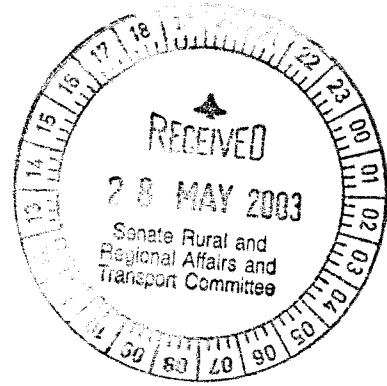


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Mr. Andrew Snedden
Secretary
Senate Standing Committee on Rural and Regional Affairs and Transport
Parliament House
CANBERRA ACT 2600

Dear Sir & Committee Members

RE: CIVIL AVIATION AMENDMENT BILL 2003

With respect, I wish to place before you a submission for your consideration. After reading the Media Release dated the 18 November 2002, numbered A/2002, titled ' **CASA REFORM** ' by The Hon John Anderson MP, Deputy Prime Minister & Minister for Transport and Regional Services, Leader of the National Party, together with the Outline as expressed in the Explanatory Memorandum for the Civil Aviation Bill 2003, I felt compelled to express another point of view.

By way of introduction, a brief précis covering a career in Commercial Aviation spanning 28 years.

Licensed Aircraft Maintenance Engineer – Multiple Endorsements
Shift Aircraft Maintenance Engineering Inspector. (By way of explanation, Inspectors do not come under the control of Maintenance Superintendents or the Chief Engineer. They are only answerable to the Managing Director and the Regulating Authority. To coin a phrase they are the ' policemen ').

Ten years plus, Instructor & Approved School Examiner, Ansett Flight Training Centre, Tullamarine.

I taught at all levels from Senior Apprentices to Engineers to all Flight Crew, including Emergency Procedures & Revalidation.

Currently registered with CASA as an Aviation Theory Training Provider, in Basic Gas Turbine Theory, Gas Turbine Types and Systems.

In my opinion the proposed abolishment of the CASA Board is a BIG MISTAKE.

At a time when CASA needs a good guiding hand emanating from a top class Board, what happens!!! **THE CASA BOARD WILL BE ABOLISHED.**
To me this is blatant stupidity.

The Director of Safety, Mr Mick Toller, whose alliance with the Minister has been so carefully nurtured over the years, will be designated the Chief Executive Officer, to come into effect from 1 July 2003. The only person above him, The Minister. To put the control of Australia's highest Aviation Safety Authority in the hands of two people, irrespective of their level of knowledge in matters aviation (which is questionable) is an ill-advised move

2

For Mr. Toller to have continued responsibility for CASA's safety regulatory functions, to have new governance responsibilities for matters such as preparing CASA's Corporate Plan and setting the terms and conditions for CASA staff and to be only responsible to the Minister for CASA's performance is mind boggling.

Mr Toller's performance from the time when Mr Dick Smith was Chairman of the CASA Board and who requested the Minister to remove Mr Toller because in his opinion he was unsuitable, has been far from being creditable. The debacle of his handling of Ansett at Xmas 2000 and Easter 2001 resulted in a huge loss of revenue. At Xmas 2000 the grounded Aircraft were allowed to fly again after three days in exactly the same condition they were in at the time of grounding.

At Easter 2001 the grounding of the complete Boeing 767 fleet was a knee jerk reaction by a Director of Safety who liked to impress and be ' centre stage front '. The complete grounding was unwarranted.

When one takes into consideration that it's CASA's responsibility to check that all Maintenance Alerts coming into Australia are being actioned, Mick Toller failed miserably.

WE DON'T WANT A PRIMA DONNA

WE WANT A STRONG CASA BOARD, A COLLECTIVE OF EXPERTISE IN ALL FACETS OF AVIATION, WHO ARE IN CHARGE AND NOT TIMID TO ADJUDICATE.

The complexity of subjects to know, and more importantly to **understand and to be capable of adjudicating, demands a top class Board.**

You may well be thinking it's easy for me to fulminate, but what constitutes a top class Board.

Here is my idea of such a Board.

THE CHAIRMAN AND EVERY MEMBER OF THE BOARD TO BE AN EXPERT/SPECIALIST IN AVIATION. THIS IS NOT A NEW IDEA, IT HAS BEEN DISCUSSED AS BEING A PRORITY TARGET AND WAS PUT FORWARD BY MR DICK SMITH TO THE MINISTER AT THAT TIME FOR CONSIDERATION. IT IS VERY APPLICABLE TO CASA IN THIS DAY AND CHANGING AGE IN AVIATION.

PERSONNEL WHO HAVE THE NECESSARY QUALIFICATIONS TO BE PROMOTED TO PERMANENT FULL TIME BOARD MEMBERS ARE ALREADY CASA EMPLOYEES.

THE FOLLOWING DIVISIONS TO BE COVERED:-

Aviation Administration

Aviation Law in all aspects including regulations

Airframe

Power Plants & Props Piston Engines

Power Plants & Props Gas Turbine

Avionics including computer technology and fly by wire

Aerodynamics

Hydraulics

Senior Pilot with Check, Training, Test & top navigational skills

3

This would give a total of nine Board members.

When voting this would guarantee a result

Absence due to sickness or leave to be covered by proxy

All Board Members to be employed on a permanent full time basis

This would ensue rapid response and the availability to convene a Board meeting at very short notice.

The necessary changes to the Civil Aviation Act subsection 33(2) could be covered in the Amendment Bill 2003.

All Board Members to have an open door Policy to encourage staff members to discussion

All Board Members to give Tutorials to Staff in their particular Subject, concentrating on up-dates that are always occurring and emphasizing the benefits of revision revision revision.

Discussion sessions to be encouraged between Board members and Staff Members, all welcome, any subject, challenge and counter challenge, be prepared to prove your point, communicate communicate communicate.

I maintain this would give CASA a very powerful Board, WHICH IT NEEDS

THERE HAS TO BE A 'BUFFER' BETWEEN THE CEO AND THE MINISTER.

Casa's Motto should be “ **COMPLY AND FLY** “ “**DON'T COMPLY NIL FLY** “

I have been studying CASA's Annual Report 2001-02 paying particular attention to Part 3 Corporate Governance.

The Board Members achievements are indeed impressive, but as noted are, in the majority, part-time appointments.

By being part-time appointments I contend this is disadvantageous.

Due to the complexities and technicalities of aviation there is a requirement for a constant 'hands on' involvement, a developed 'closeness' to the action and a very important understanding of aviation per se.

It is not necessary for Mr Mick Toller to be a Member of the Board, only to report to it.

As I read through the Outline of the Explanatory Memorandum, I quickly became aware that 'enhancing fairness' is to the forefront of these considerations. In addition in the Section titled **The Problems/Overview** the second paragraph states 'First, aviation safety depends upon there being a high level of trust between CASA and the industry. Some parts of the industry believe that CASA's current enforcement processes are arbitrary, inconsistent and unfair'. In the next paragraph it states 'the very nature of aviation means that a significant number of contraventions will always remain undetected

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I think that someone should remove the rose-coloured glasses. First, aviation safety depends upon people being professional and doing things in a professional manner that excludes the possibility of anything that could compromise safety. This has bugged all to do with trusting CASA.

CASA, 'THE AUTHORITY, HAS TO ACT WITH AUTHORITY, AND LET IT BE KNOWN BEYOND ANY DOUBT WHATSOEVER THAT THEY ARE THE AUTHORITY.

The Report from the House of Representatives Standing Committee on Transport, Communications and Infrastructure dated December 1995 and titled PLANE SAFE Page 24 stated 'The Civil Aviation Authority was never captured by the aviation industry. On the contrary, the regulator offered itself as a willing captive. The committee believes that this 'accountability to the aviation industry' approach could be an explanation for some shortcomings of the CAA in the performance of its duties.

I offer, with respect, the proposal that you don't walk down the same path.

Whilst CASA should not be judged by the shortcomings of its predecessor, analysis of these shortcomings should assist CASA to avoid the mistakes of the past.

One of the conclusions hit the nail right on the head.

"the way ahead is full of challenges. Ageing aircraft, unscrupulous maintenance organizations, the potentially explosive problem of bogus parts, pilots prepared to bend the rules and shonky operators are a dangerous mix".

The question to be asked is "Has anything really changed for the better?"

Consider this point. When Dick Smith was appointed Chairman of CAA in January 1990 there were 7332 staff. As reported in the Annual Reports for CASA and AIRSERVICES Australia for the year 2001-02 the staff for CASA had dropped to 727 and for AIRSERVICES Australia which was only created in 1995 the staff was 2798. That's 3807 less staff to cover the responsibilities of these two Authorities. To expect CASA to carry out it's work efficiently, Australia wide, with only 727 staff is bloody ludicrous.

Cut the costs, cut the costs, get the Airlines to do the Surveillance, we'll just be auditors and do an occasional 'ramp check'. Yes Minister, yes Minister.
To leave the surveillance to the Airlines is like giving a kid a big opened bag of lollies and saying benignly "you won't touch them, will you?"

'enhanced fairness to the industry'
'providing a greater degree of natural justice'
'Administrative Appeals Tribunal'
'De-merit points'
'Federal Court'
' and so on, and so on'

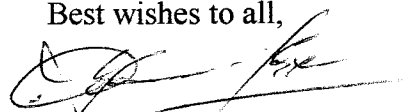
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How about getting the finger out and the brain out of neutral.
How about getting more Surveyors, up-rating the frequency of the unannounced surveillance visits and getting the message across that if you comply you will fly if you don't comply nil fly.
Pull the AOC or the Licence
Get rid of the Pilots who bend the rules
Get rid of the shonky operators
Uprate the lowest Pilots Licence to incorporate a mandatory endorsement for IFR (Instrument Flight Rules) and MFC (Meteorological Flight Conditions). **No exceptions.** This would undoubtedly save lives.
Remember in Year 2000 there were **1029 violations** in controlled air-space within Australia and in every incident the aircraft was being flown by a Licenced Pilot. Ask Mr Mick Toller. —

IN SUMMARY. THE NEED FOR A WELL STRUCTURED CASA BOARD SHOULD BE GIVEN THE HIGHEST PRIORITY.

Please don't accept the CIVIL AVIATION ACT AMENDMENT BILL 2003 in it's present format.

Best wishes to all,



Maurice J. EGGE.