

AMROBA[®]inc

ADVOCATE OF THE AVIATION MRO INDUSTRY

Newsletter Date
16/11/2013

Aviation Waits For Minister's Decree

Volume 10, Issue 11
November – 2013

The LNP is “*increasingly concerned at the fragile state of Australia’s general aviation industry.*” And so it should be — many of our members have known for years just how “fragile”.

The non-airline aviation industry could be twice its size if *Regulations* and *Regulator* were focused on providing a safe and “**sustainable**” aviation system. In a country that has the ideal weather conditions, the over regulation and enforcement attitudes by previous governments has stifled the safe growth of this industry.

We are very supportive of the government’s aviation policy paper but we now need to see **changes to the Act** and a new Minister’s “**Strategic Direction**” to implement their policy.

The Government’s policy paper states:

- ◆ *recognise the importance of Australian airports to the economy;*
- ◆ *revitalise the General Aviation Action Agenda;*
- ◆ *continue to promote aviation liberalisation;*
- ◆ *enhance aviation skills, training and development.*

Before any of the above can be achieved, the Civil Aviation Act needs to have a new “**Purpose**” that includes the word “**sustainable**”. It is well known that Regulations do not prevent accidents and incidents — they happen despite the amount of regulations worldwide.

Australia: 3A Main object of this Act

*The main object of this Act is to **establish a regulatory framework** for maintaining, enhancing and promoting the safety of civil aviation, **with particular emphasis on preventing aviation accidents and incidents.***

New Zealand: The objectives of the Minister under this Act are —

- (a) to undertake the Minister's functions in a way that contributes to the aim of achieving an **integrated, safe, responsive, and sustainable transport system;** and*
- (b) to ensure that New Zealand's obligations under international civil aviation agreements are implemented.*

What a difference when compared to the Australia’s Civil Aviation Act.

Australia: 12A Minister may give the Board notices about its strategic direction etc.

*(1) The Minister may notify the Board in **writing of the Minister’s views on the following matters:***

- (a) **the appropriate strategic direction for CASA;***
- (b) **the manner in which CASA should perform its functions.***

(1A) Subsection (1) does not permit the Minister to notify views in relation to a particular case or a particular holder of a civil aviation authorisation.

*(2) In performing its functions, the **Board must act in accordance with notices given under subsection (1).***

AMROBA members, and most of the rest of the non-airline sectors of aviation, are waiting for Minister Truss to provide a new ‘**strategic direction**’ for CASA specifying the ‘**manner in which CASA performs its functions**’. **The Minister can make an immediate difference.**

There must be a new interaction between CASA and industry in the interest of aviation safety where openness, trust and respect exists to improve safety.

Free Trade Agreements

Both Labour and Coalition governments, past and present, support Free Trade Agreements (FTA) in the Asia/Pacific Rim Region. No matter how much lobbying is done, there is no stopping governments that are determined to achieve these Free Trade Agreements. Aviation design, engineering, manufacture and maintenance is not specifically mentioned in these agreements but our governments still expect aviation to compete in the global aviation market.

Sadly, our governments have not created a regulatory environment where Australian aviation design, engineering, manufacture and maintenance industries can compete on a level playing field with off-shore facilities. The aviation legislative imbalance favours other countries. Removal of the imbalance is not only necessary for survival of many of our businesses, but to enable them to compete globally.

Add to that the more restrictive trade and work place legislative requirements in Australia compared to the lower wages and less government restrictions of Asia/Pacific Rim countries and we are structurally, on paper, uncompetitive.

Countries in the Asia/Pacific Rim Region have invested in high skill training based on EASA or FAA and their governments are looking for foreign investment. Many Asian countries can provide large workforces at a much lower wage rate than Australia — something that is appreciated by AOC holders. This means that any aircraft operator keeping costs under control to compete with other international operators will look for the Asia/Pacific Rim businesses that provides maintenance services in a timely manner.

Consumers continue to demand cheaper airfares, the same as consumers of any other product. Only a small percentage of consumers purchase tickets irrespective of costs.

Who can blame AOCs operating large aircraft, especially internationally, for not looking for ways to reduce their operating costs — manpower is a costly element. Australia would need to reduce regulatory imposts and manpower costs to compete — this won't happen.

Independent Flight Control Inspections

Australian aviation regulations **assumes** that a pilot has certain technical knowledge and skills in regards to performing maintenance. Regulations let pilots do a lot of maintenance tasks beyond their, in our opinion, expertise or skill. Do they have relevant AME training? No.

For Class A aircraft, the pilot can do any maintenance they are authorised to carry out by the aircraft's approved system of maintenance. In this case, the person approving the system of maintenance **should** specify the skills/training required for the pilot.

For a Class B aircraft, the holder of a pilot licence (not being a student pilot licence) valid for the aircraft can carry out maintenance specified in Schedule 8. The law lets the pilot to do this without training!!!

Part of pilot training teaches the pilot to do servicing tasks and daily inspections but does that training cover Schedule 8 maintenance tasks? It should, as regulations let them do this maintenance!!!

Schedule 8 provides an intensive list of maintenance tasks that suggests/accepts Class B aircraft pilots are skilled in a variety of maintenance tasks. From engine oil and filter changes to servicing wheel bearings; and a list of many other tasks that the pilot can do, **including independent flight control inspections**. Lubrication and the application of corrosion protective materials are also left to the pilot.

Lastly, CAR 42G (5)(b) states a holder of a pilot licence, (not being a student pilot licence) that is valid for the aircraft, is an **appropriate person** to perform independent inspection post completion of flight control maintenance. A LAME can rely on this!!!

We know many Class B aircraft pilots are willing to do maintenance but how many actually certify in the log book for performing this maintenance. Sadly, not many are willing to take responsibility for the work they do.

CAR 42ZE simply states that a person (LAME or pilot) must certify for the maintenance iaw Schedule 6. CAR 42ZE does not differentiate between pilot and LAME. Do the work — sign for it.

Back in Business — New Government

Warren Truss has fulfilled one of the promises in the Government's Aviation Policy Paper by announcing a Review Team to look at just about all aspects of aviation including government departments and agencies.

Lowering costs and red tape is the key to the government's aviation policy — this is easy to achieve in aviation. It was also the basis of regulatory reform for the last 20 plus years but has been such an abject failure up till now.

This government has turned the spotlight onto the government departments and agencies involved with the aviation industry.

One cannot imagine support for this Review coming from his own Department let alone CASA or the ATSB.

Mike Mrdyck, Secretary of the Department of Infrastructure; Mike Dolan, ATSB; Allan Hawke, Chair of CASA Board; John McCormick, CEO of CASA and CASA's Senior Executive would have been against such a review.

The terms of reference for the review clearly demonstrates that this government does not have confidence in the current direction of aviation reform by those persons listed above.

AMROBA membership supports the all encompassing review and hope they have enough time to properly analyse the aviation system properly. We appreciated the LNP policy stating that:

"Labor's approach to aviation policy over the past

six years has seen cost after cost added to the bottom lines of airlines and airports, pilots and passengers.

Together, these measures have made the Australian industry increasingly uncompetitive internationally and have seen many smaller aviation providers struggle to survive.

Government imposed red tape is beginning to overwhelm many smaller and medium-sized businesses which struggle to cope with changing, complicated and confusing requirements."

To achieve this massive change, they also recognised that they needed to:

- ◆ *reform the structure of the Civil Aviation Safety Authority;*
- ◆ *revitalise the General Aviation Action Agenda;*
- ◆ *enhance aviation skills, training and development.*

AMROBA will lobby for:

⇒ A more responsive CASA structure that holds a senior individual responsible for standards, regulatory services and oversight for discrete industry sectors must be an outcome.

⇒ A 3 tier legislative system where ICAO standards & practices are promulgated by CASA as 'aviation safety standards' referred to in CASRs must also be an outcome.

⇒ A FAR based system for the non-airline sectors must be another outcome.

Aviation Review Team

Minister Truss has announced the team to review aviation in Australia. The terms of reference are fairly broad. Don Spruston has had 6 years as a regulator. He will bring a Canadian perspective to the review of the aviation sectors of Australia.

"Mr. Spruston is the Director General of the International Business Aviation Council (IBAC). IBAC is responsible for representing the business aviation community worldwide. Don has held this position since the beginning of 1999.

Prior to assuming his present role, Mr. Spruston held numerous positions in the field of aviation, including managing partner of Canadian Aviation Safety Associates where he conducted evaluations of civil aviation authorities and was advisor to ICAO in establishing the ICAO Universal Safety Oversight Audit Program.

Prior to this Mr. Spruston spent 6 ½ years as Director General of Civil Aviation in Canada. He also gained considerable experience as an aircraft operator as Director General of Aircraft Services where he managed a flight department of over 90

aircraft. He also held a number of air traffic management positions including the Regional Director of Air Navigation in Transport Canada's Pacific Region.

Mr. Spruston holds a Bachelor of Sciences degree from the Royal Military College of Canada. He has an Airline Transport Pilot Licence and has flown in various roles, such as worldwide cargo operations, VIP transport and system evaluation flying. He has written numerous articles on aviation safety and has won awards such as the Transport Canada Safety Award, Canadian Owners and Pilots President Award and the Canadian Aeronautics and Space Institute C.D. Howe Award."

Let us hope that he listens to the plight of the industry in this country. Even if he makes comparisons with the Canadian system, we would be better off than the direction we are heading.

They have an Act, Regulations that provide a head of power for Transport Canada to promulgate standards. Their standards are based on ICAO Annex standards — a 3 tier legal system.

* Become a Member *

The adage "there is strength in numbers" is absolutely true when it comes to influencing government regulations and policy. No one company, no matter how big or successful, can keep up on all the regulatory issues directly impacting businesses.

AMROBA is dedicated to serving the businesses that are responsible for the in-service continuing airworthiness of aircraft and aeronautical products, including the manufacture of replacement parts for in-service aircraft. This segment of the industry has never had a dedicated advocate until now.

AMROBA membership form is available from the AMROBA website: <http://amroba.org.au/become-a-member/>

print the membership form <http://amroba.org.au/index.php/download/file/view/15/>



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Head of Design Working Group

Since 1998 when CASR Parts 21-35 commenced, designs of data for aircraft TC, STC, APMA, TSO, modification, alteration, repair etc., were to be approved based on the FAA system.

This was to achieve two goals, one to open the US aviation market to our parts manufacturers and the other was to have our designs accepted, especially when aircraft left Australia and were registered in another country like America.

Recent changes in administrative policies by CASA has introduced confusion and some would say, mayhem, to a system that demands strict delineation of responsibilities between CASA and industry delegates/authorised persons.

This must be clarified in government policy and clear documented processes so industry entrepreneurs can have confidence in investing in an industry that has the potential for growth.

Designing aircraft modifications, repairs and replacement parts is the backbone of non-airline sectors and are crucial in maintaining a high level of safety and modernisation of older aircraft.

The potential for developing a niche manufacturing market in replacement parts, modifications and repairs is possible if there is clear government guidelines and regulatory support.

The possibility for globally acceptable STCs, APMs and ATSOs was the purpose for CASR Part 21—is it but a dream?

What we need is for the industry Heads of Design to identify what is preventing the growth in this sector. An industry position paper from these imminent persons presented to government detailing what is needed to get this industry working as a minimum.

Former FAA Associate Administrator for Regulation and Certification, Tony Broderick, recently expressed support for the increase use of DERs, even supporting delegation to appropriate DERs of entire STC projects.

A clear definition of the roles & responsibilities of CASA and industry delegates & authorised persons is required. Government would support clarity in defining these roles so that government (CASA) is not being held responsible for business and vice versa.

AMROBA has been hearing negative stories from those that deal with CASA to gain ASTCs, APMAs and ATSOs. However, those complaining decline to be identified publicly for fear of retribution.

The Aircraft Maintenance Engineers/Technician Creed

Worth Remembering

"UPON MY HONOR I swear that I shall hold in sacred trust the rights and privileges conferred upon me as a qualified aircraft maintenance engineer/technician. Knowing full well that the safety and lives of others are dependent upon my skill and judgment, I shall never knowingly subject others to risks which I would not be willing to assume for myself, or for those dear to me.

IN DISCHARGING this trust, I pledge myself never to undertake work or approve work which I feel to be beyond the limits of my knowledge nor shall I allow any non qualified superior to persuade me to approve aircraft or equipment as airworthy against my better judgment, nor shall I permit my judgment to be influenced by money or other personal gain, nor shall I pass as airworthy aircraft or equipment about which I am in doubt either as a result of direct inspection or uncertainty regarding the ability of others who have worked on it to accomplish their work satisfactorily.

I REALIZE the grave responsibility which is mine as a qualified aircraft maintenance engineer/technician, to exercise my judgment on the airworthiness of aircraft and equipment. I, therefore, pledge unyielding adherence to these precepts for the advancement of aviation and for the dignity of my vocation."