

## PROPOSED CHANGES TO CASA RULES

Dear Senator Heffernan,

Thank you kindly for taking the time to discuss this very important issue with me. CareFlight (Qld) Limited is entirely supportive of changes to CASA rules and regulations which result in increased aviation safety. CareFlight has a 30 year history of commitment to safety and excellence in the delivery of patient outcomes in a safe aviation environment. As such we believe we can raise these matters with significant confidence and demonstrable experience.

As indicated, however, CareFlight genuinely believes the current proposed changes (NPRM 10070S Mandatory Flight Simulator Training) do not go far enough to effectively ensure the outcome of a reduction of risk and the consequent increase in aviation safety intended.

Our justification for this position is set out below along with a suggested amendment.

### **Issues:**

Section 3.2 of the synopsis of NPRM 10070S outlines the incidents and accidents that have lead to the decision by CASA to propose rule changes for airplanes and helicopters certified to carry 20 or more passengers or with a mass take off weight (MTOW) of greater than 8618 kg where an appropriately qualified flight simulator (FTD) is available in Australia or overseas. The changes will mandate that any non normal exercise must be performed in an FDT and not in the actual aircraft.

It is evident we suggest from these examples that high performance multi engine turbo jet/turbo prop aircraft conducting non normal exercises particularly one engine operating (IEO) procedures, are at high risk.

However in the examples provided two types of aircraft namely the SA 227 metro and the Beachcraft 1900 each being less than 8618 kg (leaving aside passenger capacity) because of the graduated approach used would not be captured by the proposed rule change where an FTD is not available in Australia. The training therefore, we understand, would continue to be permitted in the actual aircraft in the absence of an FTD in Australia.

This, we suggest, would result in no improvement in safety in these types of aircraft.

There presently exists a clear delineation for increased requirements for aircraft greater than a MTOW of 5700 kg. This weight is used to determine performance criteria for aircraft in CAO 20.7.1 and the additional requirements of CAO 82. Implementing the changes proposed we strongly believe should be based on the existing MTOW of 5700 kg and not the higher 8618 kg for the following reasons:

1. The proposed rule changes based on 8618 kg MTOW would not provide the safety outcomes intended for the reasons detailed above.
2. Some current operators (of whom CareFlight (Qld) Limited is one) who have in good faith purchased aircraft and made long term financial commitments determined on the requirements of current CAO's which are based on a

MTOW of 5700 kg would suffer significant financial hardship and competitive disadvantage against rival operators providing the same service with aircraft of similar performance capability but with an MTOW slightly less than that proposed in the rule changes. Introducing the rule change but leaving the MTOW at 5700 kg rather than the 8618 kg MTOW would not incur any competitive disadvantage to other operators providing the same service and would guarantee a consistency of safety standards across the whole industry providing the same or similar service.

As indicated to you CareFlight (Qld) Limited provides fixed wing international medical retrievals to Australians falling seriously ill or suffering serious injuries whilst overseas. All profits from these services are used to fund our public benevolent objectives of providing a rotary wing emergency medical retrieval service at no cost to Australians in south east Queensland and north east New South Wales. The cost of our international retrieval service and other similar international retrieval services are almost universally paid for by the patient's medical insurers. This environment is extremely competitive and insure's allocate contracts almost exclusively based on cost. International retrievals are often conducted over significant distances, into countries or airports with less than ideal infrastructure support and on a 24 hour basis. The safety risks consequently are significantly higher than normal commercial operations. All operators providing international medical retrievals are subject to the same risks and operate similar aircraft with an MTOW greater than 5700 kg. To achieve a universally safer aviation safety environment for fixed wing medical retrieval work all providers should be subject to the same safety requirements based on the 5700 kg MTOW.

3. Whilst it is accepted that Canada bases its FDT requirements on a 8618 kg limit, New Zealand uses a 3410kg limit and the USA for some activities requires FTD's to be used regardless of weight. Historically 5700 kg has been used in Australia and this weight we suggest should be continued to be used.

Accordingly we seek your support when in implementing the changes to retain the current limit at 5700 kg MTOW as this will be far more likely to achieve the outcomes sought and guarantee passengers and patients the same level of protection and safety from all providers of services in the market place.

Much of the information provided to you herein was provided to me by our Chief Pilot Paul Regli and our CEO Ashley van de Velde. Should you require any further information, between the three of us we should be able to provide it to you. If you require a copy of this e-mail to be forwarded to any other party we shall be happy to do so or should you wish to speak to me further I shall be happy to do so at any time.

Thank you very kindly for your interest and look forward to hearing from you further in due course.

Kind regards,  
Peter Young