

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Budget Estimates May 2010

**Infrastructure and Transport**

**Question No.:** CASA 01

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Training Circuits at Moorabbin (Mordialloc)

**Hansard Page/s:** 80 (27/05/10)

**Senator Back asked:**

**Senator BACK**—Mr McCormick, again an issue raised and a question asked, and I will ask it of you: with regard to Mordialloc, one of the points made I think by the council was that they had put in a plea—maybe it is in your remit, maybe it is not; I don't know, you could tell me—that the training circuit could actually be, if you like, located in such a way that more of the aircraft would be going down over the top of a freeway and over a green belt rather than over housing as part of the circuit. Is the actual design of the circuit, for training purposes now, something over which your agency would have some influence or, if not yours, then whose?

**Mr McCormick**—The actual design of the circuit is not something that specifically comes under our remit. The idea of the circuit, of course, is that the practice of take-off and landing are where by far the vast majority of accidents occur.

**Senator BACK**—Yes.

**Mr McCormick**—Because you always have to operate into the wind, an expeditious way to get from a take-off to a landing is to fly a circuit. The standard ICAO version is a left-hand circuit except, as I said, in places where there are parallel runways when obviously one will go to the right. As for Mordialloc itself, I am not aware of anything on that, so I will take that on notice and get back to you. You specifically want to know whether we have had submissions or proposals put to us?

**Senator BACK**—Yes. Also, by way of providing feedback to these people, it would be interesting to know whether it is possible, in fact, to schedule these circuits so that they do go more over green open-space areas and less over residential areas. I am sure that in itself would reduce the impact of noise.

**Mr McCormick**—We would have to take it away and look at it to see what the actual airfield is and what we know about that, so I will take that on notice.

**Answer:**

CASA is unaware of any specific 'submissions or proposals' to change the circuit patterns at Moorabbin aerodrome.

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**Question No.:** CASA 02

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Airfield where local council has requested limits on flying training

**Hansard Page/s:** 81 (27/05/10)

**Senator Back asked:**

**Senator BACK**—Certainly the feedback—and my co-committee members will correct me if I am wrong— we got was that state and local government authorities felt powerless in this whole process.

**Mr Mrdak**—And again, there are regulatory requirements around the operation of certain historic aircraft which do not meet noise certification standards and the like which we operate through the department, which recognises that some categories of operations, such as the old warbirds, or historic aircraft, do not, as Mr McCormick says, meet any noise standards that are applicable today given the age of the aircraft.

**Mr McCormick**—There are airfields where that has arisen and I will leave it to Mr Cromarty to address Tyabb as best we can. There are other airfields where local owners of that airfield—this is a non-certified, nonregistered airfield, in particular one in Western Australia and the name escapes me at the moment—

**Senator BACK**—Murrayfield?

**Mr McCormick**—Serpentine, Murrayfield—I am sorry, I will take on notice what the airfield is where the local council or the operator has requested that people not conduct flying training. There are issues around airspace, of course, and who owns the airspace—who has the legality. It is not an issue that we have been involved in but Mr Cromarty might be able to add more to that if you wish.

**Answer:**

CASA is aware that in 2009 Busselton in Western Australia gave notice to various aircraft operators they could not conduct certain low level activities in aircraft or perform ‘touch and go’ landings at Busselton Aerodrome without development consent from the local council.

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**Question No.:** CASA 03

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Commencement date of CASA's Ethics and Conduct Committee

**Hansard Page/s:** 83 (27/05/10)

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—So when did the ethics and complaints committee start?

**Mr McCormick**—It was late last quarter last year. I would have to take on notice the actual date.

**Answer:**

The Director of Aviation Safety approved terms of reference for the Ethics and Conduct Committee on 28 September 2009.

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**Question No.:** CASA 04

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Tabling of reports, number of recommendations made by the previous Industry Complaints Commissioner Mr Michael Hart in his time in that role

**Hansard Page/s:** 84 (27/05/10)

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—During Mr Hart's tenure, can you tell me how many reports he presented to CASA for actioning?

**Mr McCormick**—I would have to take that on notice.

**Senator IAN MACDONALD**—Is it possible to get those reports tabled with this committee?

**Mr McCormick**—Every single report he has ever written?

**Senator IAN MACDONALD**—Let us say in the last couple of years.

**Mr McCormick**—We will take that on notice as well.

**Senator IAN MACDONALD**—There is nothing in those reports that would be sensitive to being made public to this committee?

**Mr McCormick**—Yes, I think there would be.

**Senator IAN MACDONALD**—I appreciate you said you would take it on notice, but is it possible to have those reports tabled with any names perhaps deleted?

**CHAIR**—I think Mr McCormick has said that he will take it on notice.

**Mr McCormick**—I will take that on notice.

**Senator IAN MACDONALD**—Do you know how many recommendations were contained in the reports? How long was Mr Hart there in that role?

**Mr McCormick**—He predated me. I do not know whether anybody else knows. We will take that on notice as well.

**Answer:**

Mr Hart held the appointment of CASA Industry Complaints Commissioner (ICC) from 4 June 2007 until his retirement on 31 December 2009.

During Mr Hart's tenure he completed 28 reports for the previous Chief Executive Officer and current Director of Aviation Safety. The Office of the ICC register of report recommendations shows the 28 reports contained 108 recommendations. A summary is provided with CASA 05.

The reports of the CASA Industry Complaints Commissioner are not considered suitable for tabling at this Committee because they contain confidential material that is inappropriate for general publication. The ICC receives and reports on information that is confidential from a commercial and/or privacy perspective, and all reports contain reference to named persons.

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**Question No.:** CASA 05

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Recommendations in reports of previous Industry Complaints Commissioner  
**Mr Michael Hart relating to Macair**

**Hansard Page/s:** 84-85 (27/05/10)

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—Is it again possible to give us a list of the recommendations that were made by your Industry Complaints Commissioner, again deleting any reference to names that might impact upon either legal proceedings or people's privacy?

**Mr McCormick**—We will take that on notice. The reports themselves will have recommendations.

**Senator IAN MACDONALD**—Do you know whether one of the investigations carried out by the Industry Complaints Commissioner related to MacAir, an airline that was operating up where I come from—in Townsville, Mount Isa; that north-west Queensland area?

**Mr McCormick**—Again, I could not say yes or no because I am not aware of all the reports that predated my time in CASA. I do know that Mr Hart commenced in the position as the Industry Complaints Commissioner during my predecessor's term. He certainly had not been in that position outside of six years.

**Senator IAN MACDONALD**—Do any of your colleagues know what the recommendations were regarding MacAir?

**Mr McCormick**—No, we will take that on notice.

**Senator IAN MACDONALD**—I understand that some of the recommendations related to maintenance issues and training procedures for staff and pilots. Perhaps I could ask you or your colleagues whether any of those recommendations in relation to MacAir were ever actioned?

**Mr McCormick**—Again, we will take it on notice. I cannot answer your questions about MacAir because I do not have that report in front of me and I do not know whether one exists.

**Answer:**

The CASA Office of the ICC maintains a register of reports and report recommendations. An extract of this register for the reports made by Mr Michael Hart is at Attachment A. Please note that names and matters potentially affecting confidentiality, privacy or legal proceedings have been de-identified.

One of Mr Hart's reports was related to Macair. The recommendations relating to Mr Hart's report on Macair were:

*1) That Air Transport Group initiate and implement appropriate procedures and practices to ensure adherence to Policy and Procedure Manuals by all staff sufficient to account for the basis of delegate decisions.*

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- 2) *That Air Transport Group handling processes and procedures be separated sufficient to distinguish a significant operational change such as 'High Capacity' from day to day AOC variations.*
- 3) *That formal process be established to provide a 'stop' or 'halt' mechanism, sufficient to separate out normal assessment processes from non routine compliance breach processes.*
- 4) *That consideration be given to separating staff involved in normal AOC assessment processes from compliance breaches, breach surveillance or audit activities.*
- 5) *It is recommended that appropriate training and counselling be given to staff to assist them manage their regulatory roles in setting standards and providing expert advice so as to safeguard CASA interests from special or specific interest 'capture'.*
- 6) *The Air Transport Group to review its surveillance methodology and its industry intelligence gathering and oversight, particularly with respect to systems analysis and compliance to provide an appropriate accountable record of that surveillance, intelligence and oversight.*
- 7) *That Air Transport Group be required to provide a formal report to the DCEO (Operations) and CEO within six months to confirm that outstanding issues and problems identified in recent audit/surveillance have been addressed or acquitted*

Macair was subject to additional surveillance and audit before the company ceased operations in January 2009.

The ICC recommendations relating to CASA's overall operations were not implemented directly. A number of related activities were picked up in the restructuring of CASA from July 2009 to ensure it focused on its key safety responsibilities as defined under the Civil Aviation Act. These include:

- a review of policies and procedures for all CASA Divisions;
- a review of CASA's Air Operation Certification Manual, with processes and procedures being strengthened along, with the development of further guidance to assist the inspectors;
- the strengthening of surveillance processes and enhancement of the Surveillance Procedures Manual to align information capture and consistency of approach; and
- enhanced regulatory and technical training for all regulatory staff.

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CASA 05 – Attachment A

<b>Item/ Report ID/ Month/Year</b>	<b>Action Description (Recommendation)</b>
ICC ref 564 AUG 07	That the ICC takes no further action with respect to the complaint
ICC ref 564 AUG 07	ICC to write and advise the organisation of the situation
ICC ref 551 AUG 07	No action due original complaint not yet resolved.
ICC ref 1706 AUG 07	Authorise overtime or additional hours to allow the applications to be processed, staff willing.
ICC ref 1706 AUG 2007	Short term rescheduling of priorities to have applications processed expeditiously.
ICC ref 1706 AUG 07	Consideration or review of alternative methods of processing applications by use of outside qualified engineering consultants for short periods on an as required basis for the period required until new Parts brought into operation.
ICC ref 1709 SEP 07	Guidelines to be developed to assist Councils and Departments as to the general airspace demands, noise footprints, and safety issues associated with small airstrips be prepared and made available to all local government agencies and members of the public as a CASA publication.
ICC ref 1709 SEP 07	CASA seek an amendment to the Civil Aviation Act to provide for a definition of 'populous area' to allow better judgement as to what constitutes a dense and hence populated area as opposed to a semi rural area or hamlet when considering aircraft operations.
ICC ref 1709 SEP 2007	CASA make available Field Safety Advisors to provide briefings to resident groups and persons living nearby small airports about aircraft activity and CASA's role in aviation safety.
ICC ref 518 SEP 07	Establish a self administering professional and industry body under the Act and Regulations.
ICC ref 518 SEP 07	CASA support the body and its development to the point where it could operate as a self administering body.
ICC ref 584 NOV 07	Initiate and implement appropriate procedures and practices to ensure adherence to Policy and Procedure Manuals by all staff sufficient to account for the basis of delegate decisions.
ICC ref 584 NOV 07	Handling processes and procedures be separated sufficiently to distinguish a significant operational change such as 'High Capacity' from day to day variations.
ICC ref 584 NOV 07	That formal process be established to provide a 'stop' or 'halt' mechanism, sufficient to separate out normal assessment processes from non routine compliance breach processes.
ICC ref 584 NOV 07	Consideration be given to separating staff involved in normal AOC assessment

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	processes from compliance breaches, breach surveillance or audit activities.
ICC ref 584 NOV 07	Appropriate training and counselling be given to staff to assist them manage their regulatory roles in setting standards and providing expert advice so as to safeguard CASA interests from special or specific interest 'capture'.
ICC ref 584 NOV 07	The Air Transport Group to review its surveillance methodology and its industry intelligence gathering and oversight, particularly with respect to systems analysis and compliance to provide an appropriate accountable record of that surveillance, intelligence and oversight.
ICC ref 584 NOV 07	That Air Transport Group be required to provide a formal report to the DCEO (Operations) and CEO within six months to confirm that outstanding issues and problems identified in recent audit/surveillance have been addressed or acquitted.
ICC ref 636 DEC 07	The action items recommended by (name deleted) be adopted and implemented as soon as practicable (Report contains 7 separate recommendations for changes to CASA fee assessment process, service systems and guidelines for advice on application reviews.
ICC ref 636 DEC 07	Senior Management as a matter of importance consider and implement appropriate procedures and guidelines supported by appropriate training to ensure that staff properly record work undertaken and account for decisions.
ICC ref 654 JAN 08	(name deleted) as responsible manager be counselled as to his conduct and that consideration be given to whether or not he should be subject to additional disciplinary action for breach of the CASA Code of Conduct.
ICC ref 654 JAN 08	That CASA officers be directed to provide advice to (name deleted) or alternatively that the CASA delegate be directed to provide the reasons to (name deleted) for his decision(s).
ICC ref 654 JAN 08	That consideration is given to revoking the authority held by (name deleted) under Regulation 35.
ICC ref 522 2007/08	ICC prepared an interim report into the complaints of (name deleted), (name deleted) and other concerning CASA and the companies operated or associated with (name deleted) with CEO to be advised on course of actions.
ICC ref 522 APR 2007	To raise the keeping of records by operators with the Privacy Commissioner.
ICC ref 522 APR 2007	Consider whether or not to provide advice to operators relating to keeping separate records of pilots
ICC 790 MAY 2008	CEO to write to (name deleted) and provide an appropriate response based on facts and conclusions included in ICC report.
ICC ref 515 APR 2008	That CASA Ruling 3/2003 should be withdrawn. Resubmitted April 2009
ICC ref 515 APR 2008	A form of 'licence' or approval be provided by CASA for charitable flights OR that Regulation 206 and 209 be amended to accommodate 'charity flights' and that such a measure would allow for appropriate risk management issues to be addressed by both the operator and CASA.



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ICC ref 515 APR 2008	ICC writes to the complainant (name deleted) on behalf of CASA and provides an apology. That (name deleted) also is advised CASA has no liability for any loss by the (name deleted) and that CASA officers acted appropriately with respect to (name deleted) operations.
ICC ref 1143 MAY 2008	That the conduct of (name deleted) be considered by appropriate CASA officers for appropriate disciplinary action and other action as is considered appropriate.
ICC ref 1143 MAY 2008	That the conduct of (name deleted) be considered by appropriate CASA officers for appropriate disciplinary action and other action as is considered appropriate.
ICC ref 1143 MAY 2008	That the audits conducted of (name deleted) and involving (name deleted) and (name deleted) be set aside and legal and technical advice obtained as to the value of any such audits as legal evidence to CASA.
ICC ref 1143 MAY 2008	That immediate consideration and communication be made to (name deleted) by responsible CASA officers of the outcome of his complaints and CASA's consideration of those complaints.
ICC ref 1143 MAY 2008	That the issue of avoiding and managing conflicts of interest for staff and managers be communicated at the earliest opportunity.
ICC ref 1706 JUN 2008	That current policy of allowing Airworthiness Inspectors oversight and assessment of maintenance personnel licensing applications cease as soon as practicable.
ICC ref 1706 JUN 2008	That (position deleted) give serious consideration to critically reviewing the performance and accountability of (name deleted).
ICC ref 1706 JUN 2008	That a policy-directive be issued that a class of 'approved persons' (listed in the directive) providing certification are acceptable to CASA for the purposes of CASA being satisfied that a person has met the qualifications and required experience for the issues of an engineering license or rating.
ICC ref 1706 JUN 2008	That immediate consideration be given to the automatic inclusion of all qualified persons on the 'approved persons' list who hold maintenance authorities as controllers of maintenance the head of engineering or similar position of responsibility aligned with a certified maintenance provider or Air Operators Certificate holder.
ICC ref 1706 JUN 2008	That 'approved persons' be restricted to organisations who can demonstrate a continuous involvement in training and education of engineering staff for a period of excess of five years and who employ more than 25 people (or similar appropriate number) and that other applicants be considered upon merit dependent on their qualifications, skills and involvement in engineer training and education.
ICC ref 1706 JUN 2008	That such an approval be issued as a condition of the Certificate of Approval or Authority as required under CAR42ZW or alternatively via a special instrument under CAR 303A or 304.
ICC ref 1706 JUN 2008	That CASA's maintenance personnel and licensing policies and manuals be amended to reflect the acceptance by CASA of such persons for certifying experience and appropriate surveillance and audit processes be implemented as a quality control and safety oversight measure as allowed for under CAR 33.

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ICC ref 1706 JUN 2008	That the CEO give serious consideration to the establishment of a specialist training and assessment team for maintenance personnel and engineers supported by an appropriate industry advisory body and such a body give serious consideration to the involvement of persons from the technical education sectors.
ICC ref 1706 JUN 2008	That the CEO takes a lead in promoting the recommendations and proposed changes to Aircraft Maintenance Engineer licensing by way of selective industry consultation and or promulgation and media announcements.
ICC ref 793 JUL 2008	That the Airworthiness directive (AD) be reviewed as a matter of priority to determine whether or not the maintenance and inspection processes provided for by Piper are applicable to the PA-32R.
ICC ref 793 JUL 2008	That the AD be withdrawn if manufacturer data and review of the AD considers that the Piper inspection process is adequate to guarantee the safety of the PA-32 and PA-32R wing spar.
ICC ref 793 JUL 2008	That CASA consider mandating the application of a wing spar inspection program for the PA-32R if the Piper processes are considered inadequate or deficient.
ICC ref 793 JUL 2008	That CASA seek a review of data relating to accidents involving the PA-32R.
ICC ref 793 JUL 2008	That AC 139-18(0) be withdrawn.
ICC ref 903 JUL 2008	That written advice is provided to State Government Planning Departments withdrawing previous CASA advice or recommendations with respect to (name deleted) development proposals
ICC ref 903 JUL 2008	That CASA undertake a safety analysis of the hazards to aviation posed by wind farms and at the completion of the research the results be published for industry and stakeholder comment and or input.
ICC ref 903 JUL 2008	That a special policy group is established within CASA to undertake consultation with other stakeholders and other Commonwealth bodies with respect to CASA's role and responsibilities with respect to wind farm proposals.
ICC ref 903 JUL 2008	That the (position deleted) review the performance of the (position deleted) in light of the advice and actions of staff.
ICC ref 903 JUL 2008	That Senior Managers be reminded of the need to adhere to CEO Policy Directive 01-2007 and that they provide to the CEO reports on the efficacy or otherwise of their compliance with that directive.
ICC ref 522 AUG 2008	That the (name deleted)/ (name deleted) applications and management be temporarily transferred to (name and position deleted).
ICC ref 522 AUG 2008	That (name deleted) team as speedily as is lawfully possible, consider, review, and decide the applications and other operational issues.
ICC ref 522 AUG 2008	That appropriate short term directions, delegations or approvals be provided to allow (name deleted) to manage the (name deleted) issues.
ICC ref 522 AUG 2008	The CEO and senior management review and consider the organisational and workplace issues concerning the (position deleted) office
ICC ref 422 SEP 2008	That the proposed reforms be commenced and implemented at the earliest possible opportunity.

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ICC ref 422 SEP 2008	(a) That a policy directive be issued to formally change the delegated authority of staff from the team leader or section level to Group Manager level (b) That the directive should provide the discretionary ability of the Group General Manager to delegate to an appropriate officer or deputy where appropriate and required.
ICC ref 422 SEP 2008	That a revision of the current means of providing regulatory guidance and advice, be undertaken and serious consideration be given to restricting the issuance of notices and advice to industry.
ICC ref 422 SEP 2008	That all future AD's be subjected to the processes of other regulatory proposals, namely a Notice of Proposed Rule Making (N) be issued for all non urgent or immediate action.
ICC ref 422 SEP 2008	That CASA develop an Ageing Aircraft Policy as a priority.
ICC ref 422 SEP 2008	a) That AWB 02-007 be withdrawn immediately. b) Federal Aviation Authority of the United States AD 2205-12-12 be issued as an Australian AD without changes as an Australian AD. c) That AD 57-005 (Cessna 404 series aircraft) be withdrawn. d) That AD/Cessna 310/33 13/2006 limits be retained. e) That CASA Instrument 316/07 be retained.
ICC ref 422 SEP 2008	That a new CASA Exemption or Instrument be drafted and issued to allow for the following: a) Aircraft maintained under CASA Schedule 5 be limited to; aircraft for which the manufacturer is no longer in business and no longer supported, aircraft whose system of maintenance CASA has made a determination and published such a determination as being unsafe or inadequate. b) No aircraft fitted with two engines operated in the regular public transport or charter category and or having a MTOW of greater than 5700kg be permitted to continue the use of CASA Schedule 5. c) That a list of those aircraft whose use of Schedule 5 is limited be promulgated and published for industry information as soon as is practicable.
ICC ref 422 SEP 2008	That consideration is given to issuing a General Exemption to provide for discretionary certification for any aircraft below 5700kg operated in the private or aerial work category to provide by: a) A LAME or suitably qualified or authorised person to certify as to the current airworthiness and continuing airworthiness of the aircraft taking into account relevant data such as airworthiness directives, manufacturers data and other relevant safety data they regard as relevant. b) That the exemption has a sunset clause of limiting the exemption's life until such time as CASR Part 91 is enacted.
ICC ref 422 SEP 2008	That CASA undertake a comprehensive internal survey of all Air Operator Certificates to develop and determine which operators are using what maintenance systems or processes to inform and assist future safety oversight.
ICC ref 721 SEP 2008	Matter resolved. No recommendations.

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ICC ref 948 NOV 2008	To allow (name deleted) to continue to engage in his chosen occupation and to prevent further delays or complaints the ICC recommends that in the interim period before a final ICC report is completed and that tThe CEO issue appropriate directions to have (name deleted)'s application for Chief Pilot assessed by officers and staff from outside the region.
ICC ref 588 NOV 2008	That the AFP be contacted and advice sought as to whether they have a current investigation into the allegations made by (name deleted).
ICC ref 588 NOV 2008	That the CEO provide advice to the Commissioner of the AFP of the allegations made by (name deleted).
ICC ref 588 NOV 2008	That if the AFP is not seeking to investigate the matters that the services of an independent person or investigator be obtained to determine whether or not the matter should be referred to the AFP.
ICC ref 588 NOV 2008	That the CEO take whatever steps are appropriate with respect to the ongoing employment of the officers involved.
ICC ref 588	Same As Actions 080-083.
ICC ref 1120 JAN 2009	That no further action is taken with respect to investigating the allegations and that the matter is closed.
ICC ref 1120 JAN 2009	That the ICC writes to the complainant and advises of the outcome of the ICC investigation.
ICC ref 1120 JAN 2009	That the CEO remind staff of obligations to keep information confidential.
ICC ref 1120 JAN 2009	The general access to the PPrune website is barred to all CASA staff excepting select Senior Managers and the Media Manager.
ICC ref 1120 JAN 2009	That the CEO and the DCEO Operations review the conduct of (name deleted) and take action as the CEO and DCEO deem appropriate.
	<b>Reports to current Director of Aviation Safety</b>
ICC ref 522 MAY 2009	That all instructor rating tests, fixed wing and rotary, be conducted or managed by the Flight Training and Testing Office (FTTO) of CASA
ICC ref 522 MAY 2009	That the FTTO take over responsibility for the receipt, tracking and acknowledgement of all flight test notifications made to CASA.
ICC ref 522 MAY 2009	That the CEO issues a policy directive requiring that only persons with the appropriate licence and rating conduct tests of industry personnel.
ICC ref 522 MAY 2009	That a review and update be undertaken of the policy and procedure manual for; Delegates, Authorised Persons, Chief Pilots and review and improve the advice to industry, delegates and responsible persons about the processes.
ICC ref 522 MAY 2009	That CASA not undertake mixed testing for a licence and or rating and the assessment for appointment to Chief Pilot or Chief Flying Instructor position.
ICC ref 522 MAY 2009	That management review the performance and skills of (name deleted) with respect to his position as an FOI.

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ICC ref 522 MAY 2009	That the CEO direct CASA officers to review the type certificate and operation manuals pertaining to the Schweizer 269/300 helicopter to establish whether or not the alleged over speed incidents warrant further consideration.
ICC ref 793 MAY 2009	That CASA consider preparing and publishing to industry and CASA staff comprehensive information and guidance with respect to error and hazard, the role of these reports in safety management processes, safety reporting, the role and responsibilities of the regulator.
ICC ref 793 MAY 2009	That CASA complete and resolve its deliberations with respect to the technical, safety and desired regulatory action required to address the issue of control cable corrosion and failures.
ICC ref 793 MAY 2009	That the review of the airspace configuration and use be the subject of an appropriate risk assessment and evaluation.
ICC ref 793 MAY 2009	That an office by office education and training program be undertaken with respect to enforcement process and policy.
ICC ref 793 MAY 2009	That operations move to review and consider the matter of enforcement in the context of industry relationships, surveillance and audit instructions and outcomes and the recording of such action in operational files or safety reviews.
ICC ref 1270 JUL 2009	Report provided to Director of Aviation Safety - no recommendations were listed.
ICC ref 1130 JUL 2009	That the Director of Aviation Safety consider issuing a direction to require the provision of signage, barrier or fences and any other instruction relevant to the operators and flight crew of users of the site to minimise the hazards and risk from helicopter operations at (name deleted).
ICC ref 369 JUL 2009	That CASA consider the introduction of training and or a course requiring candidates for the issuance of a maintenance authority to ensure candidates have a proper understanding of key regulatory requirements with respect to maintenance processes, recording and certification.
CC ref 369 JUL 2009	That CASA consider producing a policy and set of standards to guide industry participants and staff with respect to maintenance approvals applied for or issued by private owners and pilots in line with the proposed Parts 66, 145 and 91.
ICC ref 369 JUL 2009	That CASA consider preparing and issuing guidance to helicopter operators and pilots about 'permissible emergency field repairs' which may be permitted in remote areas and incorporating such guidance in the CASA Standards with respect to Special Flight Permits.
ICC ref 369 JUL 2009	That consideration be given as to whether CASA should provide some form of apology to (name deleted) sufficient to address the harm he believes his personal reputation may have suffered as a result of CASA actions.
ICC ref 1143 OCT 2009	That a review is undertaken by management of current practices with respect to pre-employment checks and vetting of proposed new staff hires.
ICC ref 1143 OCT 2009	That there is a comprehensive review of the current CASA Code of Conduct to ensure that it properly reflects best practice and APS guidelines.

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ICC ref 1143 OCT 2009	That there be a comprehensive review of the current CASA Conflict of Interest Policy to ensure that it properly reflects best practice and APS guidelines.
ICC ref 1143 OCT 2009	That all CASA staff are provided with appropriate introductory training in and information about the CASA code of conduct, conflicts of interest and the values of the APS and that refresher training in these areas be introduced as a matter of priority.
ICC ref 1143 OCT 2009	That CASA consider as a matter of urgency the adoption and publication of appropriate standards and guidance material in line with the FAA policies and material to industry in respect of CASR Part 21.
ICC ref 1143 OCT 2009	That active consideration be given to discontinuing the practice of using Requests for Corrective Action as a means of providing advice or drawing industry attention to matters of compliance and replacing these with the provision of detailed reports providing information about both compliance matters recorded and providing a proper risk and audit assessment report.
ICC ref 1143 OCT 2009	That the CASA Surveillance Procedures Manual for manufacturing be suspended and revised to provide effective risk assessment forms and tools compliant with current risk management processes as per AS/NZS Standard 4360:2004.
ICC ref 1143 OCT 2009	That a review of the current organisational practices of having audit functions and standards processes be undertaken and guidance provided in all CASA operational manuals to ensure that staff involved in permissions and standards are not involved with audit and surveillance of same organisations.
ICC ref 1143 OCT 2009	That CASA provide a formal apology to (name deleted), (name deleted) with respect to the conduct of CASA officers and the actions taken by them.
ICC ref 1143 OCT 2009	That CASA consider whether CASA should consider offering (name deleted) financial compensation or other consideration in kind.
ICC ref 1143 OCT 2009	That this report is provided to the appropriate agencies and that active consideration is given to providing a copy of the report to the complainant(s).

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**Question No.:** CASA 06

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Actions taken against Macair and recommendations made by previous Industry Complaints Commissioner Mr Michael Hart regarding Ozjet

**Hansard Page/s:** 85 (27/05/10)

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—So neither you nor either of your colleagues at the table would be aware of what action, if any, was taken against MacAir?

**Mr McCormick**—Action taken against MacAir—only in relation to an ICC report, or actually against MacAir, who of course no longer operate, through some other mechanism outside of Mr Hart; we will take that on notice if it is MacAir in particular you wish to know about.

**Senator IAN MACDONALD**—I am particularly interested in that. I am also interested in recommendations made by Mr Hart in relation to OzJet. Would anyone have any detail of those?

**Mr McCormick**—Again, we do not have that information in front of us. There is a report on OzJet, that I can confirm. Again, it has to be taken on notice. It will take us a while to get the report and to also go through the report.

**Answer:**

**Macair Airlines:** See CASA 05

**Ozjet**

In August 2008 Mr Hart made four recommendations in relation to HeavyLift/Ozjet:

- that the applications and Air Operators Certificate management be temporarily transferred to (name and area deleted);
- That (name deleted) team as speedily as is lawfully possible, consider, review, and decide the applications and other operational issues;
- That appropriate short term directions, delegations or approvals be provided to allow (name and area deleted) to manage these issues; and
- The CEO and senior management review and consider the organisational and workplace issues concerning the (area deleted).

A number of ongoing issues were discussed with Ozjet representatives in March 2009 who indicated they had complete confidence in the existing CASA team. Consideration was given to moving the oversight of the Ozjet Air Operator Certificate but in May 2009 all Ozjet operations ceased.

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Budget Estimates May 2010

**Infrastructure and Transport**

**Question No.:** CASA 07

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Approvals held by Ozjet

**Hansard Page/s:** 86 (27/05/10)

**Senator Macdonald asked:**

**Dr Aleck**—The commercial carriage of cargo in an Australian aircraft, domestically or internationally, requires an air operators certificate authorising those operations. In addition to that, if it is carrying only cargo, as the director indicated, there would be a number of other approvals that would be required to ensure that the cargo is carried safely.

**Senator IAN MACDONALD**—Are you aware if OzJet did apply for either of the types of licences you have mentioned to me? I am going back within the last couple of years.

**Dr Aleck**—OzJet held an air operators certificate, so they would have applied for one. I could not say when it was issued. I would have to take that on notice.

**Answer:**

An Air Operator Certificate (AOC) was issued to Ozjet Airlines Pty Ltd on 23 January 2008 with an expiry date of 28 February 2011. As well as charter and aerial work operations the AOC authorised four Boeing 737-229 aircraft to conduct passenger and cargo operations between the following aerodromes:

- Brisbane;
- Curtin;
- Melbourne;
- Norfolk Island;
- Perth;
- Sydney;
- Williamstown;
- Bali;
- Honiara; and
- Port Moresby.



**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Budget Estimates May 2010

**Infrastructure and Transport**

**Question No.:** CASA 08

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Applications for licences by new owner of Ozjet

**Hansard Page/s:** 86-87 (27/05/10)

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—I am asking whether Mr Hart reported on an OzJet application for some form of licence, which I am told was a cargo licence, that was regularly refused by CASA. You are telling me that no-one here has that information?

**Mr McCormick**—We do not have the specifics of Mr Hart's investigations with it. As I said, Senator, we will take that on notice.

**Senator IAN MACDONALD**—But no-one has any knowledge of OzJet being refused a cargo licence?

**Mr McCormick**—OzJet's history has not been, perhaps, the smoothest of sailing and it has eventually resulted in it being out of business. If you wish to know specifically about OzJet, we can take that on notice.

**Senator IAN MACDONALD**—I understand OzJet was placed in administration and then sold and that following the sale of OzJet a cargo licence was actually granted by CASA. I assume, in my limited vocabulary, that the cargo licence would refer to the aircraft being used as a freighter and requiring a particular licence. Does anyone have any information that can confirm or otherwise that, following the sale of OzJet by the administrator, the new owners applied for a cargo licence?

**Mr McCormick**—No, Senator. We will take that on notice.

**Answer:**

In June 2008 Heavylift Cargo Airlines assumed ownership of Ozjet Airlines. Heavylift bought a Boeing B727 aircraft from National Jet Express and applied to operate the aircraft in a freight carrying capacity on the Ozjet Air Operators Certificate. The application did not proceed as Heavylift were not able to supply sufficient information for CASA to issue the approval.

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Budget Estimates May 2010

**Infrastructure and Transport**

**Question No.:** CASA 09

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Actions relating to approval of licence for new owner of Ozjet

**Hansard Page/s:** 87 (27/05/10)

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—In our role as parliamentarians, we often get complaints from people, particularly in relation to CASA. I have sat in the position of Senator Conroy on many an occasion and have been through a litany of complaints, back in Dick Smith's days and other days. It was suggested to me that OzJet sought a cargo licence, it was refused by an officer of yours who subsequently left CASA and joined the company that bought OzJet, which then was granted the licence that had been refused previously. I am going to ask you to take that on notice and see if your investigations reveal anything along that line which might be of interest to the committee. Is that possible to do, do you think? How could there be an explanation for that, if that were true?

**Mr McCormick**—I will take that question on notice about whether one of our previous CASA officers had refused it and then gone to OzJet and then it was issued. We are very cognisant of workplace relations and, of course, the restrictions on trade. That particular scenario—you are the first person to raise it with us to my knowledge.

**Answer:**

In June 2008 Heavylift Cargo Airlines assumed ownership of Ozjet Airlines. Heavylift bought a Boeing B727 aircraft from National Jet Express and applied to operate the aircraft in a freight carrying capacity on the Ozjet Air Operators Certificate (AOC). The application did not proceed as Heavylift were not able to supply sufficient information for CASA to issue the approval.

In June 2009 Strategic Airlines purchased Ozjet Airlines from the administrator. In September 2009 Strategic Airlines was issued with an AOC authorised to conduct Regular Public Transport and Charter operations.

Prior to the issue of the AOC a CASA manager became aware through a matter raised with the Industry Complaints Commissioner that his name had been discussed regarding a possible senior management position with Strategic Airlines. A conflict of interest was then declared by the manager who was removed from any input to or contact with the AOC application process. The manager resigned from CASA on 14 November 2009 and took up a position with Strategic Airlines.

Strategic Airlines has never applied for a 'cargo only' approval.

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Budget Estimates May 2010

**Infrastructure and Transport**

**Question No.:** CASA 10

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Number of CASA cases with Ombudsman and Administrative Appeals Tribunal

**Hansard Page/s:** 87-88 (27/05/10)

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—Okay. You talk about the Commonwealth Ombudsman. How many complaints in the last 12 months have been made to the Commonwealth Ombudsman about CASA operations or officers?

**Mr McCormick**—I will defer to Dr Aleck, because he has had much closer dealings with the ombudsman on a personal level. We currently have an Ombudsman investigation into a particular complaint which we deal with regularly. So we have at least one, but I will just defer to Dr Aleck.

**Dr Aleck**—I would have to take on notice the actual number of complaints that have gone to the Ombudsman, but I do know that the number of complaints that go to the Ombudsman that are generated by CASA matters are very small compared to the other complaints they deal with.

**Senator IAN MACDONALD**—You put out an annual report, and I have the 2008-09 report where you list Administrative Appeals Tribunal merits reviews. Do you have on hand the 2009-10 figures?

**Mr McCormick**—The 2008-09 figures that you are referring to, again—

**Senator IAN MACDONALD**—No, I have those. There were 47, as I understand it, Administrative Appeals Tribunal merits reviews of regulatory decisions, up from 34 the previous year and up from 26 the previous year. I was just wondering how many you have had in 2009-10 to date, recognising that the year is not finished yet.

**Mr McCormick**—We will take that on notice. We can give you that figure.

**Answer:**

i) Ombudsman

CASA does not have records of complaints made to the Commonwealth Ombudsman that were not referred by the Ombudsman to CASA for comment. CASA records show that seven complaints were referred by the Ombudsman in the period May 2009 to May 2010.

ii) Administrative Appeals Tribunal (AAT)

From July 2009 to May 2010 there were twenty four new applications lodged with the AAT for review of decisions made by CASA.

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Budget Estimates May 2010

**Infrastructure and Transport**

**Question No.:** CASA 11

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Issue of Aviation Security Identification Cards (ASICS)

**Hansard Page/s:** 89 (27/05/10)

**Senator Macdonald asked:**

**Senator IAN MACDONALD**—You are only able to issue ASICS—as I understand they are called in the industry—that is, aviation security identity cards, to pilots and CASA employees. Is that correct?

**Mr McCormick**—Sorry, are you asking if there is someone excluded from being able to apply for one of those?

**Senator IAN MACDONALD**—No. They are only supplied to pilots and CASA employees; is that correct?

**Mr McCormick**—I am sorry, Senator. I will take that on notice.

**Senator IAN MACDONALD**—Who are those aviation security identification cards issued to? My question is: are they only issued to pilots and CASA employees or do they go more widely?

**Mr McCormick**—They go more widely than that. We issue them to pilots who operate in and out of airfields and to CASA staff because of their requirement to be on those airfields—that is registered or certified airfields, going back to our earlier discussion about the types of airfields. As to whether anyone else is eligible for those cards outside of the category of pilot, we do issue them to other people. We have them with, for instance, people who work on the airfield like air refuellers et cetera. As to whether it is the same ASIC card, I am sorry, I will take that on notice.

**Answer:**

CASA is authorised to issue ASICs to the following:

- (a) pilots who are licensed and qualified to operate a civil Australian aircraft; or
- (b) a person who previously held an ASIC that was issued by CASA; or
- (c) a CASA employee; or
- (d) a person who has the endorsement of the Director of Aviation Safety.

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

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**Infrastructure and Transport**

**Question No.:** CASA 12

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Flight Deck duty times

**Hansard Page/s:** 93 (27/05/10)

**Senator Ludlam asked:**

**Senator LUDLAM**—I am not sure if what I am talking about is prescriptive, but it seems to be a different reading of the rule book. One says that your clock starts when you arrive and the other says that the clock starts when the plane starts moving. This can lead to discrepancies of some period of hours.

**Mr McCormick**—That is correct. Internationally there are various systems that use different start times. That is not unknown or unique to Australia.

**Senator LUDLAM**—All right, but for a period of four years the association has been complaining that this is putting people at risk.

**Mr McCormick**—I am unaware of what happened before I arrived on 1 March last year.

**Senator IAN MACDONALD**—Mr McCormick, do any of your colleagues who have been here a lot longer than you know?

**Mr McCormick**—We can take that on notice.

**Answer:**

Operators currently have three means of managing flight crew fatigue through:

- i) application of the provisions of Civil Aviation Order (CAO) 48;
- ii) exemptions from any of the requirements set out in CAO 48, subject to such conditions as CASA considers necessary in the interests of safety (CASA has eight Standard Industry Exemptions that operators are able to use to make formal application to CASA for exemption); and
- iii) Fatigue Risk Management Systems which require an operator to manage the risk associated with fatigue and where CASA evaluates the system and formally approves the program.

Flight deck duty is defined in the standard industry exemptions from CAO 48 as *the total time a flight crewmember is on duty on the flight deck in a flight duty period*. The Flight Duty Period is defined as: *a period which starts when a flight crew member is required by an operator to report for a duty period in which flight as an operating crew member is undertaken, and finishes not less than 15 minutes after the end of the block time of the final flight as an operating crew member*. Flight Time is defined as: *not less than the total time between when an aircraft first moves from its parking place, until the latter of the aircraft coming to rest at the designated parking position or until all engines are stopped*.

CASA is working with industry to clarify and refine the definitions used in the standard industry exemptions, for example by Qantas and Jetstar.

Flight duty times are included in CASA surveillance and audit operations.

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Budget Estimates May 2010

**Infrastructure and Transport**

**Question No.:** CASA 13

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Application of exemptions to Civil Aviation Order 48

**Hansard Page/s:** 95 (27/05/10)

**Senator Ludlam asked:**

**Senator LUDLAM**—The civil aviation order—the 48 general exemption et cetera, the one that I quoted to you right at the beginning—what status does that have? Is that a guideline or is it a law?

**Mr McCormick**—It is not primary legislation as such; it is an instrument. It is an order written by us, but it is not law.

**Senator LUDLAM**—It is delegated legislation, but what happens if you are in breach of something like that? You are breaking the law?

**Mr McCormick**—I will defer. I could give you an answer, but it is perhaps best if it comes from a lawyer, so I will pass it to Dr Aleck.

**Dr Aleck**—The civil aviation order is made under the Civil Aviation Regulations and a noncompliance with a requirement in the order could constitute a breach of the regulation. I should point out that the order itself contains an exemption provision. So, under the order, exemptions from the provisions of part 48 can be approved by CASA, in which case a departure from the order would not be a breach.

**Senator LUDLAM**—Okay, if you have asked. My understanding is that that order mandates that the clock starts when you arrive on deck, not when the wheels of the aircraft start moving. So are Qantas and Jetstar in breach of their obligations under that regulation or not?

**Mr McCormick**—I did not bring all the civil aviation orders with me, I am sorry, Senator. We will have to take that on notice.

**Answer:**

See CASA 12

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

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**Infrastructure and Transport**

**Question No.:** CASA 14

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Breaches and changes to definition of Civil Aviation Order 48

**Hansard Page/s:** 96 (27/05/10)

**Senator Ludlam asked:**

**Senator LUDLAM**—I find it a little bit puzzling that, in terms of something as clear-cut as this—and Commissioner Hart may or may not have been a legal expert, but he quite succinctly paraphrased what Dr Aleck just told us; I do not think those two views are inconsistent at all—it seems very much as though, at least at the time when he wrote that, there were no exemptions in place. Would that give you a concern if, for a period of four years, our carriers have been transporting people about the place in breach of regulations—quite important ones, I would have thought—governing fatigue on duty?

**Mr McCormick**—I do not know that, Senator. As I have said, I do not have that information in front of me and the small part of the transcript you read to me does not give me any insight into what the rest of that report had about where he reached that conclusion. I will say now that I did not put a lot of strength into or reliance on Mr Hart's conclusions.

**Senator LUDLAM**—That is interesting. Do you think he might have been wrong in the sense of this?

**Mr McCormick**—I am unable to answer that, Senator. As I said, I will take it on notice. I think the issue here also is that the change of a definition does not necessarily turn something from safe to unsafe.

**Answer:**

See CASA 12.

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

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**Infrastructure and Transport**

**Question No.:** CASA 15

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Number of flights gone beyond 12 nautical miles for search and rescue

**Hansard Page/s:** 100 (27/05/10)

**Senator Abetz asked:**

**Senator ABETZ**—All right. How many other times has CASA been made aware that flights have gone beyond 12 nautical miles for search and rescue operations and you have not put them through this sort of third degree?

**Mr McCormick**—How many times have flights gone beyond 12 nautical miles for search and rescue?

**Senator ABETZ**—Yes.

**Mr McCormick**—I do not know whether we will have that data, but I will take it on notice and we will see if we can find it.

**Answer:**

CASA is unaware of the number of search and rescue flights that have gone beyond 12 nautical miles.

All holders of domestic Air Operators Certificates (AOC) approved for charter and aerial work (including search and rescue) must confine their operations within 12 nautical miles from the Australian coastline.

CASA is in the process of reminding all domestic AOC holders of the limits of Australian territory and the type of permissions required for any operations conducted outside Australian territory.



**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

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**Infrastructure and Transport**

**Question No.:** CASA 16

**Division/Agency:** Civil Aviation Safety Authority

**Topic:** Implementation of new navigation systems

**Hansard Page/s:** 102 (27/05/10)

**Senator BACK**—Earlier in the day we were talking to Airservices Australia personnel about the required navigational technology that is being examined and introduced, and Mr Russell was giving us an overview of where it was with regard to pilot programs at four airports—Brisbane, Adelaide, Sydney and Melbourne—and he was speaking of the steps to be taken before such a move would be rolled out, let us say, commercially. I wonder if you could tell us to what extent your agency has to date been examining the RNP system? As yet, have you approved the required navigation performance system that is under test by Airservices Australia?

**Mr McCormick**—I will take that on notice please, Senator, if I could. We do not have in front of us information about that other than what Airservices provided to you.

**Senator BACK**—So there would not be any hold-up from your side to the rolling out of that particular technology that you are aware of at this stage? There is no impediment from CASA's side at this time that you are aware of to the continuing implementation of that rollout?

**Mr McCormick**—That is not in my area, I am sorry. We will have to take on notice anything you wish to know about that.

**Answer:**

Required Navigation Performance (RNP) is one element of a system called performance based navigation (PBN). The International Civil Aviation Organization recommended in 2007 that all member States implement PBN. CASA has been involved with PBN development internationally and has submitted an Australian RNP implementation plan to ICAO.

Some elements of PBN are already in place in Australia. PBN affects all aspects of aircraft operation including departure and approach to landing. In the approach phase there are several specifications that enable different types of approach. One such specification permits the use of Required Navigation Performance – Approval Required (RNP-AR) approaches.

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

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**Infrastructure and Transport**

**Question No.:** CASA 17

**Division/Agency:** Civil Aviation and Safety Authority

**Topic:** Evidence of need for safety management system including approved check and training organisation

**Hansard Page/s:** Written Question

**Senator Williams asked:**

As passenger operators will be required to adopt formal safety management systems including and approved check-and-training organisation, what evidence is there of the need for this extra imposition?

**Answer:**

According to the Australian Transport Safety Bureau (ATSB) over the last ten years there have been 202 accidents and 64 deaths through the operation of charter aircraft. Through analysing the cause of aviation accidents, the ATSB has found that poor or non-existent safety management systems are a contributing factor to a number of aviation accidents and has advocated for the introduction of safety management systems for the aviation industry.

In response to the causes of aviation accidents globally, the International Civil Aviation Organization (ICAO) has issued an international standard that countries mandate a safety management system for operators engaged in air transport flights. CASA has met the ICAO deadline by amending the Civil Aviation Orders (the regulations are in the process of being developed).

CASA does have a mandate to ensure check-and-training for operators of aircraft above 5700kg (and sometimes below 5700kg if operations are complex).

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

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**Infrastructure and Transport**

**Question No.:** CASA 18

**Division/Agency:** Civil Aviation and Safety Authority

**Topic:** Safety benefit from regulating small operators to same standard as Qantas

**Hansard Page/s:** Written Question

**Senator Williams asked:**

What safety benefit will accrue to the travelling public in regulating a smaller air charter company to the same standard as QANTAS?

**Answer:**

The requirements of a safety management system will be different for a small charter operator when compared to Qantas as requirements will be appropriate to the size and complexity of the operation. CASA intends to publish guidance material and make available information technology to simplify compliance by small operators.

The potential safety benefit is demonstrated by the example of an evaluation of a safety management system introduced by a charter operator in Canada (Skyservice Airlines). This evaluation found that there was a 22.5% reduction in ground safety incidents and a 5.6% reduction in safety/hazards.

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Budget Estimates May 2010

**Infrastructure and Transport**

**Question No.:** CASA 19

**Division/Agency:** Civil Aviation and Safety Authority

**Topic:** Number of Air Operators certificates likely to be cancelled as a result of new regulations

**Hansard Page/s:** Written Question

**Senator Williams asked:**

How many charter Air Operators Certificates does CASA expect to cancel following these new regulations?

**Answer:**

CASA's function under the Civil Aviation Act is to publish appropriate safety standards, having regard to the safety of air navigation and in accordance with international agreements. At the same time, CASA is required to consider the economic and other impacts of the standards that it applies and that these are cost-beneficial.

CASA is yet to finalise the impact assessment of the proposed regulations on charter operators. By working with industry the intention is not to cancel any Air Operators Certificates.

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

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**Infrastructure and Transport**

**Question No.:** CASA 20

**Division/Agency:** Civil Aviation and Safety Authority

**Topic:** Possible economic impact of proposed regulations on small operators

**Hansard Page/s:** Written Question

**Senator Williams asked:**

What do you expect would the economic impact on one and two man operations in implementing these changes?

**Answer:**

CASA is in the process of assessing the economic impact of these changes on charter operators of various sizes.

**Rural and Regional Affairs and Transport Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

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**Infrastructure and Transport**

**Question No.:** CASA 21

**Division/Agency:** Civil Aviation and Safety Authority

**Topic:** Effect of proposed regulations on charter operations to small communities

**Hansard Page/s:** Written Question

**Senator Williams asked:**

Would you be concerned that small rural communities, particularly those that have already lost a commercial airline service, may also lose their small charter operator as a result of the new regulations?

**Answer:**

CASA's function under the Civil Aviation Act is to publish appropriate safety standards, having regard to the safety of air navigation and in accordance with international agreements. At the same time, CASA is required to consider the economic and other impacts of the standards that it applies and that these are cost-beneficial.

Although CASA has yet to finalise the estimated economic impact for charter operators, the experiences of other aircraft operators implementing a safety management system suggest that the cost will only be a small proportion of their total revenue. In addition, by reducing safety incidents the charter operators are likely to benefit from improved efficiency, such as reducing the time their aircraft are out of service. The beneficial nature of safety management systems for operators is demonstrated by the fact that some operators have already implemented a safety management system without regulatory compulsion.