

AMROBA[®]inc

ADVOCATE OF THE AVIATION MRO INDUSTRY

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Ever since the Parliamentary Inquiry in the **late 1980s** initiated government directed regulatory changes, industry, especially small businesses, has suffered during this extraordinary period of regulatory change. No other industry has been put through such a long period of regulatory change that has seen a huge grow in regulations with no noticeable improvement in aviation safety or increasing number of participants (jobs).

The original enquiry identified that many ANOs did not have a 'head of power' in the regulations and many industry participants were operating on exemptions to the requirements. The fix in the 80s was to write around 57 new ANOs to remove the exemptions. Sadly, they were discarded and this began what has been many false Reg. development plans over the years.

2014 must be known as the year changing plans stopped.

2015

We have a Parliament that has stated their support for the ASRR Recommendations, a CASA Board that is tasked to instigate the recommendations and a new CASA boss who will have the huge task to not only make it happen but change the philosophies of CASA staff.

EU		USA		Canada		Australia	
Parliament	EASA	Parliament	FAA	Parliament	TC(A)	Parliament	CASA
Enabling Regulations	EASRs	Acts	FARs	Act/Regs	Standards	Act/Regs	Standards

It is obvious that the Australian legal structure is right, however it is what is written in CASA promulgated 'standards' that will need to be monitored by the industry. This can be lessened by simply adopting a FAR, EASR, TC Standard or NZ regulations as the basis of the standard.

The regulation should simply identify the subject (e.g. pilot, LAME, ATC, AMO, and require CASA to promulgate, under Sec 9(1)(c) of the Act, [Civil] Aviation Safety Standards.

[Civil] Aviation Safety Standards should replace MoS, CAOs, Instruments, and other document containing requirements and these [C]ASSs would be tabled in Parliament.

Three levels of requirements: (a) Act; (b) Regulations that are minimal by nature and, where necessary, enforcement requirements; and (c) Standards that mirror image the international standards: ICAO SARPs, based on EASR/FAR or NZ Regulations as determined by the CASA Board and the ASRR recommended Steering Committee yet to be formed.

What is an "**aviation safety standard**"? The Act states:

aviation safety standards means standards relating to the following:

- (a) the flight crews engaged in operations of aircraft;
- (b) the design, construction, maintenance, operation and use of aircraft and related equipment;
- (c) the planning, construction, establishment, operation and use of aerodromes;
- (d) the establishment and use of airspace;
- (e) the planning, construction, establishment, maintenance, operation and use of:
 - (i) services and facilities of the kind covered by paragraph 8(1)(a) of the *Air Services Act 1995*; and
 - (iii) services of the kind referred to in paragraph 6(1)(b) of the *Australian Maritime Safety Authority Act 1990* to the extent that those services use aircraft; and any construction associated with those facilities or services;
- (f) the personnel engaged in:
 - (i) the maintenance of aircraft and related equipment; or
 - (ii) anything referred to in paragraph (c) or (e).

The ASRR Report clearly identified that CASA should have been promulgating '**Aviation Safety Standards**' under the Act instead of creating uniquely CASA MoS in instruments under the Regs.

Aviation Safety Standards is not an Australian unique term for ICAO SARPs.

Sadly, the Act does not explain what an **aviation safety standard** is, see back page.

AMROBA recommends the word [Civil] be added so that there is no confusion between other common uses of 'aviation safety standards'.

Regulatory Foundations For More Jobs

Over the last decade, CASA has not written regulations or standards so that jobs can exist in aviation — the so-called 'safety' is the only approach and is why industry clamoured for an enquiry.

Before jobs can be created, the foundations of this industry need to be re-built. Why don't private aircraft owners fly their aircraft more?

The aircraft are not more difficult to fly so it has to be costs and too much bureaucracy. It is time to review and remove unnecessary costs associated with regulations and bureaucracy.

CASA's aircraft registration holder certificate should record "owners" name only to meet ICAO standard. Record of financiers is retained for other treaty requirements. Multi ownership arrangements & 'fractional' ownership pacts should be encouraged.

ICAO refers to 'owners or lessees' being liable for airworthiness in private/aerialwork operations but the "operator" is responsible in commercial operations irrespective who the registration holder is.

A return to GA AMOs complying with CASA promulgated standards with or without an AMO certificate should apply. Aero clubs, private owners, flying schools should all be able to employ a LAME without a CASA AMO certificate. Operator's responsibility for airworthiness.

Adopt the US FBO philosophies — registered businesses.

Stand-alone AMOs need a CASA certificate but only require a manual when dealing with fare-paying pax type operators.

Company manuals provide guidance to staff on how the AMO meets its obligations and complies with regulatory requirements.

Airport operators' parking and hangarage fees need reducing.

There are many ways that costs can be lowered, much will be related to the reduction in red tape and paperwork generated by CASA.

The CASA Board now hold the responsibility for positive change.

Red Tape Reduction.

The application form used by EASA, FAA, CAA(NZ) and most other NAAs to obtain an AMO certificate is two pages. The same as was used by the CAA/CASA's predecessors. Why is CASA's form so detailed?

- Because CASA does not "trust" other government departments? OR
- Because CASA does not realise it is a part of government? OR
- Because CASA does not realise registered business's Federal/State responsibilities under other government requirements?

CASA must return to being a part of government instead of ignoring small business legislative liabilities.

A good example would be the removal of WHS responsibilities from aviation requirements.

Trade Skills Education

AMROBA last year made a submission to the Depart. of Industry's VET review for skills.

AMROBA contended that being a global industry, we must train to meet international standards.

AMROBA received a positive reply from the Education Minister, Mr C. Pyne, on the 23rd December, 2014 stating a newly established Department of Education and Training is tasked with providing skills in VET training based on, where international standards exists, meeting international standards.

The Minister also stated that this newly formed Department will be responsible for education and skills to comply with all international treaties that Australia has ratified.

In other words, the requirements of the Annexes to provide qualified and competent personnel. What we need now is re-written CASR Parts 42/145 standards to include Australian apprentices, tradespersons and their right to perform maintenance tasks like they did in aviation in the past and what they do in other trades in Australia.

The department's international skills engagement work has four key objectives:

- **Supporting industry:** Improving access to skilled labour to improve productivity and expand opportunities for growth.
- **Global skilled labour:** Developing international standards benchmarked to Australian industry standards, to support international mobility of skilled labour.
- **Australian VET expertise:** Promoting industry relevant quality frameworks, VET systems and products
- **Economic diplomacy:** Stronger skills policy relationships with countries and multilateral forums responsible for skills development.

EASA AD or FAA SAIB

Under our regulatory system, the aircraft RO has to ensure that the country of design, or the NAA that issues the TC, ADs must be complied with.

EASA is more likely to issue an AD than the FAA who must address known safety conditions. As an example of the difference, EASA has issued Airbus helicopters AD No. 2014-0179R1, based on reports of several cases of loss of tightening torque of a Shur-Lok nut.

FAA SAIB state: *The SAIB specifies inspecting the condition of the Shur-Lok nut and performing certain corrective actions if necessary. The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, issued AD No. 2014-0179R1 to require the actions specified in the ASBs. However, after reviewing the available information, the FAA has determined that, at this time, the airworthiness concern is not an unsafe condition that would warrant airworthiness directive (AD) action under Title 14 of the Code of Federal Regulations (14 CFR) part 39. We base this determination on the understanding that loss of torque alone may not result in an unsafe condition.*

The FAA deems it is not an unsafe condi-

tion that would warrant AD action.

This has happened before and causes some concern for Australian EU designed aircraft that actually have a FAA TC. Though an operator may have a fleet of similar aircraft, the maintenance programs will have differences. Those holding an EU TC will need to comply with the EASA &/or EU NAA issued ADs but those that have an FAA TC are required to adopt the FAA ADs and to also be aware of FAA SAIBs.

CASR Part 39 is based on the FAR Part 39 except it accepts country of design ADs.

Though EASA ADs cover many aircraft, individual NAAs can be responsible for some components fitted to an ASA issued TC. In addition, EU Annex II aircraft are still the responsibility of EU States NAAs.

EU certified products are listed at [EASA Product Listing](#)

The Annex II list has been promulgated by many NAAs: [EASA Annex II Product Listing](#)

The maturity of the FAA system seems to be a better approach. However, operators in the US are also more likely to have complied before the condition becomes unsafe.

Pilot Licensing Controversy

Why has this become such a controversial subject in Australia. There are international standards for private through to multi-crew and air transport licences that we must adopt and comply with.

ICAO Licences and Ratings for Pilots (Annex 1):

- *Private pilot (aeroplane, helicopter, powered-lift and airship);*
- *Commercial pilot (aeroplane, helicopter, powered-lift and airship);*
- *Multi-crew pilot (aeroplane);*
- *Airline transport pilot (aeroplane, helicopter and powered-lift);*
- *Glider pilot; and*
- *Free balloon pilot*

Pilots, like other ICAO compliant licences in Annex 1, tend to look for commercial work in foreign countries or simply want to fly in a foreign country like many pilots that come to Australia.

Annex 1 also provides for a series of ratings (class, type, instrument and instructor) that complement the flight crew licences.

Australia should simply adopt these international standards without change.

There is no doubt that variations to these international standards will apply to other licences or ratings used in Australia. Besides knowledge requirements, the most important aspect is air-manship skills.

e.g. There are differences between a recreational pilot rating and an aerobatic rating.

In addition, who can provide the training is where serious thought must be given. There is no reason why private pilots cannot give private flying tuition without fees, but any pilot that wants to charge must have an instructor rating. Approved instructors must do the final assessment for the CASA issued ICAO compliant licence.

CASA approved flight instructors should also be able to issue other forms of licences as an 'interim' licence prior to CASA issuing the official licence.

Australia needs more pilots.

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: amroba.org.au/become_a_member, or print the membership form amroba.org.au/print_a_form

Fees are stated on the application forms — BSB preferred method.



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Page 4

Explaining Standards

On page 1 we specified the Act states what an *Aviation Safety Standard* relates to but it does not say what they are.

So what is a "standard"? The Business Dictionary states:

Universally or widely accepted, agreed upon, or established means of determining what something should be. Major classifications of this term include: (1) Material or substance whose properties are known with a level of accuracy that is sufficient to allow its use as a physical reference in calibrating or measuring the same properties of another material or substance. (2) Concept, norm, or principle established by agreement, authority, or custom, and used generally as an example or model to compare or measure the quality or performance of a practice or procedure. (3) Written definition, limit, or rule approved and monitored for compliance by an authoritative agency (or professional or recognized body) as a minimum acceptable benchmark. This is the usual meaning of the plural term (standards).

Item 3 is what an 'Aviation Safety Standard' means.

ISO has suggested plain English be used conforming to:

Write International Standards with the user in mind. Using plain language is an effective means of getting your message across so that the reader takes the action you want.

By being clear, concise and readable - but not simplistic - writers can avoid misinterpretation. In addition, this style of writing reduces the time and cost of translation. Because it makes understanding clearer, it also reduces discussion during drafting.

Keep in mind that using plain language does not mean reducing the length of your message or changing its meaning. It does not mean oversimplifying your text. You should keep your technical readership in mind.

All industry needs is clear and concise *Aviation Safety Standards* written in plain English, no legal jargon, copied from and based on:

ICAO Standards and Recommended Practices, as implemented by FAA, CAA(NZ), EASA and/or Transport Canada.

Adopting the SARP (ICAO has written in Plain English) or the FAR/EASR or NZ rule will reduce unique requirements.

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."