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NEWSLETTER

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1. Simplify Regulatory System & Remove Aviation Silos

Over the last 3 decades or so, aviation silos have been created as each sector demanded stand-alone regulatory Parts and each one creates separate standards for operations, products and personnel. A study of the United States and Canadian regulatory system finds the opposite and less regulatory provisions for many sector silos in Australia. It is time for a simplified system to implement the ASRR Report recommendations in accordance with the Civil Aviation Act. **Must read.**

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[Why are we creating regulatory silos when Canada and the US rules do not?](#)

2. Airport Owners/Operators key to GA growth

Airport, aerodrome, airstrip owners/operators are key to any revival of general aviation in Australia. Aircraft operators have priced many GA aircraft owners off their airport. Government needs to review the 'aviation purpose' airport owner/operators submit in the "business plans".

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[Aircraft parking fees need to be reviewed to attract GA aircraft back where support businesses exist](#)

3. Aircraft utilisation will increase if GA grows

One of the reasons jobs are not being created in aviation, besides new unworkable regulatory processes (e.g. pilot licencing), is the complexity that has been implemented over time. How many VH registered aircraft sit idle every year? Why are they not being flown more than 100 hours/annum? If aircraft were utilised as they were designed to be used each year, then the industry would be growing.

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[The FAA created a review once the annual average utilisation of private aircraft neared 100 hours/ annum.](#)

4. The General Aviation Transport System (GATS)

General aviation covers just about every sector of aviation excluding large air transport aircraft. As a GA air transport system, it is failing to attract general acceptance and an increasing number of participants. Cars and boats are used for private and business purposes much more than aircraft. Why?

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[Impediments to flying for private and business purposes must be minimised.](#)

5. Overhaul and Repair Capabilities

One of the most contentious issues globally is the interpretation by US manufacturers and the FARs when compared to the Macquarie Dictionary. Due to the predominance of US type certificate aircraft and products in Australia, we would be internationally better served if we used the definition in the FARs for overhaul, repaired or rebuilt – e.g. factory rebuilt or manufacturer approved agents.

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[Overhaul and repair have created confusion for many decades](#)

1. Simplify Regulatory System & Remove Aviation Silos

Over the last 3 decades or so, aviation silos have been created as each sector demands stand-alone regulatory Parts and each Part creates separate standards for operations, products and personnel. A study of the United States and Canadian system finds the opposite with less regulatory provisions for many sector silos in Australia. It is time for a simplified system to implement the ASRR Report recommendations in accordance with the Civil Aviation Act.

The ASRR Report provides a unique opportunity for regulatory reform iaw the Civil Aviation Act.

Article 37: Each contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures, and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation.

Aviation Safety Standards made under the Act should be written in the aviation technical language that meet the intent of Article 37 of the Convention on International Civil Aviation.

The Act provides for a simplified but comprehensive standards and enforcements process.

The following table demonstrates a simplified process that could be adopted by CASA promulgating, iaw the Act, **Aviation Safety Standards**, based for example on a FAR (Part 61, 91, 43, 183, etc. or an applicable EASR, TCA Regulation or NZ regulation). The CASRs would then require compliance with CASA promulgated **Aviation Safety Standards** under the Act, including enforcement provisions for ‘criminal acts’.

The Act has provided for this simplified system since 1995 and politicians that made the changes to the Act and industry participants have now waited 20 years for it to materialise. CASA has abrogated their obligation under the Act for far too long.

- That is:
 1. **An Act,**
 2. **Act-Aviation Safety Standards,**
 3. **CASRs**

Supported by advisory material.

- If the Act’s simplified system was implemented then there would be no need for multiple instruments to be raised under the CASRs. Clear & concise ASSs would reduce red tape.

The Civil Aviation Act was amended in 1995 so that CASA could promulgate **Aviation Safety Standards**. How can CASA continue to abrogate this obligation under this Act?

- 20 years later and CASA has not promulgated one **Aviation Safety Standard** under the Act.
- Standards raised as an instrument under Regulations are not the same.

Singapore copied Australia’s Act amendment, introduced Singapore Aviation Safety Standards and completed their regulatory change within 2 years.

- Singapore are 100% ICAO compliant when last checked.

CAA/CASA do not have a good record with regulatory change. The Australian community, especially rural Australia, has lost many aviation and aviation related jobs with each regulatory change since 1988 when the CAA was created.

It is now time to stop the current regulatory development system that is continuing to impose controversial regulatory requirements and increasing red tape. It is time to do what the Act requires, a simplified process also supported by the ASRR Report endorsed by government.

AMROBA has written to the CASA Board asking them to issue “directions and policies” to the DAS to meet these CASA’s obligations under the Act.

AMROBA has also submitted the same request to the government’s portfolio department (**Infrastructure**) that has a responsibility to ensure its agency meets their obligations under the Act.

After 20 years of not complying with the Act, maybe if enough political pressure is asserted, industry and the public may end up with a regulatory system that has the potential to create jobs in a safe environment like it has done in the past.

Read the process on the next page carefully and then ask yourself, how does a government agency continues to ignore their obligations under the Act.

| The Civil Aviation Act's Simplified Aviation Requirements | |
|---|---|
| <p>CASA's functions specified in the Act "9.(1) <i>CASA has the function of conducting the safety regulation of the following, in accordance with this Act and the regulations:</i> (a) <i>civil air operations in Australian territory;</i> <i>by means that include the following:</i></p> | |
| <p><i>(c) developing and promulgating appropriate, clear and concise aviation safety standards;</i></p> | <p><i>(d) developing effective enforcement strategies to secure compliance with aviation safety standards;</i></p> |
| <p>Aviation Safety Standards (ASS) ASS should be consistent with ICAO SARPs, based on FARs for all sectors but major airlines. Outcome also consistent with NZ requirements as recommended in the ASRR Report.</p> | <p>CASRs Each CASR requires compliance with the ASS and include proper enforcement provisions developed in conjunction with applicable industry committee.</p> |
| <p>Each Aviation Safety Standard working group(s) would 'Australianise' the FAR or EASR or TCA or NZ regulations selected as most appropriate for GA, design and manufacturing. EASRs do not meet GA needs.</p> | <p>ASRR recommended Regulation should be 'high level' and enforcement provisions should identify proper criminal actions. A CASA/industry committee for each CASR could produce a finalised draft within 3 months.</p> |
| <p>ASSs would not include "strict liability" provisions as they would be in Regulations, not "ASS". This enables ASSs to be written in aviation technical language. Once completed it should be placed on the CASA website for public comment for 3-6 months</p> | <p>Once each CASA/industry committee completes the development of each regulatory Part, it should be drafted and then placed on CASA website for 2 months prior to submitting to Parliament to be made.</p> |
| <p>Committee & working groups review comments and collaboratively make changes to ASS, if required, and promulgate for another month.</p> | <p>CASA & committee review comments and collaboratively make changes, if <u>required</u>, and promulgate for another month if major change warranted.</p> |
| <p>Submit Aviation Safety Standard to Parliament under Sec 9(1) (c) of the Act.</p> | <p><u>Submit through current process for making by GG.</u></p> |
| <p>A complete set of Aviation Safety Standards and supporting regulations could be completed using this approach within 2 years. The requirements in the standard would be clear and concise technical aviation language and terminology understood by industry participants thus enhancing safety.</p> | |

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2. Airport Owners/Operators key to GA growth

Airport, aerodrome, airstrip owners/operators are key to any revival of general aviation in Australia. Aircraft operators have priced many GA aircraft owners off their airport. Government needs to review the 'aviation purpose' airport owner/operators submit in the "business plans". Visionary aviation leaders have been replaced by risk-averse governments and public servants who impose requirements on multiple levels instead of where safety is best effected.

As an airfield owner/operator, the primary aim is to provide the ground portion of the highways in the sky – the take-off and landing part of air routes. The next main element is the provision of aircraft parking areas, at a reasonable yearly fee, to attract private and commercial aviation activities. The more aircraft that are located at an airfield means supporting aviation businesses will increase.

When an airfield owner/operator attracts only private aircraft, they must also consider if the aircraft operator may want hangarage, either by building their own or leasing from the airfield owner/operator. If commercial aviation is also attracted, then the development of hangarage and aircraft maintenance services can then be considered. Basically, the airfield operator presides over the type and size of the aviation community and is key to aviation growth on that airfield. The problem in Australia is that many airfield owner/operators were made the owner/operator by changed government policy and see it as a burden.

Therefore it is essential that the airfield owner/operator work closely with their aviation participants to develop a business plan that provides for more aviation participants using the airfield, both private and commercial.

The potential for general aviation to flourish as a form of private and commercial aviation has not yet been properly realised. Is it the vision of all airport owners/operators to have a safe and viable private and commercial aviation operating at their airport? One of the main drawbacks is the quest, since privatisation, to make a profit to the detriment of creating aviation specific businesses. Aircraft, unlike private motor vehicles, are restricted to being located at an airstrip. A viable airfield also recognises the community benefits of having a local airfield. If aviation is to rebound then there needs to be a concerted drive to attract private and commercial participants to airfields generally.

Aircraft owners are captive to the airport owner/operator business plan which, in many cases, does not necessarily mean aviation industry growth. What is needed is cost effective parking that encourages aircraft operators to park their aircraft at the local airport.

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3. Aircraft utilisation will increase if GA grows

One of the reasons jobs are not being created in aviation, besides the ever changing unworkable regulatory processes (e.g. pilot licencing), is the complexity that has been implemented over time. How many VH registered aircraft sit idle every year? Why are they not being flown more than 100 hours/annum? If aircraft were utilised as they were designed to be used each year, then the industry would be growing.

The only way higher utilisation will occur will be when the regulatory system has been simplified so aircraft can be used as a form of transport as an alternative to road and rail. This means private aviation and small maintenance businesses must operate with virtually zero red tape.

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4. The General Aviation Transport System (GATS)

General aviation covers just about every sector of aviation excluding large air transport aircraft not operating scheduled and charter operations. As a GA air transport system, it is failing to attract general acceptance and an increasing number of participants. Cars and boats are used for private and business purposes much more than aircraft. Why?

The creation of regulation and red tape has simply become too complicated to attract new aviators.

Why has it become so complicated and costly to fly GA aircraft? GA air transport has to compete with other forms of transport, especially the road transport system? North America (Canada/USA) seem to have a simpler system with more aircraft and an excellent safety record.

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5. Overhaul and Repair Capabilities

One of the most contentious issues globally is the interpretation by US manufacturers and the FARs when compared to the Macquarie Dictionary. Due to the predominance of US type certificate aircraft and products in Australia, we would be internationally better served if we used the definition in the FARs for overhaul, repaired or rebuilt – e.g. factory rebuilt or manufacturer approved agents.

Any future regulatory system must adopt the terminology of the major manufacturers providing aircraft within Australia and this is currently the United States. This is another reason why the GA operations, design, manufacturing and maintenance system in Australia must be FAR based.

Since 1988, this has been an issue that no government department or agency has been able to provide clear and concise standards and requirements.

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