

The AUSTRALIAN HELICOPTER INDUSTRY ASSOCIATION (AHIA) SUBMISSION TO THE SENATE INQUIRY INTO GENERAL AVIATION and CASA

Preamble:

The AHIA has approximately 90 members and represents the interests of a large percentage of the commercial helicopter industry.

AHIA members are heavily involved in firefighting operations, emergency and rescue services, agriculture, aviation training, off shore transfer, tourism, charter, policing and security, infrastructure inspection, parks and wildlife, to name just a few.

Helicopter operations often fall into the category of essential services for many urban and regional communities.

The AHIA and the helicopter industry in general is reliant on efficient and timely services from CASA.

ISSUES:

The Civil Aviation Act 1988 provides the legal framework for the establishment of CASA.

The Civil Aviation Act 1988 requires CASA:

- to develop and promulgate appropriate, clear and concise aviation standards
- develop effective enforcement strategies to secure compliance with the standards

In developing and promulgating aviation safety standards CASA must:

- consider economic and cost impact on individuals, business and community standards
- take into account differing risks associated with different industry sectors

The Board of CASA is required to:

- Ensure that CASA performs its functions in a proper, efficient and effective manner

It is clear that not all the above criteria are being met:

- CASA has not been operating by the requirements of the Act
- The current regulatory framework that underpins aviation safety has taken too long to finalise. For example, CASA has been working on changes to Part 135 for well over 15 years and the maintenance regulations are still not finalised
- Regulations are not sector based. CASA has undertaken sector risk profiles but lower risk operations are not reflected in regulatory simplification.
- Overly complex regulations without improving safety. The new Part 61 severely restricted helicopter operations. A rapid response by helicopter industry leaders ameliorated some of the difficulties. However, after years of expensive work by CASA officers, such emergency and time consuming responses from industry leaders should not have been required.
- Regulations are difficult to interpret and apply. For example Part 61 is over 700 pages in length. This is clearly ridiculous. Did CASA compare its work with similar

Parts existing in other countries that have mature aviation industries eg, USA, Canada and New Zealand?

- Regulations are costly to implement for business and individuals. CASA is a monopoly provider of regulatory services. Its hourly charges are arbitrary and some officers adopt a take it or leave it approach. Many industry participants feel the hourly rate approach leads to inflated costs due to CASA work quotes only advising approximate total project times. The aviation industry becomes a price taker with little recourse to usual market factors.

CASA functions are not applied/exercised uniformly across all regional offices.

- Individual officers can affect decision making through differing policy application, standards and outcomes.
- There has not been strong oversight of Regional Offices or resident poor performing CASA staff
- There appears to be insufficient will to take action against or re-educate staff who do not adhere to the CASA Philosophy document
- CASA Flight Operations Inspectors (FOI) who are not suitably qualified or experienced to oversee complex company flight operations. This is an ongoing problem for the helicopter industry. There have been many examples where the FOI is considerably less qualified than the aircrew being tested.
- Review practice of FOI undertaking aircraft Type ratings. This activity is expensive and in some cases the FOI has resigned from CASA to take up an external flying position. This could be an abuse of the process and costly to all involved.

Public consultation processes have not being fully utilised. For example, CASA sponsored Sector Risk Assessment workshops have been conducted but there is little evidence that the findings have been incorporated in legislation. This undermines industry confidence in CASA in that industry participants give up their valuable time to provide detailed information that is barely used.

CASA's legal division has for many years been a major choke point in CASA's operations. The need for quality legal advice is understood but extended and convoluted legal argument within CASA has caused unnecessary distress and cost for many industry participants. A review of the performance of the legal division would be timely.

While there have been some recent improvements in the services provided by the medical division, there is still considerable scope for further progress. One clear example is that advice to CASA from DAMEs or appropriately medical specialists should not be second guessed by CASA staff.

SUMMARY

CASA must embrace the goal of being the best medium sized aviation regulator in the world, with a real commitment to constant improvement.

The Australian helicopter industry is mature and only needs a light-handed regulatory approach. A well designed Classification of Operations system would reduce the requirement for complex and heavy handed regulatory oversight. The cost savings and improved service efficiencies would be considerable

The Australian helicopter industry has the second largest helicopter fleet in the world. CASA would be well served to treat it as a safety partner rather than a sector to be controlled.

Given that the industry has far more operational experience than anyone in CASA this is not an unreasonable request.

The AHIA and its members stand ready to assist practically in improving the regulator to industry outcomes.

It should be not be forgotten that well over 70% of CASA's income is derived directly from the aviation industry. The regulated industry is in fact CASA's largest stakeholder. This should never be forgotten.

Paul Tyrrell

CEO

Australian Helicopter Industry Association