

Implementation of Government Response to the Aviation Safety Regulation Review – As at 31 July 2017

Recommendation	Government Response	Status of Government Response
<p>1. The Australian Government develops the State Safety Programme into a strategic plan for Australia’s aviation safety system, under the leadership of the Aviation Policy Group, and uses it as the foundation for rationalising and improving coordination mechanisms.</p>	<p>Agreed.</p> <p>Updated and expanded State Safety Programme (SSP), supported by the establishment of an Australian Air Traffic Management Plan (ATMP)</p>	<p>Completed</p> <p>The updated and expanded SSP was released on 6 May 2016.</p> <p>The ATMP was released on 21 July 2017.</p> <p>Both are available on the Department’s website.</p>
<p>2. The Department of Infrastructure and Regional Development plays a stronger policy role in the State Safety Programme.</p>	<p>Agreed.</p> <p>Further policy advice to be provided by the Department on:</p> <ul style="list-style-type: none"> • a range of potential improvements to the efficiency and clarity of Aviation Rescue and Fire Fighting Services (ARFFS) requirements including the use of risk assessments; and • airspace protection arrangements for Federal airports, other aerodromes and for communications, navigation and surveillance equipment. 	<p>Completed – Implementation Ongoing</p> <p>The ARFFS regulatory policy review paper was released for public comment on 18 December 2015. Submissions closed at the end of February 2016. Final policy advice was provided to the Minister for consideration in November 2016. The Minister announced the agreed outcomes on 16 December 2016.</p> <p>The <i>Modernising Airspace Protection Public Consultation Paper</i> prepared by the Department was released for public comment on 15 December 2016, with submissions received until March 2017. Policy advice will be provided to the Minister before the end of 2017.</p>
<p>3. The Australian Transport Safety Bureau investigates as many fatal accidents in the sport and recreational aviation sector as its resources will allow.</p>	<p>Agreed.</p> <p>The Australian Transport Safety Bureau (ATSB) should continue to investigate accidents in this sector on an exceptions basis, but endorsed the investigation of all fatal accidents involving VH registered aircraft. Government will update the Statement of Expectations (SOE) for the ATSB to recognise that the Commission can request consideration by the Government of additional funding in implementing the above policy.</p>	<p>Completed</p> <p>A new SOE was issued to the ATSB in April 2015 and May 2017. The SOE includes that the ATSB can request appropriate consideration by the Government of the need for budget supplementation when the costs of necessary investigation activities are likely to exceed established ATSB budget levels. ATSB’s investigation activity will be determined on a case by case basis.</p>

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<p>4. The Australian Transport Safety Bureau and the Civil Aviation Safety Authority utilise the provision in their bilateral Memorandum of Understanding to accredit CASA observers to ATSB investigations.</p>	<p>Agreed.</p> <p>The Government expects the ATSB and CASA to work together to address the following issues in ensuring that CASA staff are engaged in ATSB investigations where appropriate:</p> <ul style="list-style-type: none"> • workplace health and safety; • costs; • human resource constraints; and • industry perceptions. 	<p>Completed</p> <p>A revised Memorandum of Understanding agreed between CASA and the ATSB, which includes the participation of CASA officers in ATSB investigations, was published on each agency's website on 31 March 2015.</p>
<p>5. The Australian Government appoints an additional Australian Transport Safety Bureau Commissioner with aviation operation and safety management experience.</p>	<p>Agreed.</p> <p>Appointment of additional ATSB Commissioner with aviation operation and safety management experience.</p>	<p>Completed</p> <p>Appointment of Mr Chris Manning was made on 19 February 2015, effective from 9 March 2015.</p>
<p>6. The Civil Aviation Safety Authority's Board exercises full governance control. The non-executive directors should possess a range of appropriate skills and backgrounds in aviation, safety, management, risk regulation, governance and government.</p>	<p>Agreed.</p> <p>Issue a new Statement of Expectations (SOE) to the CASA Board.</p>	<p>Completed</p> <p>The SOE's issued to the CASA Board in April 2015 and March 2017 clearly outline the Board's governance role.</p>
<p>7. The next Director of Aviation Safety (DAS) has leadership and management experience and capabilities in cultural change of large organisations. Aviation or other safety industry experience is highly desirable.</p>	<p>Agreed in Principle.</p> <p>The CASA Board to appoint a new DAS.</p>	<p>Completed</p> <p>The DAS appointments since the ASRR report have included leadership, management and aviation safety experience.</p>

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8. The Civil Aviation Safety Authority:		
a. reinstates publication of Key Performance Indicators for service delivery functions	<p>Agreed.</p> <p>Key performance indicators for service delivery published on CASA’s website.</p> <p>Continue to publish monthly Service Delivery Statistics on its website.</p> <p>In accordance with <i>Public Governance, Performance and Accountability Act 2013 (PGPA Act 2013)</i>, CASA to publish an annual performance statement in its annual report.</p>	<p>Completed – Implementation Ongoing</p> <p>CASA’s Key Performance Indicators (KPIs) for service delivery functions are published on CASA’s website. CASA continues to refine its KPIs and publish monthly service delivery statistics on its website.</p> <p>CASA will continue to publish an annual performance statement in its Annual Report.</p>
b. conducts a stakeholder survey every two years to measure the health of its relationship with industry	<p>Agreed.</p> <p>Stakeholder surveys to be conducted every two years and results to be provided to the Board and Director of Aviation Safety to assist in monitoring and making improvements in CASA’s performance and relationship with industry.</p>	<p>Completed</p> <p>The first survey was conducted from 23 November to 18 December 2015 and CASA received over 1200 responses. The results were provided to the Board and DAS. Results were also publicly released on CASA’s website in August 2016.</p> <p>The next survey will be conducted before the end of 2017.</p>
c. accepts regulatory authority applications online unless there is a valid technical reason against it	<p>Agreed.</p> <p>In accordance with the Government’s digital business policy, CASA has commenced transitioning more of its business to be conducted online but this will require industry to ensure it has the appropriate infrastructure in place to use online systems.</p>	<p>Completed – Implementation Ongoing</p> <p>CASA is transitioning more of its business to the online environment through its Digital Services Strategy. However, it is acknowledged that full transition is expected to take up to five years.</p>

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<p>d. adopts the same Code of Conduct and Values that apply to the Australian Public Service under the <i>Public Service Act 1999</i>.</p>	<p>Agreed in Principle.</p> <p>The Government’s new Statement of Expectations to the CASA Board will reaffirm the requirement that CASA staff adhere to a Code of Conduct and set of values consistent with those that apply to the APS.</p>	<p>Completed</p> <p>The latest update to the SOE issued to the CASA Board in March 2017 continues to require CASA to have a code of conduct and values consistent with those used by the Australian Public Service.</p> <p>CASA’s Code of Conduct was amended in late 2014 and aligns with the APS Code of Conduct and Values, and with the requirements of the <i>Public Governance and Performance Accountability Act 2013</i>.</p>
<p>9. The Civil Aviation Safety Authority develops a staff exchange program with industry.</p>	<p>Agreed in Principle</p> <p>CASA to complete an updated Workforce Plan which will outline CASA’s strategies to manage and develop its workforce over the next four years. This Plan will be reviewed and updated on an annual basis.</p> <p>Notwithstanding challenges with staff exchanges, CASA and industry should continue to work closely, for example, in the development of future regulatory proposals.</p>	<p>Completed – Implementation Ongoing</p> <p>CASA’s Workforce Plan was most recently updated in April 2017.</p> <p>CASA is working with industry on a number of staff exchange or secondment initiatives including:</p> <ul style="list-style-type: none"> • an agreement with a major industry operator for secondment of a staff member by September 2017; • a rotational exchange of Doctors between CASA and several major Australian airlines by the end of 2017; and • advice on an offer of a regular staff placement in a self-administering organisation. <p>CASA has committed, and will continue, to work closely with industry on regulatory proposals.</p>

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<p>10. Airservices Australia, in conjunction with the Department of Infrastructure and Regional Development and the Civil Aviation Safety Authority, reconsiders the policy on ‘Assessment of Priorities’ that stipulates that air traffic controllers sequence arriving aircraft based on category of operation, rather than on the accepted international practice of ‘first come, first served’.</p>	<p>Agreed</p> <p>The Department is currently finalising a policy paper on flight priorities contained in the Aeronautical Information Publication (AIP) ENR 1.4 Section 10 through the Aviation Implementation Group for the Minister’s consideration prior to release for public and industry comment.</p>	<p>Completed</p> <p>The AIP Flight Priorities policy paper was released for public and industry comment in May 2015 and followed up with an industry briefing session held on 5 November 2015.</p> <p>Taking into account public and industry comments, agreed changes to AIP ENR 1.4-10 were implemented on 10 November 2016 through an Aeronautical Information Publication Supplementary (AIP SUPP).</p>
<p>11. The Australian Transport Safety Bureau and the Civil Aviation Safety Authority amend the wording of their existing Memorandum of Understanding to make it more definitive about interaction, coordination, and cooperation.</p>	<p>Agreed</p> <p>CASA and the ATSB are currently completing a review of the Memorandum of Understanding which would give effect to this recommendation.</p>	<p>Completed</p> <p>A revised Memorandum of Understanding was signed on 30 March 2015 and is available on the ATSB and CASA websites.</p>
<p>12. The Civil Aviation Safety Authority delegates responsibility for the day-to-day operational management of airspace to Airservices Australia, including the designation of air routes, short-term designations of temporary Restricted Areas, and temporary changes to the classification of airspace for operational reasons.</p>	<p>Noted</p> <p>Aviation Policy Group (APG) to examine three delegated functions highlighted by this recommendation and report to the Minister on a way forward.</p> <p>The APG report will examine the case for Airservices undertaking these delegated functions, subject to CASA’s ongoing surveillance and oversight of Airservices safety performance of these functions, and carefully consider any likely legislative change required.</p>	<p>Completed</p> <p>APG examined the three delegated functions and provided final advice to the former Minister in December 2015.</p> <p>This advice confirmed that existing arrangements in place for the designation of air routes and Temporary Restricted Areas, and for the classification of airspace, are appropriate.</p> <p>This followed a review of the respective roles of CASA, Airservices and Defence and the flexibilities that had been built into current arrangements for Airservices.</p>

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<p>13. The Department of Infrastructure and Regional Development and Department of Defence (and appropriate agencies) establish an agreed policy position on safety oversight of civil operations into joint user and military airports.</p>	<p>Agreed</p> <p>The Government has asked the Department to work with CASA and the Department of Defence to provide policy advice on improving the transparency of, and public confidence in, the safety oversight of services provided by the military to civil aviation at military air bases and in airspace controlled by the Department of Defence.</p>	<p>Completed</p> <p>Following receipt of policy advice, the Minister for Infrastructure and Transport wrote to the Minister for Defence in December 2016, confirming more detailed arrangements for closer cooperation and coordination on safety regulation.</p> <p>These arrangements are set out in an agreement between CASA and Defence and published on CASA’s website.</p>
<p>14. The Civil Aviation Safety Authority changes its regulatory philosophy and, together with industry, builds an effective collaborative relationship on a foundation of mutual understanding and respect.</p>	<p>Agreed</p> <p>The Government’s new Statement of Expectations (SOE) for the CASA Board will require CASA to develop a clear statement of regulatory philosophy.</p> <p>As part of its quarterly reporting to the Minister on its performance against its Corporate Plan, CASA will report on its performance against the new SOE and the recommendations agreed to by the Government arising out of this Report, including implementation of its regulatory philosophy, and associated compliance and enforcement policies.</p> <p>The CASA Director of Aviation Safety will be expected to report regularly to the Board on compliance with the new regulatory policy.</p>	<p>Completed – Implementation Ongoing</p> <p>The tasks required by the Government response, such as issuing of a new SOE, have been completed.</p> <p>CASA’s Regulatory Philosophy was published on 15 September 2015.</p> <p>The SOE issued to the CASA Board in March 2017 requires that CASA implement its regulatory philosophy with the philosophy being reflected in relevant policies, procedures, manuals and where CASA personnel are carrying out their day-to-day operations.</p> <p>It is acknowledged that implementation of this response is ongoing across CASA.</p>
<p>15. The Civil Aviation Safety Authority continues to provide appropriate indemnity to all industry personnel with delegations of authority.</p>	<p>Agreed in Principle</p> <p>CASA expects to release a policy paper on future proposals for indemnity of delegates for public</p>	<p>In Progress</p> <p>Existing indemnity arrangements have been extended until 30 June 2018.</p>

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	<p>and industry comment, having regard to the Department of Finance’s rules on the indemnity provisions under the PGPA Act 2013.</p>	<p>CASA continues to consult with relevant Government agencies to settle the future policy position after 1 July 2018 and a policy paper will be released for public and industry comment in the second half of 2017.</p>
<p>16. CASA finalises its Capability Framework and overhauls its training program to ensure identified areas of need are addressed, including:</p> <ul style="list-style-type: none"> a. communication in a regulatory context; b. decision making and good regulatory practice; and c. auditing. 	<p>Agreed</p> <p>CASA is developing and reviewing its Capability Framework with a view to finalising a new framework which will address all elements raised by this recommendation.</p>	<p>Completed – Implementation Ongoing</p> <p>CASA’s Capability Framework was made available to staff on 7 December 2016 and will be used in recruitment, selection and performance discussions. It will also be used to inform CASA’s training program requirements.</p>
<p>17. The Civil Aviation Safety Authority publishes and demonstrates the philosophy of ‘just culture’ whereby individuals involved in a reportable event are not punished for actions, omissions or decisions taken by them that are commensurate with their experience and training. However, actions of gross negligence, wilful violations and destructive acts should not be tolerated.</p>	<p>Agreed</p> <p>The Government expects that CASA’s new regulatory philosophy policy, referred to in response to Recommendation 14, will specifically address this recommendation.</p> <p>Accordingly, the Government expects the CASA Board and Director of Aviation Safety will actively monitor staff compliance with this policy and take appropriate action where non-compliance is evident.</p>	<p>Completed – Implementation Ongoing</p> <p>CASA’s Regulatory Philosophy was published on 15 September 2015.</p> <p>It is acknowledged that implementation of the Regulatory Philosophy throughout CASA is ongoing.</p>
<p>18. The Civil Aviation Safety Authority reintroduces a ‘use of discretion’ procedure that gives operators or individuals the opportunity to discuss and, if necessary, remedy a perceived breach prior to CASA taking any formal action. This procedure is to be followed in all cases, except where CASA identifies a Serious and Imminent Risk to Air Safety.</p>	<p>Agreed in Principle</p> <p>The Government expects the new Director of Aviation Safety to publish and adopt a ‘use of discretion’ procedure consistent with its new regulatory philosophy policy.</p> <p>CASA’s enforcement manual will also be updated.</p>	<p>Completed – Implementation Ongoing</p> <p>The use of discretion principles have been incorporated into the CASA Regulatory Philosophy released on 15 September 2015 and appropriate amendments made to the Enforcement Manual published in February 2016.</p>

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<p>19. The Australian Transport Safety Bureau transfers information from Mandatory Occurrence Reports to the Civil Aviation Safety Authority, without redaction or de-identification.</p>	<p>Agreed in Principle</p> <p>Include in the CASA Board and ATSB Commission Statement of Expectations (SOE) a clear requirement that both agencies comply fully with the current Safety Information Policy Statement based on an approach informed by ‘just culture’ principles.</p> <p>Industry concerns must be properly addressed before any implementation of this recommendation. CASA has confirmed it will be publishing a Question and Answer (Q and A) document to accompany the Policy Statement.</p>	<p>Completed</p> <p>The CASA Board agreed in December 2015 that the current approach of transferring Mandatory Occurrence Reports with de-identified information was satisfactory.</p> <p>The DAS and the ATSB Chief Commissioner are committed to compliance with the Safety Information Policy Statement. A Question and Answer document to accompany the Safety Information Policy Statement was published on the CASA website in December 2016.</p> <p>The SOE’s issued to the CASA Board in March 2017 and the ATSB in May 2017 includes the appropriate sharing and use of safety information as a key aviation initiative informed by “just culture” principles.</p>
<p>20. The Australian Transport Safety Bureau transfers its safety education function to the Civil Aviation Safety Authority.</p>	<p>Not Agreed</p> <p>ATSB to continue to provide safety education function role consistent with the relevant legislation i.e. <i>Transport Safety Investigation Act 2003</i>.</p>	<p>N/A – not agreed.</p>
<p>21. The Civil Aviation Safety Authority changes its organisational structure to a client-oriented output model.</p>	<p>Noted</p> <p>The Government has requested the Board examine the Report’s proposal for creating a specific unit in CASA dedicated to general aviation (GA) and aerial work operations as part of further advice on its future organisational structure in its next corporate plan.</p>	<p>Completed</p> <p>CASA’s new organisational structure came into effect on 1 July 2016 after consideration by the Board. Whilst a specific General Aviation/Aerial Work unit was not established, CASA did establish an Industry Relations Branch with a dedicated General Aviation Liaison Officer to assist with this sector of the industry</p>

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<p>22. The Civil Aviation Safety Authority establishes small offices at specific industry centres to improve monitoring, service quality, communications and collaborative relationships.</p>	<p>Noted</p> <p>Primary responsibility for considering this recommendation rests with the new CASA Director of Aviation Safety and the CASA Board. Some industry members have expressed concerns that the establishment of more offices by CASA may increase the risk of CASA delivering less consistent national regulatory outcomes and increased costs.</p>	<p>Completed</p> <p>This proposal was considered as part of the review of CASA’s structure (see Recommendation 21).</p> <p>CASA reviewed its small/satellite offices during 2016-17 to find a more effective model. CASA has decided to implement a “fly-in-fly-out” model to ensure effective communication with aviation industry operators while managing a cost effective approach.</p>
<p>23. The Civil Aviation Safety Authority shares the risk assessment outputs of Sky Sentinel, its computerised risk assessment system, with the applicable authorisation holder.</p>	<p>Agreed in Principle</p> <p>In relation to Sky Sentinel outputs, the Government expects that the next CASA corporate plan will set out how the authority can most effectively implement this recommendation.</p>	<p>In Progress</p> <p>CASA will implement procedures to share Authorisation Holder Performance Indicator information and safety risk profile information prior to audits by October 2017.</p>
<p>24. The Civil Aviation Safety Authority provides full disclosure of audit findings at audit exit briefings in accordance with international best practice.</p>	<p>Agreed</p> <p>The Government has asked CASA to review its audit policies and modify its procedures as appropriate to provide a brief, preliminary indication of findings in written form at all exit briefings with industry.</p>	<p>Completed</p> <p>CASA has reviewed and modified its procedures to mandate an exit brief with an indication of findings with industry at every audit.</p> <p>This is in addition to CASA’s current peer review process, which will ensure procedural fairness and consistency and transparent authorisation holder engagement.</p>
<p>25. The Civil Aviation Safety Authority introduces grading of Non-Compliance Notices on a scale of seriousness.</p>	<p>Agreed</p> <p>The Government has requested CASA, in consultation with industry, examine the development of appropriate gradings for Non-Compliance Notices that accurately reflect aviation safety risks, without reducing operators’ remedial decision making responsibilities.</p>	<p>In Progress</p> <p>CASA will implement a modified approach to current arrangements to apply a three-tier scheme ranked on the basis of the severity and risks to safety by November 2017.</p>

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<p>26. The Civil Aviation Safety Authority assures consistency of audits across all regions, and delivers audit reports within an agreed timeframe.</p>	<p>Agreed</p> <p>The Government has asked the CASA Board, through the Director of Aviation Safety, to closely monitor exit and final audit performance by the organisation.</p>	<p>Completed – Implementation Ongoing</p> <p>In addition to the exit briefing and peer review process in Recommendation 24, CASA’s executive meetings will monitor exit and final audit performance as a standing agenda item. Any instances of inconsistency or non-performance will be managed through those meetings.</p>
<p>27. The Civil Aviation Safety Authority implements a system of using third-party commercial audits as a supplementary tool to its surveillance system.</p>	<p>Agreed in Principle</p> <p>The Government has requested the CASA Board review this option by 30 June 2015 having particular regard to the likely availability of suitable commercial audit providers to perform this function, potential for conflicts of interest, consistency of audit issues and liability of parties.</p>	<p>Completed – Implementation Ongoing</p> <p>The Board reviewed the option of third-party commercial audits and confirmed that the capability already exists in current legislation. The use of this option will be at the discretion of the DAS. CASA signed a MOU with the International Air Transport Association (IATA) on 24 July 2017 for accessibility to IATA Operational Safety Audit reports.</p>
<p>28. The Civil Aviation Safety Authority establishes a safety oversight risk management hierarchy based on a categorisation of operations. Rule making and surveillance priorities should be proportionate to the safety risk.</p>	<p>Agreed.</p> <p>The Government will set out in its new Statement of Expectation (SOE) to the CASA Board the importance of using appropriately developed safety cases to support the implementation of new regulations and standards that should be developed in consultation with industry.</p>	<p>Completed – Implementation Ongoing</p> <p>An updated SOE was issued to the CASA Board in March 2017 which includes regulatory reform being supported by appropriate safety cases.</p> <p>CASA’s new Regulatory Philosophy clearly articulates the use of risk based approaches and the highest safety priority being afforded to passenger transport operations. New regulations and amendments to existing regulations will continue to be developed in close consultation with industry.</p>

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<p>29. Recreational Aviation Administration Organisations, in coordination with the Civil Aviation Safety Authority, develop mechanisms to ensure all aircraft to be regulated under Civil Aviation Safety Regulation (CASR) Part 149 are registered.</p>	<p>Agreed</p> <p>CASA proposes to release a draft of CASR Part 149 for public and industry consultation in the first half of 2015.</p>	<p>Completed – Implementation Ongoing</p> <p>CASA released a draft CASR Part 149 for public and industry consultation in August 2016.</p> <p>Whilst the task anticipated by the Government Response has been completed, it is noted that CASA is currently finalising CASR Part 149, having regard to comments received during the public consultation process.</p> <p>CASA continues to work closely with Recreational Aviation Australia to ensure aircraft are registered.</p> <p>Recreational Aviation Administration Organisations that register aircraft, operate under a Civil Aviation Order and a Deed of Agreement which requires the registration/identification of members’ aircraft greater than 70kg empty weight.</p>
<p>30. The Civil Aviation Safety Authority changes the current two-tier regulatory framework (act and regulations) to a three-tier structure (act, regulations and standards), with:</p> <p>a. regulations drafted in a high-level, succinct style, containing provisions for enabling standards and necessary legislative provisions, including offences; and</p> <p>b. the third-tier standards drafted in plain, easy to understand language.</p>	<p>Agreed in Principle</p> <p>The Government supports the use of easy to understand language in aviation regulations and standards and expects CASA and the Office of Parliamentary Counsel (OPC) to commit to the principles set out in Recommendations 30 and 31. CASA and OPC will continue to ensure new regulations and instruments adhere to Commonwealth legal drafting practices and avoid any inconsistencies with other pieces of relevant legislation and regulation.</p>	<p>Completed – Implementation Ongoing</p> <p>CASA will continue to focus on new regulations and instruments adhering to Commonwealth legal drafting practices and avoiding inconsistencies with other pieces of relevant legislation.</p> <p>Rules will continue to be prepared in accordance with a three-tier regulatory structure and using easy to understand language.</p> <p>CASA is committed to the remaining reform programme regulations drafted for public and industry consultation by the end of 2018.</p>

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<p>31. The Civil Aviation Safety Authority structures all regulations not yet made with the three-tier approach, and subsequently reviews all other Civil Aviation Safety Regulation Parts (in consultation with industry) to determine if they should be remade using the three-tier structure.</p>	<p>Agreed in Principle</p> <p>The Government will support appropriate regulatory reforms in the future noting that there needs to be sufficient time for CASA and industry to transition to the changes, recognising this can often take several years.</p>	<p>Completed – Implementation Ongoing</p> <p>Rules will continue to be prepared in accordance with a three-tier regulatory structure. Subsequent reviews of other CASR Parts will determine if they need to be remade, noting that CASA, working with industry, has set out the immediate priorities for regulatory reform.</p> <p>Implementation is ongoing as drafting of the remaining parts of the regulatory reform programme are progressed.</p>
<p>32. The Civil Aviation Safety Authority reassesses the penalties in the Civil Aviation Safety Regulations.</p>	<p>Agreed</p> <p>CASA, in consultation with the Department and industry, will conduct a review of the penalties for offences in the <i>Civil Aviation Act 1988</i> and CASR.</p>	<p>In Progress</p> <p>The review of penalties was deferred given higher immediate regulatory drafting priorities. Penalties in future regulations will take account of the new regulatory philosophy.</p> <p>An overall review of penalties will be undertaken after the remaining elements of the regulatory reform package are drafted in 2018 and the review will include public and industry consultation.</p>
<p>33. The Civil Aviation Safety Authority applies a project management approach to the completion of all Civil Aviation Safety Regulation Parts not yet in force, with drafting to be completed within one year and consultation completed one year later, with:</p> <p>a. a Steering Committee and a Project Team with both CASA and industry representatives; and</p> <p>b. implementation dates established through formal industry consultation.</p>	<p>Agreed</p> <p>The Government expects CASA and OPC to complete the drafting of all remaining parts of the current safety regulatory reform programme during 2015.</p> <p>The Government has also requested the Board consider the establishment of a small, joint CASA/industry regulatory steering committee to inform future regulatory reform priorities once the current reform program is completed.</p>	<p>In Progress</p> <p>CASA deferred completion of some parts of the current safety regulatory programme during 2016 in response to industry concerns to focus on remediation of CASR Parts 61, 64, 141 and 142.</p> <p>CASA expects all remaining parts of the regulatory reform programme to be drafted by the end of 2018, noting that transition periods and final rule application may extend beyond the date of regulations being made.</p>

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	<p>Accordingly, the joint CASA/industry regulatory steering committee should also continue to establish specific project teams to examine individual Civil Aviation Regulations 1988 and CASR Parts and standards and orders.</p>	<p>CASA has established a new Aviation Safety Advisory Panel from 1 July 2017 to provide objective, high level advice on current, emerging and potential issues.</p> <p>CASA will continue to use joint CASA/industry committees to examine individual regulations, standards and orders.</p>
<p>34. The Civil Aviation Safety Authority’s Director of Aviation Safety meet with industry sector leaders to jointly develop a plan for renewing a collaborative and effective Standards Consultative Committee.</p>	<p>Agreed</p> <p>The Government supports CASA establishing a new, small overarching CASA/industry regulatory steering committee</p> <p>The Government has also established an Aviation Industry Consultative Council, chaired by the Minister, to discuss matters of broader concern to the aviation industry and ensure that industry has a forum for discussing their views.</p>	<p>Completed</p> <p>CASA has established a new Aviation Safety Advisory Panel from 1 July 2017 to provide objective, high level advice on current, emerging and potential issues.</p>
<p>35. The Civil Aviation Safety Authority devolve to Designated Aviation Medical Examiners the ability to renew aviation medical certificates (for Classes 1, 2, and 3) where the applicant meets the required standard at the time of the medical examination.</p>	<p>Agreed in Principle</p> <p>CASA will conduct a post implementation review of the Class 2 process in consultation with stakeholders in the second half of 2015.</p> <p>Moreover the Government has asked that CASA undertake a review of its aviation medical unit to establish whether a more effective and efficient system might be put in place without adversely impacting on safety.</p>	<p>Completed – Implementation Ongoing</p> <p>The Medical Certification Standards Discussion Paper, released in December 2016, provided the opportunity for changes to current processes and an opportunity to review the Class 2 process through external consultation. The public comment period closed on 30 March 2017 and CASA is examining the 160 submissions received and expects to announce the outcome of the review by the end of 2017.</p> <p>CASA completed an internal review of the Aviation Medicine Unit in late 2015 and any outstanding recommendations have been incorporated into CASA’s business plans.</p>

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Recommendation	Government Response	Status of Government Response
<p>36. The Australian Government amends regulations so that background checks and the requirement to hold an Aviation Security Identification Card (ASIC) are only required for unescorted access to Security Restricted Areas, not for general airside access. This approach would align with international practice.</p>	<p>Noted</p> <p>In the first half of 2015 the Government will commence consultation with industry on any potential changes to the scope of the ASIC scheme.</p>	<p>Completed – Implementation Ongoing</p> <p>In accordance with the Government response, the Department consulted industry on potential changes to the scope of the ASIC scheme. Significant implementation issues were identified. Further progress will be considered as part of a review of the current categorisation and regulation of security controlled airports.</p>
<p>37. CASA amends the current Terms of reference of the Industry Complaints Commissioner (ICC) so that:</p> <ul style="list-style-type: none"> a. The ICC reports directly to the CASA Board; b. No CASA staff are excluded from the ICC’s jurisdiction; c. The ICC will receive complaints that relate to both the merits and the process of matters; d. On merits matters, including aviation medical matters, the ICC is empowered to convene an appropriately constituted review panel, chaired by a CASA non-executive director, to review the decision; and e. While all ICC findings are non-binding recommendations, the original decision-maker is required to give reasons to the CASA Board if a recommendation is not followed. 	<p>Agreed in Principle</p> <p>The Government supports recommendations part (a) and (b) and has asked the Board for advice on appropriate future governance arrangements for the Industry Complaints Commissioner (ICC).</p> <p>In order to improve transparency and accountability, the Government has also asked CASA to provide an annual report of the activities and findings of the ICC as an appendix to its annual report.</p>	<p>Completed</p> <p>The CASA Board agreed to (a), (b), (c) and (e) of Recommendation 37. The Board examined appropriate future governance arrangements for the ICC, however did not support the establishment of review panels (d).</p> <p>The terms of reference for the ICC were updated in May 2015, including that the ICC is to report to the Board.</p> <p>A report on the ICC’s activities is now included in CASA’s annual reports.</p>