



Annex 10

Delegation and Authorised Persons Authorisation Holders

Introduction

This annex is an integral part of the CASA Surveillance Manual (CSM), which should be referenced at all times. To allow for more frequent revisions, this annex can be updated independent of the CSM and other annexes. The process of updating this annex requires verification and approval from its owners and sponsors, as well as from Coordination and Safety Systems (CSS). An updated version can only be published once CSS has finalised the format, with the latest revision history data included in the revision table.

Revision history

Revisions to this annex are recorded below in order of the most recent first.

Version Nº.	Date	Parts / sections	Details
6.0	April 2022	Section 4	4.3 Removal of superseded reg references
5.0	December 2019	Nil change	Health Check mandatory element section not requiring update in this annex
4.0	April 2019	Inclusion of Introduction and Revision history.	These inclusions allow for updates and revisions independent of the CSM and other annexes.
4.0	April 2019	Section 1	Paragraph 4 – Information on delegates concerning the use of AHPI tools.
4.0	April 2019	Section 4	Removal of recommended surveillance intervals. Removal of manufacturing authorised persons.

1 Overview

This annex provides instructions for conducting surveillance of non-CASA officers (industry) who hold delegations and/or authorisations, issued by CASA, to exercise regulatory powers. This includes some 'approvals' which are not more appropriately covered elsewhere, specifically approvals under CASR 139.320 to conduct aerodrome safety inspections.

There is a broad range of regulations, against which CASA appoints persons to exercise powers under those regulations, across several technical disciplines. Consequently, responsibility for the surveillance of industry delegates is allocated across CASA offices, to best align with appropriate geographic location and/or technical inspectorate staff.

While Delegate Management is not responsible for the ongoing direct management of industry delegates, it monitors and analyses certain delegate activities (particularly in the airworthiness area) and may suggest and/or conduct special surveillance activities, with engagement of the responsible oversighting office, based on identified areas of concern. Delegate Management records any significant interactions with the oversighting office, concerning individual authorisation holders, as a brief discussion in Sky Sentinel.

This annex provides guidelines for conducting surveillance for all independent delegates and authorised persons including, but not limited to, technical airworthiness delegates, Approved Testing Officers (ATO), dangerous goods delegates and training delegates. Due to the nature of the oversight and the type of surveillance conducted on non-CASA officers (industry) who hold delegations and/or authorisations, the usability of the AHPI tool or a similar approach is not considered suitable at this stage.

Delegates and authorised persons associated with, or restricted to working under a holder of an authorisation such as an AOC or COA, must be assessed under the authorisation holder's systems and are not covered in this Annex.

Note: Surveillance of ATOs whose delegation is either limited to students of a particular flying training organisation, or is in force only while they are directly employed by the flying training organisation, are covered by this Annex.

The annex includes:

- Systems and Elements
- Surveillance Currency Guide
- Information Sources.

2 Systems and Elements: Delegation and Authorised Persons Authorisation Holders

The audit technique involves assessing the documented system, comparing it against the actual system processes. The system is assessed for compliance and sampling conducted as appropriate. The assessment of the system and its risks is achieved by a questioning technique using the four attributes (12 components) of the Management System Model (MSM), see CSM Sections 3.3.3 System attributes – Management System Model and Section 3.3.3.1 – Systems attributes (table).

The CASA description of Delegate Management consists of one system incorporating three elements.

Table 1: System and Elements

Systems	Elements
Delegates and Authorised Persons	Operating Standards
	Data and Documents
	Delegate/Authorised Person Activity

Table 2: Delegates and Authorised Persons Elements

SYSTEM: Delegates and Authorised Persons	
ELEMENT: Operating Standards	
<p>The Operating Standards element ensures safe operations and defines how processes and procedures are maintained to ensure the delegate or authorised person maintains the required qualifications, experience, approvals/certification and recency (as applicable) in relation to the regulatory powers conferred to them. The delegate/authorised person must have a system in place that ensures they keep abreast of contemporary CASA policy, procedures and regulations, and should detail how the duties and tasks are performed. The delegate/authorised person must have a system in place to record, report and otherwise account for the workload for managing and performing the duties and tasks to ensure they are carried out in accordance with the prescribed standards and procedures (as applicable).</p>	
Prompts:	
<p>Access to current data via mailing list, internet access, technical library and/or customer supplied data relevant to the scope of the Instrument.</p>	<p>Familiar with the scope and powers conferred in the instrument and any changes to relevant legislation, CASA policy, procedures and guidance material.</p>
<p>Maintain contemporary knowledge and skills. Recent training (including regulatory) or attend seminars, conferences relevant to the instrument scope and powers.</p>	<p>Qualifications match requirements of the privileges, responsibilities and scope of the instrument.</p>
<p>Currency and recency, where applicable.</p>	<p>Certification, where applicable.</p>
<p>What process is there to review the delegate's/authorised person's exercise of regulatory powers to verify decisions meet the operating standards.</p>	<p>Other activities the holder performs which impacts his/her workload. Consider other CASA and/or National Airworthiness Authority (NAA) permissions, other roles and functions within the organisation, and what assistance/support the delegate or authorised person has available.</p>
ELEMENT: Data and Documents	
<p>This element addresses all technical data, design drawings, regulatory documentation, guidance material and the policy and procedures used by the delegate/authorised person in the course of exercising the delegate's/authorised person's powers under their instrument.</p>	
Prompts:	
<p>All required data and documents identified and complete.</p>	<p>Availability/Adequacy/Currency of data and documents used for the job. Amendment service/subscriptions in place.</p>
<p>Data and documents maintained and secure.</p>	<p>Procedures support the scope of the instrument; comply with legislation and CASA policy and guidance.</p>

SYSTEM: Delegates and Authorised Persons	
Records are maintained as specified under the instrument/legislation.	Processes to ensure the person exercises powers, under the instrument, independently to the preparation of the technical assessment document process (as applicable).
Reporting as required under the instrument/legislation.	Procedures are current, approved/accepted. Any changes are properly approved/accepted.
Test results complete, maintained and secured (as applicable).	DAMP documentation
ELEMENT: Delegate/Authorised Person Activity	
This element addresses all delegate/authorised person activities undertaken in exercising the conferred regulatory powers under their respective instruments.	
Prompts:	
Review Instrument for the scope of the permission and validity period.	Certification, as applicable.
Activity statements to ensure all technical activities have been recorded and the statements have been submitted to CASA in accordance with the instruments requirements.	Instrument holder acts with independence and not under 'dictation'. Decisions based on safety and no undue influence, duress or commercial pressures.
Compliance with legislative, policy and procedural requirements.	Level of activity (too high/not high enough). Workload and effects on decision making and thorough practices.
All relevant data taken into consideration. Not influenced by irrelevant information.	Consideration of relevant guidance material.
Job package accurate and complete.	Human factors
Activity reports to CASA as required by his/her instrument.	Reviews decisions and work packages.

2.1 Health Check

Note: Health Checks are not conducted on non-CASA officers (industry) who hold delegations and/or authorisations at this stage.

3 Overview: Approved Testing Officers (ATO)

The surveillance conducted on Approved Testing Officers (ATO) represents a Level 2 Operational Check of the Delegate/Approved Person Activity element and is a means of meeting the safety obligations under the Civil Aviation Act 1988 (“the Act”). Surveillance of Approved Testing Officers is limited to ATOs exercising their delegation outside of a training and checking organisation. Surveillance activities may be in the form of announced or unannounced operational surveillance. Surveillance of an ATO may be undertaken, conducting the ground, flight and/or post flight component of any flight test.

Details of typical surveillance activities undertaken on ATOs are as follows:

Table 3: ATO Components

APPROVED TESTING OFFICERS (ATO)	
Flight Test – Ground Component	
Addresses the competencies an ATO must display during the flight test – ground component of the activity being checked.	
Prompts:	
Establishes rapport with applicant	Assesses long brief correctly – content, delivery, knowledge*
Reviews documentation accurately	Confers with FTE/FOI regarding flight test result
Determines applicant eligibility for the flight test	Makes correct decision supported by standards
Reviews applicant preparation and planning accurately	Delivers comprehensive ATO briefing to applicant
Asks suitable questions appropriately	
* Only applicable for FIR flight test ATO surveillance	
Flight Test – Flight Component	
Addresses the competencies an ATO must display during the flight test – flight component of the activity being checked.	
Prompts:	
Assesses pre-flight brief correctly – content, delivery, knowledge*	Observes and assesses applicant performance
Confirms aircraft serviceability	Applies performance criteria to make an objective assessment
Observes applicant conduct pre-flight inspection	Complies with all legislative and operational requirements
Role plays appropriately	Prevents potentially unsafe or non-compliant situations
Provides applicant with unambiguous instructions	
*Only applicable for FIR flight test ATO surveillance	

APPROVED TESTING OFFICERS (ATO)	
Flight Test – Post Flight Component	
Addresses the competencies an ATO must display during the flight test - post flight component of the activity being checked.	
Prompts:	
Confers with FTE/FOI regarding flight test result	Provides relevant advice and/or recommends retraining
Makes correct decision supported by standards	Debriefs CFI/HOTC. If applicable, identifies training deficiencies
Advises applicant of the flight test result	Accurately completes all required paperwork
Debriefs the applicant thoroughly	
Flight Test – Other Considerations	
Addresses the administrative competencies an ATO must display in addition to the flight test components of the activity.	
Prompts:	
Duration of the flight test appropriate	Exercised powers and functions correctly (e.g. testing only)
Flight test well planned and executed	Complied with Delegate Instructions
Demeanour suitable	Had regard to ATOM guidance
Behaviour consistent with CASA Code of Conduct	

Note: If a Level 1 surveillance is to be conducted of an ATO’s system for managing their operations, the Delegate Management Systems and Elements must be applied. If a Level 1 surveillance is to be conducted of a Flying Training Organisation, the AOC Systems and Elements must be applied. A list of the specific risks associated with each system can be found in Sky Sentinel by navigating to the “Prepare” menu and then clicking on the “Print Risks” sub menu.

4 Surveillance Currency Guide: Delegation and Authorised Persons Authorisation Holders

Surveillance level	Type	Elements
Level 1	Systems Audit	Systems, Risks and Compliance
	Post-authorisation Review	Entry Control Elements
Level 2	Operational Check	E.g. Manual review, Observation of specific activity

Note: Surveillance intervals are determined by the National Surveillance Selection Process (NSSP). Refer to the NSSP planned surveillance schedule for further information regarding surveillance intervals.

4.1 Airworthiness Delegates (not including design approval)

Airworthiness powers and functions which are delegated to industry are usually limited to the following (although others may be delegated from time to time in order to meet particular needs):

Instrument of Appointment as an Authorised Person under CAR 6 or CASR 201.001:

- **CAR 29A** - Conduct welding examinations
- **CAR 42M** - Approve a system of maintenance for an aircraft
- **CAR 42R** - Approve a change to a system of maintenance for an aircraft
- **CAR 42ZC(7)** - Authorise a person to carry out maintenance on Class A aircraft
- **CAR 262AP(5)** - Authorise operations of experimental category aircraft over built-up area
- **CAR 262AP(6)** - Authorise operations of experimental category aircraft other than by day and under Visual Flight Rules (VFR)
- **CASR 21.176** - Issue certain certificates of airworthiness
- **CASR 21.195A** - Issue an experimental certificate
- **CASR 21.200** - Issue a special flight permit
- **CASR 21.324** - Issue an export certificate of airworthiness.

Instrument of Delegation under CASR 11.260

- **CAR 37** - Approve a defect as a permissible unserviceability
- **CAR 42ZC(6)** - Approve a person to carry out maintenance on aircraft, components or materials.

Airworthiness delegates are usually appointed for a period of two years, and must apply to be re-appointed prior to expiry. In general, a Level 1 surveillance event should be conducted on each delegate at least once during their period of appointment (two years).

Shorter Operational Checks should be scheduled through the normal surveillance planning and approval process based on identified areas of concern.

A post-authorisation review, which should be conducted between six to 15 months after the initial appointment of a delegate/authorised person, would usually be considered to fulfil the Level 1 surveillance event requirement for that period of appointment.

Airworthiness delegates/authorised person operating in association with another permission holder (for example an AOC holder or COA holder) may be subject to surveillance as a result of a surveillance event conducted on that permission holder. This may justify consideration as a surveillance event for the delegate/authorised person. Each activity should be considered on its merit.

4.2 Aerodromes approvals

Aerodromes powers and functions which are approved to industry are usually limited to the following:

'Approved persons' appointed under CASR 139.320:

- **CASR 139.315** - Conduct aerodrome safety inspections at registered aerodromes
- **CASR 139.345** - Conduct aerodrome safety inspections at certain other aerodromes.

4.3 Approved Testing Officer (ATO) Delegates

Flight testing powers and functions delegated to industry are usually limited to the following:

Approved Testing Officers' appointed under CASR 11.260:

- CASR 61.150 (2) - Flight crew rating – issue and refusal
- CASR 61.1265 - Flight crew rating – flight tests
- **CAR 5.20 (Balloons only)** CASR 61.150 (2)
- - Flight crew rating – approval to give training
- CASR 61.040 & CASR 61.150 (2) - Approval to give conversion training
- CASR 61.040 CASR 61.150 (2) - Aircraft endorsement – issue and refusal
- - Flight crew licence – flight tests
- CASR 61.1227 - Aircraft radiotelephone operator certificate of proficiency – qualifications
- CASR 61.1255 - Approval to conduct flight test to remove single engine limitation on a flight instructor (Aeroplane) rating.

In addition to the recommended frequency, surveillance of ATOs, exercising their powers outside of a training and checking organisation, may occur based on a risk assessment. The risk assessment is conducted using the following indicators:

- flight test activity rate
- the complexity of tests undertaken
- the number of tests conducted in a single day
- the volume of tests conducted over time
- the duration of each test conducted
- the "pass/fail" rate of the ATO
- safety trends within the aviation industry or operator
- immediately reportable matters
- incident or accident data
- the periodicity of the last surveillance activity based on the recommended frequency.

Random surveillance may also be conducted of ATOs on an opportunity basis. In these circumstances, the surveillance activity must still be approved.

5 Information Sources

All airworthiness industry delegates are required to enter details of their activities in the Delegate Management Notification System (DMNS) before commencement and on completion. This provides a complete and current standardised data set to support surveillance activities conducted on these delegates. Information about activities related to a delegate who is associated with another permission holder may be available as a result of surveillance activities conducted on that permission holder.

All non-airline Approved Testing Officers (ATOs) are required to advise CASA of their flight testing activities through the use of the Flight Test Notification System (FTNS). The FTNS is used as a primary source of information for the planning and execution of surveillance activities. FTNS data is also used to conduct risk assessments of non-airline ATOs, as per the risk assessment indicators listed at Section 4.4 of this annex.

The following non-exhaustive list of information sources provides additional data on ATO activities. Information from these sources is used in conjunction with the previously mentioned risk assessment indicators:

- feedback, intelligence and reports provided by:
 - Flight Crew Licencing
 - Regional Offices i.e. the Inspectorate
 - Industry personnel
- past surveillance reports and findings
- external government agencies i.e. ATSB.

Note: For advice on where and how to access required information, refer to CSM Chapter 5 – Information Capture and Access.