

General Aviation Rescue Package

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Issued jointly by the:

- Aerial Agricultural Association of Australia
- Aircraft Owners and Pilots Association
- Australian Business Aircraft Association
- Aviation Maintenance, Repair and Overhaul Business Association
- Overnight Airfreight Operators Association
- Regional Aviation Association of Australia
- Royal Federation of Aero Clubs

Ten Point GA Rescue Package

1. Government must engage better with industry by establishing a Ministerial forum with leading industry Associations.
2. Aviation is vital infrastructure and should be given a higher policy and funding priority, both through tax reform and government programs.
3. The aviation skills shortage should be addressed through introduction of HECS for pilots and engineers.
4. Government must consider increased support for local GA airports that are struggling to keep up with increasing costs of maintenance and compliance and threats from developers.
5. The security requirements for GA aircraft and pilots should be simplified to be in line with US practice.
6. CASA's culture must be changed to include fostering and promoting aviation.
7. CASA should be directed to establish a high level joint task force to work with industry on improving efficiency and effectiveness and reducing cost.
8. CASA should be directed by Government to substantially simplify and reduce its regulatory burden on GA, especially in the areas of drug and alcohol management plans, reporting, AOC / entry control, and through regulatory reform.
9. CASA should be directed by Government to work cooperatively with industry Associations to develop recognised Codes of Practice that will support aviation safety while reducing compliance costs, in line with ICAO recommended practice.
10. CASA should be directed to abandon its current European based approach to regulatory reform for GA, especially maintenance regulation, and adopt a

model based on the US FAA system of simple regulations for simple operations.

Is GA Dying or Being Killed?

Governments at all levels are not providing the environment or infrastructure for GA to grow because they have not objectively determined the benefits of general aviation to the Australian community and economy.

While governments are willing to assist in funding a range of other infrastructure identified as critical to the 'national interest', general aviation is left to fend for itself.

The contribution made to the Australian economy by GA was embarrassingly underestimated in the Government's White Paper, where it claimed the sector only employed some 3,000 people. In fact, GA employs many times that number.

The fact that even the government does not know the size of the sector or the contribution it makes speaks volumes for the current approach to GA policy.

GA makes a significant contribution to employment, the economy and the community – not just in regional and rural Australia - by:

- Creating sustainable jobs in piloting, aircraft repair and maintenance, manufacturing and ground support services such as refuelling and other aircraft support functions.
- Facilitating business transport – especially point to point and especially in regional Australia.
- Providing tourism transport and 'experiences' that generate significant flows for local communities.
- Providing critical health care access and services – both emergency services and general transport capabilities.
- Delivering business services such as banking, media, post, courier and freight.
- Providing specialist aviation services such as aerial firefighting, oilspill control, locust control, crop protection and fertilising, mining survey, powerline construction, survey and maintenance, forestry services and a range of other activities.
- Linking rural and regional businesses and communities to larger metropolitan centres, thereby providing an important piece of infrastructure to support the movement of populations away from capital cities.

- Training a significant proportion of Australia's pilots, including those employed by major airlines.
- Enabling remote communities to access a range of services taken for granted in more populous regions.

Unless governments at all levels accept that aerodromes and aviation bring significant economic benefits to the community, then this inaction will continue to kill off GA.

Unnecessary and heavy-handed GA regulations must be replaced by regulations that are similar to a country like the USA where GA is vibrant and making a larger contribution to the economy and employment.

Similarly, the attitude of the regulator – CASA and others – must be significantly changed so as to clarify that GA should be regulated in such a way as to promote development through simpler and more cost-effective regulation.

This is not to argue for a wholesale exemption from regulation – but rather a significant shift to sustainable and smart regulation that serves both the purposes of the industry, the objectives of the regulator and the interests of the community.

Red tape makes no contribution to aviation safety but works as a distraction from the industry's genuine focus on safety – reiterated by the safety programs run not by government, but by industry Associations.

The industry welcomes sensible regulations and enforcement, but when the red tape distracts from safety, it is clear that the regulator has missed the point of their existence.

GA is not pleading for special treatment, but is asking for a coherent policy with the growth of GA at its heart, smart and efficient regulation commensurate with risk and a partnership with government based on transparency and the national interest.

In comparison to the contribution of GA in the US or even the UK, there is obviously significant room for improvement in Australia as a direct result of improved Government policy.

A Need for Government Engagement

The lack of Government, as distinct from public service, engagement with leading industry Associations is symptomatic of a wider problem with goal setting and the lack of necessary intimate knowledge of industry problems reflected in current policy.

This could be quickly and easily addressed by increasing opportunities for Government and industry interaction on a regular basis, such as high level meetings with key sectors - not just airlines.

Government should establish a Ministerial forum with leading industry Associations.

A Vision for General Aviation

There is currently no Government vision for the development of the GA industry, hence the need for a rescue package aimed at turning around unhealthy levels of Government red-tape, lack of supportive policy and the inefficient delivery of regulation.

The overall vision for the GA industry should include the following elements:

- A Government vision for GA that is ambitious but achievable over time and which takes a sector-by-sector approach that will also enhance the quality of life of the community.
- Recognition that Australian aviation can be a vibrant, competitive and innovative industry that creates jobs and delivers valuable services to the community and other critical sectors, including regional Australia and agriculture.
- The Government should aim to foster and promote an aviation industry in Australia that is safe, reliable and sustainable, both economically and environmentally, so that the industry will be enabled to fulfil its significant potential in the economic development of the nation. This must include recognition that aviation can play a central role in offsetting the challenges Australia faces as a result of distance and its environment. The role of aviation in regional Australia in building and sustaining communities must be recognised – with sound policy, infrastructure spending and regulatory efficiency.
- The Government will achieve this by both specific aviation policies and ensuring that aviation is incorporated into other major government policies and programs including education, skills and training, tourism, regional development, agriculture and fire fighting.
- The Government should ensure that aviation is able to perform its operations without undue inefficiency from its regulators, especially CASA, and within a rule-set that is relevant to the management of risk, simple to understand and flexible enough to support innovation.

Government Arrangements

‘Transport’ should be a separate Commonwealth Department with its own Minister to enable better management of the workload around aviation issues.

To expect a single Minister to shoulder the responsibility of such a vast and divergent array of issues effectively as is currently the case under the Department of Infrastructure etc is simply unrealistic.

While a separate Ministry for Aviation is perhaps not sustainable in the face of competing government priorities, it was certainly a model used with some success by earlier Governments to ensure that aviation issues were dealt with effectively and is fully supported.

An independent ATSB, firmly founded on the principle of promoting a 'just' culture within aviation that supports - not penalises - those that report genuine errors, will continue to make a significant and relevant impact on aviation safety in Australia.

CASA remains the consistent 'problem child' of aviation safety regulation in Australia, and urgent Ministerial attention is required to set CASA on a track of supporting GA rather than killing it.

Tax / asset depreciation

The government should immediately move to permit accelerated depreciation of commercial aircraft of up to 60% in the first year so as to encourage the uptake of modern aircraft.

The government should permit income averaging across rolling five year periods for seasonally affected industries such as aerial application.

The recent tax hike in the fuel excise to fund CASA positions should be reversed.

Recognising that aerial application makes little call on CASA or other government resources including airways, ATC, aerodromes or RFFS, both fuel taxes and other government charges on the sector should be reduced or eliminated.

For example, aerial application companies in the US (who are able to thereby reduce costs to US farmers in competition with Australian exporters) are able claim a rebate from all fuel excise charges.

Infrastructure – runways and airports

The government should either:

- resume ownership and funding of airports that have suffered reductions in operational availability due to local ownership or
- increase tied funding to local council owners of airports who are unable or unwilling to devote sufficient funds to their airport for safe operations.

Pilot and engineers skills shortage - Education / training

The Government should make HECS available to all pilots and engineers embarking on a career in commercial aviation, including those pilots conducting their training

through traditional flying training schools as distinct from CPL specific courses through universities.

HECS should also be available for pilots and engineers pursuing additional essential vocational training such as agricultural ratings or engineering qualifications.

Insurance and Liability

The concept of 'contributory negligence' should be introduced urgently into an amended *Damage From Aircraft Act*.

All aerial application aircraft should urgently be exempt from the *Damage from Aircraft Act*.

The Government's White Paper proposal for a mandatory third party insurance scheme should be abandoned.

Security

All GA aircraft should be exempt from the requirements to have a transport security plan.

Security requirements should be no more onerous than those in place in the USA.

Air Services

Noise Certificates – all aerial application operations should be exempted from the requirement to have a noise certificate or an exemption from a noise certificate.

CASA

Culture Change

The Civil Aviation Act should be amended to include the goal of fostering and promoting aviation in Australia, as the US FAA has included in its charter.

Classification of operations

The Minister should prepare a new charter letter to the CEO of CASA instructing the CEO to initiate a new classification of operations policy that not only makes a clear distinction between passenger carrying operations, non-passenger carrying operations (aerial work) and private operations, but matches that structure to simpler regulations for simple aircraft/operations.

For example, regulations should be structured so that private operations work under the simplest rules possible, and aerial work operations are not subject to the same requirements as passenger carrying operations.

Efficiency of administration

CASA should immediately establish a joint CASA / Industry Efficiency Working Group so as to identify, develop and implement improvements in CASA service delivery and cost-effectiveness with the following priorities:

- Removing red tape, duplication and regulations that do not contribute to safety.
- Identifying areas that would benefit from pre-approved Codes of Practice, manuals / courses / etc
- Recommending recognition of any existing industry Codes of Practice, manuals, course etc that would simplify CASA processes
- Proposing funding for development of identified industry sector Codes of Practice, manuals / courses etc
- Identifying, developing and recommending improvements to processes / systems / approvals etc.

Industry Consultation

The SCC should be reformed as an annual conference for all stakeholders in the aviation industry, focussing on working groups on regulatory issues, priority sessions for different sectors where industry leaders are able to outline the priorities they believe CASA should be pursuing over the coming 12 months, open question time for senior CASA officers, and plenary sessions on CASA works in progress.

The former role of the SCC as a peak consultative body should be replaced by quarterly formal consultations between the CEO and senior officers of CASA and the AAAForum. If the CASA CEO is not available for the full meeting, then the meeting should not take place.

Ongoing SCC working groups should be maintained as they currently are.

Regulatory Reform

The Government should direct the Attorney General's Department to:

1. Give increased priority and increased drafting resources to the CASA regulatory reform program
2. Implement a three tier aviation regulatory system so that criminal and administrative regulations can be separated.

3. Permit CASA to prepare lay drafts of regulations and for those drafts to form part of the drafting instructions to AGs, that AGs must accept unless they can provide tangible legal precedent or argument as to why it is not acceptable.
4. Include the overt (ie black letter) defences of 'due diligence' and 'honest and reasonable mistake' to all strict liability offences within the CASA regulatory suite.

Annual Returns / surveys

CASA should work with BTE to reduce the annual returns and surveys required of AOC holders to one return/survey every two years.

Drug and Alcohol Management

DAMPS should only be mandatory for AOC holders involved in passenger carrying ops. All other GA activities should be exempt from the requirement to have a DAMP.

CASA random testing should cover air transport, aerial work and private operations, with no requirement for a DAMP for aerial work AOC holders or GA organisations.

Aerial Work AOC holders may still elect to have a DAMP if it suits their business, but not be subject to CASA audit or oversight.

CASR Part 137 Post Implementation review

The Part 137 post implementation review – now overdue by more than two years - should be brought forward and should include rotary aerial application operations.

CASR Maintenance Parts

The current proposal to introduce European style regulations in Australia for other than the airline sector should be abandoned and work commenced on the adoption of the US FAA regulatory suite.

CASA should be instructed by the Minister to implement a maintenance regime for GA that is simple, effective and lower cost than the current proposal, and in line with the US system.

Sectoral Single Points of Entry / Contact

CASA should establish a teams approach to different sectors to ensure an improvement in efficiency, consistency of advice and follow-up.

Single points of entry / streams should include an aerial application officer.

Public Relations / Education

CASA should review its policy of sending multiple copies of education material to all AOC holders as this leads to waste of thousands of dollars of printed materials.

GA Safety Initiatives

The Government should establish and fund a national database of powerlines, wind monitoring and power generation towers and other obstacles so as to address this significant threat to low-level aviation. Despite the best efforts of industry, such information is not made available from any power companies and many wind farm developers.

The Government should require the placement underground of all powerlines in areas where they pose a risk to legal low-level aviation such as agricultural spraying and firefighting. Where this is not possible in the short term, the marking of all powerlines that pose a threat to aviation should be made mandatory with the cost to fall on the owners of the electricity networks.

Further Information

For further information please contact any of the following Associations that support the GA Rescue Package

Aerial Agricultural Association of Australia - AAAA

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Aircraft Owners and Pilots Association - AOPA

Mr Phillip Reiss, President, 02 97919099, email: phillip.reiss@aopa.com.au

Australian Business Aircraft Association - ABAA

Mr David Bell, Executive Director, (02) 9953 0363, abaadbell@optusnet.com.au

Aviation Maintenance Repair and Overhaul Association - AMROBA

Mr Ken Cannane, CEO, (02) 9759 2715, ken@amroba.org.au

Overnight Airfreight Operators Association - OAOA

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Regional Aviation Association of Australia - RAAA

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Royal Federation of Aero Clubs of Australia - RFACA

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