



Comments on Aviation Safety Regulation Review Report 15 June 2014

The Australian Mooney Pilots Association (AMPA) has the following comments on the Report of the Aviation Safety Regulation Review (ASRR) that was released on 3 June 2014.

AMPA believes that the panel members and staff should be commended for having conducted a thorough review of the regulatory system in a short space of time. AMPA supports the general thrust of the ASSR findings, in particular the recommendations that:

- a) The Australian Government should develop a strategic plan for Australia's aviation safety system, under the leadership of the Aviation Policy Group, and use it as the foundation for rationalising and improving coordination mechanisms
- b) The Civil Aviation Safety Authority's Board should exercise full governance control;
- c) The next Director of Aviation Safety should have leadership and management experience and capabilities in cultural change of large organisations;
- d) Airservices Australia ... should reconsider 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';
- e) The Civil Aviation Safety Authority changes its regulatory philosophy and, together with industry, should build an effective collaborative relationship on a foundation of mutual understanding and respect;
- f) The Civil Aviation Safety Authority should continue to provide appropriate indemnity to all industry personnel with delegations of authority;
- g) The Civil Aviation Safety Authority should reintroduce 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;
- h) The Civil Aviation Safety Authority should change the current two-tier regulatory framework (act and regulations) to a three-tier structure (act, regulations and standards), with:
 - a. regulations drafted in a high-level, succinct style, containing provisions for enabling standards and necessary legislative provisions, including offences
 - b. the third-tier standards drafted in plain, easy to understand language;
- i) The Civil Aviation Safety Authority should structure all regulations not yet made with the three-tier approach, and subsequently review all other Civil Aviation Safety

Regulation Parts (in consultation with industry) to determine if they should be remade using the three-tier structure; and

- j) The Australian Government should amend regulations so that background checks and the requirement to hold an Aviation Security Identification Card are only required for unescorted access to Security Restricted Areas, not for general airside access.

AMPA also strongly supports the comment in the summary that “Australia should ensure that its unique regulatory requirements are minimised” and believes that the existing rules should be reviewed and, if necessary, rewritten to:

- adhere as closely as possible to the substance of rules in other developed jurisdictions (US, New Zealand, Europe, and Canada) to ensure compatibility, facilitating bilateral recognition agreements and efficient international operations, and
- include unique Australian provisions only when absolutely necessary, and only when the Steering Committee formally agrees to their inclusion.

Australian Mooney Pilots Association Ltd
15 June 2014