

## Does CASA need a Board?

Has the Board ever made public the objectives, strategies and policies they have given to CASA?

“The **Board** is **responsible** for deciding the objectives, strategies and policies to be followed by **CASA** and for ensuring that **CASA** performs its functions in a proper, efficient and effective manner.”

The CAA(UK) has a Board and their Board places their [Board Minutes on the web](#) for all to see.

Industry can actually see what decisions have been made - industry knows what objectives, strategies and policies the Board is providing to the CAA(UK). Why is this Board so mysterious? Do they actually produce any objectives, strategies or policies for CASA to follow?

Why isn't CASA treated the same as the ATSB? One is a Regulator, the other is an Investigator.

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*Government must remove the red tape and, as they did in 1998, adopt the latest revision of US FAR Part 21 and implement the FAA design/manufacturing procedures and standards. This must happen to stop our manufacturers moving off-shore. 2*

*In addition, government must obtain “trade agreements with foreign countries to accept The CASA Form One (CASA Release too Service document) for Australian manufactured products made to FAR and/or EASA design standards. The global aviation system is based on agreements between governments and implementation procedures between each country's aviation regulator. 2*

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*Our Prime Minister has publicly stated that his government number one priority is to create Australian jobs, not export them off-shore. The PM makes public statements that the red tape will be reduced so Australian jobs can be created. Our industry has been hearing this for years from governments but is the Department of Infrastructure Regional development and cities and the aviation regulator, CASA, committed to this policy? 4*

*It seems the Department and CASA were dedicated to support industry but lost direction in the early 2000's when they shifted from the GA and engineering supported adoption of the Federal Aviation Regulations to the European regulations. We now have more red tape and confusion with compliance with regulations than industry had in the late 1980s when the Parliamentary Inquiry directed changes that created the CAA. 4*

*If government wants Australian jobs in aviation then it needs a government culture and course change with the Civil Aviation (Safety) Regulations and Standards to adopt the USA aviation regulatory system. CASA needs a FAR experienced regulatory Operational Manager and an Engineering/Maintenance Manager to assist CASA to properly adopt the FARs. New Zealand achieved this last decade. 4*

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## **1. Aviation Manufacturing International Trade?**

*There are many issues that restricts the growth of what should be job creation for Australian aviation aircraft and parts manufacturing industry in Australia. The basic issue is aligning our regulations and procedures with the biggest aviation market for aircraft & aircraft replacement parts that encourages Australian new innovation. i.e. North America - The United States of America and Canada.*

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Aviation global trade just cannot happen unless government negotiate agreements with all foreign countries where our industry wants to sell Australian designed and manufactured aviation products. Internationally there is a standard government form used by manufacturers to release to service manufactured products.

This alone is useless unless the foreign country accepts the form without conditions.

Our capability is restricted unless government negotiates an agreement.

How well briefed is the Department of Trade and Foreign Affairs in the stringent requirements that need to be in a Bilateral Aviation Agreement or Technical Recognition Agreement? To obtain such an Agreement, CASA, the safety regulator, is usually the initial government body to approach the foreign country’s regulator supporting Australia’s business who want to create jobs and trade globally.

The lack of support continues to see Australian innovative products being moved to a foreign country that supports manufacturing and design. Even our maintenance industry is being moved off-shore. Our regulatory system is too costly. The ASSR report just hasn’t been achieved.

Unlike other successful aviation manufacturing countries with export/import capability of their engineering industry, our government hasn’t legislatively required a government department or agency to negotiate acceptance of our design and manufacturing capabilities.

Political directions to portfolio departments and agencies is not enough.

Free trade agreements have never included aviation simply because the other appropriate government departments responsible for international agreement are not well versed in the requirements for the regulators to also be involved.

Under the USA aviation system it is quite clear who has the responsibility to promote the US system globally. The following excerpt from their legislation is missing in ours yet is crucial because of the need for reciprocal government to government agreements to enable the Australian industry to trade in their country.

## “§40105. *International negotiations, agreements, and obligations*

(a) ..... *The Secretary of Transportation shall consult with the Secretary of State in carrying out this part to the extent this part is related to foreign air transportation*

### **RECIPROCAL AIRWORTHINESS CERTIFICATION**

*Pub. L. 108–176, title VIII, §812, Dec. 12, 2003, 117 Stat. 2590, provided that:*

*“(a) In General.—As part of their bilateral negotiations with foreign nations and their civil aviation counterparts, the Secretary of State and the Administrator of the Federal Aviation Administration shall facilitate the reciprocal airworthiness certification of aviation products.*

*“(b) Reciprocal Airworthiness Defined.—In this section, the term ‘reciprocal airworthiness certification of aviation products’ means that the regulatory authorities of each nation perform a similar review in certifying or validating the certification of aircraft and aircraft components of other nations.”*

### **REPORT ON CERTAIN BILATERAL NEGOTIATIONS**

*Pub. L. 103–305, title V, §519, Aug. 23, 1994, 108 Stat. 1600, provided that: “The Secretary shall report every other month to the Committee on Public Works and Transportation [now Committee on Transportation and Infrastructure] of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of all active aviation bilateral and multilateral negotiations and informal government-to-government consultations with United States aviation trade partners.”*

Where is this requirement or responsibility to attain aviation bilateral agreements in an Australian Act of Parliament?

The cold hard fact is that there is no priority by government to actively open foreign markets for our manufacturing industries. It is why history continues to repeat itself as one by one manufacturers move off-shore or close because of the red tape growth.

It is obvious that CASA has little support for the manufacturers they approve. Unlike the FAA, not all Australian manufacturers of the following products actually appear on the CASA website nor are the ASTC, APMA or ATSO. If CASA did what the FAA does, many businesses would be able to increase their work because industry could search CASA as well as other NAA’s website for these NAA approved products.

- Australian Supplemental Type Certificate
- Australian Parts Manufacturing Approval
- Australian Technical Standard Order

These alternative CASA approved items meet or exceed the original manufacturer’s product and promulgation by CASA would assist the saleability of the Australian manufacturer’s product. The following is on the FAA website.

   

Go to the FAA website, type in the search box either of the above and their list appears.

The FAA databases have all the STCs, PMAs and TSOs that the FAA has approved. It enables aircraft owners and AMOs to look for approved alternatives.

Why aren’t **ALL** the CASA approved ASTCs, APMAs & ATSOs on the CASA website?

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## 2. GA Potential to Create Jobs.

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To achieve jobs in aviation under the current system would need a new Minister's "Statement of Expectations" but put similar condition on CASA that the Administrator of the FAA has when directed to create regulations.

The FAA Administrator has 6 months to act on a petition to change the regulations. The Australian government recognise the need to change in 1988 and again in 1995 but we still are under a costly regulatory environment. There is no mention in the Minister's Statement of Expectation to reduce the red and green tape to enable the viability of this industry to survive and create jobs. Statement of Expectation excerpts:.

### 3. Regulatory Approach

*In terms of its regulatory approach, my expectation is that CASA will:*

- (a) *continue to focus on aviation safety as the highest priority; ✓*
- (b) *consider the economic and cost impact on individuals, businesses and the community in the development and finalisation of new or amended regulatory changes; X*
- (c) *take a pragmatic, practical and proportionate approach to regulation as it applies to different industry sectors having regard to risk; and X*
- (d) *implement its regulatory philosophy, with the philosophy being reflected in relevant policies, procedures, manuals, and when CASA personnel are carrying out their day-to-day operations. X*

And from **Key Initiatives**:

- (d) *completing implementation of the remaining parts of the Government's response to the Aviation Safety Regulation Review, including actively progressing regulatory reform in consultation with industry **and supported by appropriate safety cases**;*

Has anyone ever seen a safety case for the unique Australian provisions?

Time to adopt the FAA regulations as they did in 1998, with minimal changes.

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