



## MAINTENANCE ENGINEER LICENSING (PART 66) ASAP TECHNICAL WORKING GROUP TASKING INSTRUCTIONS and **SEVENTH** REPORT 5 June 2023

The Part 66 Technical Working Group (TWG) is established to operate and report to the Aviation Safety Advisory Panel (ASAP) in accordance with the Terms of Reference of the ASAP dated November 2021 (or as amended).

### PURPOSE

The role of the TWG is to provide relevant technical expertise and industry sector insight for the analysis and review of Civil Aviation Safety Regulations (CASR) Part 66 and Manual of Standards (MOS) in accordance with the agreed policy principles listed below:

- provide industry sector insight and understanding of current needs and challenges
- provide current, relevant technical expertise for the development, analysis, and review of legislative and non-legislative solutions to the identified issues
- assist with the development of draft regulation, guidance materials and other supporting materials
- provide endorsement and or conditional endorsement of draft regulations, guidance materials and other supporting materials for consideration by the ASAP and CASA
- consider whether there are any related opportunities for improvement to CASR Part 147 (Maintenance Training Organisations) to ensure Part 147 is entirely compatible with Part 66 and provides complementary set of regulations.

### TWG OUTCOMES

The project has three key components:

1. **Legislation.** Review and recommend changes to the Part 66 regulations and MOS, to achieve the policy outcomes.
2. **Licence privileges.** Review and recommend changes to clarify and improve the understanding of licence privileges to achieve the policy outcomes.
3. **Aeroskills training.** To assist, where necessary, in the development of a revised Aeroskills training package by the Aerospace Education and Training Industry Reference Committee (IRC) of the Department of Education.

### TWG MEETINGS

- 6 April 2018
- 30 January and 2 December 2020
- 25 August and 19 September 2021
- 2 May, 26 July, 17 August, 19 November and 9 December 2022
- 7 March 2023
- 5 June 2023



## ROLES AND RESPONSIBILITIES

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

## CONSENSUS

A key aim of the TWG is that a consensus be reached, wherever possible, in the finalisation and preparation of advice for the ASAP.

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 66 TWG meeting was attended by:

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| <ul style="list-style-type: none"><li>• Mark Thompson (Chair)</li><li>• Sheridan Austin</li><li>• Stephen Re</li><li>• Keith Blaik</li><li>• Rod Tomlins</li><li>• Steven Wright</li></ul> | <ul style="list-style-type: none"><li>• Russell Quinn</li><li>• Mark Howe*</li><li>• Aaron Smith</li><li>• Darren Barnfield</li><li>• Mary Brown*</li><li>• Ted Goetz</li></ul> |
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The TWG CASA Lead, Ben Challender, was supported by CASA subject matter experts during the meeting.

The ASAP Secretariat was represented by Chace Eldridge.

*\*Denotes members not present in the meeting*



## MEETING SUMMARY

- The purpose of the meeting was for the TWG to provide feedback on the initial Part 66 Manual of Standards (MOS) amendment draft that intends to facilitate modular licensing.
- Prior to the official meeting opening, there were discussions on the current workforce shortage and tangible actions to alleviate this. The TWG and CASA agreed that the industry needed more licensed aircraft engineers (LAMEs), but that any licence needed to have practical value to employers. Additionally, it was noted that the significant time associated with an apprenticeship, and the difficulties associated with retraining LAMEs who have spent time outside the industry, were contributing to the shortage.
- CASA outlined that the current MOS draft and explanatory documents required further work, as they are an initial draft. The TWG acknowledged this and recognised the value of seeing an early draft; however, many members raised concerns about the amount of progress (or lack thereof) that had been made.
- CASA presented the proposed detail around the exclusions. The TWG felt this approach could be simplified. They suggested that CASA should exhaust all possible options, under the Part 66 MOS, to permit the issuance of licences with exclusions as soon as practicable. In doing so, Part 147 maintenance training organisations will need the ability to notify CASA of training outcomes (outcomes against the licence category sought and the associated exclusions that are to be applied) so that candidates can be issued a licence with exclusions based upon what is achievable, and what privileges are needed, in the organisation in which they are employed. The TWG members felt this would mitigate concerns about 'boutique licensing'. Additionally, this would allow greater flexibility in issuing licences to foreign licence holders with exclusions as opposed to the current 'all or nothing' position.
- The TWG noted that aligning with other international licensing standards, in accordance with the group's tasking instructions, was desirable where possible. This included alignment with other international bodies and national aviation authorities in terms of experience requirements. Moreover, the TWG sought to avoid creating a third licensing system which would create further confusion for the industry. In principle, the TWG supported recreating the privileges of a person who transitioned from the previous licensing system to the current Part 66 licence.
- There was some discrepancy in agreements from previous TWG meetings, with some members feeling CASA had not heeded their advice. For example, the TWG queried why air conditioning was not listed as an exclusion. One of the key points raised in previous meetings was related to individuals who may work in a maintenance organisation that services small helicopters and light aircraft being able to be issued with a licence that 'suits' their workplace. This can be generated with the use of existing exclusions in most cases; however, the current MOS does not allow



for CASA to issue the licence. This change had not been addressed in the draft that was provided.

- The TWG supported using only the existing licence subcategories to list exclusions. They also reiterated the importance of theory being fully integrated into any proposed licensing scheme. Therefore, the current examination schedule, in the majority of cases, can be maintained and further delays that would be caused by the generation of any bespoke exams eliminated.
- The current regulatory pathway for removal of exclusions is through a maintenance training organisation. However, CASA has proposed amending the regulations to also permit the removal of exclusion via the self-study provisions. As a result, TWG members noted updates will be required to CASA's practical experience logbook and on-the-job training guidance to provide for an exclusion removal practical that could be assessed by CASA. It was also raised that specific exam reference materials for self-study students could be improved and become more accessible. CASA will follow up with the exam provider for more clarity around study material.
- The TWG reiterated that when the outcomes are implemented, appropriate guidance material is required to assist industry understanding.
- Some TWG members raised that workforce shortages are impacting the airline sector, as well as general aviation. The group again stressed that any regulatory assistance should be implemented as soon as practicable.
- The TWG was not satisfied with progress since the last TWG meeting in March. They felt more frequent updates, when progress occurs internally or when there are delays, would assist in managing industry expectations. CASA outlined that it was expediting all processes with the aim of facilitating modular licensing as soon as practicable. The regulatory process for MOS or regulation amendment takes time to ensure legislation is drafted appropriately. It was explained that deliverable licensing outcomes are still several months away, considering the necessary work plan includes further work with the TWG to review and refine draft legislation, explanatory materials and implementation arrangements; then public consultation of the draft MOS; followed by final review with the TWG after public consultation to ensure the final package is fit for purpose and industry feedback has been addressed.
- The TWG industry members discussed the overall progress of the project, their feedback and a proposed pathway forward following the meeting. The outcomes of the meeting and the TWG's recommendations are captured below.

## **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 will discuss their views on the provided material during the meeting then address the below Outcomes.

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

## SUMMARY OF OUTCOMES – Seventh TWG Report, 5 June 2023

### A. Does the TWG believe the currently proposed Part 66 MOS amendment is fit for purpose?

FULL CONSENSUS / GENERAL CONSENSUS / **DISSENT**

#### Comments:

The TWG does not feel the proposals presented in the meeting were fit for purpose. They felt the current pathway was more complicated than necessary and would not make a timely difference to the industry. Specifically, the TWG noted the following:

- The group would like to review the drafting instructions developed following the previous TWG meeting to determine where there was a divergence from previous recommendations of the TWG. They felt this may expedite the process moving forward.
- Most TWG members were concerned about introducing new license subcategories as it would cause further confusion for the industry.
- Suggestions were made to implement changes as soon as practicable that will allow licenses to be issued with exclusions with minor MOS amendments. They noted that progression through an exclusion removal pathway exists through maintenance training organisations and that this is the most relevant pathway for most applicants. If possible, CASA should implement changes to allow this to take place and then regulatory amendments can be made in the future to permit exclusion removal via self-study.
- An outcome-based approach was supported. The industry is familiar with existing subcategories and exclusions. They felt 'boutique licensing' concerns were not warranted as applicants would require licenses that made them employable – CASA could also provide guidance material around this issue. The TWG noted that applicants would consider that they only have access to funding for their training once, so they may be less likely to apply for a license with a number of outstanding exclusions only to self-fund their removal in future.
- The TWG supported maintaining minimum experience requirements to



align with the International Civil Aviation Organisation (ICAO).

**B. Is the TWG satisfied with the progress of the project to this point?**

**FULL CONSENSUS / GENERAL CONSENSUS / DISSENT**

**Comments:**

The TWG were not satisfied with the progress of the project thus far – their overall feeling was frustration. Some TWG members felt aggrieved that CASA had not understood the reality of the current workforce shortage and that the TWG’s recommended pathway for modular licensing and their calls for expediency had been ignored – particularly given the group had been engaged and raising the same concerns for several years.

It was raised that for there to be value derived from the next TWG meeting, it may need to be held in person and with suitable senior management representation from CASA. The TWG may also meet as an industry-only group on occasion to review updates provided by CASA.

The TWG would also like it noted that there is an increasing overall negative impact on aviation safety and airworthiness when there is limited availability of LAMEs. They said anecdotally that some industry members may be faced with choosing between cutting safety corners, in terms of defect reporting, or ceasing operations.

Lastly, they felt that interactions between Part 43 and Part 66, particularly some concerns raised by the ASAP’s Maintenance Policy Alignment Group, need to be addressed.

**CASA Lead Summary**

**Ben Challenger**



**Comment:**

CASA thanks the TWG members for their time and input on the initial draft MOS amendment.

CASA acknowledges the TWG's frustration and desire to provide clear, practical and achievable modular licensing outcomes as a priority to help alleviate the current LAME shortage.

CASA notes the TWG concerns and recommendations on the draft MOS amendment. CASA reiterates that the draft MOS amendment was a work in progress. Drafting work continues and the issues raised by the TWG will be taken into consideration accordingly.

CASA encourages the TWG to use the issues register to ensure that all issues are clearly described and that there is clarity and visibility of the issue disposition in all cases.

CASA will continue working to complete the draft MOS amendment, explanatory materials and associated implementation arrangements and will re-engage with the TWG as that work progresses.

**Appendix**

1. Extract from ASAP Terms of Reference





## Appendix 1

### ASAP and TWG Terms of Reference regarding Consensus (Extract)

- 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 reconsider 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.