



Australian Government
Civil Aviation Safety Authority



OFFICE OF THE DIRECTOR OF AVIATION SAFETY

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18 March 2011

Senator Glenn Sterle
Chair
Senate Standing Committee on Rural Affairs and Transport
Suite SG-62
Parliament House
CANBERRA ACT 2600

Dear Senator Sterle

Clarification of Statements at Senate Estimates 22 February 2011

I write regarding statements made during the appearance of the Civil Aviation Safety Authority (CASA) at the Senate Additional Estimates Hearing on 22 February 2011.

On page 96 of the relevant *Hansard*, in response to a question by Senator Boyce, my evidence suggested that CASA delegated authority to the Australian Parachute Federation (APF). That is not the case. CASA does not formally delegate any authority to the APF. Rather, under regulation 152 of the *Civil Aviation Regulations 1988* (CAR), CASA authorises persons to make parachute descents in accordance with CASA's written specifications.

CASA has authorised persons to make parachute descents in accordance with the rules and regulations promulgated by the APF, and it is in accordance with those rules and regulations that the device in question would have been approved. CASA has no direct regulatory authority over the APF. Were the APF's rules or regulations to be found wanting (as a matter of safety), or if the APF were found to be unable or unwilling to carry out its administrative and oversight functions safely, CASA's recourse would be to vary or revoke the authorisation under which individuals are currently allowed to make parachute descents.


On page 100, my evidence stated that, while Jetstar was required to have a check and training organisation under CAR 217, the same could not be demanded of an overseas operator. This point requires clarification. CASA could require the holder of a Foreign Aircraft Air Operators Certificate (FAAOC) to have a training and checking organisation that complies with the requirements specified in CAR 217. As a matter of practice, however, CASA does not require that level of compliance. Rather, in assessing an application for a FAAOC, CASA considers the existence and adequacy

of the training and checking arrangements the operator is required to have under the legislation of the State that issued the operator's national Air Operators Certificate.

On page 100, the statement by Dr Aleck that, as of December last year, the Orders require high capacity regular public transport (RPT) operators to have a safety management system in place, requires expansion and a minor correction. The requirement to have a safety management system in place applies to both high and low-capacity RPT operators. The legal requirement applied to high capacity RPT operators as from December 2009 and to low capacity RPT operators as from February 2010.

I apologise for these inadvertent inaccuracies and trust these statements clarify these matters.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John F. McCormick', written in a cursive style.

John F. McCormick
Director of Aviation Safety