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ADVOCATE OF THE AVIATION MRO INDUSTRY

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<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>Has the ASRR report and recommendations created a false hope of reform to aviation. Prior to the election, the LNP met with many in the aviation industry and produced the LNP Aviation Policy that was supported by most participants in this industry.</p> <p>The government's aviation policy published last August has industry support and many are now asking when will anything constructive happen.</p> <p><i>“Our vision for aviation in Australia is to help the industry grow in an environment that is safe, competitive and productive.”</i></p> <p>Many changes need to happen so the industry can grow in a safe, competitive, productive environment. The reversal of current direction being taken by CASA to create a regulatory environment based on EASA “organisational structure” to all sectors of aviation would be a start.</p> <p>The Minister’s ASRR has produced a report with recommendations generally supported by industry participants. This report would change the regulatory direction of CASA but the government has not yet endorsed the recommendations.</p> <p><i>“The public and industry comment period on the Aviation Safety Regulation Review Report is now closed. The Government is considering its response to the Report’s recommendations and other matters arising out of the Report.”</i></p> <p>The fear and concerns from industry participants is that the bureaucrats reviewing this report will not endorse the recommendations because it will affect the size and responsibility of their future roles.</p> <p>We are aware of interviews being carried out by the same ‘head -hunters’ from Melbourne obviously working with the same criteria as previously used to employ the last 3 CASA Director of Aviation Safety (DAS).</p> <p>Will CASA end up with a new DAS committed to implement the Report or one that will continue on with the direction that CASA has taken under the stewardship of Byron and McCormick. Industry knows that it is others in CASA that are hell -bent on implementing EASA organisation structures to all sectors of aviation.</p> <p>EASA has accepted their blunder but not CASA.</p> <p>If the Report is taken honestly by the government, then the Civil Aviation Act will need to be amended so the outcome of the recommendations for CASA, CASA’s philosophy, its management structure and the development and promulgation of aviation standards comply with the criteria in the report.</p> </div> <div style="width: 48%;"> <p>Congratulations to Jeff Boyd being appointed as Deputy Chair of the CASA Board. Jeff has AMROBA support for this position and we hope that more aviation persons like Jeff are appointed to the Board. He is only one new appointment, we wait anxiously for the rest to be appointed.</p> <p>The Minister must get the right people so the Board manages CASA, not CASA managing the Board.</p> <p>Over the last decade, creating legislation has become the default approach to aviation safety. You can legislate safety in the design of products but it takes a lot more to create and maintain a safety culture with humans.</p> <p>The challenge to CASA is for them to develop and promulgate requirement for industry participants to follow, without the need to “<i>satisfy</i>” CASA.</p> <p>If CASA standards were written as standards then there is no need to ‘satisfy’ CASA —all CASA needs to confirm is that the applicant/participant is following the standard.</p> <p>Real consultation died some time ago with CASA. They have an attitude that their regulatory development process is best for safety without any consideration to the sustainability of the actual participants in this industry.</p> <p>You will get the argument from public servants that there are more than just the aviation regulatory requirements that are affecting the sustainability of various sectors of aviation. However, the same people point out that recreational aviation is booming under a less rigid regime.</p> <p>If this regime is safe, then why isn’t it applied to all like aircraft in Australia? Why are some sectors discriminated against by the application of organisational requirements on sectors where the FAA, for instance, simply depend on individuals to take responsibility?</p> <p>Even if the ASRR Report recommendations were fully adopted, the rest of the regulatory system completed in 12 months, and the philosophy of CASA changed, will it enable the revival of those sectors that are suffering?</p> <p>Even if the current regulatory system was revamped into the 3 tier system proposed by the Report, would there be a resurgence in those sectors suffering at present.</p> <p>It can, but it will take a determined DAS to bring back life into the aviation industry. All aviation can benefit if the new DAS creates an administrative structure similar to what the ASRR Report recommended and they have a responsibility for safety and sustainability of their respective aviation sectors.</p> <p>Adopting ASRR recommended international standards to all commercial aviation sectors would be the first step.</p> </div> </div>		

STC & PMA Red Tape Reduction

Whatever happened to the assurances of implementing the FAA system for STC and PMA controls. The FAA system has more clarity regarding responsibilities of the various participants in this field. Australia, unlike the USA, does not have a large industry. Our industry is at the size where we all know each other, so implementing practices is much simpler than an industry the size of the USA.

The ASRR Recommendation 15 stated the following:

The Civil Aviation Safety Authority continues to provide appropriate indemnity to all industry personnel with delegations of authority.

ASRR 4.5.1 Delegate Indemnity

As part of this collaborative approach to safety oversight, CASA may need to become more reliant on industry delegates to issue low -risk approvals on its behalf. In implementing such arrangements, CASA must continue to indemnify industry delegates, when they are making decisions on behalf of the regulator to ensure that they are able to carry out these functions with confidence and legal certainty.

The Panel notes that a number of reviews of the level and type of indemnity offered to delegates have been conducted or proposed in recent years. In the Panel's view, it is essential that appropriate indemnity arrangements are in place for all industry delegates of CASA.

AMROBA has highlighted its support for recommendation 15. To implement that recommendation, AMROBA has proposed to the Minister that Section 97AB should be amended to include the same provisions of indemnity provided to delegates also be provided to external service providers under paragraph (5).

This would mean that a delegate and an authorised person within the meaning of the regulations providing regulatory services would have the same indemnity on condition that proper procedures are followed but wilful negligence is not indemnified.

This not only means that approved design engineers are covered but other authorised persons such a DAMEs, etc. would also be indemnified.

If the Minister endorses this recommendation and suggested Act change, then we would be able to close the debate on CAAP Admin 1. Should never have been a topic if the regulator understood what the Review Team were able to see and understand when proper consultation is adopted.

The STC/PMA process can be made much plainer than what is being proposed by CASA. All manufacturing is done to approved drawings and processes, including conformity tests and inspections, as specified in the manufacturing instructions for each part and assembly.

The approval of the drawings and specifications is the foundation of all manufacturing actions. Prototypes may be necessary for proof of concept and these products may even be tested to destruction.

CASA's role is to agree with the design standards that are to be used, industry representatives of CASA are responsible for approval of the part designs and the manufacturing process. An organisation is approved to manufacture these parts to the approved data. This organisation is responsible for the quality of the part including each and every part made conformed to the design data. CASA's final role is to approve the manufacturer once they are satisfied that the repetitive manufacturing processes provides conformed parts. CASA, the regulator, is not responsible for the design data outcomes nor are they responsible for the quality of the parts being made.

Individual parts of a STC may need to be sold to provide customer support. These parts, if they need manufacturing, are then made as PMA parts.

A PMA may also subcontract the manufacture of some components of a part being manufactured —in these cases, the PMA will be held responsible for the acceptance inspection of that component of the part being manufactured.

Understanding and clearly defining responsibilities also makes it much clearer if there are safety concerns post manufactured parts entering into service. PMA parts have 20% of the market and growing in the US. The APMA potential in Australia is good based on the age of the fleet.

If we return to the concept of "Industry Representatives" of CASA that was proposed pre Byron/McCormick's adoption of all things EASA, a reduction in red tape is also possible.

During that period a modified FAR Part 183 was to be implemented as CASR Part 183.

Three Tier Regulatory Framework

To understand what is meant by a 3 tier regulatory system there needs to be an understanding of the Civil Aviation Act. The Civil Aviation Act enables CASA to promulgate, (9(1)(c) *Aviation Safety Standards*, (98) *Manual of Standards, Legislative Instruments and Civil Aviation Orders*. What has not been utilised properly is CASA's function to promulgate Aviation Safety Standards. However, the ASRR Report & Recommendation 30 clarifies how this should be done.

The Civil Aviation Safety Authority changes the current two -tier regulatory framework (act and regulations) to a three -tier structure (act, regulations and standards), with:

- a. *regulations drafted in a high-level, succinct style, containing provisions for enabling standards and necessary legislative provisions, including offences*
- b. *the third-tier standards drafted in plain, easy to understand language.*

(ASRR Page 106) In relation to the standards:

- as a first priority, **compliance with ICAO SARPs**, with any departures from ICAO SARPs to be specifically identified for formal approval by the Steering Committee
- **plain language in a logical understandable structure**
- **adherence as closely as possible to the substance of rules in other developed jurisdictions (US, New Zealand, Europe, and Canada)** to ensure compatibility, facilitating bilateral recognition agreements and efficient international operations.
- include unique Australian provisions only when absolutely necessary, and only when the Steering Committee formally agrees to their inclusion - take into account the economic impact and a RIS is to be completed
- current draft documents are to be used as a starting point to help accelerate the program.

An Act Sec 9(1)(c) ASS promulgating FAR Part 61 would be a good start with a CASR Part 61 based on (a) above.

Sustainable Aviation Skills

One of the disappointing aspect of legislative growth in Australia is that drafting by decision makers is very much city-centric and does not take into account the needs in rural Australia. Rural communities do not have the facilities or services that are available in major cities.

Over 20 years ago many of the requirements specified in regulations, orders and instruments were made with rural Australia in mind.

To demonstrate that government is more city -centric in their decision-making now, you only have to look at CASR Part 66 to understand how city -centric the decisions were that created this regulation.

Pre CASR Part 66 an employer utilised apprentice/trainee systems in each State to obtain a skilled workforce. This basic concept enabled qualified [trades] persons to be employed to perform maintenance. To provide 'quality control' in aircraft maintenance, a qualified person could apply for an AME licence once they had experience. To ensure the State skill standards met a national standard, CASA, or its predecessors, provided a set of "basic examinations" under-pinning each licence and rating.

- Self-study and experience was the basis of this system.
- Worked in rural Australia.

CASR Part 66 is unique and not based on EASA Part 66.

EASA gave a lot more thought to their AME licensing system than CASA gave to Part 66. It is a very flexible system with variable ways to obtain an AME licence.

To identify the major differences, the following provisions of EASR Part 66/147 clarifies that EASA has a lot more flexibility than what the pre CASR Part 66/147 had.

EASR 66.A.25 Basic knowledge requirements

Demonstrate knowledge by examination [NAA can give credits for other qualifications — Part 147/NAA provide examinations.]

66.A.30 — (a) An applicant for an aircraft maintenance licence shall have acquired:

2. for category B2 and subcategories B1.1 and B1.3:

- (i) five years of practical maintenance experience on operating aircraft if the applicant has no previous relevant technical training; or
- (ii) three years of practical maintenance experience on operating aircraft and completion of training considered relevant by the competent authority as a skilled worker, in a technical trade; or
- (iii) two years of practical maintenance experience on operating aircraft and completion of a Part -147 approved basic training course.

EASR also states that *"aircraft maintenance experience gained outside a civil aircraft maintenance environment shall be accepted when such maintenance is equivalent to that required by this Part as established by the competent authority. Additional experience of civil aircraft maintenance shall, however, be required to ensure understanding of the civil aircraft maintenance environment."*

The EASR system can be applied in almost exactly how it was specified in CAO 100.90 series. If the flexibility of EASR Part 66/147 was fully adopted, the only difference would have been the devolvement of the "Basics" to Part 147 as well as being provided by CASA.

The only answer is the city-centric thinking of government decision makers is what hold backs rural communities and their growth.

Rules for Rural Aviation

Aviation regulations aren't the only city -centric regulatory requirements nor are they the only reason why aviation is not expanding in the "bush". However, there is no reason why aviation regulations should contribute to imposing requirements that are not really necessary in rural communities.

If we accept that there are government requirements that address (small) businesses, workplace, health & safety, GST, PAYG withholding, privacy, unfair dismissal laws, local council, environmental, licences, permits, etc., etc. then many ask why would you consider being a small business let alone in rural Australia.

From an aviation perspective, to encourage persons to set up small businesses in rural Australia then the concepts of the FAA Fixed Based Operator (FBO) should be implemented.

Do you need to have a CASA licence to operate a business if you are a registered business and employ the necessary CASA licenced personnel?

The majority of airline pilots came from rural communities a few decades ago when the Air Navigation Regulations were applied. Regulatory reform has seen the level of aviation in rural aviation recede.

There has never been a review that looked at the effect that aviation regulatory changes have had on the demise of small businesses that existed pre the change.

Is it better to have aviation participants or not?

To get more people involved at the general aviation levels then the rules should concentrate on providing minimum operating limitations and personnel licences. For example, small businesses providing pilot training to the CASA promulgated requirements and employing a pilot with a flight instructor rating would enable many more young people to get the "flying bug".

The same applies if a small business employs a rated LAME, they should be able to perform maintenance services applicable to LAME ratings.

If the aircraft is used commercially, or the pilot training covers commercial pilot ratings then there is a case to introduce CASA organisation approvals.

Removing the city-centric approach to regulatory requirements would enable more participants.

Rural Australia should have many more qualified recreational and private pilots entering this industry every year.

There is a city -centric rumour that constituents of rural communities have lost their love affair with flying —we contend that this is not the case.

What has happened is city -centric government and agencies are applying "big city" concepts to rural Australia.

This change has been happening for more than 2 decades and it is now time to stop. A National Party Minister who is also the DPM gives this industry a person that indicates he is rural-centric in what should happen. When the Minister tables the ASRR report in Parliament, we will be assured.

*** 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/images/docs/AMROBA_Membership_Application.pdf



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Growing Aviation in Rural Australia

When it comes to quality decision making by government, some of the clearest challenges can be seen in issues of infrastructure. If the agricultural sector and regional Australia is to grow and compete in the global environment, regional economies must be connected with the rest of the country and the world.

The difficulties in attracting and retaining skilled labour in rural areas also relate to:

- *lack of recreational and cultural facilities;*
- *lack of quality educational facilities — particularly nearby private schools;*
- *the inability of regional business to pay metropolitan wage rates;*
- *limited employment opportunities and job prospects; and*
- *reduced access to medical facilities and doctors.*

Regional businesses identify lifestyle as the most important factor in attracting skilled workers to regional areas.

Government and their Agencies, including CASA, make decisions that are *city-centric*. Aviation regulatory development is definitely *city-centric* rules.

Ask any rural pilot what is needed to stimulate rural aviation activity, the answers are predictable:

Less cumbersome regulations, better access to aircraft through rental or flying clubs, and a reduction in costs.

There is general concern with the lack of understanding of the role of general aviation, but the declining pilot population stands out as the biggest challenge that general aviation faces.

Europeans definitely do not understand general aviation in rural Australia —they don't even understand general aviation in Europe.

Rural Australia is currently under considerable economic pressures and for that reason, there is a need for flexibility in regulatory requirements.

What is missing in rural Australia is the availability of flight instructors. The only 'international system' that would benefit is the FAR Part 61 using independent flight instructors. The more independent FIs teaching recreational and private PL then the more work the Flying Training Schools as a percentage look for moving into commercial aviation.

Many a partly retired pilot fulfilled this role in the past.

In addition, EASR Part 66 with its self study capabilities, etc. would benefit rural Australia.

Basically, the maintenance organisations that exercised "direct supervision" of their business, only had to comply with promulgated standards. This process encouraged "small businesses" to invest in aviation, including the capability of mobility.

"Direct supervision" businesses were considered safe simply because the "bush telegraph" worked against any organisation that produced "shoddy" maintenance. Reputations can be made or destroyed very quickly.

A return to "direct supervision" approved maintenance organisations will help grow rural aviation in Australia.

Rules set the environment under which general aviation operate.

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."*