

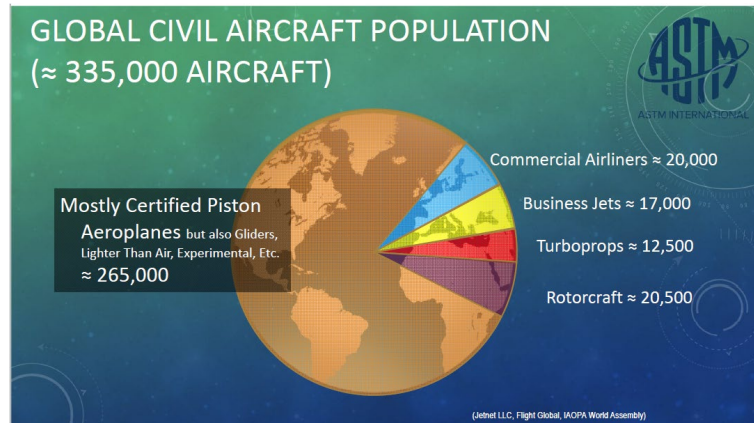
CIVIL AVIATION DIAMETRICALLY OPPOSED VIEWS 2021.

A large proportion of the civil aviation industry have diametrically opposed views of the current regulatory reform direction that CASA is pursuing, based on Byron's decision to follow EASA. This direction has resulted in so many lodged differences to the *Convention on International Civil Aviation Annexes*, that it is now very obvious why other countries and their NAAs are not accepting Government/CASA product certification documents and Australian civil aviation engineering products and services.

Civil Aviation Aircraft.

Based on the number of aircraft, ASTM created this chart to demonstrate comparison with numbers of types of aircraft.

The far majority of the industry didn't want the EASA engineering system and still don't. This was passionately demonstrated by all attendees at the GA meetings in Tamworth and Wagga. Unanimous support for FARs.



The civil aviation engineering fields of design, manufacture and maintenance prefer the FARs.

Does anyone in government/CASA properly understand Australia's obligations under the Convention that it signed in 1947? They seemed to have been ignored over the last 2 decades.

1. Why is CASA so diametrically opposed?

A) Why is CASA following the European regulatory system when industry continues to support the adoption of the USA FAR system as originally supported by politicians and bureaucrats when the CAA was created?

Both Australia and New Zealand were developing congruous regulations based on the FAR system in the 1990s until Byron, early 2000, changed the course of CASA without support or consultation from the whole civil aviation industry.

So began the era of *'you get what we give you and not what you want'* attitude and this is why the views between industry (FAR supporters) and CASA (EASR supporters) are so diametrically opposed.

B) Why is CASA un-intentionally or intentionally damaging the global reputation of Australian civil aviation engineering businesses?

CASA/government seem to be determined to insult Australia's aviation engineering businesses globally by promulgating copious differences to the Annexes' standards that informs all foreign NAAs, countries and international aviation companies, that we are not compliant with Annexes' standards. This is damaging the prospect for trade.

Instead of a regulatory focus to be Convention Annex standards compliant, CASA has created so many differences that no mature aviation regulator (NAA) or international aviation engineering business would respect any Australian engineering businesses output. No wonder there is frustration.

AMROBA¹

C) Why hasn't CASA/Government kept our regulatory system current with new global standards specified in the (treaty) Convention Annexes?

The Convention Annexes are consistently being amended to implement safer global standards that other NAAs adopt and implement into their regulatory system.

Annex 8 is a good engineering example of CASA's "no action" process.

- 7/3/2021: Due to observation that small aircraft below 750 Kg are more engaged in international air navigation, Annex 8, Part V[A] aircraft between 750 – 5700Kg has been replaced by Part VB that covers all new aircraft designs below 5,700 Kg. The 750 Kg lower limit no longer exists and has been removed for all new designs.
- 7/3/2021: NAAs should balance risks and rigor in determining compliance based on an acceptable level of risk determined for the product. **Note:** for aircraft below 5700Kg, how to balance risk and rigor is contained in the 4th edition of Doc 9760, Airworthiness Manual.

D) Why has CASA lodged so many differences to the Convention Annexes?

Past politicians and CASA management understood the less differences and harmonisation with the FARs would lead to less differences and open global aviation markets once country to country bilateral agreements were made by the government.

Minimum Annex differences and harmonisation with the FARs should be the expectation of the Minister from CASA. Industry supported.

CASA/Government must realise that differences to the ICAO standards means other NAAs may not accept our businesses, certifications by CASA, products and services.

CASA obviously has little understanding of the Convention and its Annexes and how they are used as the standard by other NAAs to review whether a country is keeping abreast of changes. All countries promulgate their differences for others to view.

E) Why can't CASA certificate aircraft above 5700Kg anymore?

4/11/2020: Many design standards changed in the Annex for certification of all new aircraft. Differences lodged indicates Australia no longer has the skills to certificate aircraft and products for other than aeroplanes below 5700Kg.

CASA skills demise meant a difference stating CASA can't certificate aircraft above 5700Kg is a setback for a developing manufacturing industry.

- Has CASA employed or trained qualified design/certification engineers with expertise to certificate aircraft & products?
- Has CASA employed or training qualified manufacturing inspectors expertise to assess manufacturing?

Apparently not, it is the only reason for lodging a difference when industry has conglomerates and skills who want to build larger aircraft in Australia.

CASA's technical expertise limitations is the only reason that is stopping manufacturing of larger aircraft and products. Industry has the technical expertise and qualifications to build larger aircraft and products.

Government has not met a Convention obligation to staff its engineering sectors with people that have industry equivalent qualifications and experience.

AMROBA^{ca}

F) Why hasn't CASA adopted the Annex 8 global standard for formatting maintenance organisation certificates?

5/11/2020: Annex 8 states the State of Registry **shall** ensure compliance with Chapter 6 of this Annex. The purpose of Chapter 6 is for global standardisation of maintenance organisation certificates to improve global recognition and trade.

Annex 8, Chapter 6 Appendix contains a template for a global standard maintenance organisation certificate and details what the certificate should contain. **6.1 states previous issued certificates shall be amended before 5 November 2022.**

Global Recognition: “4.2.3.2. As of 5/11/2020, when approving a maintenance organisation or accepting the approval of a maintenance organisation issued by another Contracting State, the State of Registry (CASA) **shall ensure compliance with the Standards of Chapter 6 of this Annex.**”

5/11/2020: “Safety management provisions also apply to maintenance organisations.”

G) Why hasn't CASA adopted changes to Annex 6, Part 2, Chapter 2.6 Aeroplane Maintenance, that set standards of who can do maintenance.

5/11/2020 and on: new “2.6.1.2. the owner or the lessee shall not operate an aeroplane unless maintenance on the aeroplane, including any associated engine, propeller and part, is carried out:

- by an organisation complying with Annex 8, Part II, Chapter 6 that is either approved by the State of Registry of the aeroplane or is approved by another Contracting State and is accepted by the State of Registry; or
- by a person or organisation in accordance with procedures that are authorised by the State of Registry.

And there is a maintenance release in relation to the maintenance carried out”

5/11/2020: 2.6.4.2. “As of 5 November 202, when maintenance is not carried out by an approved organisation, the maintenance release shall be completed and signed by a person appropriately licenced iaw Annex 1 to certify that the maintenance work performed has been completed satisfactorily and iaw data and procedures acceptable to the State of Registry.”

The AMO issues the M/R but the LAME issues the M/R when the maintenance is not carried out in an approved AMO.

The above changes also support the FAR FBO-SASO system we need.

Summary

We could go on and on with the differences and the impression other countries and their NAAs will make when reviewing Australia's differences to the Convention Annexes.

The number of differences are at odds with CASA's ICAO Annex compliance self-audits results. Which provides the real summary of Australia's Annexes' standard compliance record? Differences or self-audits?

