

Submission - Aviation Safety Regulation Review

This submission relates to my capacity as a private pilot, flying approximately 150 hours per year, mostly to transport myself to locations in Regional Queensland as part of my employment. The aircraft I fly is a Mooney, and I have seen and support the Australian Mooney Pilots Association (AMPA) submission. I am also a member of the Aircraft Owners and Pilots Association (AOPA). I have read that submission as well, and also endorse it.

I understand that the objectives of the review are to investigate:

- the structures, effectiveness and processes of all agencies involved in aviation safety;
- the relationship and interaction of those agencies with each other, as well as with the Department of Infrastructure and Regional Development;
- the outcomes and direction of the regulatory reform process being undertaken by the Civil Aviation Safety Authority;
- the suitability of Australia's aviation safety related regulations when benchmarked against comparable overseas jurisdictions; and
- any other safety related matters.

My submission relates primarily to the first and third bullet points.

1. The Civil Aviation Safety Authority (CASA) appear to randomly select projects to focus on within aviation. These issues can be hot topics for a while, with road shows around the country, and then go quiet, although still to be found on their website. One of these in recent times was the issue of Ageing Aircraft. CASA put out a discussion paper with a link allowing response. The response template was in survey format and was largely irrelevant with respect to the ability to offer any critical review of the paper. The paper made sweeping statements such as "Many of the aircraft on the Australian Register were designed with a 20 year notional life" and "aircraft continue to be operated differently to what the designers originally envisaged". The paper gives no data, either within the paper, or as an appendix, to support these statements. However, in seeking responses to the paper, CASA required the following of respondents: "Suggestions should be supported with objective engineering data and analysis."

This is an unfair and impractical position for CASA to take and shows the CASA organisation is out of touch with aviation. CASA has the resources to carry out "objective engineering data and analysis". Aviators do not. CASA has the power to ground aviators. Aviators do not have the power to properly respond the CASA, and even if they have the resources, there is no feedback mechanism to show that CASA has even considered the responses. Hence there is a power imbalance that appears to be taken advantage of by CASA.

2. Another recent debacle by CASA has been the introduction of new licensing. Once again there were road shows and a seeming flurry of activity. At the roadshow I attended, which had many attendees, a number of questions were asked of the CASA representatives.

Approximately 30% of the questions had to be taken on notice, as the CASA representatives were not able to immediately provide answers. The roadshow was held in Cairns on 10th September 2013. We were told to be ready as the regulations were changing on 4th December 2013. It was clear from the questions that the regulator was not ready; either the representatives had not been properly briefed and prepared, or the organisation in total was not ready.

After the announcement that the regulations had been deferred the advice on CASA's website was that "industry was not ready".

3. A further area of concern is how items can appear in the Aeronautical Information Package (AIP) without any forewarning or advice, perhaps deemed innocuous by CASA and AIR Services staff. One such are is a change occurred in the 30 May 2013 update of the AIP. In 4.6.1 of the ENR section it states that unless an aerodrome is depicted on a chart, all traffic should stay on the area frequency.

In North Queensland there are many unmarked aerodromes used by the mail and Flying Doctor aircraft, as well as crop sprayers and ultralights. They are also used by training aircraft. Many of these aircraft carry a single radio as that is all that is required and is perfectly adequate in most cases. Many of the pilots of these aircraft do not subscribe to the AIP and use, as a matter of course, the generic (126.7) CTAF frequency for the broadcast when proceeding to an unmarked aerodrome. However some aircraft pilots will have read the AIP, and will now be making calls on the area frequency. Aircraft with single radios are therefore now at risk due to this unannounced and seemingly innocuous change.

4. The final area of concern is that aircraft owners are ultimately responsible for all maintenance done on the aircraft. This again is an unfair requirement as aircraft owners are not permitted to carry out most maintenance. Unless the aircraft owner has; a) the time to witness all work being done by remaining in the maintenance hangar for the entire the time the works are being carried out, and b) the expertise to determine that the work is being carried out according to the CASA Maintenance Standards, this requirement is impossible to undertake.

When maintenance is carried out that is substandard, it is usually uncovered when the aircraft is getting further maintenance and often by a competing maintenance organisation. CASA's view is that is then a commercial dispute.

As you can see by my points above the issues are mainly with CASA as regulator. Over the years there have been numerous enquiries into the organisation, but no real progress. My recommendation is to approach the New Zealand Government who have already adopted the FAA model, and ask them for a fee to regulate general aviation in Australia until such time as a new organisation can be developed.

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