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**AVIATION MAINTENANCE, REPAIR & OVERHAUL
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SUBMISSION

**NATIONAL AVIATION POLICY
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TOWARDS A NATIONAL AVIATION POLICY STATEMENT

AMROBA commends the decision to develop a National Aviation Policy Statement but members are highly concerned that this is too little too late. Aviation is a mode of transport that is important to this country both domestically and globally. Though operators can move with the times, infrastructure takes time to change and the basic infrastructure to support aviation has been badly managed during the many changes that this industry has endured over the last couple of decades.

Aviation has suffered from a lack of long-term planning and vision due to no government backed National Aviation Policy because governments treat aviation as an 'elite' method of transport even though it is more environmentally and economically friendly to the communities it serves.

A national Aviation Policy **must** be part of a government National Transport Policy addressing all modes of transport – air, rail, road and sea. It is the individual approach to aviation that has seen the waste of resources over many years by industry and government.

Every transport system has its advantages and disadvantages in providing a service both commercially and privately. Air, road and sea transport can provide private as well as commercial services whereas rail is restricted to commercial services only.

Users of private modes of transport expect safe vehicles; safe rules with individual responsibility; whereas commercial operators expect additional business rules to apply so that users of the commercial service do so with the expectation that the service is safe and reliable.

Governments, over time, have attempted to treat aviation as an individual mode of transport by separating it out of the national transport policy. AMROBA is concerned that this issue paper is again edging towards separation from a National Transport Policy that is needed.

Internationally, air and sea modes of transport provide commercial services for the transport of persons and cargo whereas, domestically, air, rail and road compete for the provision of commercial services. The global market dictates the use of international commercial air and sea services and air dominates wherever time is the essence of providing the service. Domestically, the market will also dictate the success of each mode of transport as long as the infrastructure for each mode of transport is provided to create that competitive market.

It is the infrastructure that each mode of transport requires that AMROBA expects government policy to address so that free enterprise can take calculated risks associated with competing in the domestic market. If the infrastructure is not provided for any mode of transport then that mode of transport cannot compete to provide a service to the community.

If aviation does not have assessable aerodromes for commercial and private users then the use of air transport is restricted in the regions where no aerodrome exists. If roads are not available to commercial and private users then the use of road transport is restricted. If anchorage and boat ramps are not available then sea transport is not available in those regions.

For aviation, aerodromes of all types are the start and finish of the highways in the sky – without this basic infrastructure air transport is restricted. There are land and sea aerodromes as well as specific helicopter aerodromes that provide safe landing pads.

Like any other form of transport, aviation has supporting infrastructure that makes navigation safe for air transport services. This paper by AMROBA addresses concerns of its members – its members hope that aviation will take its rightful place alongside other modes of transport.

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1.1 INTERNATIONAL CHALLENGES

Key challenges

- Do Australia's international air services policies serve Australia's national interest and balance the need to have an Australian based industry with robust competition from international competitors? What should our negotiating priorities and approach be in the future?
- How might the Australian Government continue to develop improved competition and access to services while maintaining appropriate levels of aviation safety and security?

AMROBA: Government's past fixation with competition in place of provision of viable transport services will not improve air services to and from Australia nor will it support an Australian based industry. If Australian aviation and business regulatory requirements and standards support higher standards than other countries in the Asia Pacific region, then Australian based industries will be economically disadvantaged in providing similar services.

It is time that Australia became part of the Asia Pacific aviation region and government policies should take into consideration the competitive Asia Pacific region's aviation support industry standards.

Australian based aviation businesses must have an infrastructure and resources to compete with the large overseas aviation support industries now available to aircraft operators or the Australian based support industries will continue to wane.

Government should be negotiating with other Asia Pacific countries to adopt similar regulatory and business standards for all operators/organisations supporting the international transport system in this region, before any foreign operator be approved to operate internationally or domestically.

Australia continues to expand its international air services relationship

- How will new routes, technology and business structures change the profile of Australia's aviation market? Given Australia's evolving aviation sector, to which markets should the Australian Government seek improved access?
- How might the Australian Government best ensure all international airlines flying into Australia maintain the highest of safety standards? How might the Australian Government most effectively monitor and enforce safety standards of airlines that lease aircraft rather than operating their own aircraft?

Aviation expansion will be tempered by technology changes and global economy – infrastructure within Australia is also a limiting factor regarding domestic growth. Australia's air transport infrastructure is lagging other mature aviation countries. Privatisation of major aerodromes is and has been a failure as has been proven overseas. The provision of aviation specific services at private aerodromes have suffered because of the 'enormous' profits the private owners have extracted from the major aerodromes whilst airlines suffer from increasing costs.

Australia already has the system to ensure foreign airlines meet international standards – CASA issue of a foreign AOC. If the foreign AOC is issued, then CASA must have assessed the foreign country's safety standards as acceptable as well as the AOC record to meet those standards. The safety standards must meet at least the ICAO Convention and its Annexes. Countries that do not meet ICAO standards should be excluded from obtaining a foreign AOC.

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Growing the regions and cargo

- How might access to Australian destinations outside the four major gateways of Sydney, Brisbane, Melbourne or Perth be increased? What role could State governments and communities have in attracting foreign and Australian airlines to Australia's smaller international airports?
- Should Australia continue to pursue an "open-cargo" policy for dedicated cargo services? What cost-effective strategies could be employed to avoid delays in the transport of time-sensitive air freight?

There is confusion regarding international commercial and private operations. Commercial operations are, like most countries, to major aerodromes where a country provides customs and immigration services. However, private international operations are not restricted to these ports. Refer CASA Instrument 224/05 that approves any aerodrome for private international operations.

Cargo operations are the one international operation that sometimes require direct access to regional aerodromes to reduce red tape and costs associated with down loading cargo at an international gateway and then transporting it to the regional market. Customs need mobility for these operators.

Access to Australian markets

Are the current restrictions on foreign airlines accessing the domestic market appropriate? Should we be encouraging more international airlines to operate from Australia to third markets?

Global trends are towards free sky regions – however, converting to this type of market does not always bring benefits to the customer or community nor does it provide services that benefit the customers and community. Opening markets usually means the safer operators will reduce costs, sometimes affecting safety standards, to compete with low cost operators.

On the other hand, many safe aged aircraft are restricted in some international airspace simply because of age, not safety. Aged aircraft can be safely operated at increased costs to the operator – safety is the operator's responsibility.

Facilitation and border control

- How might existing Australian airport infrastructure best adapt to the challenge of processing large influxes of passengers?
- What are the implications of expanded international operations, at secondary airports, including for border security? Should Australia seek to limit international airline and charter operations to a defined set of international airports to ensure affordable border security?

Border control only applies to major international airports in Australia. Australian aviation legislation and CASA instruments issued under aviation legislation opens all airports to non commercial operators. It is why many aviation participants see 'border' control as a publicity stunt. Refer CASA Instrument 224/05 that approves any aerodrome for private international operations.

International airline and charter operations must be to designated international aerodromes that have the facilities to provide border control. The costs to the Australian community would far exceed benefits to spread these capabilities to numerous regional aerodromes.

All entries and exits should be through specified aerodromes that have customs and immigration facilities and only by special application should customs and immigration provide a mobile capability.

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1.2 DOMESTIC SERVICES

Key challenges

- Does the deregulated domestic airline market remain the best model for delivery of Australia's interstate air services? Are there any constraints on the ability of Australian-owned airlines to remain competitive with foreign-owned airlines in the Australian market?
- Do the existing criteria strike the right balance between allowing Australian airlines to access global investment markets and promoting an Australian-based aviation industry?

The de-regulated domestic airline market has not provided a domestic 'air transport' system that benefits the community in other than the major east coast routes. Governments have lost the vision of providing Australia with a domestic air transport system and have 'hoped' a free market system based on competition would provide an air transport system. Only certain major routes support a free market system simply because there are not enough passengers available to regional and remote regions to support free market routes.

1.3 REGIONAL AND GENERAL AVIATION

Key challenges – regional air services

- What should be the basis of government and industry policy towards air services to regional and remote communities?
- Are security and safety measures adopted for major capital city trunk routes appropriate for regional and remote services? If not, what alternative measures could be adopted?

Government should provide an infrastructure that supports an 'air transport' system not based on a competitive free market for regional Australia. Major regional centres should have a regulated 'air transport' system to support their region. Small regional centres may need government assistance to provide an 'air transport' system to that community.

Governments should return to providing communities with an 'air transport' system by 'licensing' operators to regional and remote regions to remove competition. This would enable an operator to invest in new aircraft of the appropriate size to service the specified regional and remote community.

In addition, adoption of an open free market for all of Australia to support a proper 'air taxi' transport system utilising aircraft no older than 20 years is needed to re-invigorate regional aviation services. This would remove ageing aircraft from the market thus improving safety. An 'air taxi' system like the USA has implemented has seen the introduction of very light jets to the market providing competition to regional airlines that are maintaining unprofitable regional services.

Key challenges – general aviation

- How has micro-economic reform impacted on general aviation businesses and what strategies need to be put in place to ensure that access to airport infrastructure does not impede industry viability and growth? Do the needs of general aviation operators warrant any changes to airport regulatory and planning arrangements?
- How can general aviation operators, particularly small businesses, establish viable business models that allow them to take advantage of current buoyant conditions in the aviation market? In particular,

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how do these businesses meet the increased cost of skilled labour and improve recruitment and retention of their skilled workforce?

- What role should all levels of government have in protecting secondary airport infrastructure and in providing for new infrastructure?
- How can the general aviation industry provide the necessary investment to renew the ageing aircraft fleet? Is there a role for governments?
- Are additional measures required to ensure the continued safe operation of ageing aircraft?

General aviation has not seen aviation regulatory reform to match micro-economic reform thus aviation businesses are still over-regulated preventing growth. General aviation, to remain viable, needs to be (aviation) de-regulated in the same manner as the general aviation segment of the United States and New Zealand. Current aviation regulations are based more on airline standards that are highly regulated.

Governments economic reforms for small business has not been matched by aviation regulatory reform that is isolated from other government reforms. A whole-of-government reform of aviation regulations is necessary to remove restrictions to attract investment into the small aviation business segment.

Commercial aviation has organisation and individual aviation responsibilities whereas the US, NZ and ICAO general aviation systems are based on individual responsibilities only. ICAO, US and NZ rely on a country's normal business requirements (OH&S, etc) to control the business requirements.

Privatisation of aerodromes has not provided [small] aviation businesses with the support that, for example, the USA Department of Transport aerodrome operator standards provide. The US system also provides government funding for [community owned] aerodrome maintenance/improvements based on the ability of the community owned aerodrome operator to attract aviation businesses.

Note: *This government assistance should not apply to the major privately owned aerodromes like Sydney/Melbourne/Brisbane, etc.*

The current skilling of aviation maintenance personnel within Australia is not world's best practice because of Australia's commitment to and application of competency based training. Competency based training has moved to specialised business related skills not industry wide based skills. Acceptance of skilled workers from countries that have aviation industry wide skilled workers will be crucial to sustain and growth of aviation within Australia.

1.4 ADDRESSING SKILLS NEEDS IN THE AVIATION INDUSTRY

Key challenges

- What strategies should the industry adopt to attract, retain and plan for their future skills needs to remain competitive in a tight labour market, and how can these be improved?
- What are the long-term training needs for the Australian aviation industry? Where will the future pressures lie? How do we ensure the industry remains internationally competitive in retaining key staff and in attracting new entrants to the workforce?
- How should the Australian Government and industry work together to ensure the needs of the aviation industry are taken into account in its broader skills framework?
- Are proposals such as a national industry run flying school to train flying instructors worth investigating and, if so, how might such a school operate?

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Skills requirements in the aviation industry, including other transport industries, have been a major issue over the last two decades. Aviation is a global industry and workers move from one country to another as expansion and contraction is just part of norm in aviation.

Australia's pilot qualifications have, for many years, been internationally accepted whilst the line maintenance engineer and workshop technicians' qualifications are no longer globally recognised. CASA has confused the maintenance engineer/technician training, with the additional requirements, that a LAME requires to sign the maintenance release or certify an aircraft is airworthy after it is modified or repaired. Even with recent changes, the aircraft maintenance engineer/technician will not have globally recognised qualifications.

AMROBA sees that it is important that the trade qualifications of this industry must be compatible with North America and Europe and that CASA licensing should recognise a national industry trade qualification system that truly enables industry wide employability and transportable trade qualifications.

Until the CASA maintenance personnel licensing system is based on globally acceptable trade qualifications then the Australian Licensed Aircraft Maintenance Engineer will not regain its former international acceptance.

Like pilot licenses, the only requirement a foreign licensed aircraft maintenance engineer, that has more than 10 years aviation maintenance experience, should need to do is to pass the Aviation Administration legislation unique to Australia before validating the foreign aircraft maintenance engineer's licence.

Because of CASA proposed unique industry segment specialist trade training, to underpin unique industry segment maintenance personnel licences, Australia will once again end up with uniquely qualified aircraft maintenance qualifications. Industry will be reliant on importing foreign qualified maintenance personnel that have, in the past, been rejected by CASA. It has only been the lobbying of AMROBA that has seen CASA recently accepting maintenance personnel qualifications from some foreign countries.

AMROBA recommends that the government should examine the aircraft maintenance personnel trade training and qualifications of Canada and to mirror Australia's trade training and qualifications on their system. The Canadians have a national trade training system that is a basis for Transport Canada's aircraft maintenance engineer licensing system. Their trade skills and qualifications are acceptable to both the USA and Europe – even their licensing system is recognised by the FAA and EASA.

Canada and Australia have a very similar culture and legal system – it is an aviation system we should adopt. Adoption of the Canadian system would enable the Australian trade skills to also have the same recognition in Europe and the US, as well as many other countries that already accept Canadian skills.

Another anomaly that exists within Australia relates to the Skill Councils that exists under the Department of Education, Employment and Workplace Relations. Aviation maintenance personnel training standards are developed by the Manufacturing Skill Council whereas maintenance personnel in all other transport industries are developed by the Transport & Logistics Industries Skill Council. Maybe if aircraft maintenance skills were developed by the Transport Skill Council then costs could be lowered by adopting like training skills for all transport modes – road, rail, marine and air.

The Transport Council currently covers all other aviation skills including pilots and baggage handlers.

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2.1 AIRPORT PLANNING AND DEVELOPMENT

Key challenges

- Are the planning and development mechanisms under the Airports Act working effectively?
- How can we improve consultation with State and local authorities and with the community?
- Could the regulatory regime better facilitate genuine long-term co-operation between airport operator companies and state and local governments on land use planning?
- How can we better integrate investment on airports with the funding and construction of improved road and rail links to and from our airports?
- What mechanisms might be used to ensure an effective ongoing dialogue between airport operators and their local communities?

AMROBA concludes that privatisation did not provide the appropriate government funding to community aerodromes. We do not object to privatisation only the belief that community owned aerodromes should obtain some government funding to provide the ground segment of the highways in the sky. Unlike the fully privatised major aerodromes, these other aerodromes are providing the ground aspects of a national air transport system that can be used, in most cases, for both private and commercial air transport operations.

The US Department of Transport provides an appropriate model that government could adopt. Their system is also based on the community owners of the aerodromes ability to attract aviation businesses to their aerodrome. This fosters growth in the aviation industry and brings prosperity to regional and remote Australian communities.

Non-aeronautical development on airport sites

- How can the regulatory regime better ensure non-aeronautical developments do not compromise the aeronautical requirements of airlines and airports?
- How should the potential commercial impact for off-airport competition be taken into account in planning on-airport non-aeronautical development?

This has already sent many aviation businesses out of the industry or to relocate to another aerodrome that is further from where the business would prefer to conduct their business. Aerodromes owners that have adopted non-aviation businesses residing on the aerodrome have also seen a marked decline in the numbers of aviation businesses operating on these aerodromes.

AMROBA recommends that the government should closely read the US Department of Transport policy with regards to aerodrome use and businesses occupying space on the aerodrome. In many cases, large non aviation commercial businesses see enormous cost benefits with the space around an aerodrome. However, at a later date, the aviation businesses are squeezed out of their location as the owner opts for higher returns without consideration of the larger community benefits that an active aerodrome brings to the community.

The previous governments privatisation policy did not provide the safeguards to the aviation system that the privatisation system did in the US. Their aviation businesses have been able to survive and prosper under their aerodrome owner policies. Without community aerodrome owners receiving some government funding then the industry will not be able to continue to provide a national aerodrome grid to enable a national air transport system to exist. Do not cut the [air] roads to regional Australia.

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“Safeguarding” Australia’s key airport infrastructure

- How should guidance be formulated for airport operators and others about public safety zones for locations at significant risk of on-the-ground fatalities from aircraft operations?
- How can the mechanisms for guiding development around airports be improved to ensure potential issues from aircraft noise are fully addressed in planning?
- How can we better ensure off-airport developments subject to state and local government planning regimes, such as tall buildings, do not compromise the safe and effective use of aviation infrastructure?

Many of these issues are already covered by international standards such as building heights and aircraft take-off and landing pathways. The problem is that aircraft noise continues to be reduced with improving technology and some aerodromes may need restrictions for certain aircraft that do not comply with global noise standards.

Australia does not need a repeat of the additional runway at Sydney Airport where local council approved a building application in the flight path thus restricting the use of the full length of the air strip.

Future airport needs

- How can future airport needs best be addressed, recognising the importance of airports as an element of the national economic infrastructure?
- What are the current and future pressure points in relation to airport capacity? N Can the growing use by civil aviation of joint user or Defence owned airports be safely and effectively accommodated?
- How can the protection of the communities around airports from undue aircraft noise best be addressed as demand for services continues to grow?

Australian aviation has been restricted by urban growth adjacent to aerodromes and many aerodromes being closed thus removing the ability of having an air transport system to that community. In most cases it has been local government approving building applications adjacent an aerodrome without having additional noise reduction building standards within a certain radius of an aerodrome.

This problem is a national problem and therefore there should be national building codes for all commercial and private buildings within a specified radius of an aerodrome. This building code would address, for example, noise reduction requirements that would differ between private and commercial buildings. This would ensure that those that wish to live near an aerodrome had some protection of what is the result of having an aerodrome that benefits the community.

Pricing of airport services

- As the aviation industry grows and changes with the advent of low cost carriers and other innovative service providers, should changes be made to the regulatory framework for the pricing of airport services and monitoring of service quality?
- Is there sufficient transparency in the setting of charges for services at those airports that are not subject to price or quality of service monitoring?

Most privately owned aerodromes, not so much with community owned aerodromes, have excessive fees as they strive to provide their share holders with maximum returns. There is little transparency to resident businesses that are forced to accept their costs or leave the aerodrome.

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2.2 AIR TRAFFIC MANAGEMENT

Key challenges

- How can Australia's air traffic management system best take advantage of new and emerging satellite navigation technologies? What is the role of government in the take up of the new technologies? Are there any regulatory impediments to maximising the use of new and emerging surveillance and navigation technology?
- How do we enhance both air traffic management safety and capacity and efficiency?
- How effective have Australian regulatory agencies been in pro-actively assessing the Australian air traffic management system and setting clear risk-based safety and efficiency outcomes requirements, having regard to international developments?
- Are we effectively aligning airspace classifications and the level of services and facilities provided to reduce risk to passenger transport operations? Can we better identify risk factors?
- How do we ensure the development of Australia's air traffic control systems is compatible with global and regional systems?
- How can Australia's air traffic management development be aligned with broader policy considerations such as national security and the environment?
- What steps need to be taken to ensure the retention, training and future supply of skilled air traffic controllers and associated professionals?
- What should a national air traffic management plan cover and who should be responsible for its development and implementation?

As technology changes faster than governments can keep pace with, the only comment that AMROBA can make is that the process to adopt and implement new technology at aerodromes must keep pace with technology development other wise Australia will be left behind. Aircraft landing systems now have technology that Australia's major gateways still cannot use because advanced equipment, to enable take-off and landings in inclement weather, still has not been installed. This is now old technology by world standards.

3.1 SAFETY REGULATION AND REGULATORY REFORM

Key challenges

- Are there ways in which the approach to Safety Management Systems could be enhanced?
- Should the governance arrangements for CASA be strengthened to better support the role of the safety regulator?
- How can CASA strengthen the way it relates to industry while meeting the community expectations of a firm regulator?
- How can the Australian Government and industry ensure CASA completes its long running regulatory reform process as soon as possible, to give clarity to industry and to clear the way for new approaches to meeting the regulatory challenge?
- What changes could be made to improve how Australia's aviation safety agencies work together?
- What steps can the aviation industry as a whole take to ensure it maintains safety standards as it grows and diversifies?
- What steps should be taken to ensure Australia maintains a high standard of aviation safety in the context of global developments?
- What issues should a 21st century aviation regulator be focussed on?

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- Is self-administration a key factor in the growth of recreational aviation? Is there more scope for some parts of the industry to self-administer? What are the opportunities and risks for the industry, regulators and the community in greater 'self-administration'?

Aviation regulatory reform continues to fail the aviation industry because the regulator, CASA, continues to attempt to create a regulatory system based on highly technical standards included in the FAA and EASA regulations that are promulgated by an aviation regulator (EASA/FAA) NOT parliamentary regulations that need to comply with the Criminal Code.

Additionally, CASA is now proposing to implement a system that is partly based on the USA FARs and partly based on the European EASRs and partly unique to Australia. This will provide a conglomeration of rules that will create mayhem in the aviation industry. The direction to drop a system that would be based on a singular national aviation system to once again have a mixture of rules will create a very confusing system in the future. For example, some FAA certificated aircraft require the aircraft to be operated in accordance with FAA operational rules that do not exist in the European rules. This will continue the conflict that exists between industry and CASA. Even CASA staff are already identifying the problems that this part FAA, part EASA and part Australian rules cause but they are not the CASA staff developing the rules.

Only Canada has a regulatory system that has parliamentary regulations. They achieved this by creating parliamentary regulations that require individuals and organisations to meet technical standards promulgated by the aviation regulator, Transport Canada. This has simplified the aviation regulations by providing highly technical standards in other than the language of parliamentary regulations. By referring to these standards in the aviation regulations, control of these highly technical standards is provided by government.

The Canadian model would work in Australia and would remove the problem that CASA has had for the last decade with the Attorney General's Office of Legal Drafting who have the problem of transposing FAA or EASA aviation technical regulations, promulgated by these agencies, that include technical aviation standards for aircraft, products and personnel.

The Civil Aviation Act enables CASA to promulgate standards, so adopting the Canadian approach would be so much simpler than providing an aviation regulatory system that has been half based on the FAA system and half that will be based on the EASA system. EASA has recently made a radical decision to adopt the Canadian approach.

It is time the government drew a stop to the individualistic proletarian approach to aviation regulatory development and created a combined team (AG's OLD, CASA, Industry Associations) to Australianise the Canadian system with the least amount of change. The Canadian system also has a recreational aviation industry of similar development as Australia's recreational industry.

This regulatory change could be achieved within 12 months and it would give Australia a proper standardised aviation regulatory system and technical standards that are recognised by both Europe (EASA) and United States (FAA). Even EASA has made a radical change and is now adopting the Canadian approach. What industry needs is a complete aviation system that fits into the Australia legislative practices, style and format, not an adoption of a foreign countries legislation that has not been subject to parliamentary oversight. EASA and FAA promulgated regulations do not meet the Australian legislative style or format whereas the Canadian legislation does.

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A regulatory development program based on the Canadian system should fill the holes that currently are being developed by CASA based on EASA rules and then retrospectively replace all aviation regulations that have been produced over the last couple of decades based on the FAA regulations. This will then enable the repeal of all current regulations and orders so that Australia has a whole aviation system – not a conglomeration of regulations based on FAA/EASA and unique Australian regulations. Today’s proposals by CASA will give Australia a very confusing aviation regulatory system for the future.

4.1 AVIATION EMISSIONS AND CLIMATE CHANGE

Key challenges

- What practical steps can the aviation industry take right now to reduce greenhouse gas emissions? Are carbon offset schemes enough?
- What measures should the aviation industry be taking in the short-medium term to reduce emissions, such as clean engine technology and clean aviation fuels?
- Given the international nature of aviation, what opportunities are there to minimise greenhouse emissions and trade emission permits through emission trading schemes?

Australia should follow the lead by other leading world aviation markets.

4.2 AIRCRAFT NOISE

Key challenges

- Could the ANEF system be improved or be supplemented by other planning tools to better explain the impact of aircraft noise? Should State and local governments play a greater role in aircraft noise management? What should be the responsibilities of airports?
- Should emphasis be given to airport/community partnership approaches, for example, based on locally negotiated agreements rather than generic legislative approaches?
- Can techniques for sharing information on aircraft noise impact be further developed to improve the supply of information to potential property purchasers and other affected parties?
- Which airports in Australia need to remain curfew free and under what conditions? Can operations at airports be better managed to ensure the community is protected while at the same time providing for night time access?
- How effective are the current noise enquiry and noise complaint services? Are there more effective ways to deal with people’s complaints and requests for information? Can the services be better provided?

New technology aircraft continue to reduce noise patterns. Newer aircraft designs will continue to address this issue. Aircraft engine designers have invested millions into lowering noise. What must be considered is whether Australia wants better tourism capability or to stay the same.

4.3 CONSUMER PROTECTION

Key challenges

- Are existing consumer protections and airline procedures adequate in dealing with these challenges? Is it possible to improve passengers’ travel experiences without adding unnecessary costs to airlines that would inevitably need to be passed on to all passengers?

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- How can airlines ensure passengers are appropriately informed about restrictions? Furthermore, are existing airline terms and conditions reasonable?

Aviation has many international protocols addressing these issues and most operators are only responsible for providing a service. Like all competitive industries, the user should be aware that the low cost operator does not provide the same services as the larger operators.

Consumers have a personal responsibility to check what services are provided besides the flight. It is not an operator's responsibility to ensure the consumer has taken the necessary action to address issues in the case of an emergency.

4.4 DISABILITY STANDARDS

Key challenges

- Are the current Transport Standards adequate to ensure the removal of discrimination from air travel?
- Are there recommendations arising from the recent Transport Standards Review that might be implemented to improve services for people with a disability?
- Are current complaint and compliance mechanisms effective?

No comment

4.5 COMPENSATION ARRANGEMENTS IN THE EVENT OF AN ACCIDENT

Key challenges

- Are Australia's domestic arrangements for passenger and baggage/cargo liability appropriate in the context of international developments, including the Montreal Convention? Is there a better system or model for compensating people?
- Are the minimum insurance standards appropriate? Should the system be extended to require insurance for third party surface damage? Does the aviation industry face any difficulties in accessing appropriate levels of insurance to cover their potential liabilities?
- Is the voluntary Family Assistance Code an appropriate measure to ensure airlines meet their responsibilities in the event of an aviation accident and to what extent are airlines complying with the Code?

Australia, unlike a number of other countries, has not set a value on a person's life. Government should set a value on a person's life but this cannot over-ride international conventions.

All aircraft, irrespective of size, should have at least third party property insurance. This also includes aircraft registered with bodies other than CASA. This issue has been bounced around within the aviation industry for decades. Many owners now have insurance but third party property insurance should be mandatory.

Aircraft, like motor vehicles, should, for its "Certificate of Airworthiness" to remain valid, have a current 'airworthiness check' certificate signed annually by a Licensed Aircraft Maintenance Engineer (LAME) and also have a current third party property insurance policy. The LAME would be the coordinating supervisor responsible for work carried out to meet aircraft maintenance programs. CASA records should keep copies of the annual insurance validation documents – no documents, then cancel certificate.

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5 AVIATION SECURITY

Key challenges

- Could Australia improve its approach to protecting air travellers from threats while facilitating quick and efficient travel? How can we improve the system to improve both security outcomes and passenger facilitation through airports?

Enable regular passengers between major aerodromes to obtain security clearances that would enable them quicker access to airport passenger facilities. Aircraft size is important in determining security – it is the size of the aircraft that can do damage – risk managing the level of damage to property that an aircraft can do is important. For example, a light aircraft has little chance of doing enough damage to see the repeat of the 9/11 scenario.

Aircraft design changes and operation procedures has all but eliminated a repeat of 9/11 but bomb threats still exists as they have for the last 2-3 decades. All persons having access to aircraft in excess of 30 seats should have security clearances. Aircraft below this size have less potential to cause a disaster though they may cause damage.

International developments

- Is enough information available for passengers to make well informed choices before they travel in order to comply with security requirements?
- Can more be done at our international airports to assist passengers to comply with security requirements?
- Should more be done at airports where passengers leave for Australia to make clear our own security requirements?
- What can be done by government and industry to achieve greater international harmonisation of aviation security measures?

Australia's security arrangements are only as good as the foreign port from which an aircraft is coming from. Australia's security standards should harmonise with the countries that aircraft directly fly to and from. Why have 'more restrictive conditions' if the foreign country from where an arriving aircraft departs has less restrictions. Australia must work with foreign countries to standardise the security standards within this part of the world.

Threat

- Should aviation security remain the key focus for government and industry?
- Should more attention be paid elsewhere?
- Is enough being done to enhance security in the aviation sector?
- Are we thinking broadly enough about the likely threats we may face and how they may be countered?

The aviation industry should not be the focus when dealing with threats – security has always been a concern of industry participants and more reliance should be placed on enforcement agencies identifying the threats to this industry.

The level of security depends on research outcomes of policing/security agencies that have access to the international security threats and are more appropriate to decide the security level needed.

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Currently, security provisions at regional and remote aerodromes are no more than a political stunt when it affects private operations of aircraft that just do not have the ability to do major damage to a building like it was experienced in the US. Nobody has actually identified a real and proper threat in dealing with the small aircraft segment.

Efficiency and costs

- Could government spending on security be spent more efficiently? Could more focussed security measures provide a higher level of security?
- Could the requirements imposed on industry be changed to achieve similar security results at less cost, or greater security at the same cost?
- Is the current charging regime for provision of security screening services equitable between major metropolitan airports and regional airports? Should alternative arrangements be put in place?

Industry should not have to bear the costs of security of the travelling public but the industry participants should be responsible for providing a secure environment. Placing reliance on industry participants does not give the impression to the travelling public that security safety is being independently addressed.

Growth and industry development

- Whether current passenger security screening requirements based around jet aircraft should be extended to non-jet aircraft of similar capacity, speed and weight?
- Is the security infrastructure at airports adequate?
- The current focus of the aviation security system is regular passenger transport services. Should it be extended to include aircraft providing, for example charter services?
- Should the cost of aviation security at particular airports be more evident to passengers?
- Could industry manage its costs more effectively?

Security should not be an operator's cost – it is the government's responsibility to provide the necessary policing and enforcement agencies to protect the public. The industry is concerned with the costs involved in this perceived security problem and the effects it is having on an open sky aviation industry

Technology

- Should we introduce new technologies for passenger screening that can improve processes even if they are more invasive or costly?
- Biometrics are an effective way to manage access arrangements at airports and an improvement on current practice. Is there value in introducing biometrics into Australia's airports for people working there?
- Should we expect the same security technology standards from all airports regardless of location, the traffic levels at the airport, and the costs?

No comment

Passenger experience

How can we improve/optimize passenger screening arrangements within Australia?

- Should special arrangements be put in place to enable frequent travellers who understand security requirements, often business travellers, to move through passenger screening more quickly? What type of special arrangements, if any, would be appropriate?

A M R O B A

- Do we adequately address the requirements of people with special needs?
- Are we consistent enough in the delivery of services to passengers?

In the same manner that all airside personnel should hold security clearances, frequent travellers should be able to obtain a similar security clearance that would enable them to access a simpler security check at airports. This would speed up passenger movements within major airports.

Legal requirements

- Is the current regime too heavy handed? Could it provide a similar level of protection while reducing demands on passengers, industry and workers?
- Are the legislation and regulations in need of simplification?

If there is ever an event from a breach of security then the current system is too lenient – the reverse applies, complacency because there has never been a major event in Australia could be a real cause of concern. The legislation could be simplified so that participants working within the industry clearly understand their responsibilities.

Air cargo security

- Has enough been done to enhance air cargo security? Are there alternative approaches to air cargo security that should be examined?
- Is the Australian approach to air cargo security consistent with the highest international standards?

Until something drastically happens it is always sufficient – risk management approaches are still only as effective as the individual's approach to security. Perceptions and probabilities will change as world tensions change and therefore the risk assessment will continue to change.

It is felt that freight forwarders should be [security cleared] licensed as well as their staff having to meet the same security clearance that other airside personnel must meet.

It is also dependent on the air cargo being carried and the location where it is being shipped to. E.g. Delivery to regional and remote locations have a much lower security level than major locations.

Identity and background checking

- What can be done to improve the robustness and timeliness of background checks, particularly for applicants from overseas?
- Should the ASIC eligibility criteria be further strengthened?
- What should be the relationship between 'background checking' of staff and access control arrangements?
- Should background checking be extended to include managers/directors of companies with employees who hold an Aviation Security Identity Card?

Aviation security is an accepted result of today's societal problems, however, the introduction and implementation of security clearances has not been seen as very effective. The problem is that Australia's security needs have been assessed as though we are in Europe or North America instead of the harsh reality of our remoteness.

AMROBA

Security has become farcical when dealing with regional Australia. Has the risks been appropriately identified? Our members do not think they have. Each regional aerodrome is being treated as one size fits all. Has government really applied appropriate criteria to manage 'potential' risk or is it about managing the public perception of the government's security actions.

Safety security is about the prevention of use of an aircraft to do damage by an individual voluntarily or under direction, forced or not. All persons that are permitted airside should have security clearances. These clearances should be obtainable from the local police station for regional aerodromes as long as Australia's law enforcement agencies collated a national criminal database.

Savings can be made. For example, all aviation industry persons issued with a licence from CASA should be required to have an aviation safety security clearance prior to the issue of the licence and the licence should be dependant on maintaining that security clearance. Loss of a security clearance should mean loss of licence issued by CASA. That would remove the need for an ASIC card. The security check should be carried out prior to the issue of the licence and the licence would only remain valid as long as the person did not commit a crime that affected the security clearance. The CASA issued licence should also be treated as an ASIC card to remove duplication.

Government has to put in place a method that would enable automatic cancellation of a security clearance when a person has breached the criteria required for the issue of the ASIC card. This is a major problem today.

AMROBA looks forward to an aviation policy that will enable the aviation industry to provide a viable air transport system both commercially and privately in Australia not hampered by unnecessary bureaucracy.

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For & on behalf of
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