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ADVOCATE OF THE AVIATION MRO INDUSTRY

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1. Reminiscing 30 years.

1980s – Flying was seen as an affordable means of transport with high utilisation of private and charter aircraft.

Many in this industry will remember when Australia's secondary airports aircraft movements rivalled some of the busiest airports in the world. This included airports like Chicago which was the busiest airport back in that era. Bankstown's movements were second to Chicago at one stage. A parliamentary enquiry in the late 1980s made recommendations, if the HO of CASA's predecessors had stayed in Melbourne, would have implemented changes very different to what we have today. The comprehensive details contained in ANRs & ANOs encouraged the popularity in general aviation to exist and prosper. There was an issue – excessive red tape.

What the enquiry identified was that many ANOs and other secondary legislation lacked a head of power in the Act or Regulations. Instead of providing the '*head of power*' for sensible requirements, continually changing CASA managements with less and less historical, regulatory or ICAO/global experience and knowledge, have made regulatory changes that has had a contributing factor to lower participation/utilisation of the aircraft on the register. BITRE reports also identifies more aircraft fly nil hours/annum.

Read More

2. Working under an Arrangement/Direct Supervision.

ICAO AMO standards are associated with passenger carrying operations. Contractors to AMOs and individuals directly supervising tasks also required.

"***Working under an arrangement***" "***Direct Supervision***"

Two very important terms that CASA struggles to understand – both worked well in the past and have an important role in the future regulatory framework relating to the maintenance and manufacturing.

Working under an arrangement has always been important to enable the use of organisations consistently performing technical tasks to be used to reduce turn-around time and reduction in maintenance costs.

Safety All Around

Direct Supervision provides high quality standards, especially in small business where the owner/operator oversees all maintenance works. Used with great success pre the regulatory reform that started in 1989.

Read more

3. Part 21 must adopt environmental standards

CASA must cover all standards associated with issuing aircraft type certificates and this includes environmental standards stated in ICAO Annex 16.

CASA must retain a first world capability as an aircraft certification authority that can issue aircraft type certificates that meet international certification standards. The Act places environmental responsibility on CASA. It now needs new CASR Part 34 referencing FAR Part 34, ***Engine Fuel Venting and Exhaust Emissions*** certification requirements that apply to civil airplanes that are powered by aircraft gas turbine engines of the classes.

In addition, a new CASR Part 36 is required referencing FAR Part 36, ***Noise standards***: Aircraft Type and Airworthiness Certification. These standards designate changes in maximum noise level requirements by "stage" designation.

Environmental Standards. The specifications defined in Annex 16 — *Environmental Protection* for the certification of aircraft noise and engine smoke and gaseous emissions, including the standards for the prevention of intentional fuel venting into the atmosphere.

CASA's aircraft type certificates must be certified against all applicable global certification standards. e.g. FAR Parts 34 & 36.

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The Boom Years Are Over

We won't see those boom years ever again but we can adopt some of the principles that enabled that era of aviation. The application of current requirements are very different from that era. The current regulatory system is no longer a harmonised complete system.

There has been so many amendments from different periods of CASA leadership that what participants have to comply with is now a fragmented and imperfect system.

Many of the requirements that have been repealed since the 1980s enabled GA private and charter to flourish. The system had many entry pathways, which every sensible regulatory system has, that enabled many to achieve their pilot licence or to obtain their aircraft maintenance licence.

Safety Alert Update

Every regulatory change since the 1990s has not been done iaw government guidelines for the development of regulations. To some degree, some could be classed as economic restrictions on the industry by removing flexible multiple pathways and common sense.

RECOMMENDATIONS FROM THE SECOND REPORT OF THE AIR SAFETY REGULATION REVIEW TASK FORCE (1990)

101 recommendations and many still not fixed

R73. *Flight Time Limitations as outlined in CAO 48.1.1 should be amended having regard for the proposals for change in Chapter 10.* [Still being discussed]

R90. *The Aviation Advisory Committee should include a member with engineering expertise.* [Still waiting]

R93. *The Task Force therefore recommends that the safety regulatory system be subject to a complete review approximately every five years*. [reform has to be completed before reviewing]

R99. *The CAA should devolve responsibility to operators and organisations wherever possible, subject to regular checks and audits. Delegations should be withdrawn if agreed standards are not achieved. Those not approved should be encouraged to qualify.* [Still being discussed]

Great ideas and recommendations but confidence ebbs when subsequent enquiries and reviews make similar recommendations, the latest are the ASSR recommendations.

If subsequent enquiries are still making similar recommendations, refer ASSR recommendations, then CASA managed reform programs are failing this industry.

Every regulatory change since the 1990s has added costs, additional processes and practices that, if comparisons are done with the modernised FARs, are restricting growth in many sectors. The FAA reviews actually reduce red tape and provide savings.

The modernisation of many FARs since 1990 has seen a reduction in government costs and devolvement of responsibilities and functions to industry. [1990 R99 above]

27 years ago, the government made a recommendation to devolve responsibilities and functions. The FAA did so with their design and manufacturing requirement in 2009.

Why has the portfolio department and regulator exhibited such determination not to harmonise with the FAA, the source of Australis's regulatory system that underpins the Australia/USA Bilateral Aviation Safety Agreement?

In addition, why isn't the intent of the Trans-Tasman Mutual Recognition Agreement to remove differences in qualifications one of the major principles for regulatory reform?

To attract the next generation of pilots, entry pathways has to be made more cost efficient and this can only be done if the regulatory system enables multiple pathways. Alignment by adopting the FAR system will once again see growth.

CASA's regulatory changes have reduced entry pathways for pilots and LAMEs not for safety reasons, but for economic control of each sector. CASA's job is not to apply economic control of the industry, it is safety regulation.

Maybe CASA has hired too many ex-military and competitive large business industry leaders who come from "controlled" environments and not from the sectors where flexibility and individual responsibilities abound. Top down or bottom up approach.

The utilisation of the piston engined aircraft fleet has become too complicated by applying a top down approach. The non-airline sectors rely on individual responsibilities as it is in ICAO Annexes and implemented for GA by the USA and/or Canadian regulations.

Europe does not have a comparable GA system like Australia so their regulatory systems should not be compared, if we are to turn around the decline in these sectors.

One of the greatest frustration to industry participants is the failure of its regulator to adopt regulatory provisions from the FARs that provide flexibility, harmonisation, multiple entry pathways, reduction in costs, productivity improvements and efficiencies.

Experimenting with regulatory provisions from the EASA system has real issues. The aircraft fleet covered by EASA does not cover the Australian registered aircraft fleet. Both the FAA and TCA regulatory covers similar aircraft fleet.

EASA Annex II listed aircraft are not regulated by EASA, they are still regulated by the individual EASA/NAA where they are registered.

In other words, many of the aircraft types used in GA are deemed non EASA aircraft.

Australia needs a total regulatory system that enables the CASA registered aircraft fleet to operate safely, not be regulated out of existence.

Australia, if it has regulations based on the FARs will have a larger, more viable industry manufacturing aircraft for the Australian market. Harmonisation will enable ex CASA registered aircraft to be sold in the world market with more confidence than today.

Our maintenance records must meet global standards.

Do we have to wait for another enquiry making another 101 recommendations?

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2. Working under an Arrangement/Direct Supervision.

"***Working under an arrangement***" "***Direct Supervision***"

Two very important terms that CASA struggles to understand – both worked well in the past and have an important role in any future regulatory framework relating to maintenance and manufacturing.

Working under an arrangement is the fore-runner to "contract" maintenance and direct supervision underpinned the USA FBO/SASO approach to CAO 104 AMOs.

Working under an arrangement has always been important to enable the use of organisations consistently performing technical tasks to be used to reduce turn-around time and reduction in maintenance costs.

The AMO took full responsibility for the quality of the work being done by the organisation working under an arrangement.

Direct Supervision provides high quality standards, especially in small business where the owner/operator oversees all maintenance works. Used with great success pre the regulatory reform that started in 1989.

Direct supervision was the basis of many GA maintenance organisations and is very similar to the FBO/SASO system except, the AMO held an approval from the Authority.

Although we support adoption of the FAR system, we need to re-implement the pre DCA "controlled" version of the USA Fixed Based Operators/Specialised Aviation Service Operator. It worked and was safe.

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It is accepted that Infrastructure remains responsible for noise standards but CASA, as Australia's aircraft/product certification Authority, when performing type certification of an aircraft or product subject to noise standards (propellers/blades, etc), must be able to issue a type certificate, STC or PMA approval that includes international noise standards.

We need all major NAAs to accept CASA issued TCs, STCs & PMAs in the same manner we accept EASA, FAA, TCA and many other certificates.

CASA must retain its position in the top ten aviation product certification countries.

We are now in a position of catching up with modernisation of the FAR Part 21 system to keep us globally harmonised.

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