



**CASR PART 92 (DANGEROUS GOODS) POST IMPLEMENTATION REVIEW
ASAP TECHNICAL WORKING GROUP (TWG)
TASKING INSTRUCTIONS and FIRST REPORT**

The Part 92 PIR Technical Working Group (TWG) is established and operates in accordance with the Terms of Reference of the Aviation Safety Advisory Panel (ASAP) dated September 2017 (or as amended).

PURPOSE

The role of the TWG will be to provide relevant technical expertise and industry sector insight for the development of legislation in accordance with the agreed policy principles.

The TWG will:

- Provide industry sector insight and understanding of current needs and challenges in relation to the consignment and carriage of dangerous goods by air
- Provide current, relevant technical expertise for the development, analysis and review of legislative and non-legislative solutions to the identified issues
- Assist with the review of policies, existing regulations, advisory materials and transition strategies in relation to Part 92 – Consignment and carriage of dangerous goods by air
- Provide a recommendation to the ASAP regarding whether it should provide endorsement and/or conditional endorsement of policies, regulations, advisory materials and transition strategies in relation to the Part 92 PIR project.

KEY PRINCIPLES

The following principles for the amendment are:

Principle 1: To seek the alignment of Part 92 with ICAO requirements (unless there are extenuating reasons) for any provision that is either more or less restrictive than ICAO requirements.

Note: Article 87 of the Chicago Convention on Civil Aviation seeks “to secure the highest practicable degree of uniformity in regulations, standards, procedures and organisations in relation to aircraft, personnel, airways and auxiliary services...”

Principle 2: Australian situations should only be made more restrictive where it was considered necessary from safety perspective, reflected an international emerging practice, or thought likely that ICAO may adopt the Australian initiative.

Principle 3: Any new imposts should not constitute a major additional expense or burden; that new measures should be encouraged rather than mandated, and that new legislative measures ought not to be going beyond existing mainstream industry practices.

Principle 4: Rather than CASA’s delegates repetitively issuing similar permissions under Section 23 of the Act, statutory exclusions through Subpart 92.D, which maintain an equivalent level of safety, and for which there is sufficient level of demand; should be developed.

Principle 5: Where possible, consider the benefit of removing additional compliance costs from burdensome regulations, particularly where there appears to be common areas of responsibility or overlap with other Government agencies and departments, and to publish safety related guidance material rather than generating new regulation.

Principle 6: To provide information and to encourage the adoption by industry of safety-related practices and responsibilities.

SPECIFIC OBJECTIVES

The project has three key components:

1. **Regulation model.** The primary focus of this amendment is to align with ICAO Annex 18 standards and recommended practises (SARPs) using a model that most closely meets the key principles for the amendment.
2. **Legislation.** Improve existing legislation and address broader industry issues whilst maintaining support of government initiatives, such as the whole of government “cutting red tape” initiative. This will be achieved by reviewing the existing Part 92 against selected domestic and international legislation to determine:
 - a. Any differences from the selected international legislation that are essential to address unique Australian conditions;
 - b. Transitional strategies to minimise the disruption to current industry.
3. **Detailed policy development.** Prepare a comprehensive document setting out the detailed policy settings required for provision of drafting instructions.

Timelines for specific outputs are:

- Project launch and initiation: July 2018 (approval 21 November 2018)
- **TWG meeting (face-to-face): March 2019**
- Public consultation on detailed policy: March/April 2019
- **TWG meeting (vid con): April 2019**
- Policy finalisation: May 2019
- Legislation drafting: June 2019 – April 2020
- **TWG meeting (face-to-face): February 2020**
- Public consultation of legislation and guidance material: April 2020
- **TWG meeting (vid con – if necessary): Late April 2020**
- Regulatory package to Department: June 2020

ROLES AND RESPONSIBILITIES

CASA	TWG Members
<ul style="list-style-type: none"> • Organise meetings and workshops, and produce agendas, papers and supporting materials • Facilitate meetings and workshops • Record insights and findings • Communicate openly and consistently with TWG members about project status and issues • Respect the time of all TWG members by minimising work required to achieve outcomes 	<ul style="list-style-type: none"> • Commit to supporting the project objectives and timeline • Engage and collaborate constructively at all times • Prepare for working group activities by reviewing agendas, papers and supporting materials • Provide timely and considered advice in meetings, and between meetings as required • Respond to requests for feedback on draft materials within agreed timeframes

CONSENSUS

A key aim of the TWG is that a consensus be reached, wherever possible, in the finalisation and preparation of advice for the Aviation Safety Advisory Panel and CASA.

The TWG will be guided by the ASAP Terms of Reference (Section 6 - attached) with respect to determining and documenting consensus.

MEMBERSHIP

Members of the TWG have been appointed by the ASAP Chair, following ASAP processes.

The Part 92 TWG consists of the following members:

David Chitty – Qantas Group	Paul Robertson – Virgin Australia
Toni Farquharson – Qantas Group	^Warren Beresford – Aeropower
Stuart Burns – Complete Aviation	~Shannon Wells – Par Avion
^Anthony Gibara – Regional Express	Helen Barton – Regional Express
Stuart Richter – Toll Aviation	* Sue-Anne Muncckton – CAAA

* Unable to attend the TWG meeting.

^ Attended the TWG meeting on Wednesday 20 and Thursday 21 March 2019.

~ Attended the TWG meeting only on Thursday 21 March 2019.

The TWG CASA Lead, Sam Bitossi, was supported by Adrian Tusek during the meeting.

The ASAP Secretariat was represented by Matthew Di Toro.

PROCESS FOR ACHIEVING CONSENSUS

As required by the ASAP (& TWG) Terms of reference, there must be agreement by all participants on the method used for obtaining consensus.

To obtain consensus, the TWG discussed the meeting and came to an agreement on whether consensus (or otherwise) has been met on the outcomes of this TWG workshop. This result has been recorded under Outcomes A and B with additional commentary captured in C.

The CASA Lead has also provided commentary of the effectiveness of the TWG and whether it's believed that the recorded outcomes are a fair representation of the TWG from a CASA perspective.

SUMMARY OF OUTCOMES – TWG Meeting, Wednesday 20 – Friday 22 March 2019

This meeting of the TWG worked towards achieving the overall TWG outcomes as described in the ASAP TWG Tasking Instructions.

The two below questions seek to ascertain the views of the TWG at this time, so their advice can be provided to the ASAP. Importantly, the TWG may determine that the two outcomes are not yet met and therefore provide advice to the ASAP that this is the case. The TWG would, however, also need to qualify and outline why this is the case along with recommendations as to what needs to occur to for it to achieve the two outcomes.

In addition to the below commentary, any issues raised in the TWG meeting will be provided to the TWG members, ASAP and CASA to ensure there is a common understanding of the areas where rework or investigation is required.

A. Was there consensus achieved among the TWG members that the key principles have been met in the proposed CASR Part 92 amendment?

FULL CONSENSUS **GENERAL CONSENSUS / DISSENT**

Comments:

The TWG have achieved **full consensus** that the key principles have been met in the proposed amendment to CASR Part 92.

B. Does the TWG believe that the proposed amendment to CASR Part 92 will achieve its policy intent and be implementable by the Australian aviation industry?

FULL CONSENSUS **GENERAL CONSENSUS** **DISSENT**

Comments:

The TWG have achieved **general consensus** that the proposed amendment to CASR Part 92 will achieve its policy intent and be implementable. The TWG discussed 47 issues of which three remain open for CASA to address prior to public consultation. This includes one matter where the TWG had dissent and has requested CASA to revise it and come back to the TWG out of session for feedback. All issues are outlined in the attached issues register (Appendix 3).

C. Does the TWG have any other feedback or advice that should be considered by the ASAP?

Comments:

The TWG expressed their positive experience engaging with CASA throughout the duration of the meeting. The TWG noted that while the TWG member sector representation was adequate, the membership could be expanded to include more participants from specific areas, such as DG training organisations.

The TWG also highlighted that the pre-reading material was documented well and was easy to discuss and raise any matters that were of concern or confusion.

The TWG noted that the proposed amendment to CASR Part 92 integrates well with the new flight operations regulations.

CASA Lead Summary

SAM BITOSSI

Comment:

On behalf of CASA and the DG team, we would like to thank the TWG for all your time and effort in reviewing the proposed amendments of Part 92.

Most importantly, we would like to thank the TWG for being a positive and engaging group who worked collaboratively together to provide clear, constructive feedback. The success of this TWG should be credited to the individuals who participated.

The next step for CASA is to finalise the remaining open items with the TWG. A status of these three items is as follows:

- **3.4** - Removing 'red tape' by allowing additional provisions for small commercial aircraft operators to carry dangerous goods within Australian territory (A1.5) – Policy reworked by CASA and disseminated to TWG via email for further review & comment prior to proceeding.
Action: **Item Open** - emailed to TWG 3/4 and awaiting comments/feedback.
- **3.38** - Reinstatement of CASR 92.080 – Exclusions from requirement about dangerous goods statement & amendment to include an exclusion for Australia Post (D5.6) - Agreed by TWG. Awaiting final response from Australia Post.
Action: **Item Open** - awaiting Aus Post comments and dissemination to TWG.
- **3.45** - Required training level for Dangerous Goods Instructors (E6.3) - TWG agreed that this is to be removed from Policy Document and placed into the Advisory Circular for DG Training when updated.
Action: **Item Closed** - full consensus received from TWG to remove from Policy Document for transfer to Advisory Circular.

Once the above items are finalised, public consultation is proposed to start Friday 12th April and will last for 28 days. Following public consultation, the TWG will reconvene via video conference to review the feedback before I head into the drafting phase with the Office of Parliamentary Council (OPC) (scheduled to start late May).

Appendix

1. Extract from ASAP Terms of Reference
2. Part 92 TWG Agenda – 20-22 March 2019
3. Part 92 TWG Issues Register (as of 25 March 2019)

(extract) From ASAP and TWG Terms of Reference regarding Consensus

- 6.1** A key aim of the ASAP is that a consensus be reached, wherever possible, in the finalisation and preparation of advice to the CEO/DAS.
- 6.2** For present purposes, 'consensus' is understood to mean agreement by all parties that a specific course of action is acceptable.
- 6.3** Achieving consensus may require debate and deliberation between divergent segments of the aviation community and individual members of the ASAP or its Technical Working Groups.
- 6.4** Consensus does not mean that the 'majority rules'. Consensus can be unanimous or near unanimous. Consensual outcomes include:
 - 6.4.1 Full consensus**, where all members agree fully in context and principle and fully support the specific course of action.
 - 6.4.2 General consensus**, where there may well be disagreement, but the group has heard, recognised, acknowledged and reconciled the concerns or objections to the general acceptance of the group. Although not every member may fully agree in context and principle, all members support the overall position and agree not to object to the proposed recommendation.
 - 6.4.3 Dissent**, where differing in opinions about the specific course of action are maintained. There may be times when one, some, or all members do not agree with the recommendation or cannot reach agreement on a recommendation.

Determining and Documenting Consensus

- 6.5** The ASAP (and Technical Working Groups) should establish a process by which it determines if consensus has been reached. The way in which the level of consensus is to be measured should be determined before substantive matters are considered. This may be by way of voting or by polling members. Consensus is desirable, but where it is not possible, it is important that information and analysis that supports differing perspectives is presented.
- 6.6** Where there is full consensus, the report, recommendation or advice should expressly state that every member of the ASAP (or Technical Working Group) was in full agreement with the advice.
- 6.7** Where there is general consensus, the nature and reasons for any concern by members that do not fully agree with the majority recommendation should be included with the advice.
- 6.8** Where there is dissent, the advice should explain the issues and concerns and why an agreement was not reached. If a member does not concur with one or more of the recommendations, that person's dissenting position should be clearly reflected.
- 6.9** If there is an opportunity to do so, the ASAP (or Technical Working Group) should re-consider the report or advice, along with any dissenting views, to see if there might be scope for further reconciliation, on which basis some, if not all, disagreements may be resolved by compromise.

ASAP Technical Working Group
CASR Part 92 – Consignment and carriage of dangerous goods by air
20-22 March 2019
Conference Room 13.15

CASA Melbourne Office, Level 13, 720 Bourke St, Docklands

A G E N D A

Day One – Wednesday, 20 March 2019

Time	Topic	Presenter/s
8.30am – 9.00am	TWG members arrive at CASA office	TWG members
9.00am - 9.30am	START - Welcome, introductions, housekeeping	CASA – MB & SB
9.20am – 9.30am	Review and Acknowledge TWG Tasking Instructions and ASAP Terms of Reference	ASAP
9.30am – 10.00am	Scope, regulations commencement plans, development of transitional plans and intent, CASR Part 92 overview (key changes from PIR) and relationship to other CASR parts (6-pack)	CASA - SB
10.00am – 10.20am	Morning Tea	
10.20am – 12.00pm	Part 92 Policy Determination Document – Discussion session & working group	ALL
12.00pm – 12.45pm	Lunch Break	
12.45pm – 12.50pm	TWG Group Photo in CASA Reception area	ALL
12.50pm – 2.30pm	Part 92 Policy Determination Document – Discussion session & working group	CASA
2.30pm – 2.45pm	Afternoon Tea	
2.45pm – 4.30pm	Part 92 Policy Determination Document – Discussion session & working group	ALL
4.30pm – 5.00pm	Wrap up of Day One <ul style="list-style-type: none"> • Outstanding Issues • Policy Item Summary 	CASA

Day Two – Thursday, 21 March 2019

Time	Topic	Presenter/s
8.00am – 08.30am	Arrive coffee and ready for an 8:30am start	ALL
8.30am – 10.00am	Part 92 Policy Determination Document – Discussion session & working group	ALL
10.00am – 10.15am	Morning Tea	
10.15am – 12.00pm	Part 92 Policy Determination Document – Discussion session & working group	ALL
12.00pm – 12.45pm	Lunch Break	
12.45pm – 2.45pm	Part 92 Policy Determination Document – Discussion session & working group	ALL
2.45pm – 3.00pm	Afternoon Tea	
3.00pm – 4.30pm	Wrap up of Day Two <ul style="list-style-type: none"> • Outstanding Issues • Policy Item Summary 	ALL

Day Three – Friday, 22 March 2019

Time	Topic	Presenter/s
8.00am – 08.30am	Arrive coffee and ready for an 8:30am start	ALL
8.30am – 10.00am	Part 92 Policy Determination Document – Discussion session & working group	ALL
10.00am – 10.15am	Morning Tea	
10.15am – 12.00pm	Part 92 Policy Determination Document – Discussion session & working group	ALL
12.00pm – 12.45pm	Lunch Break	
12.45pm – 2.45pm	Part 92 Policy Determination Document – Discussion session & working group	ALL
2.45pm – 3.00pm	Afternoon Tea	
3.00pm – 4.00pm	Wrap Up of Technical Working Group <ul style="list-style-type: none"> • Confirm Issues • Prepare Draft CASR Part 92 TWG Report • Next Steps – SOC, Publication on CASA Consultation Hub, 2nd TWG ahead of drafting. 	ALL MB SB

#	Status	Policy Item #	Description	Raised By	Date Raised	Actions & Progress Notes	Date Resolved	RESULT
1	Closed	3.2	<p>Comment The following comments were received:</p> <ol style="list-style-type: none"> 1. Need to ensure definition of DG occurrence is included in the regulations otherwise there is insufficient guidance for industry 2. Can the definition of 'serious injury' be adopted from WHS legislation e.g. QLD 3. 3.2.3.30 The extension of 'deemed employee' to all parts of Part 92 causes an issue that was seen as making it apply to operators. 4. If an accident/incident/occurrence is discovered after the dangerous goods have been transported by air then this should be immediately reportable. <p>CASA response</p> <ol style="list-style-type: none"> 1. The requirement for additional definitions for this regulation is covered in 3.2.3.25 2. CASA prefers to retain use of the ICAO Annex 13 definition for 'serious injury' to provide for no difference to ICAO 3. Based on discussions the issue raised was seen as justified and the extension of the term 'deemed employee' to all of Part 92 was not required. 4. There was a consensus that if the accident/incident/occurrence is discovered after the dangerous goods have been transported by air that these should be immediately reportable. <p>CASA action No change to be made re 1, 2 and 3 Amend drafting instruction to cover 4</p>	TWG	20-Mar-19	When drafting the requirement, it needs to be clear that the reporting of a dangerous goods accident/incident or occurrence is required at any time after the shipper has completed the preparation of the package up until it is received and opened by the consignee.	20-Mar-19	Full Consensus
2	Closed	3.3	<p>Comment The following comments were received:</p> <ol style="list-style-type: none"> 1. Be careful about the use of words used such as 'easily impose' , 3.3.3.2 'does not provide adequate deterrent', etc. 2. It's seen as a policy decision for the Commonwealth 3. The offences relating to operations manuals under CAR 215 and how they align with the proposal as it relates to 92.045 and 92.055 needs to be clarified during drafting - maybe this is already covered by CAR 215 <p>CASA response</p> <ol style="list-style-type: none"> 1. Wording changed in consultation of working group. 2. Accepted as being something related to basic legislative drafting and offence provision 3. A note this effect will be included <p>CASA action To include a note in this draft to highlight if penalties are needed for CASR 92.045 and 92.055 or maybe they are already covered by CAR 215.</p>	TWG				Full Consensus
3	Open	3.4	<p>Comment The following comments were received:</p> <ol style="list-style-type: none"> 1. The issue of aircraft size limits was raised as being an unnecessary limit. The restriction should be to apply based on operation. Suggestion was made that it apply to aircraft operation type e.g. Parts 133, 135 and 138. 2. One option proposed was to only remove the limit based on passenger numbers. 3. Is there a definition of proper condition for transport? 4. There should be a requirement on the operator to have written process and procedures in their operations/dangerous goods manual before they are able to use this regulation. 5. There was concern that this opens up dangerous goods transport too widely. 6. The training should remain as being Group A - there was group consensus on this. 7. There should be a requirement to demonstrate the ability to conduct this operation through an assessed exposition under Part 92 and not just by having a documented process and procedures. 8. Summary comment: there was no appetite to introduce the change as it lowers the standard and it remains suitable that this type of transport can be provided through section 23 permissions but could proceed by having this regulation but without the ability for an operator to use the regulation without the carriage of dangerous goods approved by way of an approval on their AOC <p>CASA response</p> <ol style="list-style-type: none"> 1. It was accepted that there are aircraft that this would be suitable to cover but fall above the proposed limits and that the limit can be more easily expressed by way of reference to operations permitted in the new parts 133, 135 and 138. 2. The response to item 1, covers the issue and removes the passenger seat configuration limit. 3. Guidance on the intention of the term "proper condition for transport" can be created in an Advisory Circular to support this regulation 4. The regulation can include a requirement that before an operator can transport dangerous goods under this regulation that they must have included a process and procedures in their operations/dangerous goods manual and have had it accepted by CASA. 5. The concern was acknowledged and hence the initial draft to restrict aircraft size and passenger numbers as the regulation is aimed to restrict the quantity of dangerous goods carried and the number of persons affected in the event of an accident or incident. 6. Training can be changed to be the higher level of Group A. 7. This was viewed as suitable way forward whereby the regulation could exist and be used but only where an operator had addressed all the requirements through the exposition provided as part of the AOC application. 8. Summary response: Having a regulation exist that removes the need for issuing individual permissions under Section 23 of the Act is seen as the best way forwarded. However, in order to achieve this, the regulation should not automatically be open to use but restricted by requiring an operator wishing to take advantage of this regulation having to include this in their AOC application or variation exposition making it subject to CASA assessment but then if permitted, this would be included on the operators Operations Specification <p>CASA action To be drafted taking into account the comments but to include requirements for this to be an AOC Operations Specification related regulation</p>	TWG		To be redrafted and consulted by correspondence		Dissent

#	Status	Policy Item #	Description	Raised By	Date Raised	Actions & Progress Notes	Date Resolved	RESULT
4	Closed	3.5	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response Nil</p> <p>CASA action No change</p>					Full Consensus
5	Closed	3.6	<p>Comment The following comments were received: 1. Does this require new dangerous goods transport documentation 2. Should it require an indication to be provided in or attached to the package that it was opened for inspection along with details of who, when, where, date and time?</p> <p>CASA response 1. No. The package can continue with the original documentation 2. To include additional information in the OPC Drafting Instruction requiring the provision of details of the opening of the package including details of who, when, where, why, the date and time and a signed statement that the package has been restored to a condition that complies with the ICAO Technical Instructions.</p> <p>CASA action Draft change provided in 3.6.5.3</p>					Full Consensus
6	Closed	3.7	<p>Comment The following comments were received: 1. The wording should focus on the person and not the operator and include wording that the the employee must inform their employer that they have failed the training course. 2. Are Privacy legislation requirements impacted?</p> <p>CASA response 1. OPC Drafting Instruction amended to include a requirement for the person failing a dangerous goods course to inform their employer 2. The Privacy issue will be mentioned for consideration by the legal drafter.</p> <p>CASA action OPC Drfating Instruction amended Update the existing Advisory Circular on Dangerous Goods Training to Include a requirement for the training provider to inform the operator of the exam failure if the training has been contracted.</p>					Full Consensus
7	Closed	3.8	<p>Comment The following comments were received: 1. This is consistant with Part 61 2. Can there be an exemption to implement this now ahead of the new legislation?</p> <p>CASA response 1. Agreed. 2. The CASA DG section will seek an industry wide exemption to implement the alignment in the interim</p> <p>CASA action No change An exemption that implements this ahead of the legislation will be sought by CASA DG section</p>					Full Consensus
8	Closed	3.9	<p>Comment The following comments were received: 1. Discussion surrounded old language, e.g. 'scenic or joy flights' Proposal suggested was to cover these having regard to the new Parts e.g. CASR 131 Manned balloons 2. Aeromedical flights were discussed and it is not proposed to try and included aeromedical flights</p> <p>CASA response 1. Wording of OPC Drafting Instruction paragraph 3.9.5.2 changed to reflect CASR Parts 131, 137, 141 and 142 2. Aeromedical flights will not be added to this proposal</p> <p>CASA action OPC Drafting Instruction amended per item 1. If CASA Discussion Paper 12/10 re Joy flights (Possibly CASR Part 136) was to proceed, then there may be the need for a future consequential amendment</p>					Full Consensus

#	Status	Policy Item #	Description	Raised By	Date Raised	Actions & Progress Notes	Date Resolved	RESULT
9	Closed	3.10	<p>Comment The following comments were received: 1. Seen as needed to provide a consistent level of training by having CASA review the course</p> <p>CASA response 1. Agree</p> <p>CASA action No change to the proposal</p>	Toni F				Full Consensus
10	Closed	3.11	<p>Comment The following comments were received: 1. Should this be more detailed along the lines of Part 142 for training organisations and the need for back-up of data and records 2. This is seen as enabling a starting point to a future MoS 3. Change wording from 'training organisation' to 'provider of an approved training course'</p> <p>CASA response 1. Seen as not requiring the same detail as Part 142 but will be considered in the future when developing a MoS that relates to DG training 2. For future work beyond the scope of this project but will assist with a MoS 3. Wording changed to the OPC Drafting Instruction</p> <p>CASA action Changes to wording per Item 3</p>	Shannon Warren				Full Consensus
11	Closed	3.12	<p>Comment The following comments were received: 1. Would this cover the large logistics companies e.g. eBay or Amazon?</p> <p>CASA response 1. Yes. It would make it clear the staff need adequate instruction in relation to dangerous goods e.g. awareness of what dangerous goods are, procedures for dangerous goods they may be picking for packing.</p> <p>CASA action No change</p>	Toni F				Full Consensus
12	Closed	3.13	<p>Comment The following comments were received: 1. Amend title to reflect that this relates to the ability to carry ammunition and not the firearm 2. Is the method of notification to the pilot being defined?</p> <p>CASA response 1. Title amended accordingly 2. No. The method of notification to the pilot is as determined by the operator.</p> <p>CASA action No change to be made.</p>	Paul R Toni F				Full Consensus
13	Closed	3.14	<p>Comment The following comments were received: 1. This isn't needed for an aircraft that is flying without passengers as it's a private flight 2. The aircraft size should be referred to by CASR Part rather than size and passenger numbers as per discussion of 3.4</p> <p>CASA response 1. Agreed. Private flights are already covered. 2. Amended to remove passenger numbers and drafting instruction will seek consideration of the best reference which is likely to be by CASR Part number.</p> <p>CASA action OPC Drafting Instruction amended and note added for OPC</p>			E-mail this to Shannon and Warren for review		Full Consensus

#	Status	Policy Item #	Description	Raised By	Date Raised	Actions & Progress Notes	Date Resolved	RESULT
14	Closed	3.15	<p>Comment The following comments were received: 1. Needs to clarify what is meant by dangerous goods not permitted 2. The proposal to include seeking confirmation about contents of a bag suspected of containing dangerous goods shouldn't be a regulation but is already covered during dangerous goods training and doesn't need to be regulated 3. Can the requirement also include the circumstance of a carry on bag being taken from a passenger and placed into the cargo hold due to being over size, etc.?</p> <p>CASA response 1. Draft amended to make clear that 'permitted' relates only to those dangerous goods permitted for passengers per ICAO Technical Instructions Part 8 2. Agreed that this is sufficiently covered in training of staff 3. Agreed. This situation would also be best covered by requiring the dangerous goods challenge as some items may only be permitted in the cabin in carry on baggage and not permitted in the cargo hold</p> <p>CASA action OPC Drafting Instructions changed.</p>					Full Consensus
15	Closed	3.16	<p>Comment The following comments were received: 1. The aircraft size restriction in 3.16.5.1 was questioned as it was not raised in the PIR. 2. The quantity limit outlined per aircraft in 3.16.5.2.f was also questioned as this was not raised in the PIR</p> <p>CASA response 1. This was an unintentional inclusion from a previous draft whereby consideration was being given to allowing CASR 92.185 to apply to passenger aircraft 2. The quantity per aircraft was an error and is meant to be quantity per package.</p> <p>CASA action 1. 3.16.5.1 was amended to remove the aircraft size and capacity limitations as these didn't previously exist in 92.185 2. Amended 3.16.5.2.f. amended to reflect that it's the quantity per package No change to be made or outline changes etc.</p>					Full Consensus
16	Closed	3.17	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>			Add a cross reference in 3.17 to 3.20		Full Consensus
17	Closed	3.18	<p>Comment The following comments were received: 1. 3.18.5.1 c.v. - discussion was around 'rigid outer packaging' and what it is intended as acceptable 2. The wording in 3.18.5.1.d. requiring CASA acceptance of the operations/DG manual is already required for operations/dangerous goods manuals and not required to be repeated 3. The wording in 3.18.5.1.iv. should be amended to not use the term 'acceptance' as it may be mistaken as a cargo acceptance process. 4. Request was made to amend 3.18.6.3 to include reference to 3.13 for clarity to show it relates to officers of law enforcement agencies.</p> <p>CASA response 1. The wording of rigid outer packaging was discussed having regard to the ICAO Technical Instructions and then extended to be 'strong rigid outer packaging' to ensure a high standard for containment and protection 2. Deleted 3. Amended to reflect that the dangerous goods are in checked-in baggage 4. 3.18.6.3 amended to make reference to 3.13</p> <p>CASA action No change to be made</p>					Full Consensus
18	Closed	3.19	<p>Comment The following comments were received: 1. This should possibly go into Part 119 referring to reference library requirements. 2. The consensus was that it's actually unnecessary and already covered by CAR 215 in relation operations manuals being needed to be kept up to date</p> <p>CASA response 1. Agreed to removal of this from the draft</p> <p>CASA action Removed from the OPC Drafting Instruction</p>					Full Consensus

#	Status	Policy Item #	Description	Raised By	Date Raised	Actions & Progress Notes	Date Resolved	RESULT
19	Closed	3.20	<p>Comment The following comments were received: 1. Should this include labelling prohibited in the ICAO Technical Instructions 5; 3.4 2. Nil</p> <p>CASA response 1. Added as a note in the OPC Drafting Instruction</p> <p>CASA action OPC Drafting Instruction amended to reference 1.</p>	CASA				Full Consensus
20	Closed	3.21	<p>Comment The following comments were received: 1. Minor wording changes needed to convey the intent is for UN specification packaging and for non-UN specification packaging approval</p> <p>CASA response 1. Amended during the discussion to make the intent clearer</p> <p>CASA action OPC Drafting Instruction amended</p>					Full Consensus
21	Closed	3.22	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus
22	Closed	3.23	<p>Comment The following comments were received: 1. Remove paragraph 3.23.5.3 not needed. Already covered sufficiently in CASR 92.180</p> <p>CASA response 1. Agreed and deleted</p> <p>CASA action OPC Drafting Instruction amended</p>			E-mail to Shannon and Warren		Full Consensus
23	Closed	3.24	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus
24	Closed	3.25	<p>Comment The following comments were received: 1. A similar change was made to rewrite CAO 48.1 into easier to understand language in 2019 and the same approach should be taken here</p> <p>CASA response 1. Agreed. No changes</p> <p>CASA action No changes</p>	Dave				Full Consensus

#	Status	Policy Item #	Description	Raised By	Date Raised	Actions & Progress Notes	Date Resolved	RESULT
25	Closed	3.26	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus
26	Closed	3.27	<p>Comment The following comments were received: 1. Remove Specific Instruction 3.27.6</p> <p>CASA response 1. Deleted from the draft</p> <p>CASA action OPC Drafting Instruction amended per 1.</p>			Do a word search for 'deemed employee' to identify other occasions where it was mentioned as being moved to 92.101		Full Consensus
27	Closed	3.28	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus
28	Closed	3.29	<p>Comment The following comments were received: 1. Remove the links of 3.29.7.2 and 3.29.7.3 as the carriage of ammunition in these circumstances is unrelated and shouldn't be confused</p> <p>CASA response 1. Both linked paragraphs 3.29.7.2 and 3.29.7.3 deleted</p> <p>CASA action No other change to be made</p>	Warren				Full Consensus
29	Closed	3.30	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response Nil</p> <p>CASA action No change</p>					Full Consensus
30	Closed	3.31	<p>Comment The following comments were received: 1. Comment was made that training sufficient to ensure segregation requirements was required and some knowledge of dangerous goods is required. Therefore, the title stating "Exempt a sling load helicopter operator from DG training" did not adequately reflect the change.</p> <p>CASA response 1. CASA agreed that training must be commensurate with duties and therefore training that covered at least knowledge of dangerous goods and segregation is preferred. The title of the change should also reflect that it is meant to apply to the pilot and person accepting the dangerous goods for carriage on the sling load and that syllabus for Group C level training is suitable</p> <p>CASA action Change to the title of 3.31 was made and 3.31.5 was amended to remove Group D training. Minimum established was Group C training.</p>	Warren				Full Consensus

#	Status	Policy Item #	Description	Raised By	Date Raised	Actions & Progress Notes	Date Resolved	RESULT
31	Closed	3.32	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus
32	Closed	3.33	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus
33	Closed	3.34	<p>Comment The following comments were received: 1. Fix the proposed note in 3.34.6 to be the IATA Dangerous Goods Regulations not IATA Regulations</p> <p>CASA response 1. Amended</p> <p>CASA action OPC Drafting Instruction amended</p>	Toni F				Full Consensus
34	Closed	3.35	<p>Comment The following comments were received: 1. Accepted as a change that is only alignment with ICAO requirements</p> <p>CASA response 1. No changes to the proposal are needed.</p> <p>CASA action No change</p>					Full Consensus
35	Closed	3.36	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus
36	Closed	3.37	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus

#	Status	Policy Item #	Description	Raised By	Date Raised	Actions & Progress Notes	Date Resolved	RESULT
37	Open	3.38	<p>Comment The following comments were received: 1. Australia Post should be a need to gain written approval of the Operator 2. The exclusion should only apply to the flooded area and not for convenience 3. The mail should also be subject to security screening as a condition of transport 4. The excluding of the need for the operator to receive a statement (as per CASR 92.070(6)) needs to be extended to ensure it will include the proposed 92.080 5. The use of the exclusion needs to be notified in such a way that the use of it is reported to CASA and when use of it ends needs to be communicated to CASA</p> <p>CASA response 1. Added to the draft 2. Added to the draft 3. Discussed but TWG saw this as not achievable 4. Added to the draft 5. Added to the draft</p> <p>CASA action OPC Drafting Instructions amended</p>			E-mail Australia Post for their view E-mail Warren and Shannon Adrian Tusek to meet with Australia Post		General Consensus
38	Closed	3.39	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>	TWG				Full Consensus
39	Closed	3.40	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus
40	Closed	3.41	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus
41	Closed	3.42	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus
42	Closed	3.43	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus

#	Status	Policy Item #	Description	Raised By	Date Raised	Actions & Progress Notes	Date Resolved	RESULT
43	Closed	3.44	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus
44	Open	3.45	<p>Comment The following comments were received: 1. As a minimum the instructor should instruct at least once a year. 2. For Certificate IV under ASQA they require only that the person is up to date 3. It should be even more often maybe every 6 months 4. Should the requirement be to demonstrate their proficiency and ability to teach? 5. Could the requirement to deliver a course be met by a person who instructs a course attended by only one person? 6. There is significant advantage in trainers attending a training course in order to maintain their professional standards 7. A better way forward is to include details in a MoS and in the interim update the advisory circular</p> <p>CASA response 1. Reviewed the policy as a whole and suggested that the policy be deleted and placed into the ACs. 2. The training isn't covered under the ASQA system and will remain separate and an RTO system isn't required 3. Considered but may be too restrictive for some instructors 4. Agreed. This done during the initial approval process and might not be needed for renewal if sufficient guidelines exist. 5. Delivering a course to only one person would still be considered as delivering a course as the instructor still needs to review and present the full course. 6. This should be a requirement of the Advisory Circular 7. Agreed that the best way forward is to provide guidance on considerations in the Advisory Circular until such time as there is a move to a Manual of Standards.</p> <p>CASA action Remove policy and place these requirements into the Advisory Circular emphasising the requirement for the instructor to attend a training course in order to maintain their professional standard</p>	Toni F Shannon Helen		To be captured in the Advisory Circular CASR 92.140(5) will need to be repealed E-mail to Shannon and Warren		Full Consensus
45	Closed	3.46	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus
46	Closed	3.47	<p>Comment The following comments were received: 1. Nil</p> <p>CASA response 1. Nil</p> <p>CASA action No change</p>					Full Consensus