

SUPPLEMENTARY SUBMISSION SEPT. 2021

ATTENTION

: SENATE RURAL + REGIONAL AFFAIRS + TRANSPORT COMMITTEE

DEPARTMENT OF THE SENATE. P.O. BOX 6100, PARLIAMENT HOUSE CANBERRA ACT

Presented to the Minister for Education, the Hon. Dan Tehan Member for Wannon. 17 Dec 2019

2600

A petition to Government, through Change.Org, by Alexander C. (Sandy) Reith 2015

To save General Aviation from bureaucratic disaster. 2946 signatures

Since 1988 General Aviation has been continually bombarded by bureaucratic rule changes, and fee increases, these changes have undermined GA viability causing a great loss of jobs and services throughout our great continent. Two of our most important GA airports, Bankstown in Sydney and Moorabbin in Melbourne have shrunk in flying movements to much less than half, and oil companies have removed hundreds of refueling points all over Australia. The Civil Aviation Safety Authority was hived off as an independent Commonwealth corporate body only to become a most authoritarian instrument of the Commonwealth Government, exceptional in inventing fees for a myriad of invented paperwork tasks. It was given a brief to rewrite the rules some twenty-eight years ago. Hundreds of millions of dollars later and still not finished, the last tranche of completed rules, in the words of the current CASA Board Chairman, "a mess" (6th May public meeting at Tamworth). This is nothing short of a disaster for GA.

It is time to ask the Parliament for relief, because GA has many facets that this country has great need of, for example the training and practical experience for those who fly our airliners. GA has been so battered that airline pilots are now on the 457 foreign visa worker list. Wonder who is flying you around these days? General Aviation is needed for outback communities, police work, fire spotting, survey work, agricultural purposes, air ambulance, and mercy flights like Angel Flight, to name just a few.

If you know nothing about GA I can imagine that many of you reading this will think about your brushes with an increasingly overbearing bureaucracy, be it local, state or federal government. Our country needs freedom, all we ask is not money, just simple rules like road rules, no problem, just get government off our backs and GA will grow jobs, businesses, opportunity, innovation and services. Personally I'm retired so no axe to grind, but I want to see the industry of my lifetime career revitalised, and a new generation of aviators, designers, constructors and technicians to advance Australian aviation to all our benefit. I am a long time member of the Australian Aircraft Owners and Pilots Association, this body and virtually the whole industry is strongly campaigning for reforms. Please support this petition, a win for General Aviation will help put the brakes on bureaucracy in general. We need your support, our few voices are not enough.

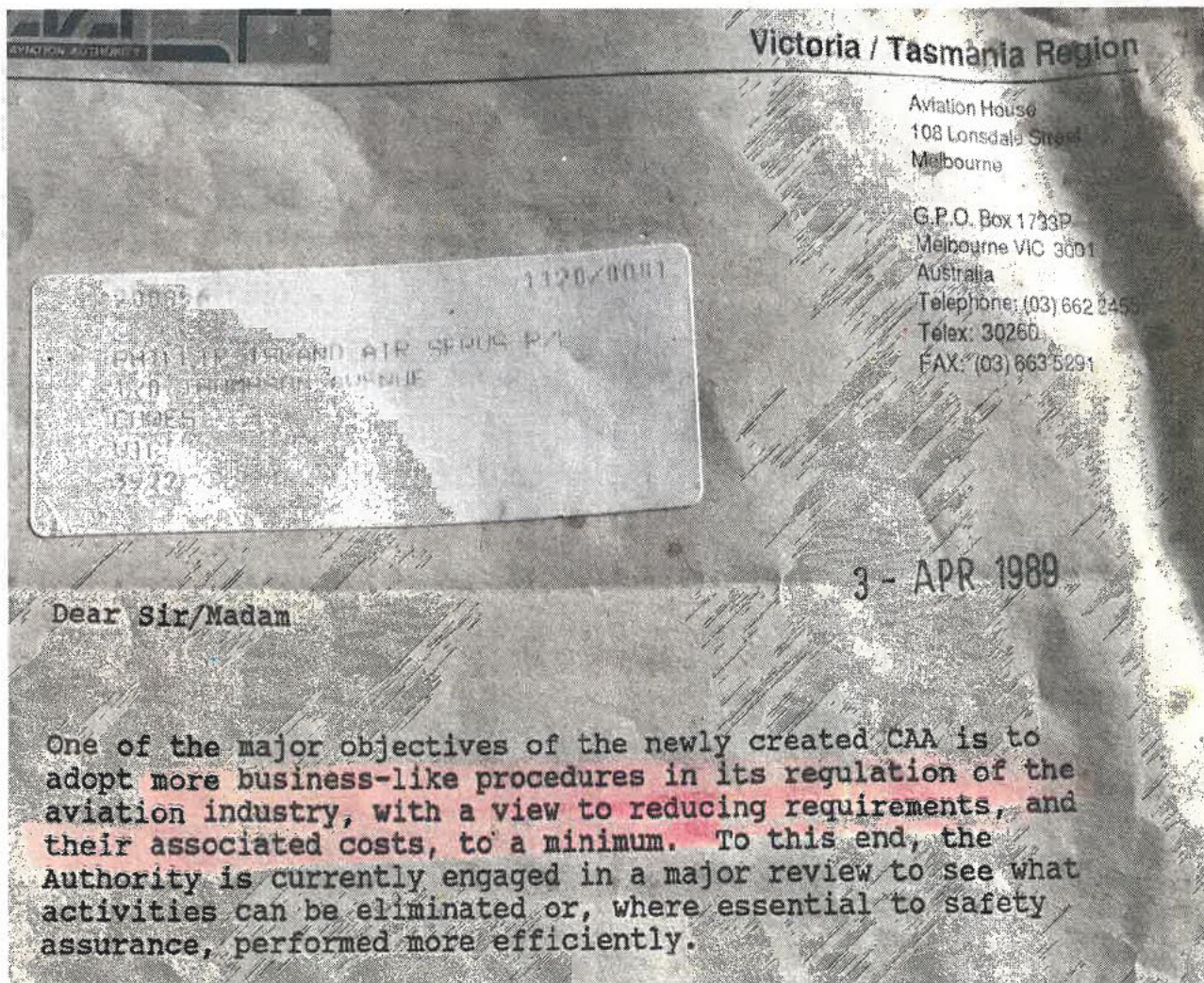
INCLUDED :- FOLDER 1, SIGNATURES, AND FOLDER 2. COMMENTS

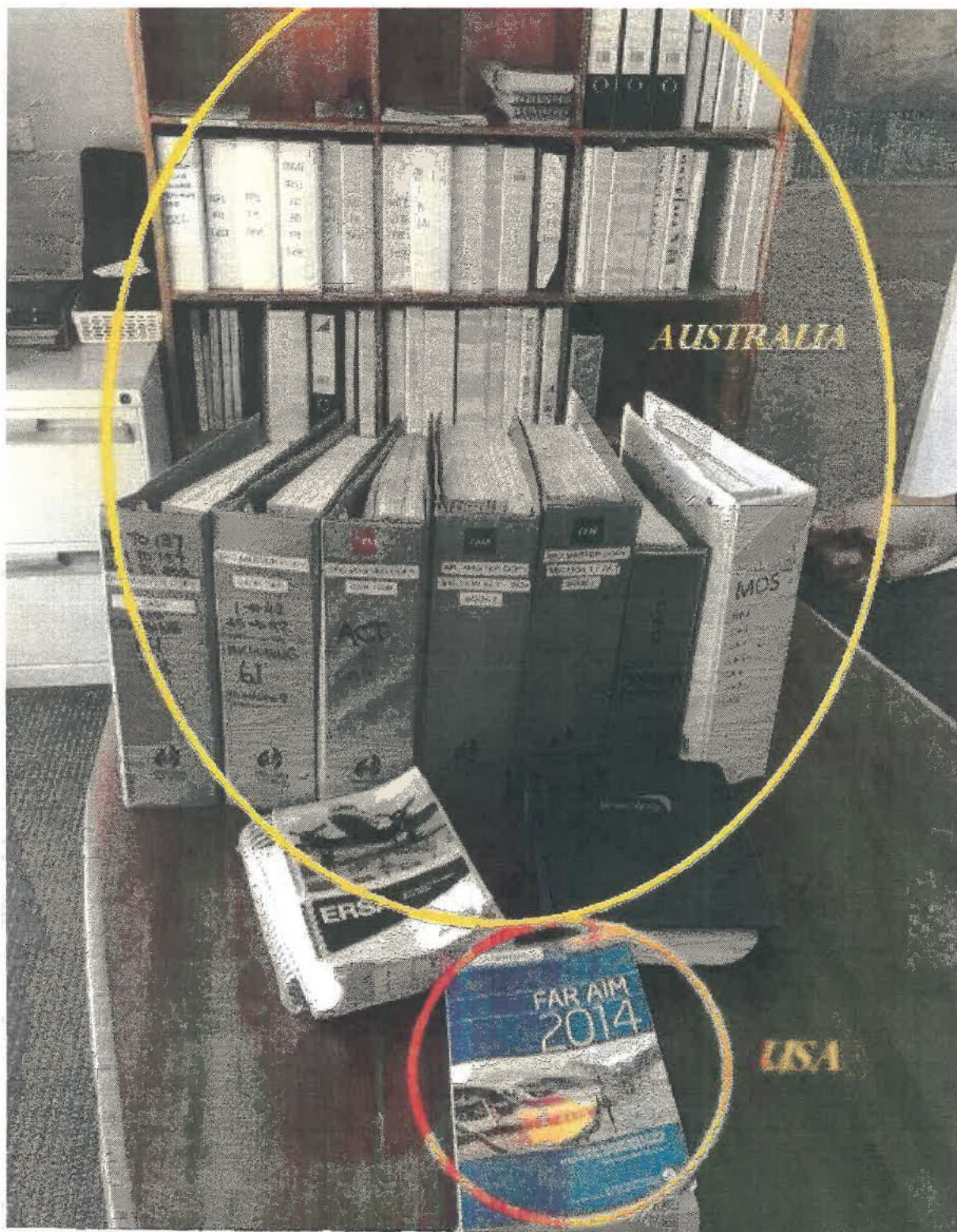
A. C. REITH (SANDY)

## Petition and Submission to Government

Change.Org 2016

Initiated by Alexander (Sandy) Cran Reith.





USA, gain instructor rating, start teaching. Parts 141/142 Air Operator Certificate (AOC) not required. 70% US pilots taught by independent instructors.

Australia, apply to CASA for AOC with \$8000 upfront, negotiate for months or years, no certainty.

Several reports of set ups costing \$100,000 plus, Glen Buckley set up with CASA approval a workable system to encompass several flying schools under an umbrella organisation. CASA abruptly and with no cause reversed permission and Mr. Buckley lost his house and flying business. No doubt CASA realised they would miss out \$hundreds of thousands in fees.



## **Submission to the Minister for Transport**

The Hon. Warren Truss

17th February 2006

Presented by:-

**A.C (Sandy) Reith, Commercial Pilot's Licence.**

Former Chief Flying Instructor and Chief Pilot of own flying business and airport operating Company.

Commenced operations at Phillip Island in 1968, retired 2002.

Operated scheduled services, charter, training.

Owner of more than 20 aircraft. Currently owner of two aircraft for private operations.

Do not derive income from flying.

Concerned that a potentially large Australian industry is in rapid decline, needs growth policies and leadership from government.

Supported by:-

Thanks to:-

The Minister and the Hon. Peter McGauran for this opportunity.

Peter Reith, Janet Baird, Dick Smith, Ken Cannane, Bill Hamilton, Paul Phelan and many others for direct assistance and encouragement.

### **Purpose of the delegation**

To request government to prepare, in conjunction with the general aviation (GA) industry, a growth plan to counter the obvious declining activity which is having a detrimental effect on the lives of many individuals and businesses and reducing national prosperity and loss of export money. The problems are evident in many areas including flying training, aircraft maintenance, airports and regulation.

## Roadblocks in Flying Training

1. Excessive delays in licence issue, ratings, and approvals of all kinds. This is leading to loss of jobs and contributing to a general decline. Fewer students means less hours flown, means less work for maintenance organisations, higher prices. Examples, attached letters from operators. Bad for safety, see Tony Smith letter.
2. Free up the regulations for training and allow individual instructors to teach without air operators certificates (AOC's), as in USA, where some 70% of pilots learn from individual instructors. This would bring back many very experienced instructors, increasing safety and would reduce costs of training.
3. Operations manuals are an enormous headache and are so time consuming and costly that this detracts from time and money that would be spent on safety issues and growing one's business. CASA could devise standard manuals, but not an ever-changing re-write of all the rules.
4. CASA must reduce 'user pays' fees and CASA staffing levels.
5. CASA to have a Ministerial instruction that approvals must be made in a timely manner, standard issue times to be promulgated and sanctions applied if not met, i.e.refunded fees and reduction in staff bonuses.

## Initiatives for the re-vitalisation of the Aircraft Maintenance Sector

1. The industry is suffering from an exodus of approved organisations, from approx. 1200 some 10 years ago, to about 300 now and action must be taken to stem this outflow of 'the difficult to replace' personnel by stimulating growth.
2. Employ job specific training for CASA inspectors. Encourage existing organisations by rewarding good points as well as looking for negatives, especially encourage apprentice training. A plus points system for a balanced approach. More responsibility for licenced aircraft maintenance engineers (LAME), flexible rules, and easy ways for owners to become qualified for certain LAME approved maintenance tasks.
3. Simplify the registration of aircraft, there are far too many forms and delays are endemic.

A Bob.

## Suggested Growth Policy for Capital City Secondary Airports

### The problems :

1. Taking Moorabbin as an example, we have lost around half the flying schools and many maintenance organisations.

The common reasons, according to the operators are:

- rent increases to very high levels,
- inability to plan for investment owing to the downturn in activity
- the uncertainty of short term leases.

The capital city secondary airports are at the heart of General Aviation, where all the specialist services naturally will congregate. Further degradation will accelerate the decline of GA.

Archerfield and Bankstown have similar problems.

2. At Moorabbin factories are being built on what was landing area. It is very short sighted to lose airport land where it will be increasingly difficult to replace.

In generations to come, flying will become more important to the Australian community, not less important.

3. Already airlines are employing less fundamentally experienced pilots because we don't have the pool of experienced GA pilots available.

*B. Park.*

### The solutions :-

1. Re-negotiate the current overall airport leases. Put the runways and taxiways and parking areas back into public ownership, They should be treated in same way as other major forms of infrastructure, e.g. roads.
2. Subdivide and sell the remainder as freehold. Pay out the existing lessees with part of the profit from land sales. Have provisos that this land sold should be for airport related uses. This would overcome the present monopoly landlord situation and allow natural growth.

## Longer Term Considerations for Growth and Regulation

1. The general feeling in the industry is that CASA is far too heavy handed.  
From an industry service point of view CASA has become practically dysfunctional. See letters.  
The industry pays significant fees for a regulatory regime that is too often antagonistic to the bona fide interests of the industry.  
We certainly support safety regulations and a system that promotes a good industry, but all too often the attitude and culture within CASA lacks a common sense pro-industry approach.
2. A stronger industry is in every one's interest.
3. Do we need a CASA controlled environment for most, or all, of GA?  
Recreational Aircraft Australia (RAA) is self-governing in a similar way to the Gliding Federation of Australia. GFA has had a very successful history of self-government for many years. *C. Bob.*
4. Perhaps the time has come for Government to come to a view that it is not possible to micro-manage GA and that too much control is counter-productive to safety and efficiency.
5. The Australian Federal Police could look after the policing issues.  
In order to control perceived wrongdoers, all too often CASA uses administrative measures which have put people out of work without being able to have their cases read in court.  
CASA has a reputation of being policeman, judge and jury, against the principals of natural justice.  
A comprehensive case by case report by \_\_\_\_\_ is available to illustrate this point, exec. summary here included.
6. We are training pilots in the Recreational (formerly named "ultralight") system, a system that trains pilots in some cases in exactly the same aircraft that may be employed in either category (RAA or CASA).  
So where is the sense in the one having to do expensive medicals and obtain special security clearances for a CASA licence, when one may fly in the RAA system with no security checks or medical ?  
Could there be a simplified system for the CASA licence?  
What are the statistical benefits, if any, of the medical approval system?
7. Why is New Zealand going ahead in leaps and bounds? Are we losing work to NZ?
8. We are a growing population, we should have plans for more airports.



9. Government could implement the Trans Tasman Mutual Recognition Treaty. If this treaty included all aircraft, not just the heavy aircraft, we could have a very beneficial competitive situation between both NZ and Australian regulators.

### A Biennial Statement of Commonwealth General Aviation Policy

These and many other questions should be examined by Government and the way forward could be incorporated in a biennial statement of Government about the state of GA. A statement of this nature would ensure that the practises of CASA reflect the will of Government and would help to provide a stable and predictable environment for GA to flourish.

D. Bob.

### Summary

CASA controlled GA is in decline and needs leadership and action by a committed Government.

We see a huge future for Australian aviation. A country such as ours is uniquely placed to benefit from advances that we cannot comprehend at present. The march of technology is making flying safer, more efficient and potentially more affordable. It can take people off the roads, bringing great benefits to regional communities, providing educational opportunities, rewarding jobs and export income.

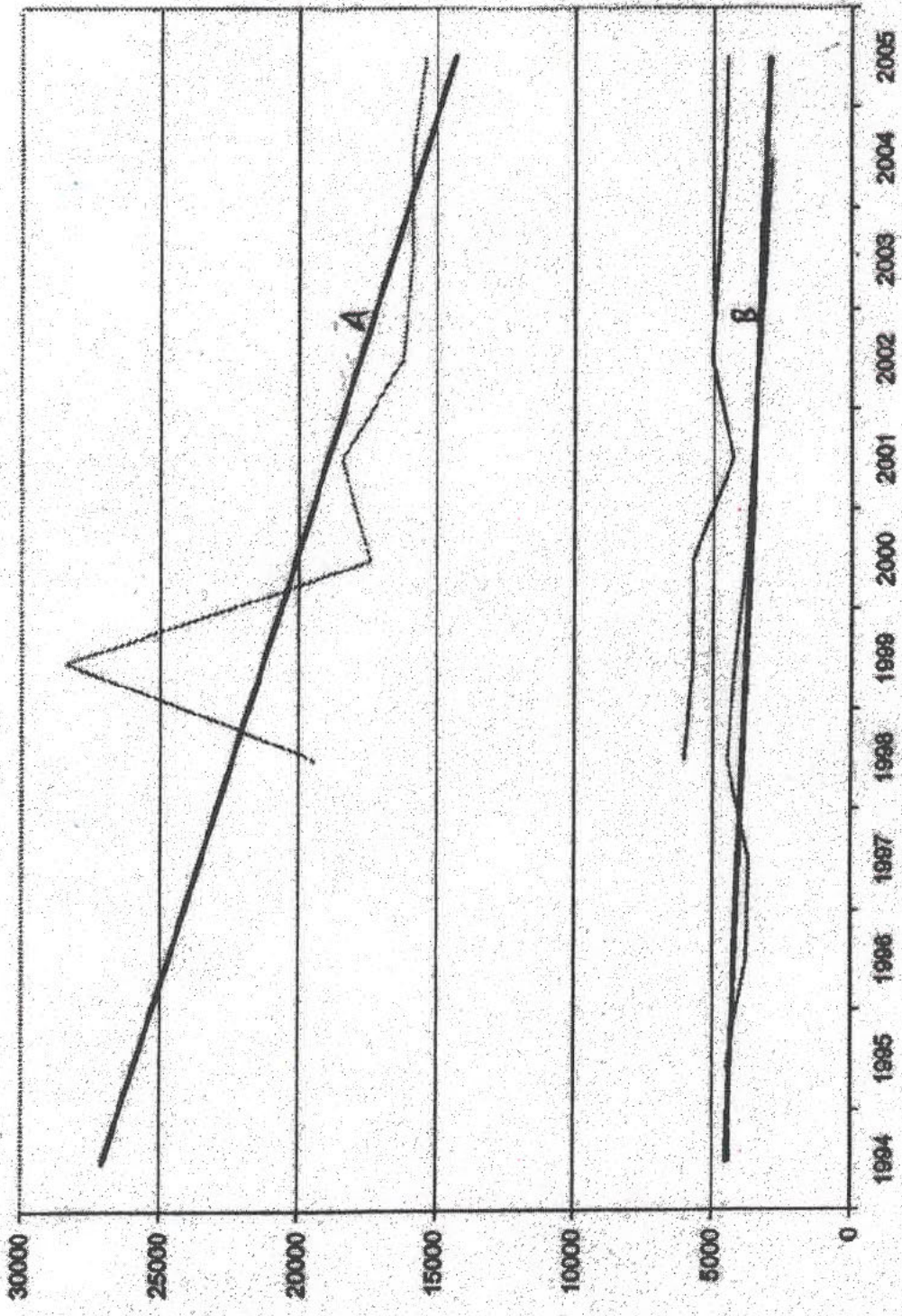
We thank Minister Truss for the opportunity to present our case for the re-vitalisation of General Aviation and hope that we may assist in any follow-up.

A. C. (Sandy) Reith,

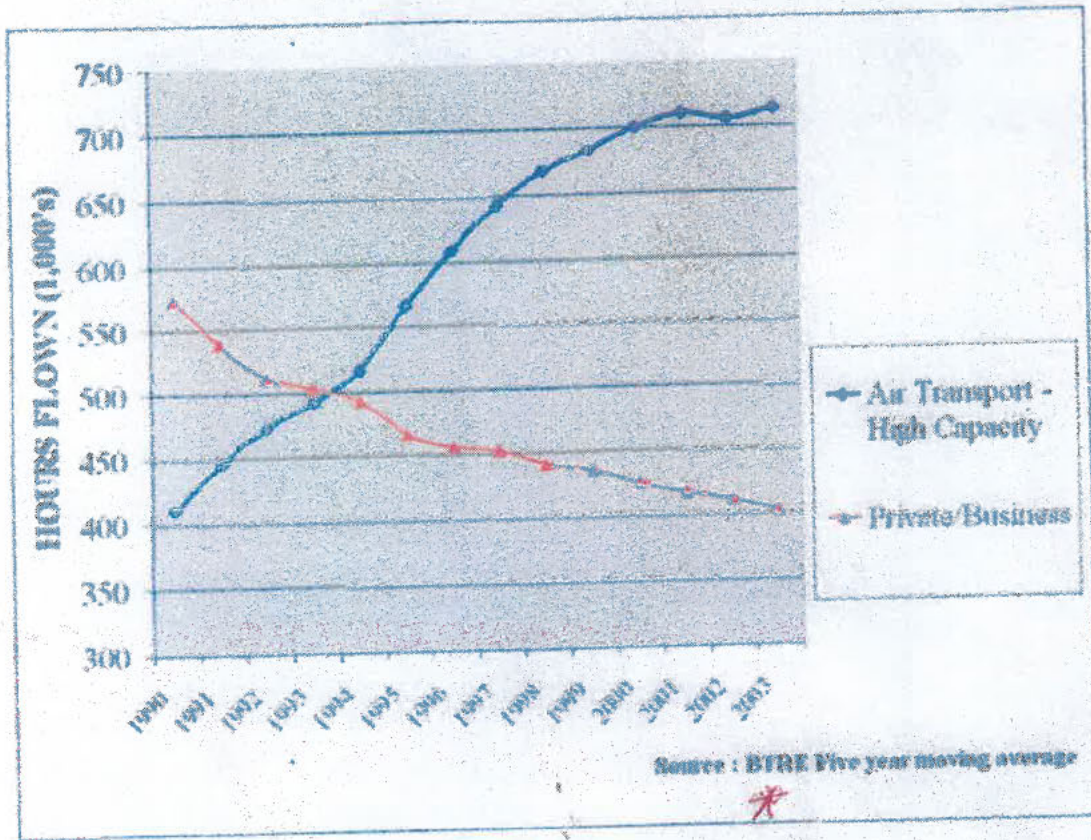
The Pilot's Lodge

NO CORRELATION TO POPULATION GROWTH  
IN THESE STATISTICS.

PRIVATE PILOT TREND - DATA SOURCE CASA

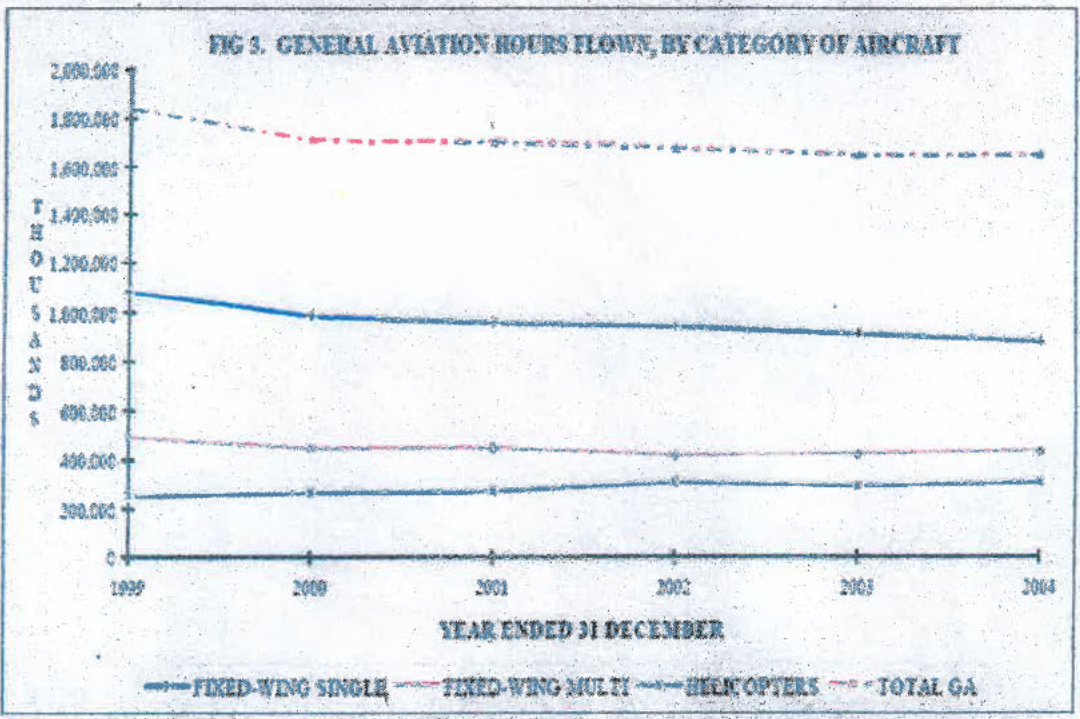


Student  
PPL  
Student medicals  
A Linear (PPL)  
B Linear (Student medicals)



BUREAU OF  
TRANSPORT & REGIONAL ECONOMICS.

Figure 3 shows the flying hours performed in general aviation operations by the major categories of aircraft.

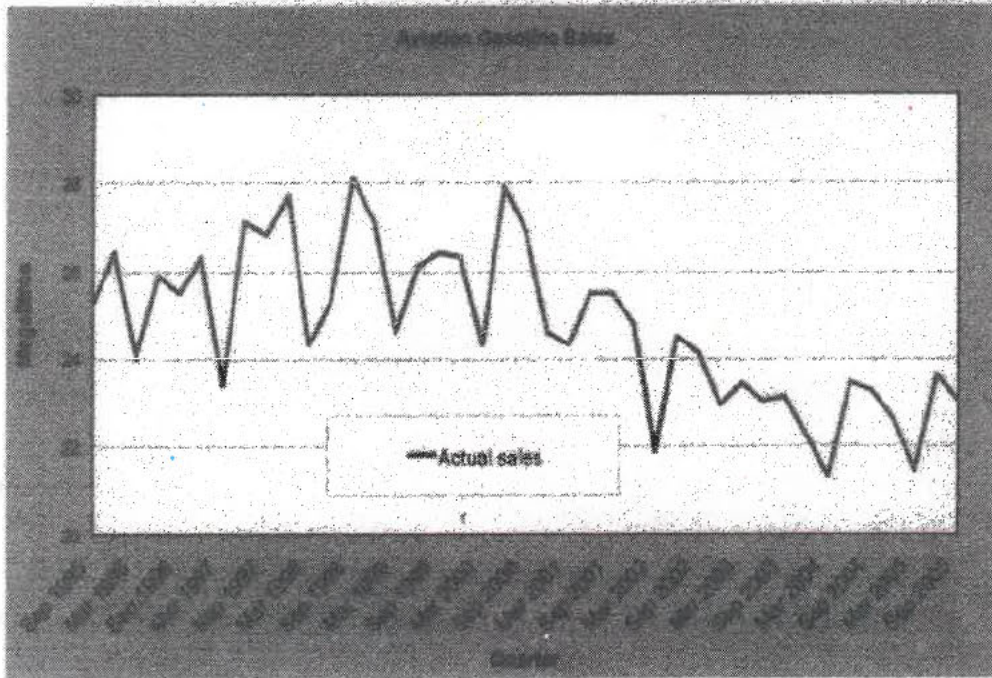


(Hours flown in hot-air balloon and airship operations are too low to be represented on this graph)

BTRE 2004 REPORT

# BTRE Transport Statistics

Aviation gasoline fuel (avgas) sales 1995 - 2005



MEMBER OF DELEGATION 17 FEB '06

Licensed Aircraft Maintenance Engineer.

First employed in the aviation industry at the age of 15, on commencing airframe apprenticeship with \_\_\_\_\_ in \_\_\_\_\_

Continuously employed in the aircraft maintenance industry since that time, now holding fixed and rotary wing, and piston engine licenses.

Extensive experience in Australia, gained in both metropolitan and rural areas in most states. Worked overseas for several years in England, Canada, and closely observing the industry in USA, experience includes airline, manufacturing, agricultural, and general aviation.

Currently proprietor of small general aviation maintenance company based in provincial \_\_\_\_\_ which has trained a number of apprentices.

Attachments      17<sup>th</sup> Feb 06

Notes for Sandy Reith's deputation to Minister Warren Truss Feb 06 by

Page from Dick Smith Flyer re Goanna, overseas pilots in organised groups flying Australian aircraft out of business.

Front page of                      paper regarding GA enforcement, and why it is failing, and executive summary.

BTRE diagram showing loss of activity in Private business v. airline activity

BTRE diagram of declining hours of flight in GA

BTRE diagram showing around a 20% loss of fuel sales in five years to 2005

Letters from flying school operators,                      of                      at

and                      from

Email of                      regarding excessive delays by CASA and a list of actual pilots and the delays encountered.

Diagram of downward private pilot licence trend

Letter from                      CASA approved testing officer

Letter from                      expanding on the New Zealand situation and the Trans Tasman Mutual Recognition Treaty

- EMAIL RE REGISTRATION OF  
FOREIGN AIRCRAFT

BT

for Jandy Reith's  
deputation to Minister Warren Truss

## **Preface**

The summary below represents only a handful from hundreds of examples which demonstrate that air safety regulation as practiced by Australia's Civil Aviation Safety Authority and other relevant agencies continues to drift further apart from international practice. The deficiencies, which are amply documented by commentators including myself, are too numerous to detail in a single briefing, but if remedies are not identified and actuated, the continued existence of significant sectors of the aviation industry will inevitably evaporate.

It is significant that as recently as early February of this year, Labor's Shadow Transport Minister has officially sought a Senate Committee of inquiry into CASA. Submissions to this inquiry if it eventuates, can be expected to be prolific, lucid, convincing, revealing, and indicative of a malaise that points to the lack of an effective national aviation strategy such as is required by the US Congress to be maintained and updated biannually. This provides a tool for governments, infrastructure providers and industry to plan ahead. Some references are:

<http://www.faa.gov/apa/pr/pr.cfm?id=1707>;

<http://www.uschamber.com/press/releases/2001/february/01-20.htm>

## **Airport privatisation**

Monopolistic behaviour of almost all major general aviation airport owners is forcing long-established businesses off the airports by making their costs uncompetitive, and without any exception I have encountered, those flying schools, maintenance workshops and air operators are convinced the activity is designed to drive them off the airport so that the owners can claim there aren't enough remaining operators to warrant maintaining the property's status as an airport. Rental and other charges can be, and are being increased without any consideration of capacity to pay, on the basis that there are other non-aviation commercial operations which are prepared to pay.

Further, with Sydney as an example, two jet operators are being told there is no space available for them to establish new hangars, maintenance workshops, administration and passenger facilities, because the airport wants to build multi-story car parks on the sites occupied by old airline hangars.

## **Solution**

The ACCC must become far more involved in policing abuse of government-awarded monopolies and in protecting aviation industries from the unlimited greed of airport owners, if necessary supported by reviewed regulation.

## **Regulatory services – introduction**

The number of CASA officers has increased as significant decrease occurs in general aviation activity, as illustrated by annual flying hours flown (in comparison with Australian airline activity and general aviation activity in other aviation-significant countries), fuel usage, and other indicators. CASA "service charges" are now predicted to increase to an intolerable level, whilst most of the CASA activity is of a paperwork nature with zero relevance to air safety. It is imperative that CASA employee numbers be more closely related to general activity, by eliminating activity that has no safety relevance, and is clearly an initiative to create work for CASA employees. It is notable that this trend is now becoming apparent in airline operations, to the extent that day to day airline training and checking procedures and documentation are being retarded by CASA cross-checking of airline records.

## **Regulatory services – pilot licensing**

Flying schools face endless delays in pilot licensing which have almost halted their operations. A trainee must hold a student pilot licence before he/she can fly solo, which is normally after eight to ten hours of dual instruction, and student pilot licence applications are taking six to eight weeks – and in some cases up to six months - to process. This is being blamed on new security requirements; however when operators have complained to security agencies, the statement is made that the security processing has been completed and the documentation is back with CASA.



### **Solutions**

1. A review of the relevance of security clearances for student and private pilots in the context that in the USA, general aviation (with the exception of heavy-payload agricultural aircraft) has been assessed as negligible in the security context.
2. Accredited flying schools to be delegated to issue student pilot licences subject to security clearance.

### **Regulatory services – processing of documentation**

It is now taking up to six months to process a private pilot licence application despite the fact that security and medical requirements have been met and documented. The documentation of student, private and commercial licence training, which had always consisted of flying school training records and pilot log books endorsed by instructors, and audited by the regulator, has been hijacked by CASA, which now duplicates all these records, charges for doing so, and makes mistakes.

In this context it appears to be the case that new security requirements are claimed to make the additional documentation necessary.

### **Solution**

3. Revert to documentation maintained by flying schools and audited as necessary by CASA inspection. Any claimed link to security requirements to be investigated and resolved.

### **Regulatory services – industry delegation**

In flying operations and airworthiness decision making, it has always been a practice to approve industry delegates to make decisions which are audited by the regulator. Numerous attempts have been made to terminate these delegations and have responsibility for them revert to CASA officials, many of whom simply do not have the technical competency to replace industry delegates.

### **Solution**

4. Any removal of airworthiness and flight operations delegations be documented as to claimed reasons and their validity and subject to the scrutiny of an industry review board with direct access to the office of the CASA CEO. **NOTE: This issue is also impacting on airline operations.**

### **Regulatory services – aircraft registration**

Changes to the requirements of CAR Part 47, which deals with aircraft registration, are also blamed on "security requirements." The average general aviation aeroplane can carry far less explosive than a Holden utility. In the USA, Canada and New Zealand, an aircraft registration form take up less than a page. The Australian application form contains twelve pages of blank forms for completion, definitions and instructions, the processing of which will obviously create considerable employment without any contribution to the safety of air navigation.

### **Solution**

5. This is only one of dozens of examples that also have a bearing on the processing of pilot and engineer training, documentation for approval of flying operations and airworthiness procedures, medical examinations and records,

### **Compliance and enforcement**

How long is a piece of string?

### **Airport security**

Don't get me started.

# Regulation of Australian General Aviation and Low Capacity Airline Transport

## Volume 1: Enforcement - Why is it failing?

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September, 2000

### ACKNOWLEDGMENTS:

Operators mentioned in Section B

The large number of individuals in the industry and within CASA who do not wish to be identified

### CIRCULATION

This material has been circulated electronically to all members of Federal Parliament, leading industry identities, selected aviation writers, other media outlets, CASA Board members, and CASA management

The writer has retained a certified true copy on disk and hard copy against the possibility of altered electronic copies being circulated.

### Important note

This is Version 2 of the document, containing minor corrections in spelling, formatting and grammar, completed on 16 October 2000. It contains no changes in factual material or opinions expressed. Changes have been marked with side bars.

The other change is that in response to a scornful comment by [redacted] regarding claims to copyright when re-publishing other material, the claim to copyright is withdrawn, and readers are invited - in fact encouraged - to re-transmit any or all of this material in the interest of its wider dissemination. As before, a certified true copy has been retained.



\* NEW CONTACT NO'S

## Enforcement in Australian General Aviation and Low Capacity Airline Transport

### EXECUTIVE SUMMARY

1. The Civil Aviation Safety Authority's handling of its enforcement responsibilities has already seriously degraded Australia's air safety climate by generating mounting mutual distrust and antipathy between industry and regulator. There is now more confrontation, and less mutual respect and cooperation, than has ever existed between the regulatory body and an industry which now considers itself to be under siege from its own regulator.
2. Every certificate holder is continually faced with the threat that it can be shut down almost at the whim of a single CASA decision maker through the continued exploitation of two apparently unintended provisions of the Civil Aviation Act and Regulations - some would describe these as loopholes:
3. The confrontation has been worsened by gross and growing deficiencies in the delivery of regulatory services, which shackle the conduct of aviation businesses; and the fear that the apparent abuse of regulatory processes by CASA can shut them down immediately without recourse to due process.
4. At the centre of these twin problems appears to be the absence of effective management, training defined and uniform policy, guidance, and prioritisation.
5. This has resulted in an appalling degradation of morale amongst operators, industry employees, and the diminishing number of individuals within CASA who still subscribe to the principles of fairness, due process, and the rule of law.
6. CASA has apparently elected to circumvent normal and available legal avenues, due process, natural justice and procedural fairness in pursuit of the policy goal of reducing the number of air operator certificate holders. This is demonstrated by the application and the apparent abuse of administrative procedures available to it under the Act, as an alternative to available remedies offered by proper investigation, legal process, and prosecution.
7. CASA now says it intends to apply identical treatment to major air carriers, in order to be seen to be equitable in its application of what it perceives to be its regulatory functions. This will naturally have ever more serious implications for Australia's international reputation, with a demonstrably negative impact on the industry's safety performance and image.
8. Declining to acknowledge the impropriety of its actions, CASA's Office of Legal Counsel makes it clear that while Government allows it, CASA will continue to pursue its goals through the application of administrative decisions rather than through proper and available legal channels and the legal processes by which other regulatory bodies in Australia are bound.
9. This has resulted, in an unacceptable number of cases, of air operators (and significant employers) being forced out of business by the weight of their financial burdens, without CASA's allegations against them ever having faced the scrutiny of a court or without according the victim the opportunity to face and cross examine its accusers.
10. CASA is clearly acting contrary to legal advice it obtained from the Attorney General's department which states that "there is a high risk of liability for defamation under current legislation." CASA is now apparently defaming certificate holders by publishing unsubstantiated allegations against them. Its Office of Legal Counsel has asserted that he believes it has a government mandate to continue with this course of action.
11. The above tactics are apparently necessary because CASA, which has a dismal record in the investigation and prosecution of alleged rule breaking, has a fear that the use of normal legal processes would expose the inadequacy of its rule structure, and its investigation and surveillance procedures.

14<sup>th</sup> February 2006

Re: CASA Licencing

Dear Sir or Madam:

I am writing due to the frustration and damage being caused to my company by the inability of CASA to provide licencing services if that's what you could describe it as, and in particular the issue of student pilot licences at this point in time taking anywhere from three to four months to issue.

has been working with Austrade over the past two years to bring overseas students from India (export dollars) to Australia; we have countries such as Canada and the United States as our main competition in the pilot training market.

CASA seems to be hell bent on destroying the general aviation industry in Australia by making countries such as Canada and the United States far more appealing to these students and causing export dollars to go elsewhere.

Our typical course for a student coming from India is approximately twelve months in duration and as I mentioned earlier three to four months of this time students are unable to conduct any solo flight time, which we would normally have them to a solo standard within the first three to four weeks of their course these delays in issuing of student licences is delaying our operations and costing students extra finances because of the increased time it takes to complete their course.

Finally to add insult to injury as of the 1<sup>st</sup> January 2006 CASA has introduced a new charge for their services, which they don't provide in either a professional or timely manner we can only be thankful that the rest of the Government isn't run with the same incompetence as CASA.

Yours faithfully,

**Sandy Reith**

---

**From:**

**Sent:** Thursday, 16 February 2006 9:41 AM

**To:**

**Subject:** Complaint CASA

16 February 2006

### **COMPLAINT TO CASA AND GOVERNMENT**

I have recently had the situation where I have not been able to fly with a person nor issue them an Australian conversion to an overseas German Private Pilot's Licence that was endorsed V.F.R. fixed gear and fixed pitch propeller aeroplane.

This pilot wished to get an Australian conversion of his German pilot's licence and fly an Australian registered Cessna 172. However because of the long list of requirements in security checks and police clearance requirements, as he was only in Australia for three weeks on a gliding tour, I was unable to accommodate this person. I therefore lost approximately 10-15 hours of utilization of my C-172. This is a restriction of trade and is not acceptable to me or my business.

This pilot then went and approached the AUF or RAA persons who operated on the aerodrome and proceeded to spend his money with them without any security problems. He was also able to enjoy the privilege of flying solo in the area.

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**From:**  
**Sent:** Monday, 30 January 2006 4:04 PM  
**To:**  
**Subject:** FW: issuing of ASIC's

-----Original Message-----

this is my second attempt .... it helps if I get the spelling right

hi

trust you had a great Christmas & New Year and thanks for your assistance during last year

however .....

we are still having 'problems' regarding the issue of licences/AVID's/ASIC's

the following is a list of some of our clients & pilots still waiting for CASA to issue the appropriate document

I would be pleased if you could have these matters looked at and speedily finalised

name	ARN	document/s	application date
		SPL/AVID	Sept 05
		PPL/ASIC	Nov 05
		SPL/ASIC	Dec 05
		ASIC	Nov 05
		ASIC	Nov 05
		ASIC	Nov 05
		ASIC	Nov 05
		ASIC	Oct 05
		GFPT/ASIC	Nov 05

Also, one of our clients has apparently been told, by CASA, that he can "exercise the privileges" of his recently gained PPL, even though he is still to receive the actual licence from CASA. Is this correct?

regards .....

## **Sandy Reith**

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**From:**  
**Sent:** Thursday, 16 February 2006 9:19 AM  
**To:**  
**Subject:** Complaint CASA

16 February, 2006

### **RESUME**

- ATPL Licence Holder
- Command Instrument Rating
- Grade One Multi Engine Instructor – Aeroplane
- Independent ATO – PPL, CPL, Command Instrument Rating Issue/Renewal, Grade I, II, III Instructor Rating Issue and Renewal
- Chief Flying Instructor

### **BACKGROUND**

25 years experience in General Aviation as Flight Instructor, ATO, Charter Pilot, Check and Training, Pilot Proficiency Courses for

### **CURRENT**

Self-employed working as an independent ATO, Instructor, Charter Pilot in duties stated above. Based in the region.

### **STATEMENT TO CASA AND GOVERNMENT**

As an independent ATO and freelance Charter Pilot, my business takes me to many flying schools and charter operations in the region. As a result I come into direct contact with the directors, Chief Flying Instructors, Chief Pilots, Pilots and students of these companies.

The frustration shown by these organizations with respect to CASA is increasing at an alarming rate. The strongest frustration is definitely the delays and time taken for

CASA to issue student, private and commercial licences and variations to Air Operator certificates. These delays have "blown" out to unacceptable lengths. I am hearing of many cases where students are being turned away or substantially delayed to complete training because of delays of up to three months to obtain a student licence. Overseas students and overseas contracts have been lost as the time taken to issue a student licence now exceeds the time taken for the student to complete their entire flying training. Valuable import dollars gone!!

**Safety Issues** – When a student pilot "passes" their Private Pilot Licence Test it now takes up to three months for CASA to issue their licence, therefore it is months since they have flown. Lack of experience can only be overcome by flying currency. As a BARE PPL holder recent experience is vital to their safe operations.

**Charter Operations** – Once again the message appears consistent and clear "Why is it taking so long for CASA to issue ...." Air Operator Certificate holders, i.e. Charter operators are extremely frustrated with CASA's delays. An operator purchases a new aircraft; they have to submit a variation to their Air Operators Certificate to include this new aircraft onto their AOC. The duration taken by CASA seems to be a minimum of six months and in most cases longer. During this time the operation is unable to derive income from the aircraft whilst it sits on the ground idle costing huge dollars in finance payments, etc.

As most General Aviation is small business based the owners and directors of these businesses are finding it financially unviable to operate - their frustration and financial burdens driving them to "close doors" and cease operations. General Aviation is losing valuable local and import business as these delays and frustrations increase at a rapid rate.

Is there any way CASA can speed up the process and remove the "red tape"? Can industry become more self regulating and be delegated more authority as it used to be in the past?

I believe the greater majority of General Aviation businesses conduct their operations in a very safe and responsible manner.



16 February, 2006

Dear Sandy,

Great talking with you again, here is some of the information you requested, and a couple of suggestions I hope you will find useful.

Two of the attachments to the email are graphs of pilot license trends. They are not good.

The third is an example of the waiting periods for licenses. Remember that previously SPLs were issued on the spot, now "security" is the excuse for anyone and everyone to hide behind. Cutting out redundant medical and other paperwork also has the potential to throw up major savings in time and cost.

**Competitively, we have lost out to NZ in a big way.**

*In my opinion, one of the best things we could do, right now, is complete the aviation section of the Trans-Tasman Mutual Recognition Treaty, largely stalled since Keating blocked it in 1995. If there was true trans Tasman competition, including AOC operations at ALL levels, not just airlines as proposed in present legislation "on the table" (but not on the Parliamentary program), this would be of very great benefit in giving new life to Australian GA – very quickly.*

Such a move is already supported by the airlines. This was always the intent of the aviation provisions of the TTMRA, (A= Agreement) I am not proposing anything new.

This would produce competition between NZ CAA and CASA, including cost competition. We could wind up with at least some of the benefits of the so very successful NZ reforms.

In particular, the NZ Continuing Airworthiness (maintenance) regulations are already very close to FAA/EASA.

Already program for new "EASA style" maintenance rules shows disturbing signs of having been taken over by the CASA lawyers and effectively killed.

February 16, 2006  
Page 2

**SAFETY is NOT an issue, but safety has been beaten up by unions opposed to any dilution of their power, industrial power conferred by "safety" regulation.**

New Zealand is an ICAO compliant country. Indeed, I would go so far as to say that the last NZ ICAO audit produced a better report than the 1999 audit of CASA.

To this day, the major points brought up in the ICAO CASA audit, in relation to maintenance rules, have still not been addressed by CASA. Once again, in my opinion, the necessary changes have been blocked by CASA lawyers.

It is worth noting that ALL NZ pilot licenses are ICAO compliant, this is not true of Australia.

I am always surprised that this Government, which has done a reasonably good job in other areas of industrial reform (but it has slowed since Peter was the responsible Minister for industrial relations matters) has not been as reformist where aviation is concerned. It seems to me that a major reason is because pilot and LAME unions have mounted self-serving PR campaigns around "safety" and the public's fear of flying.

**Completing the TTMRA to cover ALL aviation activities is something that can be done in a short time scale, and this will have a major beneficial impact, from airlines through to GA. Real reform will be forced on CASA far faster than the pace of the latest proposals from the CASA CEO.**

Although NZ does not have anything like the statistical base we have, I can advise the following (NZ population ~4M v. Australia ~20M)

(1) Cessna total sales in NZ in recent years (the new line of C-172/182/206) have been about three (3) times as many aircraft as Australia in total. There is no longer an ageing aircraft problem in the NZ training fleet. One single Auckland based school has bought more new C-172 than the total sold in Australia since Cessna re-started production.

When annual hours are 2000, instead of 300, the fixed costs of a new aircraft are affordable, it is cheaper to hire a new C-172 in NZ than an old one in Australia.

(2) Tecnam sales in NZ v. Australia are similar., two to three times as many total, despite the population disparity.

There are several times the number of foreign students in NZ than the whole of Australia, (excepting of the tied schools here, China Southern, China Eastern, Singapore Airlines), Australia has lost most of the foreign training contracts to NZ. college in has just been sold to China.

February 16, 2006

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The regulatory burden in NZ is a fraction of here, the only major regulatory reform here was in the period 1996-1999, and CASA has successfully done their best to stifle the effectiveness of the reform.

- Companies registered with CASA for the " Manufacturing Transition Program" started at 200+, now the number is down to about 20, with 11 active, according to AMROBA research.

Even now, in my opinion *simply does not fully understand:*

*(a) the huge costs building up here, or :*

*(b) How and why the TOTAL NZ reforms have been so effective, including improving safety trends in concert with major costs reductions.*

*(c) Why NZ does not have the pilot training standards problems now so obvious in Australia.*

*(d) Why NZ does not have the LAME shortage that is so acute in Australia, 48% of LAMEs changing jobs are changing out of the aviation industry.*

*This figure (48%) is from research conducted by the Commonwealth Department of Education, Science and Training, DEST.*

*We are closing aviation departments in TAFEs etc, in contrast:*

- *NZ has just increased the LAME training budgets by about 30%.*

In GA, in NZ, to "add an aircraft to an AOC" is done in the day, charged 1 hour, about NZ\$130.00. Here it can take up to nine (9) months, and \$1200-1700. Multiply that example many times over.

NZ have performance targets, whereas here "charging the hourly rate", with no performance requirements, is an open invitation to overcharging.

Some other sources of data are:

[http://www.btre.gov.au/docs/reports/r111/btre\\_report111.pdf](http://www.btre.gov.au/docs/reports/r111/btre_report111.pdf).

The following is interesting, because "Australia" keeps altering the statistical grouping to show we are doing better than we really are. We are not comparing " apples and apples".

[http://www.atsb.gov.au/publications/2005/pdf/Safety\\_indicators.pdf](http://www.atsb.gov.au/publications/2005/pdf/Safety_indicators.pdf)

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Here are the fuel figures:

<http://www.btre.gov.au/statistics/aviation/avtursales.aspx>

<http://www.btre.gov.au/statistics/aviation/avgassales.aspx>

Here is the general page for Avstats.

<http://www.btre.gov.au/statistics/statsindex.aspx>

Remember the Maintenance Org. figures (in BTRE Report 111) down from 1200+ to just over 300 in ten years, the collapse in apprenticeships, and so it goes on.

I am sorry I couldn't give you a more detailed analysis in the time available, but I really do believe the above suggestion re. the TTMRA will:

*(a) work, and;*

*(b) produce results quickly, because CASA will be forced to react.*

I don't believe there is any major political minus in completing the TTMRA aviation provisions as was intended so many years ago, and some major political plus's for a new Minister.

All the major airlines will support the move, as will most GA organisations, leaving the several aviation unions using current CASA regulation as industrial protection without a leg to stand on.

**There is simply no supportable safety case as to why Australia is out of step with the rest of the world, to the very great cost of the Australian aviation industry, at all levels.**

**It is not the raw labor cost that is driving QANTAS heavy maintenance off-shore, but the total labor costs brought about by "CASA RULES".**

Indeed, completing the TTMRA provisions would be a great help in arresting the increasing flow of aviation jobs off-shore.

Best regards,

**Sandy Reith**

---

**From:** Thursday, 16 February 2006 10:24 AM  
**Sent:** Sandy Reith  
**To:** Re: Please review 'Submission to the Minister for Transport Feb 06'  
**Subject:**

Sandy,

Another issue that the Minister should be aware of is that in Europe there are businesses being set up to register aircraft on the US aircraft register to get out from under the over restrictive and costly EASA system.

The following website was given to me whilst in England. I am told by some AOPA members that a similar system is being set up to register aircraft in NZ instead of Australia.

<http://www.avcorregistrations.com/>

It is a sad day when the regulatory regime becomes too expensive for GA to survive so alternatives have to be sought. Is this what we want for Australia?

## Submission to the Minister for Transport – The Hon. Warren Truss

### Supplementary notes

Prepared by

February 16, 2006

#### 1. Arbitration/mediation

The Commonwealth Ombudsman and AAT are out of their depth in handling aviation matters. This means that such matters are generally not dealt with in a timely manner and inquiries/proceedings are subject to either deliberate or unintended distortion. It seems likely that CASA is not above misuse and corruption of safety arguments to achieve ends which are not supported by safety logic. For responsible, experienced and professional personnel to be attracted into (or back into) the industry there needs to be confidence that if grievances or disputes arise, there is adequate machinery in place for them to be promptly and fairly dealt with.

Basis: both personal experience and hearsay.

Recommendations: establishment of industry ombudsman. Establishment of tribunal at a similar level to AAT to hear aviation matters such as the NTSB in the USA.

Note: at a higher level, it seems that regulations are so difficult to interpret that courts may make decisions which are in conflict with both government policy and the industry's best interests, eg *Nitschke v Rossair Pty. Ltd.* in the Supreme Court of South Australia.

#### 2. Investment incentives

##### A. Training

Australia has regulations which are probably the most regressive in the world with regard to use of simulation in aviation training. Not only do Australian regulations permit the use of types of synthetic trainers which are of a standard below that for which other regulators will allow training credits, but the Australian regulations are such that no incentive, by way of higher credits, is offered to training organisations to invest in better quality devices. This means that training in Australia is more expensive, more dangerous and less effective than it should be. Australian training organisations wanting to compete for lucrative airline training contracts have to use overseas practice, with regard to simulation, as the benchmark for training standards without the investment incentives offered to overseas training organisations.

Basis: personal knowledge and observation. ICAO, FAA, JAA and CASA Regulations.

Recommendations: bring credits for synthetic trainers in line with overseas regulators. Provide tax or other financial incentives for investment in high quality training devices.

## B. Ageing aircraft

It is becoming virtually impossible to predict the true cost of operating the older aircraft operated by many Australian GA operators and the reality is that the majority of such aircraft are being operated for cash flow rather than full long term cost recovery, let alone profit. In this context, it is also noteworthy that Australia has lagged a long way behind most other countries in the world in embracing the benefits of business aircraft. The victims of 2 recent aircraft accidents involved prominent Australians being flown in older generation aircraft which were poorly equipped to fly in the prevailing conditions. It is very unlikely that such people would have been carried in such aircraft in almost any other country. Business Aviation has been a major growth sector overseas and needs to be promoted in Australia.

Basis: personal experience, observation, industry press reports.

Recommendations: provide tax or other financial incentives for investment in newer aircraft. Provide professional guidance in financial management to participants in the GA industry. Government sponsored promotional programmes for business aviation.

## 3. Accident Investigation

Some recent investigations by the ATSB have been found wanting and it is likely that the organisation does not have sufficient personnel with the requisite experience and knowledge to investigate GA accidents. It seems that the ATSB in fact have a policy which differs from that of the NTSB (USA) in that it is not the objective of the investigation to determine a "Probable cause". It may be that this is because there is a lack of confidence in the organisation's ability to proceed to that end due to its lack of appropriately experienced personnel. By denying access to accident sites by other investigators, the legislation under which the ATSB operates may also be prejudicial to the possibility of just outcomes and increase the cost of future civil action.

It is essential for the health of the industry that it maintains a continually improving safety record and accident investigation is fundamental to that goal.

Recommendation: a review of ATSB structure and procedures in comparison with corresponding institutions overseas.

## 4. Career guidance and promotion

The industry is suffering from a lack of qualified and experienced personnel in maintenance, design, management and as flight crew. Senior Australian industry personnel are leaving the country whilst senior positions within Australia are being filled by (less expensive) foreigners.

Basis: aviation press reports. Information received.

Recommendations: initiate a programme whereby people can be encouraged to enter the industry by way of promotion campaigns, career guidance, apprenticeships and reduction of bureaucratic hurdles.

Submission to the Minister for Transport by Sandy Reith – February 17, 2006

Addenda by

A Initiatives for Maintenance within CCGA

A specific measure which could be adopted to assist with this problem would be to set up a help and advisory facility within CASA but separate from the Airworthiness Inspector function. This initiative would allow recognition of the fact that many experienced and capable engineers are overburdened in dealing with the administrative workload that they find themselves confronted with as they move into positions of greater responsibility and in the face of the ever increasing paperwork requirements which flow from new regulations and changes in CASA's policies.

When CASA introduced the Safety Management System culture, it employed personnel with expertise in that area who were available to assist the industry. The ATO has a similar service. This could be introduced in other areas to improve the current environment whereby people who, for one reason or another, fall short in clerical, administration and managerial responsibilities are often severely penalised.

It should be noted that this problem is not limited to maintenance personnel but extends to flight crew and operations staff, particularly at senior levels.

Policies for Capital City Secondary Airports

B This section of Sandy Reith's submission contains a comment regarding the lowering of skill levels of pilots employed by the airlines due to shortages.

It should be noted that this is a widely recognised problem globally which means that Australian airlines will be facing ever increasing competition from overseas employers for their pilots.

This problem was the focus of the recent ATTOPS conference in Brisbane and will be the focus of the APATS conference about to commence in Singapore and the WATS RATS conference to be held in Florida in April. In the past, Australia has been comfortably able to be a net exporter of pilots but there are already signs that this may change.

Longer Term Considerations for Growth

C In Canada the Canadian Business Aviation Association has been charged with the responsibility of self regulation of its members. This example could be helpful to the Australian government in formulating policies for the expansion of self-regulation of sectors of the Australian aviation industry.

A Biennial Statement of Commonwealth Aviation Policy

D In this submission to the Minister we recommend the formation of an advisory or steering committee of senior people from GA who would report directly to the Minister's office as opposed to CASA on matters of import to the sector.

Whereas we acknowledge the benefits derived from the work of the SCC and the ASF, we believe that there is an urgent need for the formulation of policies that will encourage and promote a new wave of development of GA and that this need falls outside of the charter of any existing committee.



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A. 41

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Attorney-General's Department - Office of Legislative Drafting  
Australian Airports Association  
Australian Association of Flight Instructors  
Australian Business Aircraft Association  
Australian Defence Force  
Australian Federation of Airline Pilots' Associations  
Australian and International Pilots Association  
Australian Licensed Aircraft Engineers Association  
Australian Maritime Safety Authority - Australian Search & Rescue  
Australian Sport Aviation Confederation  
Australian Ultralight Federation  
Australian Warbirds Association  
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Aiming for Australia to have the highest aviation safety and participation levels in the world

What's new from CASA

March / April 1999

## "Today we start the future rebuilding of CASA"



The acting Chairman of the CASA Board, **Dr Paul Scully-Power**, has announced the way ahead for the organisation.

In a message to the regulator's staff, Dr Scully-Power said, "We have all been subject, to a greater or lesser extent, to the strains and pressures over the past few weeks of intense media scrutiny, claims and counterclaims relating to our

relationships with the various stakeholders in aviation safety, and very public discussion of actions taken by your Board.

"We must now get on with the job of restoring the public's confidence in this Authority. This can only be won by hard work and by visible deeds. We all share in this enormous responsibility that we owe to the people of Australia."

To start this process, the CASA Board has highlighted six points to ensure aviation reform continues – a goal supported by all Board members.

"We have called it the *Participation for Safety Program*, as all the stakeholders mentioned earlier do have a real part to play in aviation safety, and all of those stakeholders are committed to aviation reform and to safe skies."

The six points are:

- ▶ **JUSTICE** – for all: consumers, providers, and participants.
- ▶ **RULES AND REGULATIONS** – fewer, simple, easier to comply with, harmonised.

- ▶ **ENFORCEMENT** – uniform, consistent, fair, and appropriate.
- ▶ **EDUCATION** – the basis for real improved safety outcomes.
- ▶ **FREEDOM** – for all who wish to fly responsibly in Australia.
- ▶ **AIRSPACE** – Airspace 2000, TAAATS, Class E corridors, international standards.

"It will be a tough job, at times a thankless job, a job that requires persistence and dedication, yet in the end a job that can bring enormous satisfaction in knowing that we have all played a part", said Dr Scully-Power.

He emphasised that the CASA Board supports each and every one of its staff.

"We understand that it is tough to be a fair and impartial regulator, yet Australia deserves no less."

Dr Scully-Power made his announcement on behalf of all members of the Board: **Bruce Byron AM, Tony Pyne, Mick Ryan, and Mick Toller.**

## A brief look inside

### CASA NEWS

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### COMMERCIAL AVIATION

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### PILOT ISSUES

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### AIRSPACE

- Class E clearances save time and money – page 4
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CIVIL AVIATION  
SAFETY AUTHORITY  
AUSTRALIA

MINISTER A. ALLEN

ADDITIONAL FUNDING TO CASA INCREASE IN STAFF  
NUMBERS, C. 640 → 820

Brief – Estimates May 2015

[Tuesday, May 26, 2015]

**Quote:** d:\1 - work\1 - nemesis\11 - vocasupport.com\23 - 2015 budget\brief estimates may 2015.doc

**RE: Brief \$89.9m hit on the Aviation Industry**

V ADDITIONAL  
CASA has been given, in July 2010, access to aviation fuel excise levies, which has continued past its close date of 30<sup>th</sup> June 2014, allowing a further \$73m to be improperly appropriated in 2015 and 2016 financial years, based on a \$80m/ year base in 2010.

\$89.9m becomes a \$0.352 billion total dollar hit and likely to affect viability of regional air services and operations if it continues for the budgeted period.

- ◆ I have been working with a group of people to "clean-up" casa and the ATSB.
- ◆ As you are aware, that has been a slow process and there are some serious internal forces at work, which have resulted in:
  - ◆ casa improperly affecting the atsb [PelAir inquiry] and
  - ◆ casa improperly influencing coroners, AAT hearings [Lockhart River John Quadrio] and
  - ◆ ATSB findings [PelAir].
- ◆ I do not believe these influences are finished.
- ◆ Further, casa are currently actively preventing the ASRR findings of David Forsyth being implemented.
- ◆ CASA will not meet the simple obligations of the Model Litigant Rules And as a result, I have a total lack of confidence in the accountability, honesty and reliability of the CASA system.

I would appreciate your assistance in this and with the result to be more effective regulations [Part 61 etc], without which Australia will fall to being recognised as a 3rd world entity [ICAO/ FAA Audit 2008-2009]

**Current information posts:**

<http://vocasupport.com/casa-gets-extra-400m-what-for/>

**and:**

<http://vocasupport.com/casa-budget-2015-what-is-revealed/>

**Action Required:**

I would appreciate you asking Mr. Skidmore and Mr. Mrdk to "Please explain" and press them in the context of an immediate answer, rather than obstusificate with a QON **and:**

That the Senate vote to seek refund from CASA, amounts in excess of \$89.9m provided **and** seek explanations of where the money [\$89.9m] was spent **and** prevent any further money in 2015 going to CASA.

AUTHOR - VOCASUPPORT (VICTIMS OF CASA)

FORSYTH 2014 - ASSR.

#### **Recommendation 14**

The Civil Aviation Safety Authority changes its regulatory philosophy and, together with industry, builds an effective collaborative relationship on a foundation of mutual understanding and respect.

#### *Response*

The Government agrees with this recommendation.

The Government believes that CASA and industry must work closely together on regulatory reform priorities. An ongoing and meaningful dialogue between industry and the regulator is vital.

The Government's new SOE for the CASA Board will require CASA to develop a clear statement of regulatory philosophy which will include meaningful industry involvement, as well as a compliance and enforcement policy informed by those developed by other Commonwealth regulators and other leading aviation regulatory authorities. These policies will be considered by the CASA Board and the CASA Director of Aviation Safety. In addition, these policies will set out principles and practices:

- governing the use of safety cases to support regulatory and procedural changes by CASA that will impact on industry and the community;
- reaffirming the use of risk based criteria for determining appropriate responses to non-compliance, taking into account industry behaviours and motivations;
- establishing clear review mechanisms understood by CASA and industry for promoting national consistency in regulatory and related decision making and interpretation of regulations and standards;
- outlining CASA's relationship expectations with industry to encourage collaboration and consultation and develop mutual understanding and respect; and
- promoting the use by CASA of targeted safety promotion and educational activities such as safety seminars around Australia to inform and obtain feedback from industry on the impacts of proposed regulatory change.

CASA has confirmed that its regulatory philosophy will be reviewed in the first half of 2015 as part of CASA's Regulatory Policy and Practice initiative and that the outcomes of the review will be considered by the CASA Board and new Director of Aviation Safety.

As part of its quarterly reporting to the Minister on its performance against its Corporate Plan, CASA will report on its performance against the new SOE and the recommendations agreed to by the Government arising out of this Report, including implementation of its regulatory philosophy, and associated compliance and enforcement policies.