



Australian Government
Civil Aviation Safety Authority

OFFICE OF THE DIRECTOR OF AVIATION SAFETY

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Senator the Hon Bill Heffernan
Chair
Senate Standing Committee on Rural and
Regional Affairs and Transport
Parliament House
CANBERRA ACT 2600

Dear Senator Heffernan

Clarification of statements made at Estimates hearing on 18 November 2013

I write regarding certain statements made during the appearance of the Civil Aviation Safety Authority (CASA) at the Senate Rural and Regional Affairs and Transport Legislation Committee Estimates hearing on 18 November 2013.

In response to a question from Senator Xenophon on the Civil Aviation Safety Regulation Part 172 report into Airservices Australia, the following statements were made (at page 64 of *Hansard*):

Senator Xenophon: Yes, the 172 report was quite critical. It was quite significant that you renewed ASA's license on a conditional basis. That is right, isn't it?

Mr McCormick: Yes.

This is not strictly correct. I would like to clarify that, in this regard, Airservices previously held a perpetual certificate issued under Part 172 of the *Civil Aviation Safety Regulations 1998*. That is, the certificate had no expiry date. Following the Part 172 review, CASA varied the certificate by including an expiry date. It otherwise imposed no conditions on the holder.

On another matter relating to recommendations in the Pel Air report, I advised (at page 59 of *Hansard*):

I do not know if anyone was more actively involved in this than myself, but we would say what that recommendation meant as to where we are today and its effect on us. But whether it is accepted or rejected is not something we recommend.

I wish to clarify the record to advise that, while the Government formulated its own responses to the recommendations, CASA did provide advice, via the Department of Infrastructure and Transport (as it then was), as to which recommendations, in CASA's view, might be accepted, which ones might be rejected, and which ones might either be accepted or rejected with certain qualifications. My advice during the Estimates hearing may have given the impression that CASA did not and would not provide explicit advice of this kind to the Minister—whereas, in fact, CASA did so, via the Department.

I apologise if my comments have been in any way misleading.

Yours sincerely

John F. McCormick
Director of Aviation Safety