

Submission to the Aviation Safety Regulation Review by Michael Tucker

I wish to add my support to the submission by AOPA and expand on 2 points

1. I think we all agree that one of the major problems of the current regulations is the content of Reg 206 defining commercial operations and that the fix is the new regulations.

I quote from CASA website on CASR Part 135 Australian air transport operations - Small Aeroplanes

" In 1999, CASA was directed to "minimise the distinction between charter and Regular Public Transport (RPT) operators". To address this, Part 135 will set in place a common level of safety for operators who are authorised to provide 'Air transport operations' - an amalgamation of current charter and RPT operations and standards - in order to carry Passengers in small aeroplanes. The safety level applies irrespective of whether an operation is scheduled or non-scheduled as described by the International Civil Aviation Organization in Part I of Annex 6."

and we agree that the same level of safety should apply irrespective of whether an operation is scheduled or non-scheduled or is a closed charter or open to the public - **BUT** for a given aircraft size.

we note that no amount of over regulation will make a flight in a 4 seat single engine aircraft or a 10 seat twin as safe as one in a 30 seater or a 737

We believe that CASR 135 with the associated maintenance regulations are over the top, too onerous, too complex for small aircraft and would be unworkable for the smaller operators and remote operations

We believe that we should adopt/copy the New Zealand system and regulations of

- CAA Part 135 - Small Aircraft & helicopters - < 9 seat & < 5700kgs MTOW - safe
- CAA Part 125 - Medium Aircraft - 10 - 30 seats or SEIFR ops Safer
- CAA Part 121 - Large Aircraft - > 30 seats Safest
- CAA Part 119 - Air Operator - Certification

with no distinction between scheduled or non-scheduled or whether it is a closed charter or open to the public.

2. We would also like to reiterate the concerns raised about CASA's enforcement approach and methods. Their handling of Barrier aviation AOC suspension and others was unconscionable, the timings of their actions seem to occur when they will do most harm and without notice.

- For justice to be seen to be done we believe Sect 30DC of the ACT should be amended to enable CASA to give a direction that will stop that part of an operation that is a "*Serious and imminent risks to air safety*" and a "*show cause notice*" should **have** to be issued before the AOC is suspended

The possibility that a company can be closed down unjustly without a chance to rectify the problem is just "un Australian" and does nothing to encourage investment in Aviation.

I support AOPA's call for an effective ombudsman reportable to the Minister and the CASA Board.

Yours sincerely

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