



**GA/AWK CONTINUING AIRWORTHINESS AND MAINTENANCE REGULATIONS PROJECT
ASAP TECHNICAL WORKING GROUP
TASKING INSTRUCTIONS and FIRST TWG MEETING REPORT**

The 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
- 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 policies, regulations, advisory materials and transition strategies
- Provide endorsement and or conditional endorsement of policies, regulations, advisory materials and transition strategies for consideration by the ASAP and CASA.

KEY PRINCIPLES

The following principles for the reform are:

- compliance with the standards set by the ICAO for general aviation*
 - Annex 6 Part II — International General Aviation — Aeroplanes
 - Annex 6 Part III, Section III — International General Aviation — Helicopters
- a regulatory structure based to the maximum practical extent on an established and appropriate international standard
- minimum regulatory compliance burden consistent with ensuring a level of safety appropriate for the GA and AWK sectors
- any changes are intended to be cost neutral or provide savings for the GA and AWK sectors wherever possible.

* *ICAO recognises AWK as a distinct aspect of civil aviation but has not prescribed AWK standards since ICAO separated AWK from GA in 1990.*

SPECIFIC OBJECTIVES

The project has three key components:

1. **Regulation model.** Review ICAO standards and international legislation with a view to adopting the model that most closely meets the key principles for the reform.
2. **Legislation.** Review the existing Australian legislation against the selected international legislation and 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 initial submissions: August 2018
- **TWG meeting: September 2018**
- Public consultation on detailed policy: prior to end of 2018

- Policy finalisation: End 2018/early 2019
- Legislation drafting: Q2 2019
- **TWG meeting (if necessary): mid-2019**
- Public consultation of legislation and guidance material: mid-2019
- Regulatory package to Department: Q4-2019

REPORTING ARRANGEMENTS

The TWG will provide a status report to the regular meetings of the ASAP on progress.

Recommendations and reports of the working group will be provided to the Chair of the ASAP, through the secretariat.

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 working group members about project status and issues • Respect the time of all working group 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) with respect to determining and documenting consensus.

MEMBERSHIP

Eric Benton	Mike Higgins*	Peter Pring-Shambler
Warren Bossie	Rick Jones	Charles Thompson
David Boundy	Leslie McChesney	Perry McNeill**
Jeff Boyd		

* Participated day 2 only.

** Was unable to attend the meeting.

The TWG CASA Lead, Mick English was supported by Carl Madsen and CASA observers Mick Poole and Gary Arnold throughout the meeting.

The ASAP Secretariat was represented by Matthew Bouttell and Matthew Di Toro.

1. 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 quorum consisting of ten industry representatives, discussed the meeting and undertook a vote at the end of day two to ascertain whether consensus (or otherwise) has been met on the outcomes of this TWG workshop. This vote was conducted by the ASAP Secretariat and 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 26-27 September 2018

By reviewing CASA's plans as outlined in this tasking instruction, along with the Summary of Consultation that sought industry feedback on CASA's proposal to develop tailored set of maintenance regulations for general aviation, this first meeting of the TWG worked towards developing a policy for Part 43, General Aviation and Airwork aircraft Continuing Airworthiness and Maintenance.

The two below outcomes seek to inform that ASAP regarding the development of a policy position that delivers on the Key Principles, as outlined in this tasking instruction.

A. Was there consensus achieved among the TWG members that CASA's summary of consultation was a true reflection of industry feedback?

CONSENSUS / **GENERAL CONSENSUS** / DISSENT

Comments:

One of the concerns raised was the small number of respondents from industry. It was noted however that industry associations responded on behalf of their members and this should be made more prominent in the summary of consultation.

B. In preparation for public consultation, did the TWG agree on a policy position that aligns with the Key Principles outlined in the tasking instructions?

CONSENSUS / **GENERAL CONSENSUS** / DISSENT

Comments

General consensus was achieved to base Part 43 on the FARs recognising that private and aerial work maintenance requirements need to be excluded from certain parts of Part 66. Major concerns with more discussions around the alignment of Part 43 and Part 66 to ensure transitional arrangements are workable, particularly in regard to engineering license type ratings and the loss and gain of privileges.

The TWG agreed that prior to public consultation the policy statement/outline is circulated and agreed by members. This may be done remotely in the first instance.

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

Comments:

- Don't want to under estimate the significance of Part 43 education and awareness to registered operators, LAME and potential IA's (noting this requires further scoping) and CASA AWI's
- TWG felt that an Inspectors authorisation (IA) training course is essential – ref NZ that run a 3 day course. CASA representatives will seek assistance from NZ that already have an IA training course in developing Australia's course
- Discussion was had on the cross-over of Part 135/133 and Part 43 to keep in alignment with the FARs. The level of scalability of a Part 145 to allow a current smaller Part 30 operator to easily transition to a scalable 145.
- CASA and the TWG need to investigate the New Zealand and/or FAA method of maintaining Part 135 aircraft
- Part 145 maintenance is not applied to Part 135 under the FARs or NZ CARs.
- With CASA looking at disapplying Australian specific AD's there needs to be some mechanism of recognition of AD-eng5 turbine on condition

CASA Lead Summary

Mick English

Comment:

In general this was a good mix of skills, experience and operational interests, the team worked well together and members were both constructive and respectful of each other's' points of view. Difficult concepts were discussed in sufficient depth and in a supportive environment such that members were generally able to come to grips with the issues.

Mick English

Future plans for Part 43 and TWG involvement

Post this TWG meeting, the report will be provided to the ASAP as an update to assist them in formulating advice to the CASA Director of Aviation Safety with regards to Part 43. It is also expected that CASA will publicly consult the proposed policy outcomes, as agreed during this meeting, to determine industry support prior to drafting regulations. The TWG will be re-engaged to review the summary of consultation and draft regulations to ensure TWG and industry feedback has been appropriately analysed and captured whilst continuing to meet the desired policy outcomes, as described in the tasking instructions.

Attachment 1 – Part 43 additional issues.

SIDS	There was a level of concern expressed about whether or not SIDS would be applicable or indeed, should be applicable.
TWG Comments	As per FARS
Engine TBO	(1) With the introduction of either FARs or NZ CARs, AD/ENG/4 would be disappplied. The TWG team expressed a strong preference for the project team to enshrine the principles of AD/ENG/4 in guidance material.
TWG Comments	Agreed suggested being picked under an AC
	(2) The TWG recommends that CASA retain AD/ENG/5 or alternatively, ensure that the content of the AD be recognised as acceptable data for the purpose of FAR 91.409 (f) 4.
TWG Comments	Agreed suggested being picked under an AC
Charter aircraft	The TWG is concerned about the decision to excise charter (future Part 135) aircraft form the provisions of the new regulations. The concern is centred around the likelihood that a significant number of CAR 30 operators will be locked out of the proposed Part 43 rules by the requirement for Charter aircraft to continue being maintained under a COA.
TWG Comments	Agreed and also captured in TWG report.
Inspection Authorisation (IA)	(1) The TWG wants an IA to be able to supervise annual inspections
TWG Comments	Agreed