



# **RAAA SUBMISSION**

**CASA**

**CD 15100S**

**Civil Aviation Order 48.1**

**Amendment Instrument 2015 (No.1)**

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

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2 October 2015

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Dear Sir,

**RAAA SUBMISSION**  
**CASA**  
**CD 15100S**  
**Civil Aviation Order 48.1**  
**Amendment Instrument 2015 (No.1)**

The RAAA is pleased to provide this submission in response to the Consultation Draft 15100S, Civil Aviation Order 48.1, Amendment Instrument 2015 (No.1).

**I. RAAA Background**

**The RAAA and its Members**

The Regional Aviation Association of Australia (RAAA) is a not-for-profit organisation 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 (RAAA) 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 29 Ordinary Members (AOC holders) and 63 Associate/Affiliate Members. The RAAA's AOC members directly employ over 2,500 Australians, many in regional areas. On an annual basis, the RAAA's AOC members jointly turnover more than \$1.5b, carry well in excess of 2million passengers and move over 23 million kilograms of freight.

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

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## **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.

## II. RAAA Response to CD 15100S – Civil Aviation Order 48.1

The RAAA calls for at least a three year delay in the promulgation of CAO 48.1.

It does not do this lightly and does so for the following reasons:

The existing CAO 48, with Industry Exemptions, is working and has been working well for many years. Strident calls for change are based mostly on industrial arguments, purportedly supported by 'scientific' data that has not yet convinced anyone of experience across the industry.

It must be noted that the RAAA was not invited to join the industry group advising CASA on CAO 48.1 development. A number of aviation industry unions were invited specifically. Given that operators are the ones most affected by the regulation, the lack of opportunity for early commentary by the RAAA is highly regrettable.

No sound evidence has been put forward by CASA in any forum that fatigue has been a significant factor in any major accident or incident. CASA arguments that fatigue may have been a causal factor in serious accidents/incidents is not evidence but conjecture, and has undermined industry's confidence in the new regulation.

With CASR Parts 61, 141, 142, 91, 119, 121, 135, 66 and 147 under various stages of review or development now is not the time to impose an unproven, complicated and ultimately costly new regulation on the industry.

Has a detailed Regulatory Impact Statement been completed and if so, what were the results?

No measurable safety benefits or otherwise with respect to CAO 48.1 have been argued by CASA to a degree that convinces experienced operators.

There seems to be significant differences in interpretation of the new regulation by CASA regional offices. One office appears to be saying that any FRMS proposal must be at least as conservative as the new prescriptive rules under 48.1. Another large regional office is taking a more flexible approach which, when compared with the former, is now naturally causing some confusion amongst operators.

If the more hard-line approach is adopted by CASA it would make no sense for operators to bother developing their own FRMS and thus they would simply adopt, under duress, the prescriptive limits of CAO 48.1

The result of the development of 48.1 is drive costs to industry up with no defined safety benefit. In addition, CASA does not appear ready to move forward, with inspectors across the regulator having a varied understanding with respect to applying rule sets. Does CASA want to see another CASR Part 61 debacle unfold?

CASA must understand that aviation businesses allocate resources for projects from start to finish, and when a project is completed they move on to the next project. The CASA habit of changing regulatory goal posts, while sometimes unavoidable, does place extra cost pressures on industry.

The CAO 48.1 process has been unnecessarily difficult for the entire industry and seems to fly in the face recent Directives from the CASA CEO. The directives and policy guidelines have given heart to industry but they must be seen to be applied consistently if they are to carry long-term weight. This is a tipping point issue for the regional aviation industry.

The whole CAO 48.1 project needs to pause and be reviewed at CASA Board level.

The RAAA membership is ready to engage further with CASA on the matters above.

### III. CONCLUSION

The RAAA is grateful for the opportunity to provide our views on the consultation draft. If you would like further information about the items contained in this submission, or clarification on any of the points we make, the RAAA would be more than happy to assist.

Regards,



Paul Tyrrell  
Chief Executive Officer