

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 01

Topic: CASA Unscheduled Audits

Hansard Page: p. 117 (Monday, 23/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

Over the past two years, how many unscheduled audits have been undertaken in that period?

Answer:

Thirty-one unscheduled audits were undertaken by the Civil Aviation Safety Authority on Regular Public Transport operators that operate aircraft above 5,700 kilograms between May 2003 and May 2005.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 02

Topic: Safety Regulation Corrective Action and Prosecutions

Hansard Page: p. 118 (Monday, 23/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

If we had the number of requests for corrective action and the number of prosecutions, we would have a good idea of the number of breaches that had been discovered?...

Can you get the information for us about requests for corrective action and prosecutions in that area?

Answer:

Requests for Corrective Action (RCA)

853 RCAs were issued to holders of Air Operator Certificates authorising the conduct of Regular Public Transport (RPT) operations in aircraft weighing more than 5,700 kilograms over the past two years (1 June 2003 to 31 May 2005).

As a point of clarification, an RCA is issued to an Auditee to give written notice of a regulatory breach. RCAs are issued as a result of surveillance in circumstances where the benefits of encouraging a co-operative approach to compliance with the legislation outweigh the aviation safety risk of the specific breach.

An audit finding is used to highlight potential problems and/or Legislative breaches and may be issued as:

- Safety Alerts;
- Requests for Corrective Action;
- Aircraft Survey Reports; and/or
- Audit Observations.

Prosecutions

No prosecution action has been initiated against the holders of Air Operator's Certificates authorising the conduct of RPT operations in aircraft weighing more than 5,700 kilograms over the past two years (1 June 2003 to 31 May 2005).

Senate Rural and Regional Affairs and Transport Legislation Committee

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Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 03

Topic: Cuts in Staffing Numbers

Hansard Page: p. 124 (Monday, 23/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

I note on page 87 of this year's PBS that average staffing levels for 2005-06 are expected to be 650 compared with this year's average of 680. Where are these cuts in staffing numbers going to come from within CASA?

Mr Gemmell - That stems from a few things. Three things in particular I would mention: we are going to complete a major program in the coming financial year, which is what you would know as the CASA IP program, which has been a major program running over the last few years. That will finish, on current timetable, later this year; the product of that will be rolled out. The benefits that flow from that flow, and cost and staffing that attach to it reduce.

We have been planning for some time the implementation of the regulatory reform program. We have separately given evidence here before that that is running slower than we anticipated, so we will not have the staffing levels we need for that. The third thing is from general efficiencies that we are looking to make in CASA. We are going to be reviewing business processes in CASA, particularly in the areas of corporate support, to ensure that we are providing them in the most efficient and effective way. We anticipate we might find ways of doing it more efficiently.

Senator O'BRIEN—How many will be excess to requirement as a result of each of those three considerations?

Answer:

The Civil Aviation Safety Authority (CASA) has estimated that an average of 30 staffing positions will be identified as being excess to requirements in the financial year 2005/2006. As stated by Mr Gemmell during evidence given to the Committee, these positions will result from efficiency gains, the finalisation of the CASA Improvement Programme and the planned progress of the Regulatory Reform Programme Implementation.

It is anticipated that these positions will become surplus to CASA's requirements throughout the duration of the financial year and not as of 1 July 2005.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 04

Topic: Applications for Senior Positions

Hansard Page: p. 4 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator Bishop asked:

So presumably the search agency has been in contact with you to advise you of the number?

Mr Gemmell—I have not heard about the numbers that we have. We have not heard the results from them, but I expect to hear about that at any moment. From there, it is the process of sifting and sorting.

Answer:

The total numbers of applications received by the Civil Aviation Safety Authority for the following senior positions are:

Group General Manager Air Transport Operations Group = **43**

Group General Manager Personnel Licensing Education and Training Group = **31**

Chief Information Officer = **17**

Senate Rural and Regional Affairs and Transport Legislation Committee

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Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 05

Topic: Enhanced Ground Proximity Warning System (EGPWS)

Hansard Page: p. 12 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator Heffernan asked:

How expensive are these systems?

Mr White—From memory, it costs something like \$US100, 000 for the enhanced or TAWS—as it is now called—equipment.

CHAIR—Is it likely to cost more than the plane is worth?

Mr Gemmell—We have not mandated them for all aircraft; we have mandated them for larger aircraft operating in passenger-carrying operations.

Senator MARK BISHOP—I missed the answer to Senator Heffernan's question. What was the cost per unit?

Mr White—From memory—and we would have to check—it is something like \$US100,000 but, as the Acting CEO was saying, we are only mandating it for aircraft over 5700 kilos. So the older, cheaper aircraft would not be involved—the smaller ones.

Answer:

The Civil Aviation Safety Authority (CASA) understands that cost estimates for a Terrain Avoidance Warning System B modification are from A\$35, 000 and for a Terrain Avoidance Warning System A modification, from A\$50, 000.

The United States General Aviation Manufacturers Association has suggested costing could be as much as A\$180,000, although CASA expects that these would be for large jets retrofits and would not apply in Australia.

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Consideration of Senate Budget Estimates May 2005

Question No.: CASA 06

Topic: Audit of Transair

Hansard Page: p. 18 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator Bishop asked:

So, you think that the four officers have not been employed in the Townsville office. Can you check with your offices and advise whether any of those four officers were employed at, or worked out of, the North Queensland office in 2003 or 2004.

Answer:

All four officers work out of the Brisbane Airline Office and have not been employed in the North Queensland Area Office.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 07

Topic: McGee's PNG Licence Loss

Hansard Page: p. 19 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

The *Courier Mail* article refers to a Mr McGee and some activities in Bougainville in PNG which I understand led to Mr McGee losing his PNG licence. Was CASA aware of that?

Mr Gemmell—We were aware of it.

Senator O'BRIEN—What action did CASA take if any?

Answer:

The Civil Aviation Safety Authority (CASA) has been in communication with the Papua New Guinea (PNG) Civil Aviation Authority (CAA) since 6 October 2004, when the then Chief Executive Officer (CEO) of the PNG CAA, Mr Andrew Ogil, first wrote to CASA's CEO, Mr Bruce Byron. In his correspondence, Mr Ogil advised Mr Byron of unspecified breaches of the PNG Civil Aviation Rules, which occurred on 30 September 2004 involving the operation of an Australian-registered aircraft (VH-WNZ) under the command of Mr Peter McGee.

There is no evidence or other information to indicate that those operations involved Trans Air Ltd (PNG) or Lessbrook Pty Ltd (t/a Transair).

On 10 December 2004, the District Court of PNG suspended Mr McGee's PNG Senior Commercial Pilot Licence for 12 months, after he, Mr Andrew Reid and Tasman Australia Airlines Pty Ltd were convicted of offences involving the unauthorised landing of VH-WNZ on the island of Bougainville on 30 September 2004.

Mr McGee appealed that conviction, and on 17 December 2004, upon agreeing to hear that appeal, the National Court of PNG stayed Mr McGee's conviction. On the basis of advice provided by the solicitors representing the PNGCAA in those proceedings (Gadens Lawyers, Port Moresby), it is CASA's understanding that this resulted in a re-instatement of Mr McGee's pilot licence. CASA is further advised

that no date has yet been set for the hearing of Mr McGee's appeal in the National Court.

CASA is monitoring the progress of the actions the PNG CAA has initiated against Mr McGee and the others involved in the operation of VH-WNZ in PNG last year. On the basis of the results of those proceedings, related enforcement action against Mr McGee under Australian civil aviation legislation may be appropriate. The tenability of such action, however, may depend, in part, on the substantiation of the allegations the PNG authorities have made against Mr McGee.

In the meantime, other aspects of the subject operations of VH-WNZ, which may have enforcement-related implications for Mr McGee and the others involved in the landing on Bougainville, are under review by CASA.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No: CASA 08

Topic: Bougainville Incident

Hansard Page: p.19 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

The Bougainville incident involved Transair PNG, I take it?

Mr Gemmell—I cannot confirm that.

Senator O'BRIEN—Can you take that on notice?

Mr Gemmell—I do not know—it could have been a private flight. I cannot confirm the details. I will take on notice what we actually know about that operation and what we were told about it by PNG.

Senator O'BRIEN—If you could, and if you can let us know whether it was a charter flight or a private flight that would be good.

Answer:

The Civil Aviation Safety Authority (CASA) can confirm the aircraft involved in the Bougainville incident on 30 September 2004 was Australian registered VH-WNZ. The holder of the certificate of registration in respect of that aircraft is Tasman Australia Airlines Pty Ltd. Tasman Australia Airlines Pty Ltd does not hold an Air Operator's Certificate.

CASA has no evidence or other information to indicate that the operations involving VH-WNZ on 30 September 2004 were conducted by or on the behalf of either Trans Air Ltd (PNG) or Lessbrook Pty Ltd (t/a Transair).

At this point, CASA has no reason to believe that the flight was conducted as other than a private operation. We are attempting to confirm this with the Papua New Guinea Civil Aviation Authority and the Port Moresby solicitors representing that Authority.

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Consideration of Senate Budget Estimates May 2005

Question No.: CASA 09

Topic: AOC for Hinterland

Hansard Page: p. 20 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Could I get a copy of the AOC for Hinterland?

Mr Gemmell—I cannot say I am familiar with Hinterland. I assume that it exists; so, if there is one, of course we will find a copy for you.

Answer:

A copy of the AOC for Hinterland Aviation was **tabled** at the Committee hearing.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Consideration of Senate Budget Estimates May 2005

Question No.: CASA 10

Topic: TFU Hours

Hansard Page: p. 21 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator McLucas asked:

It was built in 1992. It was placed on the Australian Civil Aircraft Register in July 2003 and, when it was placed on there, it had 24,700 hours of service. So it had a relatively high number of hours.

CHAIR—In 1993 it had 24,700 hours.

Mr Gemmell—It had 24,700 hours in July 2003.

CHAIR—How many hours did it have left on its engines?

Mr Gemmell—I do not have information on that.

CHAIR—But you would have it?

Mr Gemmell—We will provide that.

Answer:

Hours remaining on VH-TFU engines.

Left engine: 2868.8 hours.

Right engine: 3606.2 hours.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Consideration of Senate Budget Estimates May 2005

Question No.: CASA 11

Topic: Cost of Accenture's Involvement in IP Project

Hansard Page: p. 24 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

What was the ultimate cost of their project involvement to the Department? How much have you paid them to date?

Answer:

The cost of Accenture's project involvement to the Civil Aviation Safety Authority (CASA) as at 31 May 2005 is \$19,200,000.

It is estimated that at the completion of Accenture's project involvement with CASA, the cost to November 2005 will be \$25,200,000.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 12

Topic: Breakdown of IP Project Costs

Hansard Page: p. 24 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

In terms of the contractual arrangements, did the project costs overrun in any area?

Mr Gemmell—I would have to check. They certainly have not overrun at the levels I have been looking at.

You are obviously asking me for something more detailed than that. I would have to check whether there were any overruns in any of the areas. The answer at the moment is not to my knowledge, but if I can check and come back on that, I will.

Senator O'BRIEN—What sort of legal costs have been associated with the CASA IP program?

Mr Gemmell—There have been some, obviously, on the contract and renegotiation of the contract. Be aware that we can employ external lawyers and we have our own internal lawyers, so it will take a little bit of work.

Senator O'BRIEN—Can you give us a breakdown of the legal costs—the firm of lawyers used and costs of individuals?

Mr Gemmell—Yes.

Senator O'BRIEN—And, in general, can you tell us what sort of work the lawyers have done?

Mr Gemmell—Yes, probably related to the contract and that sort of stuff.

Senator O'BRIEN—It might relate to the contract and there may be other things involved.

Mr Gemmell—Other things that we have asked for advice on, yes.

Answer:

Cost Overrun: There has been no project cost overrun in any area.

Legal Costs:

It is noted that in terms of lawyers, CASA employs the organisation, not individuals in relation to these services.

Supplier	Nature of Work	Cost
Mallesons Stephen Jaques Solicitors	Contract negotiations and acquisitions and development of contract	\$279,158
Phillips Fox	Advice on Draft Alliance Contract and Reviews of Statements of Work	\$40,403
Phillips Fox	Review of change proposal and amendment of contract to reflect changes	\$54,884
Australian Government Solicitor	Probity Adviser on selection of core products and purchasing software	\$43,937
	TOTAL	\$418,382

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Consideration of Senate Budget Estimates May 2005

Question No.: CASA 13

Topic: Mr Entsch Complaints in Relation to Lip-Air

Hansard Page: p. 40 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

Did Mr Entsch complain to CASA in relation to its actions or proposed actions against Lip-Air?

Can you tell us how many complaints or representations Mr Entsch or his office have made to CASA in the last five years?...

Would you take that on notice, and would you also tell us the nature of the complaints and the action that resulted...

Could you identify the complaints originating from Mr Entsch or his staff that went through the Minister's office?

Answer:

A search of the Civil Aviation Safety Authority (CASA) correspondence management database has recorded that Mr Entsch wrote directly to CASA on 10 occasions. Of the 10 occasions, 2 raised operator concerns in relation to Cape-York Airlines; 7 related to specific constituent issues, and on one occasion, Mr Entsch wrote about proposed new rules for helicopter operations.

CASA's records indicate that Mr Entsch wrote to the former Deputy Prime Minister and Minister for Transport and Regional Services, the Hon John Anderson MP, on 21 occasions. Of the 21 occasions, 11 raised operator concerns in relation to Gondwana Aviation, Cape-York Airlines, Northair Surveys, Aquaflight Airways, Hawker Pacific, Helicopter Association of Australia, Lip-Air Pty Ltd, Cape-York Helicopters and Miscandlon Lavionics; and 10 related to specific constituent issues.

Responses to the complaints raised by Mr Entsch or his constituents were formulated by CASA and provided either direct to Mr Entsch or drafted for the consideration of the Deputy Prime Minister and Minister for Transport and Regional Services.

No direct action resulted from the inquiries raised by Mr Entsch or his constituents. Indirect action was taken by CASA through reviewing the concerns raised by Mr Entsch or his constituents and agreeing to facilitate a meeting with all aviation operators in the Northern Queensland Region.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Transport and Regional Services

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Consideration of Senate Budget Estimates May 2005

Question No.: CASA 14

Topic: Complaint about CASA's Treatment of Commercial Operator

Hansard Page: p. 26 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

Can you confirm that a Liberal Senator from Western Australia complained about CASA's treatment of a commercial operator in that State because of the impact it was having on the operator's business?

Mr Gemmell—When was that? Do you mean ever?

Senator O'BRIEN—I am talking about in the last two years.

Mr Gemmell—Yes, I can confirm we have received representations from a Senator about CASA's actions in respect of an operator.

Senator O'BRIEN—On the basis of the impact it was having on the operator's business?

Mr Gemmell—I might have to look at the letter to remind myself of the details of the complaint. They were certainly not happy with the actions CASA were taking in respect of that operator.

Senator O'BRIEN—You were not happy with CASA's actions?

Mr Gemmell—No, the complainant was not happy.

Senator O'BRIEN—What role did the Minister's office play in dealing with that complaint?

Mr Gemmell—As I recall, that letter was written to the Minister and was passed through to us to consider and provide advice on what we were doing.

Senator O'BRIEN—Can you supply the Committee with the details of the nature of the complaint?

Mr Gemmell—It is a letter to the Minister, so I would have to seek his agreement that it be provided.

Answer:

The letter from Senator Eggleston to the Minister for Transport and Regional Services is **attached**.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 15

Topic: 2003 NAS Review

Hansard Page: p. 27 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

Is it true that the senior officers involved in the failed project received a letter from Mr Anderson's senior adviser about that involvement in 2003?

Mr Gemmell—I would have to check, but nothing comes to mind. If you are talking about senior officers, you are talking about me and either the current Chief Executive or the previous Chief Executive...

Senator O'BRIEN—Correspondence from Mr Anderson's senior adviser in 2003 about that involvement, criticising those officers for failing to give the project appropriate priority.

Mr Gemmell—I would have to take that on notice.

Senator O'BRIEN—If such a letter exists can it be supplied to the Committee?

Mr Gemmell—I will take that on notice.

Answer:

A copy of the letter is **attached**.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Question No.: CASA 16

Topic: Allegations of CASA's Inadequate Performance

Hansard Page: p. 28 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

Was the security of senior officers' employment raised as well arising from allegations of inadequate performance in relation to the proposed changes to the national airspace system?

Mr Gemmell—Implicitly, in the sense that if we were failing to perform and to deliver objectives then our positions...

Senator O'BRIEN—So, you do recall something of that nature taking place in Mr Mathews's office?

Mr Gemmell—I can recall conversations where there were concerns expressed about how things were going and how it was proceeding. That is why I said you had to be specific. For us, or I think for anybody, it was not an easy process to go through and at various times there was some dissatisfaction with the performance of CASA.

Senator O'BRIEN— You do not recall that being connected to correspondence from Mr Anderson's senior adviser?

Mr Gemmell— I do not recall that. You are starting to stretch my memory of 2003 a bit. I do not recall anything in particular from the Minister's senior adviser.

Senator O'BRIEN— We are talking about 18 months or two years ago. It is not the dark depths of time we are talking about, is it? If it occurred you would remember, wouldn't you? So, I am wondering if you are unable to remember.

Mr Gemmell— I would need to check. I can recall probably one piece of correspondence from the Minister's senior adviser. I do not recall that as being of any great moment in the course of events. I do not recall much else formally from the Minister's senior adviser.

Answer:

This question has been dealt with in the answer provided to question number **CASA 15**.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 17

Topic: Senior Officers and National Air Space Reform

Hansard Page: p. 28 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

Can you provide the Committee with a list of the senior officers of CASA who had an involvement with the national airspace reform proposals of 2003 on notice?

Answer:

Mr Mick Toller, Director of Aviation Safety (involved until August 2003).

Mr Bruce Byron, Chief Executive Officer (involved since December 2003).

Mr Bruce Gemmell, Deputy Chief Executive Officer and Chief Operating Officer.

Mr Bill McIntyre, Executive Manager, Aviation Safety Standards Division.

Mr Jim Shirley, General Manager, Airspace, Air Traffic and Aerodrome Standards.

Mr Tony Rothwell, General Manager, Aviation Infrastructure and Sports Aviation.

Mr Mike Smith (on secondment to the Department of Transport and Regional Services).

Mr Richard Macfarlane, Acting Executive Manager, Aviation Safety Standards Division (occasional involvement).

Mr Mike Williams, Executive Manager, Aviation Safety Compliance Division (occasional involvement).

Senate Rural and Regional Affairs and Transport Legislation Committee

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Question No.: CASA 18

Topic: Mr Byron's Attendance of Conference

Hansard Page: p. 29 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

On notice can you give us the dates of the conference and can you advise the committee, or have Mr Byron do so, why visiting those authorities could not be organised around the dates of the estimates, which basically were known to be two days this week?

Answer:

The Europe-USA International Aviation Safety Conference 2005 was held in Cologne, Germany from 7 to 9 June 2005. The Conference was hosted by the European Aviation Safety Agency (EASA). Mr Byron met with the Executive Director of EASA, Mr Patrick Goudou, on the morning of Monday 6 June 2005.

When combined with other detailed meetings with European National Authorities (including the regulatory authorities of the United Kingdom and France), aviation industry bodies (including Easy Jet, Airbus and the Oxford Air Training School) and with the Civil Aviation Safety Authority's Insurance Underwriters in London prior to the EASA Conference, the timing prevented Mr Byron from attending Senate Estimates.

The meetings organised with the regulatory authorities and companies listed above were negotiated in accordance with their timings and availabilities.

Mr Byron wrote to Senator Bill Heffernan, Chair of the Senate Rural and Regional Affairs and Transport Committee, informing of this circumstance prior to the Hearing.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Question No.: CASA 19

Topic: Mr Byron's Travel Costs

Hansard Page: p. 30 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

Can you supply us on notice with the details of the number of trips, the cost of travel and the cost of accommodation?

Answer:

For the period 1 December 2003 to 10 May 2005, 86 trips were undertaken by Mr Byron between Canberra and Melbourne. The cost of travel for this period was \$52,762.78 and includes airfares, taxi hire, car rental, parking and petrol costs.

In relation to accommodation, consistent with Remuneration Tribunal guidelines, the Civil Aviation Safety Authority (CASA) does not meet actual accommodation costs for the Chief Executive Officer, but pays an allowance for overnight stays that may be used to cover the costs of accommodation. The allowance paid by CASA for the period 1 December 2003 to 10 May 2005 was \$16,318.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Department of Transport and Regional Services

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Question No.: CASA 20

Topic: Comparative CEO Costs

Hansard Page: p. 31 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

Can you provide us with a comparison of the costs for the provision of office, travel and transport for the office of CEO under Mr Byron and under Mr Toller? Obviously, you have salary, travel and accommodation costs.

Answer:

The roles and functions of the current Chief Executive Officer of the Civil Aviation Safety Authority (CASA), Mr Bruce Byron, differ from the roles and functions performed by the previous Director of Aviation Safety, Mr Mick Toller.

In addition to the functions performed by Mr Toller, Mr Byron is also the sole Director of CASA, fully accountable for all of the functions previously the responsibility of the CASA Board. Any comparison of the costs associated with the two roles should be made against an understanding of the similarities and differences between the two.

Bruce Byron, Chief Executive Officer

Salary Costs

For the period 1 December 2003 to 31 May 2005, a total of \$480,654.15 was spent on salary-related expenses for Mr Byron.

Travel Costs

For the period 1 December 2003 to 30 April 2005, \$106,682.71 was spent on domestic travel. Included in this amount are airfares, taxi hire, car rental, parking, tolls, petrol costs, and any allowances from the Remuneration Tribunal for domestic travel.

Mick Toller, Director of Aviation Safety

Salary Costs

For a comparable period (1 February 2002 to 31 July 2003), a total of \$471,983.08 was spent on salary-related expenses for Mr Toller.

Travel Costs

For a comparable period (1 February 2002 to 30 June 2003), \$90,228.86 was spent on international and domestic travel. This figure includes airfares and travel allowance.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Question No.: CASA 21

Topic: Age Profile of RPT Fleet

Hansard Page: p. 31 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

Is it possible to provide to the Committee—and you will probably need to take this on notice—an age profile of the charter and RPT fleets operating in regional Australia?

Answer:

An age profile for the Australian civil fleet of charter and Regular Public Transport aircraft appears in the attached table. It is not possible for the Civil Aviation Safety Authority to differentiate between aircraft operating in regional Australia and major centres.

Senate Rural and Regional Affairs and Transport Legislation Committee

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Question No.: CASA 22

Topic: Re-fuelling Procedures

Hansard Page: p. 32 (Tuesday, 24/5/05)

Output: Civil Aviation Safety Authority

Senator O'Brien asked:

Can you outline how CASA would monitor a regime applying to the refuelling of aircraft? How do you monitor compliance with respect to both the additive and the other conditions outlined in subsection 4.2.

Mr White—I could not personally answer the one about the additive, but the procedures in use by an operator would certainly be checked by CASA. They should be documented in the company's manuals for refuelling purposes, such as connecting static lines before removing them and those sorts of things.

Senator O'BRIEN—Perhaps you can supply us with the appropriate procedures. Is an antistatic additive a common additive to aviation grade turbine fuel or a special additive? ... The *Hansard* of November 2000 shows that there was an event where refuelling occurred in breach of the regulations. I do not know whether there has been any follow-up about that. It is noted in the *Hansard* estimates hearings of 22 November, page 159. Can you advise the committee, on notice, whether there has been any follow-up regarding that event, where that investigation led us and whether there has been any change in the nature of the fuel supply?

Answer:

As an example, Jet Fuel Mobil Jet A-1 is an aviation gas-turbine engine fuel of the kerosene type known as Avtur, which is the only type of gas-turbine fuel employed by Australian commercial users. Mobil Jet A-1 meets the latest requirements of the United Kingdom Standard D.Eng.R.D 2494, the American Society for Testing and Materials Standard D 1655 Jet A-1, the International Air Transport Association Guidance Material for Aviation Turbine Fuels (kerosene type) and the Australian Department of Defence 5208, as well as all major engine builders' requirements for kerosene type fuel.

Paragraph 3.1 of Civil Aviation Order 20.9 places the onus on determining the specification and grade of fuel to be used in an aircraft on the pilot.

Additionally, Paragraph 4.2 of Civil Aviation Order 20.9 provides the reference to anti-static additives. However, the Civil Aviation Safety Authority (CASA) has no direct oversight regarding monitoring of the anti-static content of Jet A-1.

In relation to the events surrounding the breach of regulations for a refuelling incident in 2000, CASA followed up a failure by the operator to effectively monitor refuelling with passengers on board the aircraft.

The two events resulted in Requests for Corrective Action (RCA) being presented to the operator who, as a response, reminded their flight attendants and aircraft captains to follow company published procedures when refilling with passengers on board the aircraft. The operator's Quality Assurance Department undertook to oversight this process as part of the follow-up.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CASA 23

Topic: Aviation Operations in Far North Queensland

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

My first questions concern the safety of aviation operations in Far North Queensland. They concern the three airlines now involved on the Regular Public Transport route Cairns-Bamaga-Lockhart River-Cairns - Aero Tropics, Trans Air and Hinterland Aviation.

I understand that flights have resumed on the route, using a Beechcraft King Air, on charter from Hinterland.

Aero Tropics and Trans Air both have Regular Public Transport approvals on their Air Operators Certificate for the route. But they do not have the Beechcraft King Air type listed as an approved aircraft for this RPT operation.

Hinterland has the Beechcraft King Air listed on its Air Operators Certificate as approved for charter, but does not have the type approved for Regular Public Transport.

Does this practice comply with regulations? If so, please explain how it complies with regulations?

Answer:

Lip-Air Pty Ltd, trading as Aero Tropics (“Aero Tropics”), operates an Aero Commander aeroplane on a Regular Public Transport (RPT) route Cairns-Bamaga-Lockhart River-Cairns, as authorised by its Air Operator’s Certificate (AOC).

It is CASA's understanding that, from time-to-time, demand for seats on that route exceeds those available on the Aero Commander, and consequently Aero Tropics sub-contracts a portion of the carriage to Hinterland Aviation Pty Ltd (“Hinterland”). Hinterland operates a Beech 200 (King Air) aeroplane on the Cairns-Bamaga-

Lockhart River-Cairns route in support of Aero Tropics operation. Hinterland's AOC permits it to operate this aircraft type for charter purposes only.

In the circumstances, the operation of the Beech 200 by Hinterland is properly classified as a charter operation. Although the operation of the Beech 200 by Hinterland is between fixed terminals (i.e. Cairns, Bamaga and Lockhart River), the operation is only conducted at times when there is excess demand for seats (that is, it is not conducted to fixed schedules), and is not available to members of the public generally (it is only available to a proportion of passengers who have previously contracted with Aero Tropics for carriage). Consequently, the operation is not an RPT operation within the meaning of the Civil Aviation Regulations 1988 (in particular, regulation 206(1)(c)).

CASA understands that Aero Tropic's passengers offered carriage on the Beech 200 operated by Hinterland are advised, by written notice given to them at the point of check-in, that the aircraft is not being operated by Aero Tropics and is not an RPT aircraft. Passengers are informed of the difference between the RPT and charter service and are given the option of not flying on the chartered Beech 200.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 24

Topic: Aviation Operations in Far North Queensland

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Is it appropriate, in terms of public safety, to have an aircraft flying a Regular Public Transport route that is approved for charter only?

Answer:

The Civil Aviation Safety Authority (CASA) is satisfied that this operation is being conducted in accordance with the legislative requirements.

There is no restriction on any Regular Public Transport (RPT) or Charter aircraft operating over any route, provided that if it is an RPT service, the aircraft and the aerodromes between which it operates are authorised on the Air Operator's Certificate (AOC) of the operating company and the aerodromes have met a minimum standard above that for Charter. For Charter operations, the aircraft type has to be authorised on the AOC for Charter operations.

CASA ensures that aircraft operating the RPT service meet RPT standards and aircraft operating the Charter service meet Charter standards.

That is, it is not a route that is "RPT", it is the authorised aircraft operating between nominated aerodromes, with a specified standard, which constitutes an RPT service.

An aircraft approved for Charter operations only cannot be used on an RPT service. RPT aircraft have higher level crew and maintenance requirements to Charter operations. RPT aircraft are required to be listed by registration number on a RPT AOC where for Charter, only the aircraft type is listed.

Occasionally, Charter aircraft may be substituted for an RPT aircraft on an RPT route if the RPT aircraft becomes un-serviceable. In this case, the flight becomes a Charter flight and not an RPT flight.

Passengers will not know that the RPT flight on which they have booked has had the aircraft substituted by a Charter aircraft. The contract that passengers make with an airline when they buy a scheduled airline ticket is that they will fly from point A to point B on a suitable RPT standard aircraft.

When a Charter substitution takes place, passengers must be told prior to or at the time of booking-in for the flight. They must be told that the flight is to be a Charter flight, not an RPT flight and will be operated by an aircraft which has a lower standard requirement for operation. Passengers must be given the option of declining the flight and being offered a refund on their ticket purchase should they choose not to travel.

Often, a clear sign is placed at the booking-in desk stating that this will be a Charter flight and not an RPT flight. The person issuing the ticket for the flight must also explain to the passengers that the flight is to be a Charter flight and not RPT.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 25

Topic: Aviation Operations in Far North Queensland

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Is there any difference in safety requirements for an aircraft approved for charter and an aircraft approved for Regular Public Transport?

Answer:

Aircraft permitted to be used in Regular Public Transport (RPT) operations are called “class A” aircraft. Other aircraft are called “class B” aircraft. Class A aircraft can be used in charter operations, but class B aircraft cannot be used in RPT operations.

Class A aircraft must be maintained in accordance with a system of maintenance which is approved by CASA. A system of maintenance is typically based on the aircraft manufacturer’s maintenance schedule, taking into account the nature of the operations the aircraft will be used in.

Class B aircraft can be maintained in accordance with one of three maintenance schedules: the maintenance schedule set out in Schedule 5 of the *Civil Aviation Regulations 1988*, the maintenance schedule of the aircraft’s manufacturer, or a system of maintenance approved by CASA.

Operators of class A aircraft must have a maintenance controller approved by CASA.

Operators of class A aircraft must prepare a maintenance control manual, which details arrangements for control of the maintenance of the aircraft, and which sets out the functions of the operator’s maintenance controller.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CASA 26

Topic: Aviation Operations in Far North Queensland

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Is there any difference in the pilot qualifications required for flying a charter operation and those required for flying a Regular Public Transport operation?

Answer:

The qualifications required to be held by pilots involved in Charter and Regular Public Transport operations are as follows:

Charter

Charter pilot qualifications for single-pilot operations are:

- a Commercial Pilot (Aeroplane) Licence;
- a command multi-engine instrument rating if flights under the Instrument Flight Rules are undertaken for single-pilot aeroplanes;
- 10 hours experience as pilot in command of the aircraft type. In command under supervision may also be included; and
- an operator may also specify additional experience requirements for his particular operations.

If an aircraft is certificated for multi-crew pilot operations, the pilot in command is required to hold an Air Transport Pilot Licence and a command instrument rating. In addition, a co-pilot would be required as part of the crew.

Regular Public Transport (RPT)

For RPT operations for aircraft certified for single-pilot operations, the pilot in command must meet the following requirements:

- a Commercial Pilot (Aeroplane) Licence and a command multi-engine instrument rating;
- 700 hours total experience as a pilot which includes 150 hours as pilot in command on multi-engine aeroplanes under the Instrument Flight Rules, 10 hours as pilot in command on the aeroplane type and 50 hours as pilot on night operations. Some variation is allowed on these requirements with certain approved equivalent standards to be provided through courses of training. Such pilots are also subject to certain recency requirements and a training and checking proficiency regime.

For other categories of operations use for RPT, an increasing scale of licence qualifications and experience applies, as listed in the **attached** copy of Appendix 4 of Civil Aviation Order 82.3.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CASA 26A

Topic: Cape York Mail Run

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Is the Cape York mail run a Regular Public Transport operation? And if so when were RPT approvals sought, and when were they granted?

Answer:

No. I am advised by the Civil Aviation Safety Authority (CASA) that the Cape York mail run is a 'closed charter' and is an operation for a charter purpose under paragraph 206(1)(b) of the Civil Aviation Regulations 1988. This is based on CASA's understanding that Lip Air Pty Ltd is chartered by Cairns Business and Leisure Travel to transport passengers, cargo and mail between communities on Cape York. CASA is informed by Lip Air that the whole capacity of the aircraft operating these flights is chartered by Cairns Business and Leisure Travel, and Cairns Business and Leisure Travel determines which passengers, cargo and mail are carried, when, and between what ports.

The Air Operator's Certificate (AOC) of Lip Air Pty Ltd authorises it to undertake charter operations in a variety of aircraft that are chartered by Cairns Business and Leisure Travel. The AOC does not limit to which ports Lip Air can operate charter flights.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CASA 27

Topic: Cape York Mail Run

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Does the operator's Air Operator's Certificate carry approval for RPT operations on this route?

Answer:

Please see answer to question **CASA 26A**.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CASA 28

Topic: Cape York Mail Run

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

If so, why are 68 out of the 70 airfields on rural properties visited not listed on the Air Operator's Certificate?

Answer:

Please see answer to question **CASA 26A**.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CASA 29

Topic: Cape York Mail Run

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Does the sale of passenger tickets on the mail run comply with regulations?

Answer:

Yes, the sale of passenger tickets is made under a ‘closed charter’ operation which is an operation for a charter purpose under paragraph 206(1)(b) of the Civil Aviation Regulations 1988.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CASA 30

Topic: Cape York Mail Run

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Is there any difference in the pilot qualifications required for flying the mail run and those required for flying a Regular Public Transport route?

Answer:

Please see answer to question **CASA 26**.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CASA 31

Topic: Cape York Mail Run

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Are there any differences in the operational procedures required for flying the mail run and those required for flying a Regular Public Transport route?

Answer:

The different maintenance requirements have been covered in **CASA 25**.

The other difference is in aerodrome requirements. A particular aerodrome may not allow regular public transport (RPT) aircraft to uplift the load (weight), which would be acceptable for a charter flight. An RPT aerodrome requires particular performance parameters over and above charter standards and for specific locations this may be limiting due to runway length, obstacle gradient etc.

Furthermore, for RPT flights, there must be a means of determining on a continuous basis, that the aerodrome remains serviceable for operations. A reporting system to the operator must also be in place. For charter operations the aircraft operator must determine that the aerodrome is suitable for the intended operation.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 32

Topic: CASA's Investigation Processes

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Does CASA keep a record of calls to its hotlines, especially when they concern matters of public safety as were the calls claimed to have been made by the two pilots in the Trans Air matter? If not, why not?

Answer:

The Civil Aviation Safety Authority (CASA) records all safety significant telephone calls received on its Hotline contact number.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 33

Topic: CASA's Investigation Processes

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

CASA told the Senate hearings that it carried out a “fulsome” audit of Trans Air in March. Why did it use a pilot and three safety officers to do it rather than four inspectors?

Answer:

In conducting the audit of Transair, the Civil Aviation Safety Authority (CASA) used one Flying Operations Inspector, one Airworthiness Inspector, one Cabin Safety Inspector and one Dangerous Goods Inspector. These positions are all categorised as Inspectors by CASA and are routinely used to conduct audits.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CASA 34

Topic: CASA's Investigation Processes

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Who employed the two pilots who died in the Lockhart River crash, Trans Air or Aero Tropics?

Answer:

The pilots were employed by Lessbrook Pty Ltd trading as Transair.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 35

Topic: CASA's Investigation Processes

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

On which company records were their flight and duty sheets maintained?

Answer:

The Civil Aviation Safety Authority understands that Flight and Duty sheets were maintained by Lessbrook Pty Ltd trading as Transair.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 36

Topic: CASA's Investigation Processes

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Who actually rostered the two pilots?

Answer:

The Civil Aviation Safety Authority understands that the Cairns-based pilot roster was compiled by the Senior Base Pilot. A copy of the roster was faxed to the company headquarters in Brisbane.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CASA 37

Topic: CASA's Investigation Procedures – Emergency Procedures

Hansard Page: Not applicable –post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Who signed the two pilots' CAO 20.11 emergency procedures certificates?

Answer:

Under paragraph 12.3(c) of CAO 20.11, the Chief Pilot of an operator is permitted to conduct emergency procedures proficiency tests of crew members of that operator (except tests of him- or herself). Under paragraph 12.4 of CAO 20.11, the Chief Pilot is required to issue crew members who have satisfactorily completed the tests with certificates to that effect. The Civil Aviation Safety Authority understands that the Chief Pilot of Lessbrook Pty Ltd trading as Transair signed the Emergency Procedures Certificates for the two pilots.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CASA 38

Topic: CASA's Investigation Procedures – Proficiency Checks

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Who conducted their six-monthly base flight proficiency checks?

Answer:

The Civil Aviation Safety Authority understands that the six-monthly base flight proficiency checks were performed by the Chief Pilot of Lessbrook Pty Ltd trading as Transair. CASA advises that the Chief Pilot is approved by the Authority to undertake this function as part of CASA approval of the operator's training and checking organization under CAR 217.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 39

Topic: CASA's Investigation Processes

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Where was the pilot currency status board – in Cairns or in Brisbane?

Answer:

The Civil Aviation Safety Authority (CASA) understands that the company's primary Pilot Currency Status Board was located in Brisbane. CASA also understands that the Senior Base Pilot maintained a Pilot Currency Status Board in Cairns.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Budget Estimates May 2005

Question No.: CASA 40

Topic: CASA's Investigation Procedures – Instrument Recency

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked: \

What was the instrument recency of the two pilots, including of one Instrument Landing System approach every 35 days?

Answer:

In accordance with Civil Aviation Order (CAO) Part 40 Section 4.2.1, subsection 11.2, the holder of a command instrument rating shall not act as pilot in command of an aircraft on Instrument Flight Rule (IFR) flights unless within the preceding 90 days, that person has:

- (a) completed 3 hours instrument time with a minimum of either 1 hour instrument flight time on that category of aircraft or 1 hour instrument time on an approved flight simulator; or
- (b) completed either 1 hour of dual instrument flight instruction time on that category of aircraft or 1 hour instrument instruction time on an approved flight simulator; or
- (c) completed 1 hour instrument flight time whilst acting in command under supervision or 1 hour instrument time whilst acting in command under supervision on an approved flight simulator; or
- (d) passed the instrument rating test on either that category of aircraft or an approved flight simulator.

The Civil Aviation Safety Authority (CASA) understands that the pilot in command of VH-TFU performed an instrument rating renewal on 28 February 2005 while the co-pilot completed an instrument rating renewal on 3 April 2005.

The date of each instrument rating renewal places both pilots within the 90 day requirement noted above.

In relation to the Instrument Landing System (ILS) recency of the two pilots, CASA understands that the instrument rating renewal completed by the co-pilot on 3 April 2005 included an ILS approach. This date is within the 35 day requirement contained in CAO Part 40, Section 40.2.1, sub-section 11.4. However, it should be noted that the co-pilot was not required to meet any recent experience requirements as these only apply to the pilot in command.

With regard to the pilot in command's ILS recency, without the pilot log book, flight crew files or flight and duty records, CASA is unable to determine his ILS recency. Documents such as the pilot log book, flight crew files and flight and duty records are not typically held by the Authority but by the operator.

The instrument approach in use at Lockhart River was an area navigation (RNAV) approach. The pilot in command had been tested for this approach during his instrument rating renewal on 28 February 2005 and was therefore within the 90 day recency requirements of CAO Part 40, Section 40.2.1, sub-section 11.3.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 41

Topic: CASA's Investigation Processes

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator McLucas asked:

Which company manifests, Dangerous Goods Declarations and trip records were being used?

Answer:

The Civil Aviation Safety Authority (CASA) understands that Lip Air Pty Ltd, trading as Aero Tropics was the handling agent for flight bookings and therefore responsible for the Company Manifests. CASA understands that the Company Manifests were sent to Aero Tropics' headquarters in Cairns on a daily basis.

CASA understands that Lessbrook Pty Ltd trading as Transair maintained Trip Records as the operator undertaking the flight. CASA understands that Trip Records were sent to Transair's headquarters in Brisbane on a daily basis.

CASA understands that Dangerous Goods are not accepted by either operator. Accordingly, there are no Dangerous Good Declarations.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 42

Topic: Employee Accreditation

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

The questions for all Departments and Agencies under your Portfolio. It's a follow-up to a question we asked in December.

Regarding the employees that your Department or Agency has identified as having:

- (a) fluency
- (b) accredited translator
- (c) accredited interpreter

Of these employees, please indicate what the Department is doing in order to make full use of its employee skills in this regard and please provide a breakdown of this between employees whose accreditation was paid for by the Department and those whose were not?

Answer:

- (a) As reported in the 2003-04 Annual Report, CASA has 53 personnel who have identified themselves from a non-English speaking background. This information is collected as part of a diversity questionnaire which provides employees with the opportunity to identify themselves as belonging to any of the Equal Employment Opportunity target groups, including non-English linguistic backgrounds (i.e. their first language and the first language of each of their parents).
- (b) CASA has not identified any employees with accredited translator skills.
- (c) CASA has not identified any employees with accredited interpreter skills.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 43

Topic: Legal Service Expenditure

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

What amount did the Department/Agency spend during the financial year 2004/2005 on outsourced legal practitioners (including private firms, individuals, the Australian Government Solicitor, and any others)?

Answer:

During the 2004/2005 financial year, the Civil Aviation Safety Authority spent \$575,342 on outsourced legal practitioners.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 44

Topic: Legal Service Expenditure

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

What was the budgeted amount for outsourced legal practitioners in 2004/05?

Answer:

In the 2004/2005 financial year, the Civil Aviation Safety Authority budgeted \$650,000 for outsourced legal practitioners.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 45

Topic: Legal Service Expenditure

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

What amount did the Department/Agency spend on internal legal services? (Provide an estimate if exact amount is unavailable.)

Answer:

In the 2004/2005 financial year, the Civil Aviation Safety Authority spent \$1,089,164 on internal legal services.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 46

Topic: Legal Service Expenditure

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

Does the Department/Agency have an in-house legal section? If so, what was the 2004/2005 actual cost of this section? What was the budgeted amount for this section in 2004/2005? What is the budget amount for this section in 2005/2006?

Answer:

Yes, the Civil Aviation Safety Authority (CASA) does have an in-house legal section. In the 2004/2005 financial year, the actual cost for this section was \$1,089,164 and the budgeted amount for this section was \$1,010,000. In the 2005/2006 financial year, the budgeted amount for this section is \$997,000.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 47

Topic: Legal Service Expenditure

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

What is the total projected expenditure on legal services for 2005/2006 for the Department/Agency?

Answer:

The total projected expenditure on legal services for 2005/2006 for the Civil Aviation Safety Authority is:

Internal	\$997,000.
External	\$700,000.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 48

Topic: Legal Service Expenditure

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

Which organisations or individuals were contracted to provide legal services to the Department/Agency in 2004/2005?

Answer:

During the 2004/2005 financial year, Mallesons Stephen Jacques and Phillips Fox were contracted to the Civil Aviation Safety Authority for the provision of legal services.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 49

Topic: Legal Service Expenditure

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

In each instance, how much was each organisation or individual paid for these services?

Answer:

Legal Fees	Mallesons Stephen Jacques	\$188,127
	Phillips Fox	\$201,013
Council fees in relation to litigation		\$186,202

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 50

Topic: Legal Service Expenditure

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

Does the Department/Agency use an open tendering or select tendering process (as described in the Commonwealth Procurement Guidelines, p 42) when procuring legal services?

Answer:

The Commonwealth Procurement Guidelines do not apply to the Civil Aviation Safety Authority (CASA). However, CASA uses a panel of external legal service providers. These providers are chosen through a select tender process. The latest tender process occurred in mid 2005 and three panel members were selected to provide legal services to CASA. The selected legal firms from this tender selection are:

Malleson Stephen Jacques
Phillips Fox
Blake Dawson Waldron

The new panel arrangements commenced on 1 June 2005.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 51

Topic: Legal Service Expenditure

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

If a select tendering process is used: (a) which method of select tendering is used and (b) which firms or individuals are currently eligible to tender for legal services?

Answer:

- (a) The Civil Aviation Safety Authority identified ten national law firms able to fulfil its requirements for legal services and invited those ten firms to tender.
- (b) The latest tender process occurred in mid 2005 and three panel members were selected to provide legal services to CASA. The selected legal firms from this tender selection are:

Malleson Stephen Jacques
Phillips Fox
Blake Dawson Waldron

The new panel arrangements commenced on 1 June 2005.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 52

Topic: Legal Service Expenditure

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

If a multi-list is used: (a) which firms or individuals are currently on that list and (b) when was the list last opened for applications?

Answer:

The Civil Aviation Safety Authority does not use a multi-list to select contracted legal services.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 53

Topic: Legal Service Expenditure

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

In 2004/2005 did the Department/Agency obtain any legal services using a direct sourcing procurement process? If so, provide details including the name of the provider, the work involved and the cost?

Answer:

In 2004/2005, the Civil Aviation Safety Authority did not obtain any legal services using a direct sourcing procurement process.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 54

Topic: Legal Service Expenditure

Hansard Page: Not applicable- post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

In 2004/2005, did the Department/Agency procure any legal services under the thresholds required for 'covered procurements' (within the meaning of 8.6 of the Commonwealth Procurement Guidelines)? If so, provide details including the name of the provider, the work involved and the cost.

Answer:

The Commonwealth Procurement Guidelines do not apply to the Civil Aviation Safety Authority.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Transport and Regional Services

Department of Transport and Regional Services

Consideration of Senate Budget Estimates May 2005

Question No.: CASA 55

Topic: Legal Service Expenditure

Hansard Page: Not applicable – post hearing additional written question

Output: Civil Aviation Safety Authority

Senator Ludwig asked:

In 2004/05, did the Department/Agency contract any legal firms to provide services other than legal services (such as consulting, conduct of policy reviews etc)? If so, provide details including the name of the firm, the project involved and the cost of the contract.

Answer:

No.