

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 01

Division/Agency: Civil Aviation Safety Authority

Topic: Correspondence to Mr Toller

Hansard page: 68 (31/10/05)

Senator O'Brien asked:

Senator O'BRIEN—Was the correspondence to Mr Toller from the Minister or from his office?

Mr Gemmell—I believe it was from the Minister.

Senator O'BRIEN—Can we have a copy of that email?

Mr Gemmell—I will have to refer that one to the Minister.

Answer:

A copy of the e-mail is **attached**.

[CASA 01 attachment]

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 02

Division/Agency: Civil Aviation Safety Authority

Topic: Minutes of meeting in Mr Matthew's office

Hansard page: 69 (31/10/05)

Senator O'Brien asked:

Senator O'BRIEN—At the last hearings, we also discussed a meeting in Mr Matthew's office following that communication. That meeting was in response to Mr Anderson's correspondence. Is that correct?

Mr Gemmell—No. I think that meeting took place before or around the same time as Mr Anderson's correspondence. Certainly, I had had the meeting before I became aware of the email to Mr Toller, who was, as I recall, on leave at the time. I am saying that the email may have sent before the meeting, but certainly it was not received by anyone in CASA until after the meeting had occurred.

Senator O'BRIEN—Have you had a look at the details of the record of this meeting?

Mr Gemmell—Have I had a look at them?

Senator O'BRIEN—Yes.

Mr Gemmell—Some months ago, when you refreshed my memory of all these events, I went back and had a look at what went on and the sequence of events that occurred.

Senator O'BRIEN—Can the Committee have a copy of that record?

Answer:

A copy of Mr Gemmell's meeting record is **attached**.

[CASA 02 attachment]

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 03

Division/Agency: Civil Aviation Safety Authority

Topic: CASA staff redundancies

Hansard page: 70 (31/10/05)

Senator O'Brien asked:

Senator O'BRIEN—Can you confirm that \$1.8 million has been set aside for redundancies this year?

Mr Byron—We have not specifically allocated a figure to redundancies, but obviously with the long-term funding we have had to take account of the effect of the reduction of 30 staff. So, within the budget figure we have accounted for the redundancies of up to 30 staff.

Senator O'BRIEN—So, that is a redundancy figure of about \$60,000 a head?

Mr Byron—I would have to check that. If that is how the maths work out.

Answer:

The Civil Aviation Safety Authority (CASA) has budgeted \$1.8 million for redundancies for the financial year 2005-2006.

CASA is unable to give a specific redundancy figure per head as this will depend on the level of each position and the number of particular positions saved.

Question no: CASA 04

Division/Agency: Civil Aviation Safety Authority

Topic: CASA budget

Hansard page: 70 (31/10/05)

Senator O'Brien asked:

Senator O'BRIEN—And your current reserves I am told would be around \$20 million?

Mr Byron—Around \$20 million, yes. I would have to check precisely, but it is in that order.

Answer:

As at 31 October 2005, the total amount of cash reserves held by the Civil Aviation Safety Authority was \$22.43 million.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 05

Division/Agency: Civil Aviation Safety Authority

Topic: CASA staffing

Hansard page: 71 (31/10/05)

Senator O'Brien asked:

Senator O'BRIEN—How many FTEs is 100 per cent of establishment, even though you would never get it?

Mr Byron—I believe it is about 729, but I will double-check that.

Answer:

At the end of October 2005, the Civil Aviation Safety Authority had 728 FTE positions allocated as 100 percent of establishment.

Question no: CASA 06

Division/Agency: Civil Aviation Safety Authority

Topic: Change implementation team

Hansard page: 71 (31/10/05)

Senator O'Brien asked:

Senator O'BRIEN—Is it true that funding of a bit over \$2 million has been set aside for the change implementation team?

Mr Byron—There has been funding allocated to the change team. I will have to check the figure. Certainly the change implementation team is being funded as part of the long-term funding strategy. The figure of \$2 million for the current financial year sounds about right, but I would have to get back to you with the precise figure.

Answer:

The Civil Aviation Safety Authority (CASA) can confirm that the total budget allocated by CASA in respect of the Change Implementation Team for the financial year ending 30 June 2006 is \$2.16 million. This is represented by internal staff costs, services contractors, and overheads such as travel, telephone, printing and other sundry expenses.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 07

Division/Agency: Civil Aviation Safety Authority

Topic: Budget for CEO office

Hansard pages: 72–73 (31/10/05)

Senator O'Brien asked:

Senator O'BRIEN—And the total budget now is \$1 million.

Mr Byron—Bearing in mind that the Office of the CEO includes me, the chief operating officer plus advisers and—

Senator O'BRIEN—It might be more than that then.

Mr Byron—It would be more than that, yes. We will see whether we have the precise figure to hand.

Senator O'BRIEN—Perhaps you can tell us what financial resources have been transferred from other areas, particularly corporate planning and research, as you have described them. That may explain what I am given to understand is an increase.

Answer:

Financial resources of \$0.58 million for the 2005-06 financial year have been transferred from other areas of the CASA to fund the salaries of staff seconded to the Change Implementation Team in the Office of the CEO.

Question no: CASA 08

Division/Agency: Civil Aviation Safety Authority

Topic: Mr Byron's meeting with European national authorities

Hansard page: 74 (31/10/05)

Senator O'Brien asked:

Senator O'BRIEN—When did the meetings with the European national authorities take place?

Mr Byron—I met with Mr Goudou, who is the head of the European authority, on the day before. That was probably the sixth. I met with Mr Wachenheim and his staff in Paris. He is the director-general of civil aviation in France. I would have to check the date. It was in late May. I also met with a range of senior officers from the UK Civil Aviation Authority, again in late May.

Answer:

The following is a table setting out Mr Byron's meetings while in Europe, including those with European national aviation authorities.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Date	Meeting
Wed 18 May 2005	Meeting with the United Kingdom Civil Aviation Authority (CAA) Safety Regulation Group (SRG) Gatwick.
Thur 19 May 2005	Visit to Luton. Follow up with SRG on regulation of Low Cost Carriers (LCC) Observe pilot turnaround of LCC operations – relevant to current Australian issues and proposed maintenance regulations.
Fri 20 May 2005	Visit Staverton – General Aviation (GA) Airfield Discussions with GA pilots re personnel licensing and oversight by UK CAA.
Tue 24 May 2005	Visit Direction Générale de l'Aviation Civile Paris Discussions covered all regulatory issues, European Aviation Safety Authority (EASA), certification of Airbus 380, outsourcing of industry oversight to Groupement pour la Sécurité de l'Aviation Civile (GSAC) and options for industry observation and contact.
Wed 25 May 2005	Regional Airport Operations near Albi. GA operations and regional airline operations.
Thur 26 May 2005	Visit Airbus 380 production facility
Fri 27 May 2005	Follow-up with Airbus certification issues. Discussion with Teuchos (Snecma Services) Discussions with Olivier Lenoir re GSAC manufacturing oversight on behalf of Director's General of Civil Aviation.
Sun 29 May 2005	Goodwood Airport UK – GA & Sport operations. Discussions with pilots re self administration of recreational aviation and effectiveness of UK CAA flight testing of UK CAA licensed pilots.
Mon 30 May 2005	Follow-up of messages and email contact from Australia. Particularly A380 technical training issues, maintenance regulations, Aust/US proposed BASA.
Tue 31 May 2005	Visit British Microlight (Ultralight) Association re self administration of sport aviation, oversight by UK CAA, costs and enforcement issues.
Wed 1 June 2005	Visit UK CAA Directorate of Airspace Policy London Covered relationship with government, governance issues, relationship with UK CAA SRG and industry.
Thur 2 June 2005	Planning for Insurers brief – Meet P Ilyk London Reviewed background issues including CAAP Admin 1 of interest to insurers, recent cases and reviewed planned PowerPoint presentation.
Fri 3 June 2005	Briefed Insurers London.
Sun 5 June 2005	Travel to Cologne.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Date	Meeting
Mon 6 June 2005	Visit EASA - Briefing by CASA International Officer Discussion with EASA regarding full regulatory issues, resources, funding, development of regulations, industry oversight, certification of Airbus 380. Significant agreement regarding collaboration on regulation development, particularly maintenance and maintenance personnel licensing. Informal meetings with various conference attendees.
Tue 7 June 2005	Attend EASA Conference
Wed 8 June 2005	Follow-up with US representatives re US Bilateral Aviation Safety Agreement issues and EASA. Travel to UK – Low Cost Carrier.
Thur 9 June 2005	Attend to various phone calls & email from Australia prior to return Phone conversation with DoTARS Secretary re US bilateral issues.
Fri 10 June	Visit Oxford Air Training School to observe/discuss airline pilot training.
Sat 11 June	Visit Gliding Operations location – Bidford. Discussions with participants regarding safety oversight, certification, CAA involvement & self administration.
Mon 13 June	Return to Aust.

Question no: CASA 09

Division/Agency: Civil Aviation Safety Authority

Topic: Mr Byron's time in Canberra

Hansard pages: 76–77 (31/10/05)

Senator O'Brien asked:

Senator O'BRIEN—I return to the 10 October article where the Minister's spokesman is quoted as saying, '**this year, Mr Byron spent half his time in Canberra.**' I am told that amounts to 46 days.

Mr Byron—I would have to check that; I could give you that detail...

Senator O'BRIEN—So, about 25 to 30 per cent of your time has been spent in Canberra.

Mr Byron—No, I would put it higher than that. I can give you more detailed figures if you like, but I believe about 38 or 40 per cent of my total time in the last 12 months would have been spent in the Canberra office. But I will have to check the details... Was there any special reason for the time you picked to go to Queensland and the Northern Territory? If I was picking and I had a choice of any time, I would go then rather than February. Unfortunately, that does not occur very often.

Mr Byron—I have actually visited Darwin twice. Once I went in January, I think; the next time I went in July. So, I guess I have spread myself across the seasons.

Senator Colbeck—Perhaps we should get Mr Byron to publish his diaries!

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Senator O'BRIEN—I just want to make one thing plain: the numbers I was talking about were from the period that began on 24 January and were not for a 12-month period—the 46 days.

Mr Byron—Are you talking about 24 January this year?

Senator O'BRIEN—Yes, since then.

Mr Byron—I will check that.

Answer:

Between 24 January and 1 November 2005, Mr Byron was in Canberra on 52 days. Mr Byron was in Canberra an additional 9 days in the month of January prior to 24 January 2005.

Question no: CASA 10

Output: Civil Aviation Safety Authority

Topic: High-risk operators

Hansard page: 83 (31/10/05)

Senator O'Brien asked:

Senator O'BRIEN—Is it true to say that TransAir was one of the high-risk operators on the list that you were aware of last year?

Mr Byron—I recall seeing it on a list, but I am not sure if that was after the accident. I would have to check that.

Senator O'BRIEN—What about Aero-Tropics?

Mr Gemmell—I cannot recall Aero-Tropics. We would have to check. We have had various lists. At various points in time, these things have come up to us. They have usually been stamped as 'draft', because we have not had sufficient confidence in the system to say that that actually meant anything. We do get quite concerned that, if this stuff falls into people's hands, people will misuse the information—commercially, for example—so we are pretty cautious about this information.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

The Civil Aviation Safety Authority (CASA) advises that it does not disseminate information relating to its risk assessment, surveillance and regulation of specific aircraft operators unless legally required to. CASA has a variety of risk assessment tools and processes, each with particular strengths and weaknesses. Within the limitations of information held by CASA—which can never be complete—these tools and processes serve to build a “picture” of operators’ safety risks, around which CASA can make decisions about priorities and resources for surveillance and regulation. Release of information on risks and surveillance of particular operators could have a significant effect on the willingness of people in the industry to impart information to CASA, thereby compounding the problem of incomplete information and resulting in a vastly more difficult and costly surveillance regime for CASA. There is also the possibility that such information could be misunderstood or misused.

Question no: CASA 11

Output: Civil Aviation Safety Authority

Topic: TransAir Audit

Hansard page: 85 (31/10/05)

Senator O’Brien asked:

Senator O’Brien—At the last hearing, I asked some questions about communications from the Member for Leichhardt, Mr Entsch. Mr Gemmell, at those hearings you told us that the audit of TransAir was undertaken in Brisbane, because of the sophistication of the operation. Is it true that this operation was originally overseen by the North Queensland-based CASA officers?

Mr Gemmell—I would have to take on notice when it occurred. We believe TransAir has been overseen by Brisbane for as long as our collective memories go back.

Answer:

The Brisbane Air Transport Field Office and its predecessors have always overseen TransAir (Lessbrook Pty Ltd). The North Queensland General Aviation Field Office has never been responsible for the oversight of TransAir.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 12

Output: Civil Aviation Safety Authority

Topic: Cape York mail run

Hansard page: 88 (31/10/05)

Senator McLucas asked:

Do you consider that the seats that are currently available on the Cape York Mail Run are for persons generally?

Is it your understanding that the Mail Run is operated as a fixed schedule between fixed terminals, providing seats for the general public—or, as the terminology is, for persons generally?

Answer:

CASA's understanding is that Aero-Tropics (Lip-Air Pty Ltd) has a contract under the Remote Air Service Subsidy Scheme (the RASS contract) with the Commonwealth (Department of Transport and Regional Services) to transport passengers and essential supplies to, from and between 61 communities on Cape York.

The Civil Aviation Safety Authority (CASA) also understands that Aero-Tropics has a contract with Australia Post to carry mail to-and-from most, if not all, of those same

communities. Aero-Tropics transports passengers, cargo and mail on the same flights. CASA assumes these flights are those referred to by the Senator as the "Cape York Mail Run".

To meet their obligations under the *Remote Air Service Subsidy Scheme*, the air operators must service the communities nominated by the Commonwealth on days proposed by the air operators and agreed by the Commonwealth. These details are listed in the RASS contract. However, final schedules and destinations for flights, which may include ports not listed on the RASS contract, are fixed by the air operators or (in the case of closed charter operations) by the party chartering the aircraft.

Passengers and cargo can be placed on the Cape York flights by arrangement with Cairns Business and Leisure Travel. CASA has been advised that Cairns Business and Leisure travel does so independently of Aero-Tropics; persons contract with Cairns Business and Leisure Travel, which then makes arrangements with Aero-Tropics for the carriage of the passengers and cargo.

Mail is supplied directly to Aero-Tropics by Australia Post.

CASA considers that the above arrangements are consistent with the definition of operations for a charter purpose in paragraph 206(1)(b)(ii) of the Civil Aviation Regulations 1988. See answer to **CASA 53**.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 13

Output: Civil Aviation Safety Authority

Topic: Cape York mail run

Hansard page: 89 (31/10/05)

Senator McLucas asked:

The other question I would like you to take on notice is: do you know whether the schedule is fixed by Aero-Tropics or, in fact, by Cairns Business and Leisure Travel?

Answer:

See **CASA 12**.

Question no: CASA 14

Output: Civil Aviation Safety Authority

Topic: Airstrip licences

Hansard page: 89 (31/10/05)

Senator McLucas asked:

Senator McLUCAS—Given that 68 strips are not licensed—that is probably not the right word, but they are not on the AOC—that is possibly an issue.

Mr Gemmell—I would have to check. If they are not on the AOC, they should not be operating until such time as they are on the AOC.

Answer:

An operator carrying out charter flights is not required to have the aerodromes to which it conducts those flights listed on its AOC.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 15

Output: Civil Aviation Safety Authority

Topic: Balurga station incident

Hansard page: 90 (31/10/05)

Senator McLucas asked:

Senator McLUCAS—Are you also aware of an incident at Balurga Station on 21 July this year involving the same company?

Mr Collins—Personally, not specifically, no.

Senator McLUCAS—It may have been referred to the Australian Transport Safety Bureau (ATSB) rather than to CASA.

Mr Collins—It may have been, yes. Notwithstanding that, it is quite likely that the North Queensland field office is aware of such incidents that I am personally not.

Senator McLUCAS—He does not have to report to you every incident that he is investigating?

Mr Collins—No.

Senator McLUCAS—If you could tell us if that can be confirmed from CASA, that would be helpful.

Answer:

The Civil Aviation Safety Authority (CASA) is not aware of any incident at Balurga Station on 21 July 2005, the Station which it assumes the Senator's question is referring to.

Question no: CASA 16

Output: Civil Aviation Safety Authority

Topic: Briefing on RPT operations

Hansard page: 91 (31/10/05)

Senator McLucas asked:

Just finally, Mr Gemmell, you said you are looking at a method of removing the distinctions between RPT-type operations and other operations that carry passengers, if we can use that language. Could you just give me a briefing—or rather could you take this on notice and provide us on notice with a quick briefing—on how you intend to do that?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

The Civil Aviation Safety Authority's (CASA's) current classification of operations policy (which has not yet been implemented in law, but which guides CASA's development of future regulation of aircraft operations) does not distinguish between different types of operations involving the carriage of fare-paying passengers. When this policy is implemented, all such operations will be classed as "air transport operations". Under the proposal, there will be no distinction between the safety standards for the operation of aircraft in what are currently termed regular public transport (RPT) and charter operations.

Thus, the safety standards applicable to the types of operations carried out by operators in north Queensland will be the same, irrespective of whether those operations are currently classified as RPT or charter. The safety standards applying to air transport operations will be, in general, higher than those for aerial work or general aviation operations.

Nevertheless, CASA's classification of operations policy recognises that there will be differences in the safety standards for air transport operations carried out in large aeroplanes (5700kg and above) and small aircraft (less than 5700kg). The policy also recognises that there are passengers who may be carried on aircraft engaged in operations which are not classed as air transport operations, for example, corporate and business operations, or sports and recreational flying.

CASA has commenced a review of its classification of operation policy, with a view to clarifying appropriate levels of regulation for operations which are currently difficult to classify, generally in the aerial work category. This will not affect the proposal that all operations for carriage of fare-paying passengers of the kind currently operating in North Queensland will be classified as air transport operations. The review is intended to make recommendations to CASA's Chief Executive Officer in early 2006.

Question no: CASA 17

Division/Agency: Civil Aviation Safety Authority

Topic: Information technology outsourcing arrangements

Hansard page: Written question (Senator Conroy's Q 1 and 2)

Senator Conroy asked:

Please provide details of total departmental/organisational spending on information and communications technology (ICT) products and services during the last 12 months.

Please break down this spending by ICT function (e.g. communications, security, private network, websites).

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

Spending by the Civil Aviation Safety Authority on Information and Communications Technology products and services for the previous 12 months is shown in the table below:

Operational Expense Type	Actual Cost (FY 2004/2005)
Mobile Phones & Internet	\$ 125,751
Infrastructure Services	\$ 4,393,275
Production Support	\$ 1,603,024
Software License	\$ 988,313
Corporate Telephone	\$ 1,292,533
Salaries	\$ 1,778,297
Administration	\$ 52,159
Travel & transport	\$ 52,428
Training	\$ 33,659
Total	\$ 10,319,440

Question no: CASA 18

Division/Agency: Civil Aviation Safety Authority

Topic: Information technology outsourcing arrangements

Hansard page: Written question (Senator Conroy's Q 3)

Senator Conroy asked:

Was this spending in line with budget forecasts for this 12-month period?

- a. If not, please provide details of:
 - i. The extent that information and communications technology (ICT) spending exceeded budget forecasts for this 12-month period;
 - ii. Details of specific ICT contracts which resulted in the department/organisation spending in excess of budget forecasts for this 12-month period;
 - iii. The reasons ICT spending exceeded budget forecasts for this 12-month period.

Answer:

Spending by the Civil Aviation Safety Authority on Information and Communications Technology spending was within budget forecasts for the previous 12-month period.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 19

Division/Agency: Civil Aviation Safety Authority

Topic: Information technology outsourcing arrangements

Hansard page: Written question (Senator Conroy's Q 4)

Senator Conroy asked:

Please provide details of any information and communications technology (ICT) projects that have been commissioned by the department/organisation during the past 12 months that have failed to meet designated project time frames (i.e. have failed to satisfy agreed milestones by agreed dates).

- a. For such projects that were not completed on schedule, please provide details of:
 - i. The extent of any delay;
 - ii. The reasons these projects were not completed on time; and
 - iii. Any contractual remedies sought by the department/organisation as a result of these delays (e.g. penalty payments).

Answer:

The Civil Aviation Safety Authority (CASA) had two projects commissioned during the last 12 months that failed to meet agreed timeframes:

1. Service Difficulty Reporting (SDR) – delayed by 14 months
2. Medical Records System (MRS) Web Interface – delayed 34 months

Both these projects were undertaken by the one supplier who went into voluntary administration part way through the projects. No contractual remedies were sought by CASA as it would not have been cost-effective to do so against an organisation in administration.

Question no: CASA 20

Division/Agency: Civil Aviation Safety Authority

Topic: Information technology outsourcing arrangements

Hansard page: Written question (Senator Conroy's Q 5)

Senator Conroy asked:

Please provide details of any ICT projects delivered in the past 12 months that have materially failed to satisfy project specifications.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

Apart from the 2 projects identified in **CASA 19**, none of the Information and Communications Technology projects undertaken by the Civil Aviation Safety Authority delivered in the last 12 months have materially failed to satisfy project specifications.

Question no: CASA 21

Division/Agency: Civil Aviation Safety Authority

Topic: Information technology outsourcing arrangements

Hansard page: Written question (Senator Conroy's Q 6)

Senator Conroy asked:

Please provide details of any ICT projects that were abandoned by the department/organisation within the last 12 months before the delivery of all project specifications outlined at the time the project was commissioned.

- a. For such abandoned projects, please provide details of:
 - i. Any contractual remedies sought by the department as a result of the abandonment of these projects;
 - ii. Any costs of re-tendering the ICT project.

Answer:

The Civil Aviation Safety Authority did not abandon any Information and Communications Technology projects in the last 12 months.

Question no: CASA 22

Division/Agency: Civil Aviation Safety Authority

Topic: Travel – domestic airfares

Hansard page: Written question (Senator Fielding's Q 1)

Senator Fielding asked:

How much money has the Portfolio spent on **domestic** airfares for each of the last three financial years?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

The Civil Aviation Safety Authority's (CASA) financial systems for recording staff travel expenses do not allow those expenses (which include airfares, accommodation, meals, and incidental expenses such as taxi fares) to be disaggregated in a manner that enables identification of individual expense components, such as airfares. To itemise a complete breakdown on how much CASA spent in relation to domestic airfares, accommodation, meals and incidentals would require significant resources.

CASA will be introducing changes to its financial systems to permit this kind of data capture in the near future.

Question no: CASA 23

Division/Agency: Civil Aviation Safety Authority

Topic: Travel – overseas airfares

Hansard page: Written question (Senator Fielding's Q 2)

Senator Fielding asked:

How much money has the Portfolio spent on **overseas** airfares for each of the last three financial years?

Answer:

The Civil Aviation Safety Authority's (CASA) financial systems for recording staff travel expenses do not allow those expenses (which include airfares, accommodation, meals, and incidental expenses such as taxi fares) to be disaggregated in a manner that enables identification of individual expense components, such as airfares. To itemise a complete breakdown on how much CASA spent in relation to domestic airfares, accommodation, meals and incidentals would require significant resources.

CASA will be introducing changes to its financial systems to permit this kind of data capture in the near future.

Question no: CASA 24

Division/Agency: Civil Aviation Safety Authority

Topic: Travel - economy class domestic airfares

Hansard page: Written question (Senator Fielding's Q 3)

Senator Fielding asked:

How much money has the portfolio spent on **economy class domestic** airfares for each of the last three financial years?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

The Civil Aviation Safety Authority's (CASA) financial systems for recording staff travel expenses do not allow those expenses (which include airfares, accommodation, meals, and incidental expenses such as taxi fares) to be disaggregated in a manner that enables identification of individual expense components, such as airfares. To itemise a complete breakdown on how much CASA spent in relation to domestic airfares, accommodation, meals and incidentals would require significant resources.

CASA will be introducing changes to its financial systems to permit this kind of data capture in the near future.

CASA's domestic travel policy states that 'all official travel undertaken domestically and to New Zealand by CASA employees will be made by economy class unless the flight exceeds three hours, in which case the manager can approve business class travel'.

Question no: CASA 25

Division/Agency: Civil Aviation Safety Authority

Topic: Travel - business class domestic airfares

Hansard page: Written question (Senator Fielding's Q 4)

Senator Fielding asked:

How much money has the portfolio spent on **business class domestic** airfares for each of the last three financial years?

Answer:

The Civil Aviation Safety Authority's (CASA) financial systems for recording staff travel expenses do not allow those expenses (which include airfares, accommodation, meals, and incidental expenses such as taxi fares) to be disaggregated in a manner that enables identification of individual expense components, such as airfares. To itemise a complete breakdown on how much CASA spent in relation to business class domestic airfares incidentals would require significant resources.

CASA will be introducing changes to its financial systems to permit this kind of data capture in the near future.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 26

Division/Agency: Civil Aviation Safety Authority

Topic: Travel - first class domestic airfares

Hansard page: Written question (Senator Fielding's Q 5)

Senator Fielding asked:

How much has the portfolio spent on **first class domestic** airfares for each of the last three financial years?

Answer:

The Civil Aviation Safety Authority's (CASA) financial systems for recording staff travel expenses do not allow those expenses (which include airfares, accommodation, meals, and incidental expenses such as taxi fares) to be disaggregated in a manner that enables identification of individual expense components, such as airfares. To itemise a complete breakdown on how much CASA spent in relation to first class domestic airfares would require significant resources. However, as CASA employees are not generally permitted under CASA's travel policy to travel first class domestically, CASA believes the amount would be zero.

CASA will be introducing changes to its financial systems to permit this kind of data capture in the near future.

Question no: CASA 27

Division/Agency: Civil Aviation Safety Authority

Topic: Travel

Hansard page: Written question (Senator Fielding's Q 6)

Senator Fielding asked:

What would be the estimated financial year dollar-saving if all public servants in the portfolio travelled economy class for flights of less than one and a half hours duration?

Answer:

Existing Civil Aviation Safety Authority (CASA) policy states that **official travel undertaken domestically and to New Zealand by CASA employees will be made by economy class unless greater than three hours**. Audits of travel card expenses bear out that this policy is adhered to by CASA staff. CASA therefore expects that any savings from the proposal would be nil.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 28

Division/Agency: Civil Aviation Safety Authority

Topic: Contract negotiations

Hansard page: Written question (Senator Murray's Q 1)

Senator Murray asked:

What guidance is provided to staff with responsibilities for contract negotiations specifically about the requirements of the Senate Order? If relevant guidance is not provided, please explain why this is the case.

Answer:

The Senate Order does not apply to the Civil Aviation and Safety Authority (CASA) as CASA is not an agency within the meaning of the *Financial Management and Accountability Act 1997*.

Question no: CASA 29

Division/Agency: Civil Aviation Safety Authority

Topic: Training

Hansard page: Written question (Senator Murray's Q 2)

Senator Murray asked:

What training and awareness sessions are provided, either in-house or through other training providers (e.g. DOFA, APS Commission or private firms) in respect of the Order? Please provide a list of the dates, the identity of the training providers and the content of the training that staff attended in 2005. If training and awareness sessions are not provided, please explain why this is the case.

Answer:

The Senate Order does not apply to the Civil Aviation and Safety Authority (CASA) as CASA is not an agency within the meaning of the *Financial Management and Accountability Act 1997*.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 30

Division/Agency: Civil Aviation Safety Authority

Topic: Commonwealth procurement guidelines

Hansard page: Written question (Senator Murray's Q 3)

Senator Murray asked:

Has the department/agency revised its procurement guidelines to incorporate the new Commonwealth Procurement Guidelines that took effect from 1 January 2005, particularly with respect to the confidentiality elements contained in those guidelines? If so, when did this occur and can a copy be provided? If not, what is the cause of the delay and when will the revision occur?

Answer:

The Commonwealth Procurement Guidelines do not apply to the Civil Aviation and Safety Authority (CASA). However, CASA is currently in the process of reviewing its Procurement Manual to ensure consistency with the new Commonwealth Procurement Guidelines.

Question no: CASA 31

Division/Agency: Civil Aviation Safety Authority

Topic: ANAO audits

Hansard page: Written question (Senator Murray's Q 4)

Senator Murray asked:

ANAO audits for the last three years have revealed a consistently low level of compliance across most Agencies with DOFA's confidentiality criteria (February 2003) for determining whether commercial information should be protected as confidential. The ANAO's latest Report on the Order (No.11 of 2005-2006, September 2005) states that departments and agencies need to give higher priority with this important requirement of the Senate Order.

- What specific measures have been or will be taken to address this problem, give it higher priority and raise compliance levels?
- What guidance and training are provided to staff about the confidentiality criteria and the four tests employed to determine whether information should be protected?
- What internal auditing or checking is performed to test compliance in this area? If none is performed, why not and is the Agency considering the adoption of internal controls and checks?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

The Senate Order does not apply to the Civil Aviation Safety Authority (CASA) as CASA is not an agency within the meaning of the *Financial Management and Accountability Act 1997*.

Question no: CASA 32

Division/Agency: Civil Aviation Safety Authority

Topic: The Senate Order

Hansard page: Written question (Senator Murray's Q 5)

Senator Murray asked:

What problems, if any, have the agency and/or relevant staff experienced in complying with the Senate Order? What is the nature and cause of any problems? What measures have been, or could be, adopted to address these concerns?

Answer:

The Senate Order does not apply to the Civil Aviation Safety Authority (CASA) as CASA is not an agency within the meaning of the *Financial Management and Accountability Act 1997*.

Question no: CASA 33

Output: Civil Aviation Safety Authority

Topic: Balurga station incident

Hansard page: Written question (Senator McLucas' Q 1.1, 1.2, 1.3)

Senator McLucas asked:

In Supplementary Estimates on October 31, I asked whether the Department was aware of an incident on 21 July 2005 at Balurga Station in Far North Queensland involving the operator of the Cape York Mail Run. Is it correct that the aircraft became bogged, sustaining damage to its nose gear?

Is it correct that there were passengers on board?

Were any injuries sustained?

Answer:

The Civil Aviation Safety Authority (CASA) is not aware of any incident at Balurga Station on 21 July 2005.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 34

Output: Civil Aviation Safety Authority

Topic: Balurga station incident

Hansard page: Written question (Senator McLucas' Q 1.4)

Senator McLucas asked:

Will the Department investigate whether a second plane was sent in to the same airstrip and also became bogged?

Answer:

The Civil Aviation Safety Authority (CASA) does not propose to investigate allegations of aircraft bogging at Balurga Station at this time. The function of investigating aircraft accidents and incidents is primarily undertaken by the Australian Transport Safety Bureau (ATSB). Please refer to response to question no. **ATSB 01**.

Question no: CASA 35

Output: Civil Aviation Safety Authority

Topic: Balurga station incident

Hansard page: Written question (Senator McLucas' Q 1.7, 1.8, 1.9)

Senator McLucas asked:

Does the operator have an incident/accident section in its company operations manual requiring reports to ATSB to be passed on to CASA?

If it does, are reports to CASA then, mandatory under CAR 215?

If it does, was the incident reportable to CASA under this section and was it reported to CASA?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

The operations manual of Lip Air Pty Ltd (trading as Aero Tropics) includes a requirement for the Australian Transport Safety Bureau (ATSB) to be notified of any incident or accident. The operations manual also requires the company to notify the Civil Aviation Safety Authority (CASA) at the same time.

Sub-regulation 215(9) of the Civil Aviation Regulations 1988 mandates compliance with instructions in an operator's operations manual by operations personnel of the operator.

CASA has not received notification of any incident at Balurga Station from Lip Air operations personnel.

Question no: CASA 36

Output: Civil Aviation Safety Authority

Topic: Balurga station incident

Hansard page: Written question (Senator McLucas' Q 1.10, 1.11, 1.12)

Senator McLucas asked:

What was the extent of the damage to the aircraft, and was it repaired on site or was it flown out for repairs?

If the damaged aircraft was flown out of the airstrip, would a Permit to Fly have been required?

Was a Permit to Fly requested, and if so was one granted?

Answer:

The Civil Aviation Safety Authority (CASA) is not aware of any incident at Balurga Station on 21 July 2005.

In general terms, under Civil Aviation Safety Regulation (CASR) 21.197, CASA or an authorised person may issue a Special Flight Permit (SFP) (formally known as a Permit to Fly) to allow limited operation of the aircraft under particular conditions.

An SFP may be issued where an aircraft does not meet the applicable airworthiness requirements, but can be reasonably expected to be capable of safe flight for the purposes for which the permit was issued. It can be issued by CASA or an authorised person.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 37

Output: Civil Aviation Safety Authority

Topic: Kowanyama incident

Hansard page: Written question (Senator McLucas' Q 2.1)

Senator McLucas asked:

In Supplementary Estimates on 31 October 2005, I asked whether the Department was aware of an incident at Kowanyama on October 20 in which an Aero Tropics aircraft made an emergency landing and ran off the strip after suffering a hydraulics failure. Is it correct that prior to taking off from Weipa for Kowanyama, the pilot rang his company from Weipa to notify it that the aircraft had a hydraulic leak?

Answer:

The Civil Aviation Safety Authority (CASA) has no knowledge of the pilot calling his company prior to his departure from Weipa notifying them of a hydraulic leak.

Question no: CASA 38

Output: Civil Aviation Safety Authority

Topic: Kowanyama incident

Hansard page: Written question (Senator McLucas' Q 2.2)

Senator McLucas asked:

Is it correct that he sought advice as to whether the aircraft was safe to fly, and that the company gave him the all-clear?

Answer:

The Civil Aviation Safety Authority (CASA) has no knowledge of this.

Question no: CASA 39

Output: Civil Aviation Safety Authority

Topic: Kowanyama incident

Hansard page: Written question (Senator McLucas' Q 2.3)

Senator McLucas asked:

Is it correct that with this type of aircraft, a hydraulic failure typically will mean that brakes and flaps become inoperative?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

The aircraft type was an Aero Commander 500. In the event of a hydraulic failure, flaps would not be available to the pilot for landing but an emergency supply of oil would allow limited braking after landing.

Question no: CASA 40

Output: Civil Aviation Safety Authority

Topic: Kowanyama incident

Hansard page: Written question (Senator McLucas' Q 2.4)

Senator McLucas asked:

Is it correct that the aircraft lost its hydraulics about 15 minutes out of Kowanyama, and landed without hydraulic power assistance to its flaps, brakes, and other gear?

Answer:

The aircraft operator has advised the Civil Aviation Safety Authority (CASA) that the pilot became aware of a hydraulic problem when he was approximately 15 miles north of Kowanyama. The report to CASA stated that:

the pilot decided to carry out a precautionary flapless landing which was uneventful and afterwards he elected to park the aircraft on the grass away from other parked aircraft as limited steering was available.

Question no: CASA 41

Output: Civil Aviation Safety Authority

Topic: Kowanyama incident

Hansard page: Written question (Senator McLucas' Q 2.5)

Senator McLucas asked:

Is it correct that the plane ran off the side and end of Kowanyama airstrip?

Answer:

According to information provided to the Civil Aviation Safety Authority (CASA) by the aircraft operator and confirmed by the aerodrome manager, the aircraft did not run off the side and end of the runway but was subsequently parked off the side of the runway some distance from other aircraft, as limited steering was available after landing.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 42

Output: Civil Aviation Safety Authority

Topic: Kowanyama incident

Hansard page: Written question (Senator McLucas' Q 2.6)

Senator McLucas asked:

Has the Department established how many passengers were on board and whether they were in any danger?

Answer:

The aircraft operator advised that there were three passengers on board the aircraft.

On the basis of the content of the operator's reports from the operator to the Civil Aviation Safety Authority (CASA), there would have been no immediate threat to the safety of the passengers. The airstrip at Kowanyama was long enough to accommodate the Aero Commander 500 aircraft involved in the incident, with reduced braking capability.

Question no: CASA 43

Output: Civil Aviation Safety Authority

Topic: Kowanyama incident

Hansard page: Written question (Senator McLucas' Q 2.9, 2.10, 2.11)

Senator McLucas asked:

Does the operator have an incident/accident section in its company operations manual requiring reports to ATSB to be passed on to CASA?

If it does, are reports to CASA then mandatory under CAR 215?

If it does, was the incident reportable to CASA under this section and was it reported to CASA?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

The Lip-Air operations manual includes a requirement for the Australian Transport Safety Bureau (ATSB) to be notified of any incident or accident. The operations manual also requires the company to notify the Civil Aviation Safety Authority (CASA) at the same time.

Sub-regulation 215(9) of the Civil Aviation Regulations (CARs) 1988 mandates compliance with instructions in an operator's operations manual by operations personnel of the operator.

The incident was reportable to CASA under Part 4B and regulations 215 and 248 of the CARs. CASA was first notified of the incident on the date of the incident by a person other than the operator. CASA sought information from the operator on that same day. CASA is satisfied that the requirements for the giving of notice of incidents and defects to CASA were met.

Question no: CASA 44

Output: Civil Aviation Safety Authority

Topic: Kowanyama incident

Hansard page: Written question (Senator McLucas' Q 2.12)

Senator McLucas asked:

Is it correct that under Aeronautical Information Publication, this incident is an Immediately Reportable Matter, both as to the hydraulic failure (Section N—malfunction of an aircraft system that seriously affects the operation of the flight) and to the running off the runway (Section R—undershooting, over-running or running off the side of the runway)?

Answer:

The Aeronautical Information Publication (AIP) needs to be given a head of power to be lawful and in the case of Routine and Immediately Reportable Matters, the Transport Safety Investigation Regulations 2003 provide that head of power.

Section ENR 1.14, 3.1.1.n in the AIP that the Senator has referred to relates to a malfunction that seriously affects the operation of an aircraft, which is an Immediately Reportable Matter under Transport Safety Investigation Regulation 2.3 (3) N. However, the Australian Transport Safety Bureau (ATSB) has advised that the incident at Kowanyama was not an Immediately Reportable Matter but rather a Routine Reportable Matter under Transport Safety Investigation Regulation 2.4 (1) G (ii) (see **attachment A**) which applies to Air Transport Operations occurrences that compromise or have the potential to compromise the safety of the flight due to a non-serious malfunction of an aircraft system (see ENR 1.14, 3.2.1.g (2), at **attachment B**).

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

In relation to the suggestion that the aircraft ran off the runway, the Civil Aviation Safety Authority (CASA) has advised that, according to the aircraft operator and aerodrome manager, this was not the case. The landing was uneventful, but afterwards the pilot elected to park the aircraft on the grass away from other parked aircraft as limited steering was available.

[CASA 44 attachments A & B]

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 45

Output: Civil Aviation Safety Authority

Topic: Kowanyama incident

Hansard page: Written question (Senator McLucas' Q 2.14)

Senator McLucas asked:

Was this incident reportable to CASA under CAR 248—Reporting of Defects, and was it reported?

Answer:

The incident was reportable to the Civil Aviation Safety Authority (CASA) under Part 4B and regulations 215 and 248 of the Civil Aviation Regulations (CARs) 1988. CASA was first notified of the incident on the date of the incident by a person other than the operator. CASA sought information from the operator on that same day. That information satisfied the requirements for the giving of notice of incidents and defects to CASA.

Question no: CASA 46

Output: Civil Aviation Safety Authority

Topic: Kowanyama incident

Hansard page: Written question (Senator McLucas' Q 2.15)

Senator McLucas asked:

It was stated by CASA in Supplementary Estimates on October 31 that an emergency landing was made. Did the pilot report an emergency to Air Services Australia prior to landing and subsequently to CASA?

Answer:

No emergency was declared to Airservices Australia by the pilot prior to the incident at Kowanyama. In relation to the pilot reporting subsequently to the Civil Aviation Safety Authority (CASA), please refer to the response to question no. **CASA 43**.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 47

Output: Civil Aviation Safety Authority

Topic: Kowanyama incident

Hansard page: Written question (Senator McLucas' Q 2.16)

Senator McLucas asked:

Were repairs required to the aircraft, and if so where was the aircraft repaired?

Answer:

According to information provided to the Civil Aviation Safety Authority (CASA) by the operator, repairs were required to be made to the aircraft and these repairs were made at Kowanyama prior to the aircraft's departure.

Question no: CASA 48

Output: Civil Aviation Safety Authority

Topic: Cape York mail run

Hansard page: Written question (Senator McLucas' Q 3.1)

Senator McLucas asked:

Further to questions about the Cape York Mail Run in Supplementary Estimates on 31 October 2005, is it correct that seats available on the Mail Run are available to persons generally and is it correct that persons generally booked seats?

Answer:

See answer to **CASA 12**.

Question no: CASA 49

Output: Civil Aviation Safety Authority

Topic: Cape York mail run

Hansard page: Written question (Senator McLucas' Q 3.2)

Senator McLucas asked:

Is the Mail Run operated as a fixed schedule between fixed terminals?

Answer:

See answer to **CASA 12**.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 50

Output: Civil Aviation Safety Authority

Topic: Cape York mail run

Hansard page: Written question (Senator McLucas' Q 3.3)

Senator McLucas asked:

Is it correct that the schedule is fixed by Aero-Tropics, not the passengers or Cairns Business and Leisure Travel?

Answer:

See answers to **CASA 12**.

Question no: CASA 51

Output: Civil Aviation Safety Authority

Topic: Cape York mail run

Hansard page: Written question (Senator McLucas' Q 3.4)

Senator McLucas asked:

Does a CASA paper entitled *CASA's Position on Classification of Operations - RPT* or Charter state CASA's policy on this subject?

Answer:

A paper entitled *CASA's Position on Classification of Operations - RPT or Charter* was prepared several years ago as a draft internal discussion paper. It was never formally adopted as CASA policy and as such does not set out CASA's official policy on the issues discussed in the paper.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 52

Output: Civil Aviation Safety Authority

Topic: Cape York mail run

Hansard page: Written question (Senator McLucas' Q 3.5, 3.6)

Senator McLucas asked:

Does it state that "CASA is aware that a number of operators with charter AOCs are advertising flights to the public which appear to be an RPT service, apparently in breach of CAR 210. CASA is concerned that some AOC charter AOC-holding operators by the use of interposed third parties between them and public passengers are seeking to avoid the requirement to hold an RPT AOC, and their customers, travelling as passengers on charter operations are unwittingly being carried under a regime that is in general terms less safe than regular public transport operations?"

Is this statement of policy still current or has it been superseded?

Answer:

The paper does contain the statement set out in the question. However, as mentioned in response to **CASA 51**, the paper was prepared as a draft internal discussion paper only and did not (and does not) set out CASA's official policy on RPT/Charter classification issues.

Question no: CASA 53

Output: Civil Aviation Safety Authority

Topic: Cape York mail run

Hansard page: Written question (Senator McLucas' Q 4.1, 4.2, 4.3, 4.4)

Senator McLucas asked:

Again, in answer to **CASA 29** [from Budget Estimates 2005-2006], it is stated that the sale of tickets for the Cape York Mail Run route are under a closed charter. Is it correct that in closed charters, such as those used by mining companies, there are no passenger seat sales, unlike under an RPT arrangement where passenger tickets are sold.

Is this not the essence of RPT versus charter?

Has CASA granted some form of special concession or exemption to the operator of this specific route to avoid the maintenance, pilot, aircraft and operating standards expected and mandated for an RPT service?

If so, who approved that, when and why?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

There are several legal distinctions between charter operations and regular public transport operations reflected in paragraphs 206(1)(b) and (c) of the Civil Aviation Regulations 1988 (CARs), respectively. These revolve around questions of whether schedules and terminals are fixed, and by whom, and whether accommodation on the aircraft is available to persons generally.

In the circumstance that a person (“charterer”) contracts with an aircraft operator to fly regularly between certain terminals, and to carry people who have contracted with the charterer for carriage, neither the schedules nor terminals are fixed by the aircraft operator, and from the operator’s perspective, accommodation is only available to persons who have contracted with the charterer, not to persons generally. The operator is carrying out charter operations, not RPT operations.

The Cape York service referred to by the Senator is carried out by Lip-Air Pty Ltd (trading as Aero-Tropics) to include services provided under contract to both the Commonwealth (Department of Transport and Regional Services) and Australia Post. However, final schedules and destinations for flights, which may include ports not listed on the RASS contract, are fixed through the arrangement with Cairns Business and Leisure Travel as the party chartering the aircraft. In these circumstances, the operation is a charter operation.

Accordingly, no special concession or exemption from CASA is required for Lip-Air’s Cape York services to operate in compliance with the CARs.

Question no: CASA 54

Output: Civil Aviation Safety Authority

Topic: RPT pilots requirements

Hansard page: Written question (Senator McLucas' Q 6.1, 6.2)

Senator McLucas asked:

In answer to **CASA 26** in the May 2005 Estimates, a number of qualifications for pilots are listed. Is it correct that RPT pilots must also abide by the requirements of CAR 217 and CAR 218, which spell out a host of pilot checking requirements, pilot route qualifications, pilot aerodrome qualifications, pilot proficiency checking, pilot type currency, and others?

Do Aero-Tropics and the pilots flying the Cape York Mail Run comply with CAR 217 and 218?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

These services are run as a charter operation (see answer to **CASA 53**). The aircraft used by Lip-Air Pty Ltd (trading as Aero-Tropics) for these operations are lighter than 5700kg. Accordingly, regulations 217 and 218 of the Civil Aviation Regulations 1988 (CARs) do not apply to Lip-Air and Lip-Air's pilots carrying out these operations. Nevertheless, CASA's North Queensland Field Office has been advised by Lip-Air that it has decided to operate these charter operations with pilots who have been checked in accordance with the requirements of CARs 217 and 218. CASA has not conducted any audits to confirm this advice.

Question no: CASA 55

Output: Civil Aviation Safety Authority

Topic: RPT pilots requirements

Hansard page: Written question (Senator McLucas' Q 6.3)

Senator McLucas asked:

Is it also correct that pilots must undergo six-monthly flight proficiency checks and RPT pilots must be route-checked on each route?

Answer:

Under regulation 217 of the Civil Aviation Regulations 1988 (CARs), operators of regular public transport services, operators of aircraft weighing 5700kg or above, and operators specifically directed by CASA, must ensure that the pilots operating those services or aircraft have two competency checks every calendar year. These checks must be no less than four months apart.

CAR 218 provides that a pilot is qualified to act as pilot in command of an aircraft engaged in an RPT service only if he or she meets certain requirements relating to knowledge of the route to be flown on that service. The requirements are commonly referred to as a "route check".

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 56

Output: Civil Aviation Safety Authority

Topic: Aircraft performance capabilities for the Cape York mail run

Hansard page: Written question (Senator McLucas' Q 6.4, 6.5)

Senator McLucas asked:

With reference to the answer given to CASA 31 from the May 2005 Estimates, is it correct that CAR 217 and 218 also apply, as does CAO 20.7, which covers matters such as aircraft performance capabilities for RPT versus charter?

Do the aircraft flying the route comply with the requirements of CAO 20.7?

Answer:

Services provided by Lip-Air Pty Ltd (trading as Aero-Tropics) in the Cape York region discussed in the May 2005 response are charter operations using aircraft below 5700kg, and consequently CARs 217 and 218 do not apply to those operations. (See answers to **CASA 53** and **CASA 54**).

RPT aircraft not above 5700kg operate to standards outlined in CAO 20.7.2 and charter not above 5700kg operate to standards outlined in CAO 20.7.4. All charter aircraft below 5700kg registered and operated in Australia must meet the performance requirements of CAO 20.7.4. Lip-Air have a number of types of aircraft listed on their charter AOC and it is the operator's responsibility to ensure the aircraft that is used for any particular charter flight can meet the performance requirements of CAO 20.7.4 for that flight.

Question no: CASA 57

Output: Civil Aviation Safety Authority

Topic: AeroTropics new AOC

Hansard page: Written question (Senator McLucas' Q 7.1, 7.2, 7.3)

Senator McLucas asked:

Can the Department explain why in Aero-Tropics' new AOC, issued on 21 September, the ports authorised for RPT operations do not yet cover the mail service ports, except for the two previously held?

In his answers to questions in Supplementary Estimates on 31 October, Mr Gemmell indicated that if the 68 strips are not on the Aero-Tropics AOC, then they shouldn't be operating. Is it correct then, that if Aero-Tropics is flying into those strips it is doing so illegally?

If not, what is the situation concerning flights into those strips by the operator of the Mail Run?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

Mr Gemmel answers to the questions in Supplementary Estimates on 31 October 2005 were in the belief that the question was a Regular Public Transport operation.

The Cape York services provided by Lip-Air Pty Ltd (trading as Aero-Tropics) discussed in this answer are charter operations, (see answer to **CASA 53**). An operator carrying out charter flights is not required to have the aerodromes to which it conducts those flights listed on its AOC, (see answer to **CASA 14**).

Question no: CASA 58

Output: Civil Aviation Safety Authority

Topic: Safety standards in RPT operations

Hansard page: Written question (Senator McLucas' Q 8.1, 8.2, 8.3)

Senator McLucas asked:

In his answers to questions in Supplementary Estimates on October 31, Mr Gemmell referred on several occasions to removing distinctions between RPT and charter. Is CASA proposing to water down all the safety standards inherent in RPT operations to those of charter operations?

Or is it proposed to increase charter safety standards to those of RPT for passengers?

Will CASA identify the distinctions between the two types of operations that it proposes to remove, how this will be achieved and whether its proposed actions amount to a change of policy?

Answer:

The Civil Aviation Safety Authority's (CASA's) current classification of operations policy (which has not yet been implemented in law, but which guides CASA's development of future regulation of aircraft operations) does not distinguish between operations involving the carriage of fare-paying passengers. When this policy is implemented, all such operations will be classed as "air transport operations". Under the proposal, there will be no distinction between the safety standards for the operation of aircraft in what are currently termed regular public transport (RPT) and charter operations.

Nevertheless, CASA's current classification of operations policy recognises that there will be differences in the safety standards for air transport operations carried out in large aeroplanes (5700kg and above) and small aeroplanes (less than 5700kg). These differing standards are reflected in the regulatory proposals contained in Parts 121 and 135 of the Civil Aviation Safety Regulations (CASRs) 1998.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Fare-paying passenger-carrying operations of the kind carried out in far North Queensland in aeroplanes less than 5700kg would be subject to the proposed CASR Part 135. Part 135 will generally increase standards above current charter standards, by imposing higher standards on pilot training and checking and aircraft maintenance scheduling. Aircraft performance standards will be in line with current standards for charter operations.

CASA has commenced a review of its classification of operation policy, with a view to clarifying appropriate levels of regulation for operations which are currently difficult to classify. This will not affect the proposal that all operations for carriage of fare-paying passengers of the kind currently operating in North Queensland will be classified as air transport operations. The review is intended to make recommendations to CASA's Chief Executive Officer in early 2006.

Question no: CASA 59

Output: Civil Aviation Safety Authority

Topic: Cairns-Bamaga-Lockhart River-Cairns RPT route

Hansard page: Written question (Senator McLucas' Q 10.1)

Senator McLucas asked:

With reference to the answer to CASA 23 from the May 2005 Estimates, it is stated that Aero-Tropics' use of a Hinterland aircraft on the Cairns-Bamaga-Lockhart River-Cairns RPT route is a charter. Is it correct that the tickets on the route are available to persons generally—that passengers as members of the public book and pay for seats with Aero-Tropics?

Answer:

Yes. Nevertheless, the operation conducted by Hinterland Aviation Pty Ltd is a charter operation, as Hinterland has not fixed the schedule nor the terminals, and from its perspective, the only people entitled to carriage aboard the aircraft are specified people who have contracted with Lip-Air Pty Ltd (trading as Aero-Tropics) for carriage. See also answer to **CASA 53**.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 60

Output: Civil Aviation Safety Authority

Topic: Cairns-Bamaga-Lockhart River-Cairns RPT route

Hansard page: Written question (Senator McLucas' Q 10.2)

Senator McLucas asked:

Is it correct that the route is operated to fixed schedules set by Aero-Tropics (not the passengers or some other party) and between fixed terminals nominated by Aero-Tropics?

Answer:

Yes. See answer to **CASA 59**.

Question no: CASA 61

Output: Civil Aviation Safety Authority

Topic: Cairns-Bamaga-Lockhart River-Cairns RPT route

Hansard page: Written question (Senator McLucas' Q 10.3)

Senator McLucas asked:

How does simply carrying persons generally on a different aircraft change the entire status of the route from RPT to charter?

Answer:

The change of aircraft has no bearing on the classification of the flight. The change of operator has that effect. See answers to **CASA 53** and **CASA 59**.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 62

Output: Civil Aviation Safety Authority

Topic: Cairns-Bamaga-Lockhart River-Cairns RPT route

Hansard page: Written question (Senator McLucas' Q 10.4)

Senator McLucas asked:

Does the Department's response to written questions concerning the operation of the Cape York Mail Run as a charter and part of the Cairns-Bamaga-Lockhart River-Cairns route as a charter accord with decisions in cases such as *Chegwidden vs. White*, *Southern Cross Airlines vs. McNamara*, the Seaview Report and *Coral Sea Airlines vs. CASA* and CASA's own policy paper on Interposed Third Parties?

Answer:

Yes.

Question no: CASA 63

Output: Civil Aviation Safety Authority

Topic: Cairns-Bamaga-Lockhart River-Cairns RPT route

Hansard page: Written question (Senator McLucas' Q 10.5)

Senator McLucas asked:

Is it acceptable practice for an airline to take bookings for seats that it cannot supply?

Answer:

How airlines manage their bookings is a commercial matter for the airlines.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 64

Output: Civil Aviation Safety Authority

Topic: Lockhart River crash

Hansard page: Written question (Senator McLucas' Q 11.1, 11.2, 11.3)

Senator McLucas asked:

In a number of instances in answers to questions from the previous Estimates, CASA states that it "understands" certain information. Given that 15 people died in the Lockhart River crash, why is CASA unable to state categorically that the information it gives in its answers is correct?

Has CASA in fact sought to verify what it "understands"?

Has it fully checked and cross-checked all relevant documents including flight and duty sheets, pilot rosters, the CAO 20.11 Emergency Procedures Certificates; company flight records, aircraft maintenance releases, pilot logbooks, trip records, flight plans, and pilot flight and duty time records, the pilot status boards in Cairns and Brisbane, instrument rating renewals, company manifests, and so on?

Answer:

The Civil Aviation Safety Authority (CASA) advises that the term "understands" is used as a style of expression only. It does not imply that things have not been done. In the case of the crashed aircraft, all of the relevant documents were checked. CASA advises that it has not checked the pilot status boards (see answer to question no. **CASA 67**), but these boards are simply an information aid (typically an erasable whiteboard) for pilots and an operator's chief pilot. The information they contain about pilots is derived from primary source documents. They do not constitute the primary records relating to pilots, which have been checked by CASA.

Question no: CASA 65

Output: Civil Aviation Safety Authority

Topic: Allegations against TransAir

Hansard page: Written question (Senator McLucas' Q 12.1)

Senator McLucas asked:

In regard to "Pilot C's" allegations against TransAir, which were investigated by CASA, did a senior CASA officer in Sydney advised the pilot that the company was in effect directing him to breach regulations by ordering him to fly an aircraft at night without landing lights?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

The relevant Civil Aviation Safety Officer (CASA) officer's recollection of his advice to "Pilot C" was that if the aircraft's Minimum Equipment List (MEL) allowed flight with one or both landing lights unserviceable, the pilot could then undertake the flight but if the MEL did not give relief for unserviceable landing lights, and the lights were unserviceable, he could not.

Question no: CASA 66

Output: Civil Aviation Safety Authority

Topic: Renewal of TransAir's AOC

Hansard page: Written question (Senator McLucas' Q 12.2, 12.3)

Senator McLucas asked:

Is it correct that CASA checked TransAir's operations prior to renewing its AOC on April 14, 2005? Were CASA's officers able to verify from the appropriate documentation that the chief pilot signed the two pilots' CAO 10.11 emergency procedures certificates?

Did the CASA officers sight the certificates?

Answer:

The Civil Aviation Safety Authority (CASA) conducted a thorough examination of TransAir's operations prior to renewing its AOC on 14 April 2005. CASA was satisfied that TransAir met the legislative requirements for the issue of an Air Operator's Certificate (AOC).

CASA inspectors did not sight the Civil Aviation Order 20.11 emergency procedures certificates of the two pilots, nor would CASA officers typically do so. The key personnel within the company—in this case, the chief pilot—hold delegations to perform the function of issuing such certificates and consequently hold the responsibility within the company for ensuring every pilot has the appropriate certificates. CASA inspectors check that the systems and processes are in place to ensure personnel were being trained and issued certificates, but do not necessarily look at every certificate. From time-to-time, CASA inspectors observe the training being conducted by a company to ensure that the safety procedures training standard is being maintained.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 67

Output: Civil Aviation Safety Authority

Topic: Pilot boards

Hansard page: Written question (Senator McLucas' Q 12.4, 12.5)

Senator McLucas asked:

It is stated in answer to question **CASA 39** [from May 2005 Estimates] that the primary pilot status currency board was in Brisbane and that the senior base pilot maintained a pilot currency status board in Cairns. Has CASA examined both boards and do they correspond?

Were both pilots current with all legislated status, currency and recency requirements such as license type, pilot medical, instrument rating renewal, CAO 20 emergency procedures certificate, dangerous goods certificate, aircraft-specific type flying, company check flights, instrument flying, each specific navigational aid approach, night flying, and so on?

Answer:

The Civil Aviation Safety Authority (CASA) has not compared the pilot status currency boards in Brisbane and Cairns.

Under the current surveillance practices, this level of checking is not necessarily undertaken. What is tested is that a company has adequate systems in place to safely and effectively manage its functions. CASA had determined that the system in place was adequate for the operations conducted and follows normal industry practice for smaller operators.

CASA has advised that, except for the co-pilot not holding a Global Navigation Satellite System endorsement, both pilots were current with all legislated status, currency and recency requirements.

Question no: CASA 68

Output: Civil Aviation Safety Authority

Topic: Pilots

Hansard page: Written question (Senator McLucas' Q 12.6)

Senator McLucas asked:

Has CASA sighted documents that confirm the Instrument Recency of the two pilots?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

Yes. The Civil Aviation Safety Authority (CASA) has records confirming that both pilots complied with the recency requirements for acting as pilot-in-command for an IFR flight set out in Civil Aviation Order (CAO) 40.2.1 paragraph 11.2. CASA also has records confirming that the designated pilot in command of the aircraft complied with the recency requirements set out in paragraph 11.3 of CAO 40.2.1 for acting as pilot in command of an aircraft carrying out an instrument approach of the kind being carried out at the time of the accident.

Question no: CASA 69

Output: Civil Aviation Safety Authority

Topic: TransAir company records

Hansard page: Written question (Senator McLucas' Q 12.7)

Senator McLucas asked:

Has CASA sighted documents that confirm that manifests were compiled and kept in TransAir company records for three months; that trip records were actually sent to Brisbane in accordance with the company operations manual.

Answer:

The Civil Aviation Safety Authority (CASA) inspectors have sighted the documents and confirm that they were kept in the TransAir Headquarters (HQ) in Brisbane for the prescribed period. Trip records and manifests were faxed to the TransAir HQ on a daily basis and at the end of the week, hard copy originals were sent by post to the TransAir HQ.

Question no: CASA 70

Output: Civil Aviation Safety Authority

Topic: Carriage of dangerous goods

Hansard page: Written question (Senator McLucas' Q 12.8)

Senator McLucas asked:

Has CASA conducted ramp checks to verify that neither TransAir nor Aero Tropics carried dangerous goods on the Cairns-Bamaga-Lockhart River-Cairns route?

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Answer:

Carriage of dangerous goods is regulated, not prohibited (although there are absolute prohibitions on carriage of certain dangerous goods by air). Accordingly, aircraft operators may carry dangerous goods provided they do so in accordance with applicable regulations.

Over the last four months, a number of ramp checks have been conducted on Aero-Tropics (Lip-Air Pty Ltd) aircraft at various aerodromes in the Cape York Peninsula area. During ramp checks, the Civil Aviation Safety Authority (CASA) does not specifically examine carriage of dangerous goods. However, when cargo manifests or visual inspection indicate an operator is carrying dangerous goods, then the inspector will ascertain if the dangerous goods are being carried in accordance with the regulations. CASA did not detect any unlawful carriage of dangerous goods by Aero-Tropics.

TransAir (Lessbrook Pty Ltd) has a *Dangerous Goods Manual* which provides details for the carriage of dangerous goods by air on the company's fleet. TransAir is permitted by law to carry dangerous goods in accordance with its Dangerous Goods Manual. CASA notes that, according to its scheduled surveillance of TransAir, very few dangerous goods were carried on the route and CASA has not detected any unlawful carriage of dangerous goods by TransAir on the route.

Question no: CASA 71

Output: Civil Aviation Safety Authority

Topic: Cape York mail run

Hansard page: Written question (Senator McLucas' Q 13.1)

Senator McLucas asked:

With reference to questions in Supplementary Estimates on October 31, can the Department explain the purported arrangement between Aero-Tropics and Cairns Business and Leisure Travel in relation to the Cape York Mail Run?

Answer:

There is no requirement for *Remote Air Service Subsidy Scheme* providers to inform the Department of arrangements they enter into with third parties. However, Lip-Air Pty Ltd (trading as Aero-Tropics) did advise the Department and the Civil Aviation Safety Authority that it proposed to enter into a third party arrangement.

Senate Rural and Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October/November 2005

Transport and Regional Services

Question no: CASA 72

Output: Civil Aviation Safety Authority

Topic: Cairns Business and Leisure Travel

Hansard page: Written question (Senator McLucas' Q 13.4, 13.5)

Senator McLucas asked:

Cairns Business and Leisure Travel advertises seats on the Cape York Mail Run. The advertisements, on its website and in the Cairns Post of Thursday 21 April 2005, may give the impression that the flights are RPT operations, and do not appear to state that they are charters (see **attachment**).

Does the company hold an AOC, and do the advertisements comply with CAR 210?

Answer:

Cairns Business and Leisure Travel does not hold an Air Operators Certificate (AOC).

Advertisements run by Cairns Business and Leisure Travel advertising seats on the Cape York services clearly indicate that the operations are charter operations. In CASA's view, the Cape York services carried out by Aero-Tropics (Lip-Air Pty Ltd), as presently constituted, is a charter operation.

Regulation 210 of the Civil Aviation Regulations 1988 (CARs) prohibits a person from advertising that a person is willing to undertake commercial operations unless the second-mentioned person has an AOC authorising those operations.

Aero-Tropics has an AOC-authorising charter operations. Therefore, the advertisements by Cairns Business and Leisure Travel, advertising charter operations by Aero-Tropics, are not in breach of CAR 210.

[CASA 72 attachment]

Senate Rural and Regional Affairs and Transport Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Supplementary Budget Estimates October/November 2005
Transport and Regional Services

Question no: CASA 73

Output: Civil Aviation Safety Authority

Topic: Cape York mail run

Hansard page: Written question (Senator McLucas' Q 13.7)

Senator McLucas asked:

How many and what percentage of Mail Run contractors hold RPT endorsements on their AOCs for these routes?

Answer:

No Air Operator Certificate (AOC) holders have all of the Cape York Mail Run destinations listed on their AOCs as aerodromes to which they can operate RPT flights.

Question no: CASA 74

Output: Civil Aviation Safety Authority

Topic: CASA's risk rating system

Hansard page: Written question (Senator McLucas' Q 17.1, 17.2, 17.3, 17.4, 17.5, 17.6)

Senator McLucas asked:

In answers during the Supplementary Estimates on October 31, the issue of CASA's risk rating system was discussed. Can the Department provide the monthly risk ratings since January 1 this year?

Can the Department confirm whether TransAir was ranked in the top three at any time prior to the Lockhart River crash in May this year?

What was its ranking post the crash?

What was Aero-Tropics' ranking prior to winning the Cape York Mail Run contract and the AMSA Cairns Search and Rescue contract?

What are their current rankings?

What were the reasons for any change in ranking, if their rankings changed?

Answer:

Please see response to question no. **CASA 10.**

Senate Rural and Regional Affairs and Transport Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Supplementary Budget Estimates October/November 2005
Transport and Regional Services

Question no: CASA 75

Output: Civil Aviation Safety Authority

Topic: CASA's risk rating system

Hansard page: Written question (Senator McLucas' Q 17.7)

Senator McLucas asked:

Can the Department provide details of any action taken by aviation authorities as a result of the rankings of both airlines?

Answer:

The Civil Aviation Safety Authority (CASA) considers changes in risk ratings in developing the application of appropriate surveillance tools to the various operators. Risk rating assessments are only one of the inputs used.

Question no: CASA 76

Output: Civil Aviation Safety Authority

Topic: CASA's risk rating system

Hansard page: Written question (Senator McLucas' Q 17.8, 17.9)

Senator McLucas asked:

What was Sunshine Express's position in the ratings monthly from January 1 this year?

If its ranking has changed recently, can you inform us why, and what action has been taken as a result?

Answer:

Please see response to question no. **CASA 10**.