

NPRM Response Form

FATIGUE MANAGEMENT FOR FLIGHT CREW MEMBERS – PROPOSAL TO UPDATE CAO PART 48

Please complete your response by **12 June 2012** and return it by one of the following means:

Online (preferred method) casa.gov.au/newrules/ors

Fax 1800 653 897 (free call)

Post (no stamp required)
CASA Standards Development Branch
Reply Paid 2005
Canberra ACT 2601, Australia

E-mail nprm1202os@casa.gov.au

* A web-based online response form is offered as an alternative to the printed form in this NPRM. Online submission is the preferred method of sending your comments to CASA. If you are connected to the Internet, type casa.gov.au/newrules/ors into your web browser and follow the links for this NPRM.

Your Details

Please provide relevant information below and indicate your acceptance or otherwise of the proposal presented in this Notice of Proposed Rule Making by ticking [✓] the appropriate boxes.

Your name: Jeff Boyd ARN* (if known): _____

Organisation: Regional Aviation Association of Australia ARN* (if known): _____

*Aviation Reference Number, usually your CASA-issued licence or certificate number

Address: 11/26-28 Winchcombe Court, Mitchell ACT 2911

Your telephone number (optional): _____ (to enable the Project Leader to contact you as necessary)

Do you consent to have your name published as a respondent to this NPRM? YES [✓] NO []

Signed: _____ Date: 29 June 2012

How are you responding to this questionnaire/proposal, i.e. whose views are represented in your response?

Private individual Aviation industry body/association Staff association/union Government agency/authority/department/council Aviation business owner/service provider Other

Please advise your main involvement in aviation:

Passenger/public consumer of aviation services Air crew for passenger-carrying activities Air crew for non-passenger-carrying activities Ground support for passenger-carrying activities Ground support for non-passenger-carrying activities Other (specify below*, e.g. parachutist)

* Details: Industry Association representing regional aviation in Australia

Are you satisfied with CASA's consultation on this issue?

Very satisfied Satisfied No opinion Dissatisfied Very dissatisfied

Key Change Proposals (refer to NPRM Section 3)

CASA invites you to advise your comments on the subject matter proposed in this NPRM by indicating your preference by ticking [] the appropriate box and commenting below:

Key Proposal 1: Changes to the terminology and definitions used relating to fatigue management for FCMs

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

See Attached Document

Key Proposal 2: Provide a basic set of limitations (Appendix A to the regulatory standards), aimed at relatively simple operators without the need for additional risk management obligations

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

See Attached Document

Key Proposal 3: The inclusion of specific requirements, or obligations, for operators, including additional risk management obligations for operators choosing to operate in accordance with Appendices B to G of the regulatory standards

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

See Attached Document

Key Proposal 4: Make provision for a FRMS in lieu of prescriptive limitation in accordance with the standards in Appendix H to the regulatory standards

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

See Attached Document

Key Proposal 5: Make it an obligation that a FCM employed by an operator must utilise off-duty periods and adaptation periods to obtain an amount of sleep sufficient to support the appropriate and safe discharge of their duties during the FCM's next rostered FDP or standby time

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

See Attached Document

Key Proposal 6: Make it an obligation that a FCM employed by an operator in an augmented crew operation must utilise in-flight rest opportunities to adequately manage their alertness level for the remaining portion of the FDP

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

See Attached Document

Key Proposal 7: Make it an obligation that a FCM employed by an operator must disclose to the operator any reasonably foreseeable factor which may affect the individual's ability to meet the operator's fatigue management policies and limitations

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

See Attached Document

Key Proposal 8: The adjustment of FDP and flight time limitations

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

See Attached Document

Key Proposal 9: The adjustment of off-duty period requirements

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

See Attached Document

Key Proposal 10: A method for the determination of acclimatisation

- proposal is acceptable without change
- changes would improve it, but it is acceptable (please provide details below)
- changes would make it acceptable (please provide details below)
- not acceptable under any circumstances

Comments or suggested changes (including an estimate of additional costs/impacts if applicable): _____

See Attached Document



29 June 2012

Mr Peter Boyd
Executive Manager
Standards Development and Future Technology
Civil Aviation Safety Authority
GPO Box 2005
Canberra ACT 2601

Dear Mr Boyd,

**NPRM 1202OS - May 2012
Fatigue Management for
Flight Crew Members**

The RAAA and its Members

The Regional Aviation Association of Australia (RAAA) was formed in 1980 as the Regional Airlines Association of Australia to protect, represent and promote the combined interests of its regional airline members and regional aviation throughout Australia.

The Association changed its name in July 2001 to the Regional Aviation Association of Australia and widened its charter to include a range of membership, including regional airlines, charter and aerial work operators, and the businesses that support them.

The RAAA has 28 Ordinary Members (AOC holders) and 63 Associate/Affiliate Members. The RAAA's AOC members directly employ over 5,000 Australians, many in regional areas. On an annual basis, the RAAA's AOC members jointly turnover more than \$1b, carry well in excess of 2 million passengers and move over 23 million kilograms of freight. Annex A lists the Ordinary Members of the RAAA.

RAAA members operate in all States and Territories and include airlines, airports, engineering and flight training companies, universities, finance and insurance companies and government entities. Many of RAAA's members operate successful and growing businesses providing employment and economic sustainability within regional areas.

Some examples of RAAA members' presence in regional Australia is the REX hub in Wagga Wagga, SkyWest in WA, Sharp Aviation in Hamilton, Airnorth and Chartair Northern Territory networks, West Wing Aviation in Mt Isa, Airlines of Tasmania in Hobart and Skytrans operations from Cairns, to name a few.

Serving regional aviation, and through it, the people and businesses of regional Australia

Unit 11, 26-28 Winchcombe Court, Mitchell ACT 2911

ABN: 23 008 568 054 Telephone: 02 6162 0305 Facsimile: 02 6162 0308 Email: office@raaa.com.au Website: www.raaa.com.au

RAAA Charter

The RAAA's Charter is to promote a safe and viable regional aviation industry. To meet this goal the RAAA:

- ➔ promotes the regional aviation industry and its benefits to Australian transport, tourism and the economy among government and regulatory policy makers;
- ➔ lobbies on behalf of the regional aviation industry and its members;
- ➔ contributes to government and regulatory authority policy processes and formulation to enable its members to have input into policies and decisions that may affect their businesses;
- ➔ encourages high standards of professional conduct by its members; and
- ➔ provides a forum for formal and informal professional development and information sharing.

The RAAA provides wide representation for the regional aviation industry by direct lobbying of Ministers and senior officials, through parliamentary submissions, personal contact and by ongoing, active participation in a number of consultative forums.

RAAA Response to NPRM 1202OS - May 2012 Fatigue Management for Flight Crew Members

INTRODUCTION

The RAAA considers that the proposals in the NPRM have been developed primarily with the “big end of town” in mind and do not sufficiently balance the cost impacts on regional aviation with any suggested safety benefit.

Whilst the RAAA supports efforts to gain a better understanding of fatigue management and has generally favoured the flexibility allowed to operators to develop FRMSs as an alternative to the prescriptions of CAO 48, we are not aware of any body of evidence linking fatigue to accidents or incidents. We believe that CAO 48 with the Standard Industry Exemptions is working reasonably well and should be departed from with care. Although there is a growing body of literature on fatigue, its practical application to aviation is largely theoretical.

This is not a sufficient basis to make regional operations more complex and costly by restricting the currently safe and reasonably flexible rostering of flight crews. Moreover, the expectation of major and ongoing amendments and approvals to Operations Manuals is an unjustified cost imposition.

In relation to the 10 Key Proposals, the RAAA's responses are –

KP1 – This is too restrictive, particularly the definition crew rest facility does not allow the use of economy seats for crew relief on daylight sectors. Given the size of a number of aircraft operated on regional routes this is unreasonable.

KP2 – No comment

KP3 – Paragraph 3.4.9 of the NPRM states “the FDP limits put forward by CASA take a conservative approach, based on research regarding increased fatigue risk when conducting work over 12 continuous hours”. Especially given the introduction of acclimatisation periods, the RAAA sees no justification for the reduction in duty periods that Table B1 in Appendix B introduces, when compared with the High Capacity SIE. For FIFO operations this reduction will cause a number of operators major crewing difficulties with resultant ongoing cost increases in the order of several millions of dollars.

KP4 – Generally supported, subject a clear understanding that there should not be duplication of costs in the preparation and approvals of FRMS and SMS manuals

KP5 – No comment

KP6 – No comment

KP7 – No comment

KP8 – See comments on KP3

KP9 – No comment

KP10 – No comment

Conclusion

The RAAA is appreciative of the ability to respond to this NPRM.

Further to your telephone call with our Office Manager yesterday, due to our CEO, Paul Tyrrell, being overseas at this time, we may take up the opportunity to submit an amendment to this submission on his return, if it is felt necessary.

Regards



Jeff Boyd
RAAA Vice Chairman

Annex A: RAAA Ordinary Members



Airline Academy
of Australia

