

Third Time Lucky
One small addition
Apologies, all a little rushed here
Rgds
Bill

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

From: [FW \(Bill\) Pike](#)
To: rrat.sen@aph.gov.au
Sent: Sunday, June 29, 2008 6:08 PM
Subject: Re: CASA Enquiry

Dear Sir,
I previously forwarded this submission as I was not sure that i would meet the deadline for any further
Please note that this has additional material
Thanks

FW Pike----- Original Message -----

From: [FW \(Bill\) Pike](#)
To: rrat.sen@aph.gov.au
Sent: Saturday, June 28, 2008 3:16 PM
Subject: CASA Enquiry

Senate Inquiry into CASA

If I had one point to make it is this
CASA will not process the piles of paperwork that it requires an operator to submit before operating a new type of aircraft until the company owns an aircraft of that type. Thus millions of dollars must sit idle until Casa does whatever it does And that might(will) take months! Mind they also require their fees to be paid 50% in advance, a sum of over \$40,000 in one case known to me. All for no purpose other than to reinvent the wheel for aircraft already flying elsewhere or indeed here. Fiscal madness. Their excuse?. “We don’t want to waste our time with frivolous applications.” (The \$40,000 in advance should slow those down.)
I cannot imagine why any Govt would persist in allowing CASA to write its own regulations (as CASA has been avoiding doing for almost twenty years!) Govts who would not dream of allowing the police to write the rules for powers of search and entry have allowed this dreadful situation to remain. The regulations should be submitted by an independent body on which CASA has a representative.. The only time progress was made in the rewrite of the regulations was when the Program Advisory Panel was part of the process. This was not a panel of predictably docile aviation people but a true cross section of the industry. CASA of course hated it and for some reason Mark Vaile disbanded it before the process was completed. So now we have been rewriting for near on twenty years. CASA’s excuse for not using the US FAA rules has been. “The FAA are about to rewrite them” They have used and gotten away with this nonsense for nearly twenty years. Give me a typist, the NZ Regulations and two weeks and I will give you a workable set for consultation.
There is no doubt that CASA’s oft repeated mantra that some like it the way it is, is true. Large charter organisations and airlines like complexity as it keeps away smaller competitors who were it not for the myriad requirements of marginal if any safety benefit such as maintenance controllers and CRM courses etc might be able to be more nimble and more efficient. Complexity favours the established It has no shown safety benefit

Casa is not truthful. Casa claims to consult. Changes implemented without consultation are many. When the Biennial Flight Review (BFR) was introduced CASA said that it was a refresher only and one only had to undergo it. No discernible improvement in the accident rate followed however a reduction in pilot numbers ensued. One more bureaucratic hurdle and in some cases one too many. Despite being unable to show any improvement in the accident rate Casa, under encouragement from the more nit picky instructors who felt slighted at not being able to fail pilots not meeting their idea of what was important in aviation, ie theoretical stuff, then changed the name to AFR and now the test can be failed. Absolutely no consultation. Absolute abrogation of the initial undertaking. No demonstrated safety benefit .

Drug and Alcohol testing for pilots? In 50 years I have not seen any problem in this regard. A few here and there that were quickly taken care of one way or another. CASA's laughable "case: is based on a "guess" as to the number of pilots who might be affected . A guess! Such an intrusion into our lives based on nothing. More complexity more staff more funds more fees. Good CASA stuff

Some time back in the past industry pressure from self interested bodies caused the then CASA to change another regulation without any consultation. Then any suitable qualified LAME could fly in and carry out a "100 hourly/Periodic Inspection" on a uncomplicated aircraft say Cessna 172 in the country. This regulation was changed, completely without notice or consultation, and to the benefit of the big end of town to say that the inspection had to be carried out in the rarified atmosphere of an authorised workshop. Might be a good idea, but if so why avoid the debate?.

CASA's contempt for its undertakings in particular and the industry in general does not stop there. In a mind boggling situation, Casa has been slighting the Senate's right to approve new regulations since the early 1990's and getting away with it. At about that time CASA came up with some new proposed "CAO 48" (Flight Time Limitations) Regulations. The proposed regulations were extreme in the view of many reputable bodies, caused an uproar, and were not proceeded with *as regulations* .

(Why were they mooted? One could mention politically powerful airline figures of the day etc but why is not important. What happened is important.) Had they been submitted to the Senate I have no doubt that mayhem would have followed when the matter was debated. CASA has its way around Senate oversight which it brazenly employed in this case. CASA has a right to issue "exemptions" to these regulations. Usually they were "equivalent safety exemptions" For example say a pilot oin a two pilot crew can work 11 hours straight but with an extra pilot in the crew they can work 12 hours. Then in circumstances where there was considerable sitting around, that is resting, involved then maybe the two pilot crew would get an exemption to work 12 hours. Commonsense stuff. Casa abused this exemption authority and proceeded to completely rewrite CAO 48, and termed the process an "exemption" rather than a rewrite so that it was not and has never been filed with the Senate! About 15 years of "Exemption"! It remains in place to day. Government by bureaucrats devoid of Government oversight. How cheeky is that? Any one who thinks "Yes Minister" is a comedy hasn't dealt with this mob. In my opinion no minister since Charley Jones has had their measure. Of course a body emboldened by its success in giving the finger to the Senate is unlikely to treat individual citizens with respect. I could go on but this is another of many such inquiries "into CASA" that fade without change to the status quo.

Happy to attend any hearings as required.

Capt FW (Bill) Pike

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Additional

I do not know this to be true but I am reliably informed that CASA grounded the Cessna Conquest aircraft without notice and certainly without consultation.. I am informed that although the inference was made that it was done on manufacturers recommendations, that in fact the FAA, that is the authority in the country of origin, has not grounded these aircraft. Further the grounding was done, so I am told, in such a way that it was not possible to fly the aircraft out to a more aviation friendly country. If this is the truth it is a dreadful situation. "Spiteful "can be used.

As for "ATO's", (Authorised Testing Officers) CASA I understand has a policy of keeping an ordered market by limiting supply. I have been told that qualified candidates are turned away as "we think that there enough ATO's in your area" (while any CASA FOI leaving CASA can be made one of course.) Quite sensible but not too different in principle to the sort of thing that Dick Pratt is accused of doing, in my opinion?

In my opinion CASA does not have sufficient guidelines, and it rarely follows those that it has. I have seen a flyer from CASA management from years ago wherein we were promised regulations no more rigid than in other countries yet events such as the Cessna grounding persist. It is not so long ago that we were the only country to require expensive modifications to Piper aircraft wings, yet US registered aircraft operating here did not have to do so. The then head of CASA Leroy Keith said to the Program Advisory Panel and in my hearing that it would be difficult to move away from this requirement because CASA might be open to litigation! What has this to do with safety? All regulations should be required to justify their cost effectiveness. For example in a misguided knee jerk reaction to the Whyalla accident we are now required to carry life jackets in private aircraft over relatively small expanses of water. This is not a requirement in the US for example. Lets say that a central Qld country person decides to fly to say Hamilton Island for a few days. Where is he supposed to source a lifejacket? What is the statistical likelihood that he will end up in the water over those twenty miles or so, in such a way that lifejackets would be a factor in his survival? How many lives will be saved? None. Much more dangerous flying over some of the inhospitable terrain on the way in fact. From memory, the Bureau of Transport Economics in the eighties calculated the cost effectiveness of various safety measures. A motorcycle helmet saved a life for every \$15,000 spent. Seat belts saved a life for every \$75,000 spent. Life jackets saved a life for every \$4,000,000 spent! Nobody cares about the ridiculous costs foisted upon aviation for little benefit.

Another unfortunate aspect of aviation safety is the common belief that more audits and such equals more safety. Every accident and its subsequent publicity generates more zealotry. I would like to see a link drawn between the accident rate and any measures taken to reduce it. More pedantry does not at all equal more safety. I do not feel safer because someone demands to see my licence or to check whether or not I

have signed a maintenance release. The US does not have maintenance releases for private aircraft! I do not feel safer because CASA now require authorised workshops to have their battery chargers calibrated on a regular basis. I do not recall any accidents caused by uncalibrated battery chargers! And so forth. A few years ago I gave some thought to running a small joy flight operation. I was told that by CASA that there would be a fee of \$8,000 to inspect the office. The office!

The link between an office and aviation safety was and is not clear to me. And so on with much of CASA's operations.

In my opinion CASA has been allowed to become a fiscally irresponsible monopoly service provider, that, operating without curb or restriction, decides what services the industry must have, charges whatever it wishes for those services and whose employees are more interested in overseas trips, salary and superannuation than the welfare of the industry .

Yours faithfully

FW (Bill) Pike