



AIR SPORT AUSTRALIA CONFEDERATION (ASAC)

SUBMISSION TO

THE AVIATION SAFETY REGULATION REVIEW

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EXECUTIVE SUMMARY

Summary of the Full Submission to the Aviation Safety Regulation Review.

1. Self-Administration

In order to continue to provide for the very best safety outcomes, the Air Sport Organisations need assured, ongoing, adequate independence to implement their own safety management processes. Safety outcomes are achieved by the processes implemented by the Organisations which are essentially different to those which CASA is required to use. Conventional centrally imposed, prescriptive safety regulation is ineffective in this sector. If the best safety outcomes are to continue to be achieved, this independence must be guaranteed by regulation.

2. Surveillance by CASA

Surveillance by CASA must be limited to the provision of assurance that the processes implemented by the Air Sport Organisations are being carried out efficiently and effectively. This must be supported by CASA dealing with individuals who elect to operate illegally outside the control of the self-administrating Organisations. If the best safety outcomes are to continue to be achieved, it must be recognised by all that direct surveillance of individual operations by CASA personnel has the potential to undermine surveillance by the Organisations. In cases where there are safety concerns, these safety concerns will be best addressed by the Organisation, with, if appropriate, the assistance of CASA personnel. Direct action by CASA officers risks exacerbating the situation. These processes and their separate objectives must be guaranteed by regulation.

3. Audit Processes

Audit of the safety processes of the Organisations must have the overall aim of ensuring these are being carried out to achieve the very best safety outcomes. Audit processes must concentrate on continuous improvement rather than negative criticism. These necessary outcomes of audit processes must be guaranteed by regulation.

4. Funding

Self-administration was run for decades very successfully by a single CASA officer. ASAC understands that in today's world there is a need for more assurance and as a consequence the Sport Office has been expanded to many times this number (almost 10 times). This much increased public expenditure has achieved no measurable change in safety outcomes and, in fact, is actually used for what are essentially administrative functions, not directly affecting safety outcomes.

5. Sport Aviation Regulatory Model and the Regulatory Review

While some changes may be needed, the regulatory model agreed in the very extensive negotiations leading to the 2007 NPRM on Part 149 must be either retained in the final regulations or if this is not accepted, changes must be re-negotiated.

6. Documentation

There is an urgent need to document these agreed processes in a manner which makes these outcomes binding.



7. Access to Airspace

ASAC and the Air Sport Organisations require that all decisions regarding access to airspace be made strictly on a targeted, risk management basis. Neither ASAC nor the Air Sport Organisations will agree to any change which imposes a cost or restriction on our operations which has not been so justified. Specifically, any approach based on a requirements justified only on the provision of a minimum level of protection, rather than risk management justified requirements, will be rejected by both ASAC and the ASAC Organisations.

ASAC and the Air Sport Organisations require the retention of a risk management justification in all safety issues – but particularly, in matters pertaining to access to airspace – because of the emotive response by many, but particularly, by those not expert in these matters.

8. ASTRA Process

ASAC and the ASAC Organisations require the retention of the ASTRA processes for ATM planning on into the future.

9. A Centre for Risk Assessment

ASAC would propose the creation of an independent, single, Centre of Excellence for Risk Assessment and Risk Management against which decisions by CASA, Airservices and possibly ATSB can be tested.

10. Access to and Oversight of Regional Airfields

ASAC and the ASAC Organisations believe that the safety management of regional airports needs to be improved to facilitate Sport Operations at these low density airports.

Regional airports are essential regional infrastructure and ASAC and the ASAC Organisations believe that much more Federal infrastructure funding should be provided for these.

11. Consultation

Over the past few years the standard of transparency and effectiveness of consultation has deteriorated to the extent that this is seriously inhibiting the implementation and acceptance of the revised rule set across the full range of the industry. ASAC would like to see an industry representative body, with a similar composition and charter to ASTRA, charged with the responsibility for ongoing planning and industry input to regulatory processes.

12. Accident Investigation

ASAC and the Air Sport Organisations strongly urge that some money be made available for ATSB investigations of carefully selected accidents in the Sport and Recreational aviation sector.

Outcomes

The submission supports the following outcomes:

1. Because of the superior safety outcomes achieved, that CASA be directed to ensure in the proposed Part 149, that the Air Sport Organisations retain sufficient independence to fully implement self-administration as has been the case for decades now.
2. That surveillance of the Air Sport Organisations be limited to the provision of assurance to CASA, and the Government, that the organisations are carrying out their safety responsibilities with diligence, effectiveness and efficiency. Surveillance and audit of the individual operations under the control of the organisations is to be by the relevant Organisation – to the satisfaction of CASA.



3. Audit by CASA of the processes carried out by the self-administering Air Sport Organisations is to have as its priority the support and ongoing effectiveness of the Organisations processes.
4. To these ends, that the Principles behind the Part 149 negotiations included in this submission be adopted as Guiding Principles for the proposed Part 149 Regulations and any associated manuals and advisory material.
3. The Government should recognise that completion of the Regulatory Review is a very high priority and that the delay now exists in the Office of Legal Drafting and that resources available to this urgent task must not be diverted to other priorities.
4. Access to airspace is to be on a risk management basis and management of airspace is to be via the ASTRA processes which are to be retained.
5. The Government must see regional Airports as essential infrastructure and provide funding to maintain these airports.
6. The safety management of low traffic density airports with no RPT services must be made more flexible to facilitate Sport Aviation in general and the Air Sports specifically.
7. The ATSB must be provided with the funding to enable full investigation of carefully selected Sport and Recreations Aviation accidents from time to time.
8. CASA must be required to engage in open transparent and effective consultation with stakeholders.

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Chair of the Technical Committee, ASAC



AIR SPORT AUSTRALIA CONFEDERATION (ASAC)

FULL SUBMISSION TO THE AVIATION SAFETY REGULATION REVIEW

BACKGROUND

The Air Sport Australia Confederation, (ASAC), is the peak body representing the Australian Aerobatic Club (AAC), the Australian Ballooning Federation (ABF), the Australian Parachute Federation (APF), the Gliding Federation of Australia (GFA), the Hang Gliding Federation of Australia (HGFA) and the Model Aeronautical Association of Australia (MAAA). It is the Australian member of Fédération Aéronautique Internationale. ASAC is pleased to have this opportunity to make input to the Aviation Safety Regulation Review.

Sport and Recreational Aviation is 15% of the total Australian aviation operation and 40% of the 'not for hire and reward' or 'recreational' GA operation. The operations under the control of the Air Sport Organisations represents a substantial and distinct proportion of this overall activity and involve some 150,000 participants each year.

The Air Sport sector in Australia has been regulated using the processes of self-administration for many decades. Some 70 years ago the GFA was set up specifically to bring together the separate gliding clubs and State Gliding Associations to implement improved safety outcomes via self-administration. This approach was so successful that it has been extended to the whole of the Air Sport sector in Australia achieving ongoing, world benchmark safety outcomes over decades.

These outcomes can be attributed directly to the processes enabled by self-administration.

INTRODUCTION

In the context of this review the Air Sport Organisations need two fundamental 'big picture' outcomes.

Firstly, within CASA Regulations, to have sufficient independence to implement our own processes which are essential to achieving the very best safety outcomes while allowing for optimum development of these sports;

Secondly, justifiable access to airspace and airport infrastructure.

Overall, current aviation policy in Australia is largely sufficient to provide for the needs of the Air Sport Aviation sector – specifically, for two reasons.

Firstly, because of current support for self-administration within CASA which makes possible appropriate processes achieving the best safety outcomes, that is better than any alternate process.

Secondly, because of the recent success of the revised Australian Strategic Air Traffic Management Group (ASTRA) process combined with the improved risk management of airspace, initially within the Airspace and Environment Regulatory Unit (AERU), and now the Office of Airspace Regulation (OAR) – providing for the best safety outcomes while maintaining equitable access to airspace for all.

ASAC and the Air Sport Organisations believe that it is essential that these policies are retained in full.

However, Air Sport has some concerns regarding the implementation of these important policies and these concerns will be highlighted throughout this document.

SAFETY OUTCOMES in the AIR SPORT SECTOR

The Air Sport Operations comprise a very distinct segment of Sport and Recreational aviation for two reasons:

Most importantly, the nature of these operations, and the hazards involved, demand an approach which is very different to that which is necessarily used by CASA, if the very best safety outcomes are to be achieved.

Because of this, they each operate to a rule set which is substantially, to almost completely, different from that applying to the majority of the aviation industry and the expertise in these areas correctly lies within the Air Sport Organisations. This alone sets them aside from other Sport and Recreational activity and can be considered the defining characteristic.

1. Self-Administration

Operations by the Air Sport Organisations are inherently more hazardous than many other aviation sectors, but, nevertheless, can be carried out safely by competent, trained personnel achieving better safety outcomes than GA. Further, individual operators require little operating infrastructure in the field making the outside visibility of these operations very poor. This in turn renders mandatory supervision and audit essentially impossible. Good safety outcomes depend on the cooperation of the large majority of enthusiasts who are responsible and expert.

The detail for each sector is different and, in the context of this document, dealing with this detail is inappropriate. But taking the GFA as an example – the majority of accidents result from three causes – low level loss of control, mid-air collision and outlanding accidents. None of these categories are amenable to centrally imposed, prescriptive rules but must be dealt with by competency, pilot responsibility, appropriate priorities and judgement. Most of these accidents occur outside the coverage of any potential enforcement action and mitigation depends on pilot responsibility and training. These accident types cannot be addressed other than by pilot training and education and are not amenable to the safety process based on enforcement, which is the basis of mitigation in most of aviation..

In Australia, this different approach has been successfully implemented for decades, via self-administration, achieving world benchmark safety outcomes and ongoing safety improvements.

Contrary to the perceptions of some, self-administration is not a soft, or a cheap option, which should be available only for low risk operations. Self-administration requires a very large input by the Organisations involved – much of which, in Australia, is provided by very professional and committed volunteers. Because of this volunteer input, it does, however, have the potential to save the Nation a considerable sum of money if allowed to continue to operate as has been the case for decades.

The central pillar of these outcomes is individual pilot, or operator, responsibility supported by peer pressure and appropriate ongoing training and supervision via a club system and provided by respected officers of the Organisation. This approach is successful because it is ongoing, acts in depth and is provided by individuals who are respected peers. It is not seen as surveillance nor is it limited to enforceable outcomes.

The essential feature of the safety systems run by the Air Sport Organisations are summarised in Appendix A

2. Surveillance by CASA

Surveillance by CASA must be limited to the provision of assurance that the accepted processes implemented by the Air Sport Organisations are being carried out efficiently and effectively. This must be supported by CASA dealing with individuals who elect to operate illegally outside the control of the self-administrating Organisations.

The whole of the Sport Aviation self-administration sector was run for decades, very successfully, by a single CASA officer. Today's need for improved assurance has been used to justify a very large increase – approximately a ten fold increase – in expenditure on this sector. This ten fold increase has not been associated with any measurable improvement in safety outcomes.

This outcome is a direct result of the simple fact that monitoring and surveillance of the Air Sport Operations by the self-administering Organisations is the central pillar of the superior safety outcomes.

If the best safety outcomes are to continue to be achieved, CASA at all levels needs to accept that direct surveillance of individuals by CASA - ie the Sport Aviation office (SASAO) - has the potential to undermine surveillance by the Organisations.

Direct evidence for this already exists in examples where, today, some pilots in need of monitoring act differently while CASA officers are present and then relax back into unacceptable safety standards when the CASA officers depart. (Actual incidences of this are available if required.)

Nevertheless, CASA must be prepared, and be seen to be prepared, to back the actions of the Organisations with further action, and if needed by legal action, in the rare cases where individuals ignore the safety processes implemented by the Organisations.

Also, CASA must be prepared to, and be seen to, take definitive action against any individual who acts illegally and operates outside the membership of the relevant Organisation – that is, outside the sector wide SMS run by the Organisation.

3. Audit Processes

Audit of the safety processes of the Organisations must have the overall aim of ensuring these are being carried out to achieve the very best safety outcomes.

As for surveillance by CASA, audit processes need to be improved so that the clear objective is to progressively improve the competence and ability and standing of the self-administering Air Sport Organisations' processes, and not in any sense aimed at 'gotcha' outcomes – as has been the case in the recent past. This is not to suggest a soft approach to any audit – far from it – but the audit process must have as its objective the improved efficiency, effectiveness and respect of the Organisations' processes.

By way of example, actions taken against the GFA during recent audit of maintenance processes were particularly unhelpful and represent the use of audit processes in a damaging and unacceptable manner. The GFA has a many decades long record of excellent and conservative management of aircraft certification and ongoing maintenance. The actions of the CASA audit could only do damage to the effectiveness of this important function and this approach to audit is unacceptable.

4. Funding

The effectiveness of safety management system within the Organisations is to an extent limited by funding. A very significant increase in funding for the self-administering Organisations would have very little impact on the total CASA budget but would have a substantial impact on the safety activities of the Organisations.

CASA has greatly increased its expenditure on SASAO as covered above. Much of this additional resource is currently being employed to improve processes within the organisations. This work is essential transitional. This process would be much more effective – and not potentially leave CASA with staff no longer justified by the ongoing workload of this group – if this funding was simply given to the organisations to fund this temporary work required to

improve processes and manuals etc. Accordingly we believe that this additional public money should be given directly to the Organisations.

5. Sport Aviation Regulatory Model and the Regulatory Review

ASAC and the Air Sport Organisations support the currently proposed Part 149 based on approved Organisations. ASAC also strongly supports the regulatory processes outlined in the 2007 NPRM on Part 149. These processes are the result of much discussion and consultation aimed at providing for the assurance needs of the Regulator while implementing the above central pillar of the world benchmark safety outcomes delivered by these Organisations over the past decades. These outcomes were accepted by both CASA and the industry in this NPRM process and the now proposed Part 149 only needs to be modified to allow for a change from delegation of functions (a process not used anywhere) to approved (self-administrating) Organisations.

Attached in Appendix B is a summary of the principles agreed during the lengthy discussion leading to the 2007 NPRM which are considered essential to the regulatory implementation of this approach – justified above.

ASAC and the Air Sport Organisations believe that these principles are essential to the ongoing implementation of self-administration to achieve the very best safety outcomes while providing CASA with the necessary assurance of safety systems.

Delay in making these regulations is caused by the diversion of resources in the Office of Legal Drafting. The Government needs to make sure that resources intended for the making of these regulations are not diverted from this now very urgent outcome.

6. Documentation

There is an urgent need to document these agreed processes in a manner which makes these outcomes binding.

Under the current structure the final place for that documentation is in Part 149 and any associated manuals or advisory material. However, given the ongoing delay in making these Regulations, documentation of these principles in some binding form is urgently needed. This is primarily because, within this current documentation vacuum, well meaning actions can result in precedents which undermine these principles, and outcomes, which are essential to the ongoing best safety outcomes in this unique sector.

AIRSPACE AND OTHER ISSUES

7. Access to Airspace

ASAC and the Air Sport Organisations require that all decisions regarding access to airspace be made strictly on a targeted, risk management basis. Neither ASAC nor the Air Sport Organisations will agree to any change which imposes a cost or restriction on our operations which has not been so justified.

The Air Sports have always had to fight to maintain justifiable access to airspace in Australia.

Much of Australian airspace contains very low levels of traffic. Reasonable estimates have put our traffic density at less than one quarter of that in (say) the USA¹. Collision risk is a function of traffic density and traffic complexity. Traffic patterns in Australia are very simple, consisting

¹ Australian airspace is approximately the same size as the USA but contains about one twentieth the amount of traffic. About 80% of the Australian airspace has essentially no traffic – so the overall traffic density in Australia is less than one quarter of that in the USA.

largely of one essentially linear route around the eastern seaboard with radial tracks originating from airports within this essentially single route structure, out into Regional Australia. This low density, low collision risk airspace combined with benign weather and terrain, represents an Australian and International resource for the Air Sports which supports a significant rural industry and attracts significant tourism.

Despite this fact, the Air Sports have, over the decades, had to fight ongoing attempts to impose unjustifiable requirements on sport aviation operations. Frequently these attempts have not been based on risk management, but rather on the imposition of minimum requirements independent of the location and/or level of actual risk.

This approach came to a head during the early attempts to implement ADS-B and GNSS navigation and resulted in an attempt to mandate ADS-B 'in all aircraft and all airspace'. This approach could not be justified, nor was it practical, as the resources needed to implement this 'big bang' approach did not exist. It was eventually abandoned. Unfortunately, this aborted attempt caused such a delay in implementing the ground breaking work in Australia, that the opportunity to avoid replacing the SSR network and using ADS-B instead was lost. Had this been successful many millions of dollars of investment in the SSR network would have been saved, and ADS-B implemented in Australia everywhere that radar coverage is required for controlled airspace services.

Further, the implementation of GNSS navigation was unnecessarily delayed despite universal support throughout the industry. Discussion of airspace safety always centres around mid-air collision despite the fact that what actually kills passengers are CFIT accidents. GNSS navigation has the potential to introduce successful mitigators against CFIT accidents and these important mitigators were seriously delayed. Also, further additional costs were incurred, because of the need to maintain ground aids.

It was only after this unjustified approach was abandoned that progress was possible.

This debacle proved absolutely that a risk management approach not only ensures equitable access, but, more importantly, is essential to the achievement of the best safety outcomes. It was the recognition of this fact by the Department and the Government of the day which resulted in a reform of the processes of consultation and led to a requirement for a risk based approach which culminated in the current ASTRA processes.

Despite all this ground breaking work, regular attempts to return to the discredited principle of a minimum level of protection have been made.

More recently CASA has made an extensive examination (via two Discussion papers) of the implementation of GPS technology which was put through the ASTRA processes and a sensible outcome achieved. The outcome was a justifiable, targeted response which could be implemented on the available timescale, targeting the significant risks, rather than providing a universal minimum level of protection. This approach is now being implemented.

Despite this, ASAC is aware of further attempts being considered to remove the general exemption for carriage of transponders by certain aircraft defined as unable to power these devices. This proposal is again based on a minimum level of protection. (It has been demonstrated on many occasions that this requirement cannot be justified in the affected airspace – Classes E and G.)

ASAC and the Air Sport Organisations require the retention of a risk management justification in all safety issues – but particularly, in matters pertaining to access to airspace – because of the emotive response by many, but particularly by those not expert in these matters.

8. ASTRA Process

ASAC and the ASAC Organisations require the retention of the ASTRA processes for ATM planning into the future

For many decades reform of airspace management has been a contentious issue, where individual segments of the Australian aviation industry have concentrated on perceived differences in ATM requirements by differing segments of the Australian industry. Following the failures of the NAS and then the above ADS-D debacle, the risk management process within airspace regulation and the industry consultation processes were revised to produce the current OAR and ASTRA. These changes will be known to the review committee and need not be detailed here – however ASAC, and the Air Sport Organisations are particularly dependent on these revised processes for equitable access and would insist on retention of these processes.

9. Centre for Risk Assessment

ASAC would propose the creation of an independent, single, Centre of Excellence for Risk Assessment and Risk Management against which decisions by CASA, Airservices Australia and possibly ATSB can be tested.

ASAC has previously argued that the Australian Industry would benefit from the establishment of a single, independent (of CASA and Airservices) Centre of Excellence for Risk Assessment and Risk Management. This suggestion was not taken up by the Government or the relevant Instrumentalities and, partly as a result, Australia continues to see a lack of cooperation between the relevant instrumentalities.

While ASAC remains of the view that the Australian Industry would be better served by an adequately resourced independent centre rather than separate competing bodies in each of these instrumentalities, ASAC is pleased by the increased reliance on risk assessment and risk management within CASA and the OAR as a result of the creation of the Safety Systems Office within CASA, and the improved resources available to the OAR (specifically the full Airspace Risk Model including the traffic modelling component – the TAAM model).

10. Access to and Oversight of Regional Airfields

ASAC and the ASAC Organisations believe that the safety management of regional airports needs to be improved to facilitate Sport Operations at these low density airports

Firstly, the Federal Government should see regional airports as essential regional infrastructure and much more Federal infrastructure funding should be provided for regional airports.

Secondly CASA should recognise that rules applicable to busy airports can safely be relaxed at low density airports, particularly those not used for RPT services. Currently, these rules are very inconsistently and arbitrarily implemented at some very low density airports with negative effects on Sport Aviation.

11. Consultation

Over the past few years the standard of transparency and effectiveness of consultation has deteriorated to the extent that this is seriously inhibiting the implementation and acceptance of the revised rule set across the full range of the industry. ASAC would like to see an industry representative body, with a similar composition and charter to ASTRA, charged with the responsibility for ongoing planning and industry input to regulatory processes.

CASA must continue to be required to consult with stakeholders in an open transparent and timely manner. This consultation process must provide opportunities for all stakeholders to be



heard and for appropriate changes to be made. The ability to object to outcomes that have not been adequately consulted has to be maintained.

12. Accident Investigation

For many decades now the ATSB has been directed by the Government not to investigate accidents in the Sport and Recreational Aviation sector. This requirement is based on cost minimisation.

ASAC and the whole Sport and Recreational Aviation sector understand the priority for other aviation sectors but very strongly believe that if the ATSB is allowed to investigate selected accidents the safety outcomes would be substantial.

ASAC and the Air Sport Organisations strongly urge that some money be made available for ATSB investigations of carefully selected accidents in the Sport and Recreational Aviation sector.

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Appendix A

Essential Features of Safety Systems used by the Air Sport Organisations

The essential features of the safety systems used by Air Sport are as follows.

- 1) Standards and procedures are, and have been for many years, outcome and competency based, frequently depending on the judgment of the checking instructor and, accordingly, are difficult to define in words and often impossible to impose from the outside.
- 2) Instructor training, currency and ongoing checking is, accordingly, a very high priority in this system.
- 3) Safety regulation depends on a suite of recommendations relying on pilot responsibility and training to choose actions resulting in safe outcomes. This depends on pilot responsibility based on training and education rather than observance of a centrally imposed, mandatory rule set.
- 4) Safety systems are decentralised. Each Organisation has developed a tailored structure capable of ensuring that those supervising these operations have the necessary training, experience, judgment and authority to provide the necessary checking and supervision to meet these needs.
- 5) Because of the heavy dependence on training and judgment, good safety outcomes depend on ongoing monitoring and supervision of individuals. This is implemented by means tailored to needs of the Air Sport Organisations and typified by the club system with, often, direct, daily supervision by trained instructors. Attempts to impose this supervision centrally will inevitably impose unnecessary restriction and deliver poorer safety outcomes.
- 6) Regular audits at all levels of individual operations and of pilots are carried out by the Organisations to ensure that these skills remain adequate to the task. The level of supervision and internal audit exceeds that available within GA.
- 7) Appropriate and very high standards of airworthiness and equipment maintenance and inspection are regarded as essential and are strictly implemented by enthusiasts.
- 8) The nature of sport aviation is such that peer pressure and review is very important to the outcomes achieved.
- 9) Ongoing monitoring of safety and training trends involving regular review of targeted aspects of the safety systems is also central to the maintenance of safe outcomes.

Appendix B

Principles in the relationship between the Organisations and CASA agreed in the development of the Part 149 in the 2007 NPRM

Background

The Parliament, CASA, and the Organisations have agreed to implement self-administration in the Sport Aviation sectors of aviation for a number of reasons. However, the primary and driving reason is that this approach, will continue to deliver the historical superior safety outcomes.

These superior outcomes are achieved primarily because of two factors. Firstly, this approach utilises the special expertise which lies within the self-administrating Organisations and, secondly, it allows compliance to be achieved relying primarily on a safety management approach, applied in depth, by the peers of each member, available to these Organisations.

If these outcomes are to be achieved in practice then the relationship between CASA and the Organisations must meet the following, which were agreed within the very detailed negotiation associated with the development of Part 149.

1.0 General

- 1.1 Both parties must act at all times in a manner designed to enhance the credibility and standing of the other party in the eyes of the members of these Organisations. In particular, in any dispute or Required Corrective Action, CASA and the Organisation must act in an open and transparent manner, and with natural justice, so that the outcome enhances the authority and credibility of both parties, to the extent possible.
- 1.2 The Organisation must act promptly, but CASA must, at least until this approach has been demonstrated to have failed, act with the Organisation only. Any required action involving an individual member, or member operation, must be taken by the Organisation.
- 1.3 CASA is a safety regulator and actions by CASA are limited to matters of aviation safety.
- 1.4 However, all parties must recognise that a failure of governance, natural justice or appropriate assurance, has safety consequences and all parties must act accordingly.

2.0 Manuals and/or Expositions

- 2.1 CASA will manage the interaction via the manuals and the exposition. The Organisations will, at all times, act according to the manuals prepared and maintained by the Organisation. These documents will be approved, where the content is within the expertise of CASA, or, accepted, where the content is within the expertise of the Organisation, by CASA.
- 2.2 The Organisation will run a sector wide SMS.
- 2.3 Once these documents are approved and/or accepted, the Organisation will maintain and update these documents based the outcomes of this sector wide SMS, and other experience.



- 2.4 Changes will be made by the Organisation, after consultation within the Organisation, and with CASA. These changes will take effect immediately after drafting, but will be subject to disallowance by CASA.
- 2.5 Changes may be implemented initially by directive, and will be included in these documents in a timely manner.
- 2.6 Urgent changes may be made immediately and consultation take place once implemented. These urgent changes will, of course be subject to disallowance by CASA.
- 2.7 CASA may direct the Organisations to include material required to implement changes in Regulations, rules or approaches applicable more generally to aviation.
- 2.8 Once these manuals are in place, CASA will not approve operational manuals for individual operations, or events, but these must be carried out based on the Organisation wide manuals.

3.0 Audits

- 3.1 Audit of operations under the control of the Organisation will be by the Organisation.
- 3.2 CASA will audit the Organisation to ensure that the Organisation is operating in accordance with its manuals, and, in particular, to ensure that the audit of operations under the control of the Organisation, and by the Organisation, are being carried out in an effective manner.
- 3.3 The results of audit by CASA will be dealt with between CASA and the Organisation and any required action within the Organisation will be taken by the Organisation. The intent is that this process will enhance the standing and credibility of both CASA and the Organisation.
- 3.4 Any dispute must be resolved between CASA and the Organisation – not directly with an individual member or a member operation.

4.0 Enforcement by the Organisations

- 4.1 The Organisations will, in the first instance achieve compliance using a safety management approach following the processes appropriate to that Organisation.
- 4.2 Enforcement will only be used where a member or member Organisation does not willingly comply with this approach.
- 4.3 The outcome will be a safety management approach which will enhance compliance and safety outcomes – but one which does not allow an individual to avoid compliance, or any justifiable enforcement action, by simply agreeing to 'report' the infringement.



5.0 Enforcement by CASA

- 5.1 Nothing in these principles can alter the right, or responsibility, applying to CASA to take enforcement action as CASA sees fit.
- 5.2 However, where circumstances do not require a more direct approach, CASA should, in the first instance, require the Organisation to deal with any safety matter of concern to CASA.
- 5.3 If then CASA is not satisfied, then CASA may take direct action.
- 5.4 Where an Organisation has legitimately exhausted its processes for dealing with a safety occurrence, the Organisation may ask CASA to deal, and CASA will then deal to the extent possible under the normal processes used by CASA.
- 5.5 CASA must take, and be seen to take, definitive actions against individuals who elect to operate illegally outside the control of the relevant Organisation – ie outside the relevant safety systems.