

**MINISTER FOR TRANSPORT AND REGIONAL SERVICES**

Question No. 1471

**Senator O'Brien** asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 17 January 2006:

- (1) Does the employment contract for the Chief Executive Officer (CEO) of the Civil Aviation Safety Authority (CASA) contain any conditions, requirements or obligations that relate to the time he is required to spend at the CASA head office in Canberra; if so: (a) what is the nature of these conditions; (b) what is the reason for the inclusion of these conditions in the employment contract; (c) how is compliance with these conditions monitored; and (d) who is responsible for such monitoring.
- (2) Since his appointment, has the current CEO properly complied with all the requirements of his employment contract, including his attendance at the CASA head office in Canberra; if not: (a) what has been the nature of the non-compliance; and (b) what action has been taken, or is proposed to be taken, in response.

**Senator Campbell** – The Minister for Transport and Regional Services has provided the following answer to the honourable senator's question:

- (1) As Director of Aviation Safety, the CEO of CASA is appointed by the Minister for Transport and Regional Services under subsection 84(1) of the *Civil Aviation Act 1988*, and (subject to the *Remuneration Tribunal Act 1973*) the terms and conditions of his appointment are determined by the Minister under subsection 84(4) of the Act.
  - (a) The terms and conditions of the appointment of the current CEO, Mr Bruce Byron, include the following:
    - the CEO will arrange his working week to comprise an average of two to three days a week in Canberra and the remaining days in Melbourne, with an increase in the number of days in Canberra during the Parliamentary sitting period if required;
    - to facilitate these arrangements, the CEO will work from the CASA office in Melbourne when dealing with industry and other stakeholders that do not require his presence in Canberra.
  - (b) The conditions are included in order to better facilitate the CEO's interactions with the aviation industry and to permit a measured balance, taking into account the requirements of the position, between the CEO's accountability to the Minister, his work and his family life. The flexibility inherent in the conditions permits the CEO to exercise his own judgement about the optimum use of his time, as might be expected for positions of equivalent seniority in the public sector.
  - (c) The CEO of CASA has regular meetings with both the Secretary of the Department, and the Minister for Transport and Regional Services, during which they are briefed on the CEO's activities and travel intentions.

- (d) As the person who appoints the CEO of CASA and determines the terms and conditions of the appointment, the Minister for Transport and Regional Services is responsible for overseeing compliance with the intent of the conditions of appointment.
- (2) The Minister is of the view that Mr Byron has complied with the general intent of the requirements of the terms and conditions of his appointment.