

### Questions for CASA

1. How many Supplemental Type Certificates (STC) applications were outstanding (received by CASA but recommendation to delegate not yet made or certificate not yet issued) as at:
  - 1.1. 30 April 2016; 18
  - 1.2. 30 June 2016; 21 and
  - 1.3. 15 September 2016. 23
2. What was the average period (in days) between receipt of an STC application by CASA and certificate issue over:
  - 2.1. the four month period to 31 August 2016; 225 days and
  - 2.2. the year ended 30 June 2016. 190 days
3. What was the average number of hours spent actually assessing STC applications during:
  - 3.1. the four month period to 31 August 2016; and
  - 3.2. the year ended 30 June 2016.

*All STC applications are usually assessed and accepted with a response provided to the applicant within 2 to 3 business days. It should be noted that this process relates to the administrative assessment of the application form and initial supporting documentation. Once the STC application is accepted the STC process begins and the time spent on each application will depend on the complexity of the modification, required involvement of CASA officers and the quality of documentation provided by the applicant.*

*It should also be noted that the time CASA spends assessing technical content of Australian STC applications cannot be correlated to the time CASA would spend assisting Australian industry to get their CASA STCs accepted or validated by the FAA. These two processes are separate and the second can only start when the first is finished. The agreement that is being reviewed by JSCOT is only limited to the acceptance and validation of CASA STCs by the FAA (the second process).*

4. At the hearing on 2 May 2016, Mr Nikolic stated that “we have two tiers of STCs. The first tier will be the one that will be automatically accepted ... the second tier is anything else. When it comes to anything else, basically that is open to any STC and then it will come to a negotiation between the FAA and CASA as to how deep they need to dig into that more complex STC that they deem outside that initial scope”:
  - 4.1. how many outstanding STC applications (received by CASA but recommendation to delegate not yet made or certificate not yet issued) fall into the “second tier”?

*As at 15 September 2016, 4 out of 23 STCs, if their future holders decide to apply for the FAA validation, would be in the second tier of STCs.*
  - 4.2. what is the average duration (in days) between an application for a “second tier” STC and the resolution of that application between the FAA and CASA over the calendar year to date? If an accurate figure is not available, please provide an indicative timeframe.

*It is currently not possible to request the FAA to conduct validation of the second tier STCs because the current bilateral agreement does not allow for that option. CASA and the FAA agreed to do a trial run with one such STC in September 2015 in anticipation of the approval of this agreement later that year. The initial estimate for the assessment of this STC, provided by the FAA, was within 2 and 3 months. Nevertheless, every STC is different and the time estimate could significantly vary from one STC to another, depending on the complexity of the modification, quality of documentation and availability of the FAA to process the application.*

5. Will CASA automatically accept FAA approvals and certifications held by Australian companies?

*CASA has been automatically accepting the FAA Type Certificates (with minor validation/acceptance exercises), STCs and Designated Engineering Representative design approvals from any company (Australian, from the USA or other foreign countries) since early 1990s.*

6. How is the decision to delegate (or not to delegate) to a design organisation arrived at?

*Design organisations and individuals must have an appropriate delegation or instrument of appointment with appropriate scope and limitations in order to be considered for specific delegations. In order for an individual to acquire specific scope and limitations on their instrument of appointment or for a design organisation on their certificate they need to demonstrate appropriate qualifications, experience and competence. In the case of individuals, CASA usually assesses the appropriateness of qualifications, experience and competence. In the case of CASR Subpart 21J Approved Design Organisations, CASA has delegated the assessment process of individuals to those organisations.*

*It should be noted that CASA has delegated the approval of all minor modifications and repairs to industry.*

7. How many entities are approved design organisations under subpart 21.J?

*Two organisations are approved (one of them represents about 25% of the Australian aviation design industry). One organisation has finalised its assessment and elected to postpone its transition date to Civil Aviation Safety Regulation 21J, one is in the middle of the assessment process and three are at the beginning of the assessment process.*

8. What proportion of approved design organisations are foreign entities, if any?

*One of the approved organisations is based in Europe.*

9. How many applications for certification as an approved design organisation have been rejected by CASA?

*No applications have been rejected by CASA.*

10. At the hearing of 2 May 2016, Mr Nikolic stated that “[subpart 21.J] allows an approval to industry, to an approved design organisation, that basically will have almost all the options and approval powers as CASA. There are certain areas where industry would literally have everything except the issuing of the final certificate, which is kept for CASA.”

- 10.1. what areas do CASA reserve the right to issue “the final certificate”?

*Type Certificate, Supplemental Type Certificate and equivalent level of safety determination.*

- 10.2. what is the rationale for reserving those rights and/or how is a decision to reserve a particular area arrived at?

*The decision to reserve certain rights is based on the balanced assessment of the impact of certain approvals on aviation safety, International Civil Aviation Organization requirements and Australian obligations under its international commitments included in, but not limited to, the existing technical and bilateral arrangements while attempting to harmonise Australian regulations to the maximum extent possible with the leading aviation nations.*

- 10.3. what is the average duration (in days) between an application for a “final certificate” and CASA issuing that “final certificate”?

*An average duration, for STCs processed over the last 3 years, from the time CASA received all required and acceptable certification documentation till the issue of an STC certificate, is 2 to 4*

*business days. There were a number of cases where the certificate was issued on the same day in order to facilitate a need to operate the affected aircraft on that day.*

11. Where industry must come to CASA for final approval or a final certificate, what is the average duration over the last three and twelve months between receipt of application and CASA issuing an approval?

*See response to 10.3 above.*

12. At the hearing of 2 May 2016, Mr Nikolic stated that "I would assume that we are talking about certain conformity inspections that are done by CASA. We are in the process of making arrangements to be able to delegate those as well."

- 12.1. is CASA adequately resourced to conduct conformity inspections and audits in a timely manner?

*CASA has increased staffing in the area responsible to manage these tasks by an additional person. This resource increase, together with the option to delegate this function to industry, where possible and appropriate, provides a sufficient level of resourcing, at this stage and level of workload, for this particular activity.*

- 12.2. what progress has been made on delegating authority to conduct conformity inspections and audits?

*The option to delegate this function to industry, where possible and appropriate, has been used on a few projects in 2015 and 2016.*

13. Has the post implementation review of CASR Part 21 been completed? If not, when will it be completed? In either case, will CASA provide a copy of the review to the Committee for its consideration?

*The post implementation review of CASR Part 21 is still ongoing. CASA and industry are expected to continue their work on the review throughout 2016 and potentially into part of 2017. Once the review process is finalised, CASA will provide the outcome of the process in the form of a Discussion Paper or similar document intended for public consultation.*

14. At the hearing of 2 May 2016, Mr Nikolic stated that "[w]e are trying to find a workable, sensible solution so that not necessarily everyone needs to be a 21J-approved design organisation, and not necessarily everyone needs to have an overhead cost of a design organisation. So we are working on that".

- 14.1. what progress has been made with regards to the development and implementation of that "solution"?

*This solution is a part of the post implementation review of CASR Part 21 and it is still being developed in cooperation with industry.*

- 14.2. how do CASA and the CASR accommodate approvals where an Australian entity does not require the services of a Subpart 21.J approved design organisation?

*There are a number of ways to achieve a design approval in Australia. Subpart 21J is only one of them. Others involve an approval under the subpart 21M by an industry Instrument of Appointment person or CASA, automatic acceptance of approvals made by National Airworthiness Authorities of recognised countries (including EASA) or approvals made by TC holders for their products under systems approved by NAAs of recognised countries, etc.*

15. Was CASA approached (formally or informally) to join ANAC, EASA, TCCA and the FAA's joint Validation Improvement Roadmap (VIR)? If yes, what was CASA's response? If not, are any efforts being made within CASA to join to sign onto the VIR process?

*CASA was not approached to join the VIR, nor are there any current efforts being made to join this group.*

16. Was CASA approached (formally or informally) to join ANAC, EASA, TCCA and the FAA's Certification Management Team (CMT)? If yes, what was CASA's response? If not, are any efforts being made within CASA to join the CMT?

*CASA was not approached to join the CMT, nor are there any efforts currently being made to join this group.*

17. What consideration has CASA given to streamlining certification process and harmonisation of operational validation requirements with other civil aviation regulators, for example EASA or the FAA?

*In early 2015, the Validation Principles Working Group was established by the FAA/Asia Pacific Bilateral Partners Dialogue members to review the current processes for foreign aircraft type certificate validation and develop standardised risk-based validation principles. This working group completed its work in August 2016. The group has developed a risk-based validation approach that aims to increase efficiency by reducing any unnecessary duplication of efforts, while maintaining an acceptable level of safety through encouraging a common approach to validation. Australia was a co-leader of that group. The group has completed its work. The final product is currently being presented to ICAO for its consideration.*