



Australian Government
Civil Aviation Safety Authority

CORPORATE SERVICES DIVISION

CASA Ref: M20/101

6 October 2020

Mr Glenn Ryall
Committee Secretary
Senate Scrutiny of Delegated Legislation Committee
Department of the Senate

Email: [REDACTED]

Dear Mr Ryall

Thank you for your email of 18 September 2020, inviting the Civil Aviation Safety Authority (CASA) to comment upon a submission made to the Committee's Inquiry into the exemption of delegated legislation from parliamentary oversight by the Australian Federation of Air Pilots (AFAP). CASA makes the following comments on the submission:

1. The submission does not express anything of relevance to any exemptions from delegated legislation as they relate to CASA or otherwise;
2. The submission contends "CASA is still able to maintain a high degree of obfuscation and avoid accountability from parliamentary oversight ..." without providing any examples or evidence to support this assertion. CASA rejects this assertion.
3. The submission otherwise deals with the terms of the Freedom of Information Act 1982 and the Civil Aviation 1988 in connection with matters that relate to the making of administrative decisions by CASA as well as legislative instruments under the Civil Aviation Act 1988. The matters raised are not relevant to the issue of scrutiny of delegated legislation. For instance, the extract at paragraph 9 of the AFAP submission of a decision made by CASA under the Freedom of Information Act 1982, relates to a decision made by CASA on 16 April 2018, that a draft Melbourne Aeronautical Study was an exempt document. That study was an administrative report of CASA. Further, the "case study example" on page 7 of the AFAP submission deals with a legislative instrument made by CASA in relation to pilots who conduct "community service flights." The submission contends CASA did not address systemic safety risks associated with CSF flights. That is a submission as it relates to the merits and terms of a legislative instrument, as opposed to anything about it that is relevant to any of the Committee's scrutiny principles.

CASA has no objection to this response being provided to the AFAP or being made a public document.

I trust this information is of assistance and apologise for the delay in responding.

Yours sincerely

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Zaheer Aleem
Senior Government Relations Officer
Corporate Reporting & Government Relations