

The web version (3.0) states a review date of July 2020 – is there a later revised version?
No.

2. The first Guiding Principle is that “Aviation safety regulations must be shown to be necessary”.

Does the application of the Directive require that the proponent must formally state specifically what the “known or likely safety risks” is?

No, a proponent is not required to formally state specifically the “known or likely safety risks”. However, in making a submission for improvement, a proponent is invited to provide an explanation of the probable risks in the event the proposal does not proceed and a description of the scope of the risk/s to be managed. The application of the Directive involves active consideration by CASA to assess the necessity for a change to Aviation safety regulations, having regard to whether a proposal has articulated an identified safety risk or gap.

Does it also require a formal statement outlining why the risk “cannot be addressed effectively by non-regulatory means alone”?

No, a proponent is not required to make a formal statement outlining why a risk “cannot be addressed effectively by non-regulatory means alone”. However, application of the Directive involves active consideration by CASA to assess the necessity for a change to Aviation safety regulations, having regard to whether the proposal can be addressed by non-legislative means.

3a. The second Guiding Principle states that “every proposed regulation must be assessed against the contribution it will make to aviation safety”. Are those assessments formalised?

Application of the Directive involves a consideration by CASA of the desired outcome to be obtained by addressing the change described in a proposal for regulatory change, which may include articulation of the contribution a change may make to aviation safety. As required, the economic and cost impact of a proposed change is assessed by CASA and a regulation impact statement is produced for review by the Office of Best Practice Regulation.

3b. If so, is the level of detail consistent with the level of detail that CASA demands of industry applications?

The level of detail required for industry to meet the threshold for assessment of an application or for CASA to complete an assessment of the matters addressed in the Directive will be variable and proportionate to the relevant application (in the case of industry) or proposed regulatory change (in the case of CASA).

3c. If not, how does CASA maintain corporate knowledge of those assessments and their outcomes?

CASA maintains records in accordance with Australian Government requirements.