

Aviation Safety Regulation Review

Submission by Alan C Baskett.

In making this submission I am aware that the premise of the title of the review is false to start with as no government is able to regulate "Aviation Safety" other than by stopping all Aviation activities.

Safety cannot be regulated, Safety is the outcome of doing the "Right Thing". as a normal method of operating by the aviation industry!

Australia has a good safety record despite the "Civil Aviation Safety Authority"

The first two items in the Terms of Reference are no different than they were when I was involved in an accident in 1978. The then regulator influenced the accident report produced by BASI to the extent that the Coroner would not accept the Department's hypothesis but preferred the evidence of the pilot involved, who was in the words of one of the investigators "was one of the best witnesses he had interviewed, Because he told me what happened, not what he thought happened as is the case with most witnesses." It took investigation on my part to uncover the real reason for the accident which was a Design failure and then certification failures.

So therefore, I would like to see the accident investigator completely separated from the regulator and report directly to parliament via the Minister !

The outcomes and direction of the regulatory reform process is a shambles and does not reflect well on any government oversight [past or present] in the reform process!

The suitability of the Australia's aviation safety related regulation when benchmarked against overseas jurisdictions are a joke especially when considering the total number of "criminal activities" a pilot or engineer are able to perform when committing aviation.

The main problem with Australian Aviation Regulations at present are that they are a victim of the past military heritage of a top down way of thinking incorporating the military authority model. I am not saying that we don't owe a lot to our past heritage but General Aviation needs to be a separate entity in today's environment.

My recommendations are as follows to enable General Aviation to again flourish and regain its rightful place in Australian society:-

- Establish a new **General Aviation Authority** by passing a new General Aviation Act covering all aviation activities at or below 5700kg other than military and airline operations with the power to promulgate "Rules".
- Introduce new **General Aviation Rules** based on adapting the American FAA Rules as a template to Australian requirements or; as an alternative use the applicable ICAO Annexes as templates for the new General Aviation Rules.
- Establish a new "**General Aviation Accident Investigation Branch**" using the ICAO Annex 13 as the template for its operations and reporting directly to Parliament via the Minister.
- Fund the new **General Aviation Authority** by utilizing the existing Fuel Excise used by all GA aircraft. [i.e. **General Aviation Authority** would then be self funding]
- Introduce new Pilot and Aircraft Maintenance Engineer licensing system that recognizes all existing licenses as a permanent qualification.
(i.e. Only need to have current medical together with currency and recency to use of your qualification.)
- Existing & previous DCA, CAA, CASA, licenses and qualifications to be transferable to GA licenses and qualifications

[i.e. Recognize all previous licensing as a qualification for General Aviation.] These are then the necessary authority to carry out individual operations, the need for an Operations Manual would only necessary for standardization when employing extra individuals in the operation!

- **Introduce a new Medical standard for GA**

i.e. An Annual/Biennial GP conducted medical to the standard to enable a person to drive a car for Australian operations only, calling this medical a “**Trust but Verify**” medical. [*Up to age 40 every 2 years & over age 40 annually*]

To be ICAO compliant, use existing Class 1 or 2 medicals if needed to operate overseas.

The current Medical standards are an outcome of the Military use of “Medical Standard” to reduce the number of suitable candidates for Aircrew and is not applicable to General Aviation.

The reality is that we self certify every time we fly an aeroplane or drive a car

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- **Introduce 3 new classes of Private Pilot Licenses**

1. **Light Sport PPL** - for aeroplanes up to 800 kg and 2 seats. --- *an increase in the present RAA & Light Sport All Up Weight to include existing Training A/C like C150, Piper Tomahawk etc.*

(Note – This replaces existing RAA

2. **Recreational PPL** - for all aeroplanes up to 2850 kg & up to 6 seats. *in line with some Overseas proposals for Recreational*

3. **Full PPL** - for all aircraft up to 5700 kg

- **Introduce 2 classes of Commercial Licenses**

1. **Recreational CPL** -for all aircraft up to 2850 kg & up to 6 seats.

2. **Full CPL** -for all aircraft up to 5700 kg

- **Reintroduce the letter classification for Instructor Ratings** similar to NZ system and previous DCA system i.e. A, B, C, C+ and D

D Rating to replace present RAA instructor Ratings [*Light Sport Aircraft Only*]

Senior D to replace present RAA Senior Instructor. [*Light Sport Aircraft Only*]

C Rating to replace present Grade 3 Rating.

Senior C Rating to replace present Grade 2 Rating .

B Instructor Rating to replace present Grade 1 Rating

A Instructor Rating

Examiner Ratings

As required for A and B Ratings for appropriate licenses and ratings!

- **Maintenance**

As per AMROBA submission, however adoption of CASA's as proposed Part 143 would decimate General Aviation as it stands at the moment!

Adopt the US Fixed Base Operator process -- i.e. no Authority approval of airport based aircraft maintenance organizations if they are an Australian registered business employing an appropriately qualified licensed aircraft maintenance engineer.

In making this submission I am drawing on my General Aviation background. I learnt to fly as one of the lucky 10 selected to gain a Private Pilots License from my RAAF National Service. In fact, one of the last ever to trained on DH82a by the RAAF. Afterwards, I gradually progressed gaining first my Commercial and then my Instructor Rating. While working for various companies I increased my qualifications until I was qualified to operate my own Flying School "Speedair" at Essendon Airport.

My qualifications were at that time Commercial Pilot with an "A" grade Instructor Rating, Class One Instrument Rating with Twin Engine Testing and training Approvals

During this time I was a member of the then "General Aviation Association" and ended up on the National Executive as a Vice-President. I event represented the Industry in the then Arbitration Commission, successfully negotiating the amalgamation of 2 awards with 4 pay scales into one award with one pay scale with all pilots work valued to each other. This is, to this day the basis of the present General Aviation Pilots Award!

As mentioned earlier I was the PIC when VH-PNW became dangerously out of trim at a height a that was impossible to recover from in the time frame available. It was only after the Inquest that I fully investigated the design and certification process and then realized the magnitude of the problem!

The case was settled out of court as I was advised that if I wanted to pursue the matter further after an offer was made, that my then legal-aid funding would be withdrawn. So I was forced to accept the offer made. This process had been drawn out for 13 years. I did eventually gain an backhanded response a couple years later in the Safety Digest. It was a hell of a way to make an aeroplane design safe!

[REDACTED] However I was able to resume my Instructing activities as a Senior Instructor with RAA as I could pass the requirements for the PPL Medical by my local GP!

I look forward to meeting with and discussing further my submission the members of the Panel!

My contact details are;

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