory. Upon arrival, verification will be carried out to ensure that these requirements have been met (verification may include inspections).

Who should read this Craft Risk Management Standard?

Operators and persons in charge of aircraft arriving in New Zealand territory and operators of airports approved as places of first arrival should read this CRMS.

Why is this important?

In accordance with section 24J of the Act, the operator or person in charge of an aircraft must take all reasonable steps to comply with this CRMS. If the operator or person in charge of the aircraft does not comply with this CRMS, an inspector or authorised person may issue a compliance order requiring compliance.

Section 154N(11) of the Act states that a person who fails to comply with a compliance order commits an offence. Every person who commits an offence against this section is liable on conviction, in the case of an individual, to imprisonment for a term not exceeding 3 months, a fine not exceeding \$50,000, or both; and in the case of a corporation, to a fine not exceeding \$100,000.

The operator or person in charge of any aircraft that has risk goods on board may receive a direction from an inspector under sections 19, 32 or 33 of the Act to take steps to manage those risk goods on board the aircraft, and, if these steps are not taken, the aircraft may be directed to leave New Zealand.

Document History

Version Date	Section Changed	Change(s) Description
May 2021	The entire CRMS	<ul style="list-style-type: none"> • Minor wording changes for clarity. • Layout changes that have altered the order of requirements and their numbering. • Guidance boxes and points added for clarity.

		<ul style="list-style-type: none"> • Changes to the definition to International transit aircraft and incorporation of the risk good requirements into the general requirements section. • 'Securely stored' definition added. • Requirement wording changes (no changing of intent)
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Equivalence

An operator may submit a Craft Risk Management Plan for approval by the Director-General under section 24K of the Act proposing alternative ways of managing the risks. These ways may be different to, but must be equivalent to, the requirements in this CRMS. The Director-General will only approve a plan if the Director-General is satisfied that the requirements proposed in the plan allow risks to be managed to the same extent as or to a greater extent than they are managed under this CRMS.

Costs

The costs to the New Zealand Government in performing its biosecurity risk management functions relating to the arrival of aircraft in accordance with the requirements of this CRMS will be recovered as specified by the Biosecurity (Costs) Regulations 2010.

Other requirements of the Act

Arrival

In accordance with section 17 of the Act, if possible and practicable to do so, an aircraft must arrive in New Zealand at either:

- a) a place of first arrival (PoFA) that has been approved by the Director-General under section 37 of the Act, as suitable for the aircraft type and the purpose for which it is arriving; or
- b) a place for which special approval has been granted by the Director-General for a specified aircraft to arrive, or for aircraft to arrive for a specified purpose, under section 37A of the Act.

Risk goods

In accordance with sections 18, 19 and 33 of the Act:

- a) no risk goods are permitted to be removed from an aircraft without the permission of an inspector; and
- b) where risk goods are present on an aircraft that arrived from overseas, the person in charge of the aircraft must follow every reasonable direction given by an inspector including to relocate the aircraft or to manage the risk goods.

Other standards

While this CRMS applies to aircraft, the goods on board the aircraft may be subject to the requirements of import health standards (IHSs) and the provisions of the Act. This CRMS is intended to work in conjunction with any relevant IHSs and provisions of the Act to manage goods on board aircraft not mentioned in the following requirements. This CRMS does not override these.

Guidance

- Examples of risk goods managed by other IHSs include:
 - Goods that arrive as personal effects and freight
 - Air containers
 - Wooden packaging

Other information

Guidance that directly supports the requirements of this CRMS is provided throughout the CRMS in guidance boxes.

General guidance can also be found on the [MPI Aircraft border clearance webpage](#).

Please seek further assistance from MPI if you are unclear on any part of the CRMS prior to the aircraft arriving in New Zealand territory.

This document is not intended to be a complete summary of the obligations of operators or persons in charge of aircraft under the Biosecurity Act 1993.

Part 1: Requirements

1.1 Application

- (1) This CRMS applies to:
 - a) All aircraft that arrive in New Zealand
 - b) All biosecurity risks associated with an aircraft arriving in New Zealand, including any particular risks identified in this CRMS.
- (2) These requirements apply to all aircraft while they are within New Zealand territory, until the aircraft leaves New Zealand territory or the operator or person in charge has obtained written confirmation from an inspector that the aircraft complies with part 2.3

1.2 Incorporation of material by reference

- (1) The following documents are incorporated by reference:
 - a) The [Schedule of Aircraft Disinsection Procedures for Flights into Australia and New Zealand](#), the current version at time of reference.
- (2) Under section 142O(3) of the Act, it is declared that section 142O(1) does not apply. That is, a notice under section 142O(2) of the Act is not required to be published before material that amends or replaces any material incorporated by reference has legal effect as part of the documents in clause 1.2(1) above.

1.3 Definitions

- (1) Definitions of terms used in this CRMS are set out in Schedule 1.
- (2) Terms used in this CRMS that are defined in the Act have the same meanings as set out in the Act unless a different meaning is given in Schedule 1.

1.4 Information that must be supplied

- (1) An operator or person in charge of an aircraft must ensure that the information below is submitted to MPI, in the manner approved by the Director-General, within a reasonable time prior to the aircraft's arrival:
 - a) Estimated time of arrival (including any updates);
 - b) The airport where aircraft will land (Place of first arrival – where approval covers the aircraft type, passenger numbers and cargo);
 - c) Aircraft type and call sign (aircraft registration);
 - d) Airport of origin and all transit stops (including last airport of call);
 - e) Disinsection status;
 - f) Scheduled time and date of departure (if relevant);
 - g) Number of airports the aircraft intends to visit within New Zealand;
 - h) Any diversion or alternative landing locations in unforeseen circumstances (as soon as practicable);
 - i) Whether any risk goods are to remain onboard (only relevant for international transit aircraft); and
 - j) Whether any live pests have been found/sighted onboard en route to New Zealand.
- (2) An operator or person in charge of an aircraft must notify MPI of any changes to the information submitted to under clause 1.4(1).

Guidance

- What constitutes a reasonable time depends on the conditions of MPI's approval of the airport at which the aircraft intends to arrive.
- Changes to scheduled times and dates of arrival and departure should be received by MPI as soon as possible to ensure operational resource availability.
- Please contact MPI at the relevant airport to confirm the time requirements for that PoFA and the approved manner for providing the above information.
- Additional contact details can be found on MPI's webpage: [Steps for flying aircraft to New Zealand](#).

1.5 General risk management

- (1) The operator or person in charge of any aircraft must take all reasonable and practicable steps to ensure that the aircraft arrives in New Zealand free of regulated pests and substantially free of biosecurity contamination.
- (2) While an aircraft is within New Zealand territory, the operator or person in charge of the aircraft must ensure that no risk goods (including food and rubbish) leave the aircraft unless for disposal or biosecurity clearance via an approved system at a place of first arrival.

Guidance

- Examples of regulated pests and biosecurity contamination that are managed by this CRMS:
 - Animals, plants, parts of animals or plants (for example, animal and plant waste, floral arrangements, fruit, house plants)
 - Domestic waste from the cabin, deck, hold and other internal areas
 - Vacuum cleaner waste
 - Pests and related material such as egg masses or nests
 - Soil
 - Spillage from previous cargo in the aircraft (such as in the hold)
- Items that are free of biosecurity contamination and regulated pests are not considered risk goods (for example, recycling).
- Keep the aircraft as clean as practicable (for example, free of rodents and other pests, rubbish, soil, and spilled cargo). This is an important and efficient way of ensuring the aircraft can be substantially free of biosecurity contamination.
- Please contact the airport company for further information regarding resource availability and available services (approved systems) for aircraft arriving internationally.

Part 2: Specific Requirements

2.1 Disinsection

- (1) All aircraft that arrive in New Zealand must be disinsected and carry a valid certificate of disinsection in accordance with the [Schedule of Aircraft Disinsection Procedures for Flights into Australia and New Zealand](#).

2.2 International transit aircraft

- (1) Subject to 2.2 (2) the operator or person in charge of the aircraft must ensure that:
 - a) the aircraft only visits the place of first arrival; and
 - b) the aircraft only remains in New Zealand until the declared scheduled time and date of departure from New Zealand; and
 - c) all biosecurity contamination and other risk goods that remain onboard the aircraft are securely stored in lockers, food carts or separate closable compartments within the cabin at all times, unless otherwise directed by an MPI inspector; and
 - d) all doors to cargo areas remain closed unless loading the aircraft, unloading the aircraft, or otherwise directed by an MPI inspector.
- (2) If the above international transit aircraft requirements cannot be met, the person in charge or operator must ensure that the aircraft meets the requirements of a domestic aircraft in part 2.3 and must notify the relevant MPI airport branch in accordance with section 1.4

Guidance

- All aircraft are subject to MPI compliance verification.
- Aircraft that do not meet the requirements in clause 2.2 (international transit aircraft) must meet the below requirements of clause 2.3 (Domestic aircraft). Written confirmation of compliance under 2.3 allows the aircraft to remain in New Zealand for an unspecified amount of time and/or travel to other airports or landing strips throughout New Zealand.

2.3 Domestic aircraft

- (1) Before moving from the place of first arrival to another New Zealand airport or landing strip, the operator or person in charge of the domestic aircraft must obtain written confirmation of compliance from an inspector within 8 hours stating that:
 - a) the aircraft is free of regulated pests and substantially free of biosecurity contamination; and
 - b) any other risks goods have:
 - i) been removed from the aircraft through an approved system or under direction from an inspector; or
 - ii) received biosecurity clearance.

Schedule 1 – Definitions

This schedule sets out the definitions of terms used within this CRMS. Unless a term has a specific definition listed below, then the meaning is the same as in Section 2 of the Biosecurity Act 1993.

Act means the Biosecurity Act 1993.

Aircraft means a vehicle that is a mobile conveyance used for the purpose to transport persons or cargo and designed to be used predominately in the air, for example aeroplanes, hydroplanes, and helicopters.

Approved system means a system approved by MPI as part of the approval of a place of first arrival under section 37 of the Act.

Arrive in New Zealand means to land in New Zealand territory after a flight originating outside New Zealand territory.

Biosecurity contamination means any organic material, other thing or substance that (by reasons of its nature, origin or other relevant factor) it is reasonable to suspect harbours or contains a regulated pest (or parts thereof) and where such material, other thing or substance is not intended for biosecurity clearance under the Act. For the purposes of this CRMS the following are examples of biosecurity contamination that are managed by this CRMS:

- a) Animals and plants and parts thereof (for example, animal and plant waste, floral arrangements, fruit, or house plants);
- b) Domestic waste and the vacuums from cabin, deck, hold and other internal areas;
- c) Pests and related material such as egg masses or nests;
- d) Soil; and
- e) Spillage from previous cargo in the hold.

Disinsection means the procedure whereby measures are taken to control or kill the insect pests present in or on the internal surfaces of an aircraft such as the cabin and hold areas.

Domestic aircraft means an aircraft for which the operator, or person in charge has given notice under Part 1.4 that the aircraft will:

- a) remain in New Zealand territory without a scheduled time and date of departure from New Zealand; or
- b) visit airports or landing strips other than the airport of first arrival.

International transit aircraft means an aircraft that meets the requirements in clause 2.2(1) of this CRMS.

Place of first arrival (PoFA) means a place that has approval under section 37 of the Act for the arrival of craft from a foreign place.

Regulated pest means

- a) any regulated pest, quarantine pest, or regulated non-quarantine pest as defined by the International Plant Protection Convention; and
- b) exotic diseases, infections and infestations as listed by the World Organisation for Animal Health; and
- c) any organism that that may cause unwanted harm to natural and physical resources or human health in New Zealand or that may interfere with the diagnosis, management, or treatment in New Zealand of pests or unwanted organisms.

Securely stored means storage that ensures the risk commodity or contamination is managed appropriately to keep unauthorised commodities and hitchhiking pests from entering New Zealand territory, unless via an approved system. This may include sealing, locking, or stowing away in a fully sealable unit.

Written confirmation of compliance means written confirmation from an inspector that the aircraft complies with the requirements of part 2.3(1) of this CRMS, i.e. that the aircraft is free of biosecurity contamination, regulated pests, and other risk goods.