

AIRAG AVIATION SERVICES PTY. LTD.

General Aircraft Maintenance & Operations Since 1953

ACN 059 679 953



19th December 2013

**RE: PROPOSED CHANGES TO AVIATION REGULATIONS BY CASA:
URGENT!!**

I am the CEO of Airag Aviation , the oldest General Aviation business at Bankstown Airport. I urgently need to tell you that our business, and a great many other General Aviation businesses all over Australia, are going to become unviable under the oppressive and intractable bureaucracy of CASA.

Just briefly, but of utmost and vital importance to us: Some of the problems are as follows:-

CASA proposed draconian legislation changes to Part 61 Part 64 Part 141 and Part 142:

This legislation will destroy the General Aviation Industry without any benefits.

The Issues are in summary:

- CASA is the law maker, CASA is the policemen, CASA is the Judge and Jury. This is not fair or reasonable, and could in fact be contrary to the Australian Constitution.
- CASA is **not required**, under the enabling Act and legislation to **actively promote aviation** in Australia, whereas the USA FAA and NZ CAA are so required.
- General Aviation is entrapped in the wake of Regular Public Transport issues. CASA is not considerate of General Aviation issues.

CASA Risk assessment.

CASA's cry is "Safety". They bleat it loudly and incessantly. Of course, how can anyone argue against that? However, it needs closer scrutiny to find out what the CASA agenda might be in reality. Remember the parable of the Emperor's New Clothes? For example, in relation to the proposed changes, we are unaware of any risk assessments or considerations of costs to benefits analysis for safety regulation changes proposed by CASA for General Aviation.

Recent Senate enquiries have been critical of CASA due, in part, to the lack of such assessments by CASA.

Another issue:

Why does a commercial pilot flying single pilot agricultural or charter operations in the bush have to have the same medical as the Captain of a Jumbo Jet with 400 people on board? In the USA, recent developments have seen the use of motor vehicle medical standards for most GA pilots. The Medical branch in CASA have over-developed their little sinecure into a powerful niche bureaucracy. They need cleaning out, and more reasonable and practical people placed in charge.

CASA administration has special sections for Sport Aviation and Recreational Aviation. We note that 80-90% of the pilots in General Aviation are Sport or Recreational. They do not need 747-standard medicals!! Neither does a pilot flying General Aviation charter or airwork flights.

Another:

Furthermore, being aware of the special CASA sections for sport and recreational aircraft, and noting that General Aviation VH registered aircraft are generally of superior construction and compliance, and are built and tested to known higher standards than sport aviation aircraft, then the question is: Why is there not a specific section in CASA, similar to sport and recreational aircraft, that looks after and understands the needs of General Aviation? This is a vital requirement for the immediate future.

Training Issues:

CASA under the present regime demands that all pilots comply with recency and training requirements. These have been the "norm" for years, and there is no demonstrated problem with this established and tested system, which is also used all over the Aviation World. Ah, but not good enough for our bureaucrats in CASA!!! They know better!! Or, do they??

Under the new proposed Part 61 rules *operational recency* has gone, in favour of *licence reviews, rating reviews and flight reviews* on every class of aircraft and every type rating, putting a huge cost impost on the General Aviation industry in particular. Also, by the way, creating lots of new jobs for the CASA mates ex-military, who are seeking a cushy number in Aviation when they leave the Air Force. More power to the burgeoning bureaucracy!

In the USA, such action would be prevented under cost-benefit analysis, and a lack of obvious safety increase per \$\$ invested. It should be the same here.

Notes:

- CASA spends around 3% of its income on training its own staff.
- How is it possible that CASA examiners will maintain a standard superior to the industry pilots in order to conduct these tests, let alone have enough of them to carry out the proper surveillance? You might be surprised to discover the increase in the budget for CASA which will soon be required to fund the training of the CASA staff.

Part 61/64/141/142 proposed legislation:

We are not under the impression that CASA's intentions are well meaning. It appears more than likely that these changes are intended to increase the bureaucracy in CASA and increase the funding required, and create jobs for their mates. No significant increase in safety can be identified. Certainly, the cost/benefit ratio of the proposed new regulations is appalling.

Clearly, by creating new Part 61/64/141/142 will cost millions of dollars over the years, payable by General Aviation participants, and the question is: For what benefit to General Aviation in Australia? Answer: None.

Apart from growing the bureaucracy as a business, it is also obvious that CASA's parallel thrust is to reduce CASA's legal liability in this litigious society. Apparently this is driven by the CASA Legal Department, which in our humble opinion should be completely disbanded and the work, such as might be essential, be given to the legal industry under contract. **The CASA Legal Department, staffed as it seems to be by mediocre lawyers who cannot make it in commercial practice, is involved in the production of vast legislation and regulation which is utterly incomprehensible and unproductive, save but to protect CASA in the event of a drama.** Reference the recent Senate enquiries!!! I am a lawyer, but the stuff that the CASA Legal Department churns out is utter rubbish, and I really battle to try and understand it, let alone comply with it!

This policy of shifting the blame from CASA distorts all CASA's outcomes, and leads to wilful blindness of the unintended consequences of this proposed legislation with no known proven increase in safety.

CASA states and I quote *"We make balanced judgements which are risk based and evidence driven. We act innovatively and with flexibility to meet our responsibilities."* *"We deliver standardised and consistent management practices and continuously strive for greater efficiency and effectiveness"*. This is a publicly stated outcome sought by CASA's CEO on a video clip. This is bovine excreta on a Grand Scale!!!

These new proposed changes are **not** standardised with the rest of the world, and are **not** harmonised with I.C.A.O Annex 1 –are **not** more efficient and with unknown effectiveness. *With whom are we standardising and harmonising?* Once again, CASA is re-inventing the wheel, and creating Australian aviation legislation which is utterly out of step with all other aviation authorities. Why?? To protect their positions, and create more jobs in the bureaucracy, that's why!!

Suggestions:

It is the General Aviation Industry's view that CASA must be audited by the new proposed Commission of Audit charged with finding savings. The proposed legislation should be viewed in accordance with well defined performance outcomes that do not have unintended consequences for the General Aviation Industry. There must be a cost-benefit analysis here.

We suggest further that CASA's new proposed legislation changes to Part 61 Part 64 Part 141 and Part 142 must be put on hold indefinitely now and independently investigated, before it is implemented.

Please, please do not listen to your senior bureaucrats when they shriek "safetysafetysafety" in your ear, so as to promote their own agenda (which is to grow the business of the bureaucracy, and reduce its legal liabilities), but come and listen to us, in the GA industry, before you are swayed into further destruction of GA by the impossible over-regulation and strangulation of General Aviation in Australia.

If you adopt the proposed European EASA styled regulations, (especially when "modified" by CASA who apparently know better than everyone else!), that will **immediately kill most GA maintenance, training and charter operations** and prevent General Aviation from operating in Australia. It is simply over-powering, inflexible and utterly unsuitable for our Aviation industry. It may be OK for airlines, but it will kill all aviation smaller than regional airlines.

The CASA bureaucrats seem to love it, and someone high up in Transport also seems hell-bent on implementing it, but I can assure you that it will be a disaster!!! Better to simply adopt the user-friendly USA system, or the New Zealand system, both of which are required to "promote" aviation rather than to stifle it.

I note the Coalition's Plan **FOR** Aviation includes " (to) revitalise the General Aviation Action Agenda, establish regular dialogue, etc". This is an admirable start.

These days, CASA is not respected by GA, contrary to the old DCA. (With some notable exceptions, in the minority). Many of the CASA operatives, in all departments, seem to be unemployable in the industry outside CASA and have joined CASA to seek revenge. In the "Old Days" we had total respect for the Man from the Department (DCA), who had been there, done that.... better than we had. Today, (with some exceptional exceptions) the CASA staff are an utter disgrace. Ex airlines, ex-military, ex-university and no practical experience and no bloody idea of how to maintain or operate a General Aviation aircraft safely and practically, or economically. Oh, but they can detect the smell of a "Culture of Safety" in the wind! Bovine Excreta again!!

Witness the latest con, the "Ageing Aircraft" debacle. A new department within CASA is playing with your emotions in relation to operating and maintaining "aging aircraft", and promoted by displaying pictures of aircraft which are derelict in scrap yards or being used as fire training hulks,

but presented as examples of dangerous aircraft which have to be stopped from killing people...what hypocrisy!! Lies and deception!! This is typical of CASA today. Do not be fooled. The Emperor has no clothes on again!!

But, the CASA operatives' Super funds are growing nicely, and they can retire to North Bendelong or wherever, soon...having contributed absolutely bugger all to Aviation in Australia, and actually participated actively in its downfall.

Quite frankly, many of us in General Aviation would prefer that CASA be totally disbanded, and the services to GA provided under contract by the New Zealand CAA or USA FAA, as happens in other parts of the Pacific!! Think what a saving this would be for the Budget!!

What a boost to General Aviation with an INCREASE in safety, because we would then be able to get on with safe and practical operations of aircraft maintenance and operations, instead of hunting for the smell of a "Culture of Safety" which is apparently hidden underneath the workbenches, or inside the office dustbins. CASA inspections these days consist of a total paranoia about full stops and commas in the Operations Manual instead of practical hands-on checking of aircraft in the hangar, or flying abilities!!

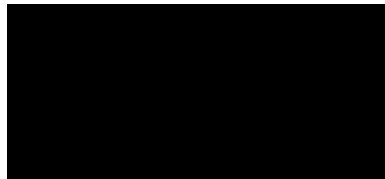
Finally:

I recommend that an urgent action should be to amend the Act to **REQUIRE CASA TO ACTIVELY PROMOTE Australian Aviation**. Those words were removed from our Act a few years ago, and they need to be urgently re-instated, together with a thorough overhaul and cleansing of CASA and regulation in the Aviation sector.

In the USA recently, President Obama has signed into law an Act which PROMOTES GENERAL AVIATION!! Not Airlines, but GENERAL Aviation!! When will the Australian Government do the same??

If you would care to have a chat sometime, please let me know, or visit us at Airag Aviation Bankstown.

With kindest regards



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