



APL

## Tune in to Uluru radio

A NEW ADVISORY SERVICE FOR Ayers Rock Airport should bring safety benefits.

From 14 September, the six-week trial of an air-ground radio service is providing frequency confirmation, air traffic information and aerodrome weather information to all arriving, departing and overflying aircraft calling the Ayers Rock MBZ frequency (126.9MHz).

All pilots using the service are invited to comment through a questionnaire which will be available at Ayers Rock Airport or from Brian Harris, CASA, ph 131 757.



## GPS rollover fades

THE GLOBAL POSITIONING SYSTEM (GPS) end-of-week rollover – at 10.00am on Sunday 22 August eastern standard time – passed without safety-of-flight incidents.

There were some reports of GPS units giving “no satellite visible” indications, but these were limited. There were also some localised failures in GPS units providing timing information. Again, these resulted in no safety-of-flight incidents.

## Y2K reports due

STATEMENTS OF ACCOMPLISHMENT on Y2K safety are due to be returned to the Civil Aviation Safety Authority by 30 September.

The statements are due from commercial flying operations, maintenance organisations and licensed aerodromes.

They form part of a campaign by the regulator which is designed to ensure that millennium date rollover problems do not pose a risk to safety.

Organisations that fail to provide acceptable statements will face regulatory action.

Inquiries should be directed to CASA's Y2K infoline on 131 757.

## Qld airports get GPS approaches

GPS APPROACHES ARE NOW available at Rockhampton, Mackay, Proserpine and Warwick airports in Queensland.

Pilots using GPS to land at these airports will be able to fly straight-in approaches, which can cut flying time, save fuel and reduce noise in surrounding areas.

The new approaches are part of a progressive rollout across the country which will see GPS technology eventually used at up to 253 aerodromes.

Seventy-two have been completed so far.

## Big emergency exercise

EMERGENCY PROCEDURES were tested to the hilt in Moorabbin Airport's largest ever safety exercise in May.

The simulated incident between two airborne aircraft involved all airport and community emergency services.

The exercise tested the airport's procedures and the response time of emergency vehicles. Police, fire and ambulance officers were called in to deal with the emergency scenario, which involved two “fatalities”.



COURTESY OF BASI

The fatal crash of this Cessna A185E at Berowra Waters last year has prompted a review of harness requirements.

## CALL FOR INDUSTRY COMMENT

## Shoulder harnesses for small planes?

LAST YEAR'S CRASH OF A South Pacific Seaplanes Cessna 185 floatplane could become the trigger for a change in regulations on shoulder harnesses.

The fatal accident, which occurred during a go-around manoeuvre north of Sydney, has prompted CASA to review the rules governing restraints in light aircraft which carry fare-paying passengers.

The pilot and front passenger had shoulder harnesses fitted – the remaining passengers, seated to the rear of the aircraft, had lap belts only.

Although there was no Australian regulatory requirement for the rear passengers to have shoulder harnesses, BASI investigators believe they could have saved the lives of those on board.

## International study of pilot weather decisions

PILOTS AROUND THE WORLD are being asked to take part in an electronic survey of weather decisions.

The Federal Aviation Administration (FAA) and Australian and New Zealand universities

Regulations currently only require rear-seat shoulder harnesses to be fitted in light aircraft manufactured after December 1986.

Research has shown that shoulder harnesses provide substantial protection against injury on impact, in some cases up to five times better protection than that provided by a lap belt.

The head of the review, CASA crashworthiness and survivability specialist, Bruce Byers, is seeking industry opinions on costs, difficulty of installation and other issues.

Information will form part of an upcoming notice of proposed rule making. Contact Bruce Byers on ph 131 757.

want to know how pilots make decisions about weather conditions in-flight.

The web-based survey can be found at <<http://aviation.macarthur.uws.edu.au/wrdsurvey/Introduction.html>>.

## Current NPRMs

There were no new NPRMs during the months of July and August.

## Amendments to CAOs

CAO 82.3, amendment No.45, effective 30 July 1999, extending the first stage requirement for operators conducting low capacity RPT operations to and from special category aerodromes in the Torres Strait and Cape York areas from 31 July 1999 to 15 September 1999.

CAO 82.0, amendment No. 46, effective 16 August 1999, relating to conditions for passenger carrying charter operations to and from remote islands.

## New regulations

### Amendments to Civil Aviation Regulations (CARs) 1988: Flight Manuals.

CARS 1988 have been amended by introducing two new regulations – numbered 54 and 55 – and by making changes to regulations 2, 138, 139, as well as the new transitional regulations 322 and 323 relating to flight manuals.

### Amendments to CARs 1998 and CARs 1988: Certification and Standards

Incidental amendments have been made to CARs 1998 – Regulations 21, 27, 200 and 201 and CARs 1988 Regulations 2, 21, 30, 36, 42U, 43, 135, 206, 262AL, 297A, 317 and 318. The changes relate to user identified application, implementation and administrative problems following commencement of these Regulations last year.

Incidental amendments have also been made to CARs 1988, 262AM and 262AP which will commence on 1 December 1999.

A transitional Regulation 324 will also commence on 1 December 1999.

## Current Discussion Papers

Proposed general operating and flight rules – CASR Part 91 (DP9902RP). Published August 1999. Responses close 11 October 1999.



Investigators sift through the swamps of the Florida Everglades where ValuJet flight 592 crashed killing 110 people in 1996. ValuJet's maintenance contractors have now been charged with murder.

# US engineers face 110 counts of murder

AMERICAN AIRLINE MAINTENANCE firm SabreTech Inc and three of its employees are facing 110 counts of murder for their part in the 1996 ValuJet crash.

ValuJet flight 592 plunged into the Florida Everglades in May 1996, killing all 110 on-board.

An investigation by the US National Transportation Safety Board found the crash was caused by a fire in the forward cargo compartment. The fire has been attributed to the improper securing, labelling and

packaging of over 144 oxygen generators.

ValuJet had contracted SabreTech to replace the outdated generators on three of its aircraft. The prosecution alleges that SabreTech employees loaded them without safety caps onto Flight 592.

Acting US Attorney Guy Lewis said, "The tragedy is that all it would have taken to make these safe is a three-cent plastic cap for each generator". Charges against three employees of SabreTech – two mechanics and a director of

maintenance – allege the three falsified records to protect themselves against prosecution.

As well as the murder charges, SabreTech is accused of 110 counts of manslaughter and one count of illegally transporting hazardous waste.

If convicted, the three SabreTech employees could each face up to 55 years in prison and around AUD\$4 million in fines. The company, which has already gone out of business, faces around AUD\$9 million in fines.

## Reduced vertical separation minima

INTERNATIONAL STANDARDS for separating aircraft will be changed under a new ICAO agreement.

Countries in the Pacific region are working with airline industry representatives, and pilot and business associations on a proposal to introduce a reduced vertical separation minimum airspace (RVSM) in Pacific oceanic airspace.

RVSM airspace is designated above FL290, and uses a 1,000ft vertical separation minimum (VSM) instead of the usual 2,000ft VSM.

The Pacific region is scheduled to implement RVSM on 24 February 2001.

RVSM benefits operators by allowing consistent access to efficient flight levels – reducing fuel consumption and operating costs.

To enter the airspace and receive a 1,000ft separation from other aircraft, operators must have obtained an RVSM approval. CASA is managing the approval process for Australian registered aircraft, and other countries have developed similar approvals.

Currently RVSM is only used in the North Atlantic – European airspace and Australian domestic airspace are also scheduled for the change, but not until 2001.

## Manuals on the net

CASA's PROCEDURE MANUALS are now being published on CASA's web site at <[www.casa.gov.au](http://www.casa.gov.au)>.

The regularly updated web manuals replace hard copy versions, which will no longer be updated.

Manuals still in hard copy are:

- ACR systems procedures.
- Exemptions and variations procedures.
- Major defect reporting.

These will be converted to web-based manuals over the next 12 months.

For inquiries, call Steven James on 131 757.

# SAFETY EDUCATION PRODUCTS FROM CASA

To order, call our education product line on 131 757 (local call cost).

## INSTRUCTOR PACKS

- Setting your own standards
  - GPS non-precision approaches
- Available from the Airservices publications centre on 1 300 306 630 for \$76.00)

## BROCHURES

- Becoming a pilot
- Dangerous goods – range of brochures available.
- See & avoid



## VIDEOS

- Effective emergency procedures training
- GPS non-precision approaches

## GUIDES

- VFR pilot guide - Sydney basin
- VFR pilot guide - Archerfield
- Time in your tanks - Fuel planning
- A pilot's guide - Aircraft maintenance
- Independent visual approaches - Sydney airport
- Aviation Y2K: An operator's guide
- Aviation safety management
- Chief pilot guide
- Air displays - Safety and administrative arrangements



## POSTERS

- Independent visual approaches - Sydney airport
- Visual circling approaches
- Dangerous goods
- Joining the circuit

## NEWS

### CASA Coffs Harbour office closes

CASA'S OFFICE AT COFFS Harbour has closed following a restructure of the regulator.

The reorganisation centralises policy and high level decision-making at CASA's central office in Canberra.

Services to the general aviation industry are now delivered through seven new area offices: Sydney basin, NSW country, Victoria/Tasmania, Central, Western Australia, North Queensland, and South Queensland.

Operators who used to deal with the Coffs Harbour office are now covered by:

- CASA's new South Queensland area office if you live or operate north of a line between Stanthorpe, Queensland, and Yamba, NSW. Contact Bill Anderson for airworthiness matters, Bill Taylor for flying operations and Jon Chippindall for general inquiries at the Archerfield office, ph 131 757.
- CASA's NSW country area office at Tamworth if you live or operate south of a line between Stanthorpe, Queensland, and Yamba, NSW. For airworthiness inquiries contact David Timms, for flying operations, contact Terry Robinson. Call Wendy Barwick for general inquiries on ph 131 757.

### Order issued on island fuel reserves



Fuel requirements for charter operators carrying passengers to specified remote islands have been amended in Civil Aviation Order 82.0.

Operators flying to and from Lord Howe, Norfolk, Christmas and Cocos (Keeling)

Islands are now required to carry sufficient fuel to enable landing:

- At an appropriate alternate aerodrome.
- Or at an aerodrome that meets the requirements for the operation of the aircraft with its critical engine inoperative

### New rules for ground warning system

NEW RULES WILL REQUIRE ground proximity warning systems (GPWS) to be installed in most Australian commercial passenger aircraft.

Air operators are being offered the choice of installing current systems by October this year, or advanced technology equipment by the start of 2001.

Existing systems give pilots an audio and visual warning that a collision with the ground may occur if corrective action is not taken. The latest technology is fitted with predictive terrain hazard warning functions which give pilots the ability to "see" threatening terrain ahead of the aircraft's projected flight path.

### Exams and medicals hit the internet

BIG CHANGES ARE ON THE WAY for the delivery of flight crew exams and the lodgement of medical examination forms for pilots.

CyberExams, hitting the web from 1 February 2000, will give candidates on-demand exam sittings and instant results. Paper exams will end at the end of December, with no scheduled sittings in January 2000.

In a move to streamline the processing of medicals, the internet will also soon be used to lodge medical forms directly onto the regulator's system. Designated aviation medical examiners (DAMES) will receive an information pack close to the November start date.

For more information, keep your eye on the CASA web site: [www.casa.gov.au](http://www.casa.gov.au)

### Are you fit to fly?

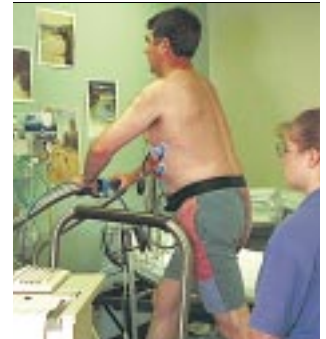
BASI'S REPORT INTO THE FATAL crash of a Channel Ten Bell 206B on August 18 last year has

found that the pilot's decision to continue flying despite complaining of severe headaches was a "significant factor" in the crash.

The finding has prompted a call for pilots to exercise greater caution when evaluating their fitness to fly.

CASA's acting director of aviation medicine, Dr Peter Wilkins, recommends that pilots suffering any form of illness should consult a designated aviation medical examiner (DAME) before flying. "Even trivial symptoms such as an upper respiratory illness or persistent headache may be associated with serious underlying causes"

A feature article on this subject will be published in the next issue of *Flight Safety Australia*.



### Better service

The Civil Aviation Safety Authority (CASA) is to create a new Regulatory Services Division to better meet the needs of the aviation industry.

Acting Director of Aviation Safety, Richard Yates, says the new division will allow CASA to properly balance the need to protect aviation safety while providing effective services to industry.

"CASA has been listening to the aviation industry and we know there is a problem with the way in which we are currently delivering regulatory services," Mr Yates says.

"We will be allocating adequate resources to both safety compliance and enforcement as well as regulatory services to industry."

The new division will be established by 1 November and will be headed by an assistant director.

## Concluded prosecutions

### June

There were no concluded prosecutions for the month of June

### July

**Drunk flying:** A commercial pilot was convicted on multiple offences, including flying within eight hours of consuming alcohol. He was also charged with 16 counts of failure to certify for daily inspection, 18 counts of failing to record the total time in service on maintenance release forms, and for failure to surrender his pilot log book. The defendant was convicted and placed on two \$1000 good behaviour bonds for two years and ordered to pay a pecuniary penalty of \$500 on each bond. He was further convicted on two other charges and fined a total of \$1500, in default 49 days imprisonment. His pilots licences – commercial and private (helicopter) – were also withdrawn for a period of six months.

### Carriage of dangerous goods:

The operations manager of a commercial charter company conducting a commercial flight, said his organisation had CASA's approval to carry dangerous goods (Hydrogen Peroxide 50%) on a flight. This was untrue – the company had not sought any permission for this procedure. The defendant was convicted under Section 23(2), and fined \$1000 plus \$2000 costs.

### August

**Low flying (2 cases):** A private pilot was convicted of two charges relating to flight in less than VMC, and one count of landing with visibility below minima. The pilot was flying low over his Melbourne home and was outside the training area. Fines for the incident totalled \$2000 plus \$303 court costs.

A charge of low flying while mustering a group of Clydesdale horses with a helicopter was proven against a second pilot. He was released on a good behaviour bond without a conviction being recorded, ordered to pay \$1125 to the court fund, \$350 costs and \$1122 compensation to the property owner.

## CASE NOTES

# Borrowed Air Operator Certificates

Paul Hibberd

WHEN PEOPLE SPEAK OF “borrowing” AOCs, they are normally referring to the practice of a person organising a commercial activity (such as a passenger charter) under someone else's AOC.

For example, a commercial pilot without an AOC may be approached by someone who wants the pilot to conduct a charter. The pilot may approach a company with a passenger charter AOC and ask them to notionally conduct the charter. The pilot would become one of the company's pilots for the operation, and may even cross hire an aircraft to the company to enable it to conduct the operation. The client would contract with the company to conduct the charter.

The borrowing of AOCs is not necessarily illegal, but there are a number of important legal issues that should be considered by both the pilot and the AOC holder.

To avoid many problems the relationships between the charterer and the AOC holder, and the pilot and the AOC holder, should be properly documented: it is amazing how recollections of oral agreements change when something goes wrong.

So far as the pilot is specifically concerned it is imperative

that, from a legal point of view, the AOC holder becomes the “operator” (or else the pilot will commit the serious criminal offence of conducting a charter operation without an AOC). The pilot must also remember that regulation 210 of the Civil Aviation Regulations 1988 makes it illegal for a person to make public announcements to the effect that he or she is willing to conduct any commercial operation, unless the person has an AOC authorising that operation.

The AOC holder also has a number of issues to consider when agreeing to a pilot borrowing its AOC.

Civil Aviation Order 82.0.3 prohibits an AOC holder from entering into certain arrangements with a person whose AOC has been suspended, cancelled or varied, or who has applied for an AOC. Whenever an approach is made to “borrow” the holder's AOC, the operation of this Order should be considered.

An AOC holder has the same level of responsibility for operations conducted by people who borrow the AOC as for any other operation conducted under the AOC. The “borrowed” operation must therefore comply with the Civil Aviation Act, Regulations, Orders and any additional conditions that have been placed on the AOC. Compliance with these

AOC holders have the same level of responsibility for operations conducted by people who borrow their AOCs as for any other operation.

provisions includes ensuring that the chief pilot of the AOC holder is able to fulfil all his or her responsibilities in respect of the borrowed operation.

If the borrowed operation is not able to comply with the law, or if the chief pilot cannot fulfil all his or her responsibilities in respect of the borrowed operation, CASA may act to suspend or cancel the AOC, or may withdraw its approval of the chief pilot.

Both the AOC holder and pilot should also ensure that proper insurance arrangements are in place. Thus, unless pilots are prepared to insure against liability, they would be well advised to check the AOC holder's insurance policy to make sure that he or she has adequate coverage. Similarly the AOC holder should be satisfied that insurance policies, including policies satisfying the requirements of the Civil Aviation (Carriers' Liability) Act 1959, cover the borrowed operation. In particular policies should be checked to ensure that the relevant aircraft type and route are covered.

Paul Hibberd is legal counsel for CASA.

## LAME seminars

- The LAME's legal responsibilities.
- STCs and mods.
- Certification.
- Human factors in maintenance.
- Licensing and competency standards.
- Open forum.

FREE  
to all LAMES

### Adelaide

2' Oct '99 Adelaide Riviera Hotel, 31-34 North Terrace

### Perth

30 Oct '99 Kings Perth Hotel, 517 Hay St

### Brisbane

27 Nov '99 Carlton Crest Hotel, King George Square

### Melbourne

18 Dec '99 Carlton Crest Hotel, 65 Queens Rd

### Sydney

29 Jan '00 venue to be confirmed

### Cairns

May '00 venue to be confirmed



Each seminar starts 0830 and concludes at 1700. Morning and afternoon tea provided.  
Contact Steve Bell – ph 131757, fax 02 6217 1550.