



**MAINTENANCE ENGINEER LICENSING (PART 66)  
ASAP TECHNICAL WORKING GROUP (TWG)  
TASKING INSTRUCTIONS AND THIRD REPORT**

**8 OCTOBER 2021**

*The Maintenance Engineer Licensing (Part 66) Technical Working Group 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 analysis and review of Civil Aviation Safety Regulations (CASR) Part 66 and Manual of Standards (MOS) 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 draft regulations, 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)

**POLICY OUTCOMES**

The core policy outcome for the reform of Part 66 is alignment, to the greatest extent possible, with European Union Aviation Safety Agency (EASA) equivalent regulations. EASA regulations are widely recognised globally as a benchmark standard that is both practical and appropriate.

Other key objectives and policy outcomes to guide all activity on the reform of Part 66 regulations are to:

- reduce the complexity and streamline Part 66 regulations and the Manual of Standards (MOS)
- remove ambiguities and fix anomalies presently in the legislation and guidance material
- create a more progressive licensing system that includes a licence outcome appropriate for the general aviation sector of the industry
- improve the way privileges are stated on licences to provide clarity
- reduce the prescriptiveness of the Part 66 MOS and rely on the EASA knowledge modules as the licensing standard, in order to provide more flexibility for future development of training packages
- ensure legislation and training requirements maintain compliance with ICAO standards and recommendations

- work closely with the Aerospace Industry Reference Committee (IRC) to establish a more efficient and structured training package for the complete licensing system, comprised of competency units that accurately align to the subjects contained within the EASA knowledge modules.
- seek to achieve recognition of prior learning between EASA and CASA

## SPECIFIC OBJECTIVES

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. **MEA Aeroskills training.** To assist, where necessary, in the development of a revised MEA Aeroskills training package by the Aerospace Industry Reference Committee (IRC) of the Department of Education.

## REPORTING ARRANGEMENTS

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

Recommendations and reports of the TWG will be provided to the Chair of the ASAP, through the Secretariat.

## 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 and CASA.

The TWG will be guided by the ASAP Terms of Reference (Section 6) 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 consists of the following members:

- Mary Brown
- Keith Blaik
- David Moffat
- Darren Barnfield
- Ted Goetz
- Steven Wright
- Rod Tomlins
- Stephen Re

The TWG CASA Lead, Mick McGill, was joined by CASA subject matter experts, Saskia Ford, Peter Ball, Mark Hinchliffe, and Craig Johnson throughout the meeting.

The ASAP Secretariat was represented by Matthew Di Toro.

## **TWG MEETINGS**

The TWG met via videoconference on 25 August 2021 and 16 September 2021.

### Meeting on 25 August 2021

The purpose of this meeting was to discuss the implementation of the Part 66 self-study pathway and seek the TWG's advice on further implementation guidance. The TWG also discussed the draft Discussion Paper (DP) for helicopter type ratings. A summary of the meeting is provided in Appendix 2.

### Meeting on 16 September 2021

The purpose of this meeting was to discuss the proposed draft MOS amendments relating to licence privileges. As a result of this meeting, the TWG discussed amongst themselves via email to provide advice to the ASAP to raise their concerns. A summary of the meeting is provided in Appendix 2.

## **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.

All eight members in attendance at the TWG meeting were in full agreement with the report and provided commentary to support their consensus.

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 Discussion via Email

### A. Does the TWG have any feedback or advice for the ASAP to review and consider?

CONSENSUS / **GENERAL CONCENSUS** / DISSENT

#### *Comments:*

The TWG continues to strongly support the policy outcomes of the PIR (as stipulated in the TWG Tasking Instructions), including to reduce Part 66's complexity, to reduce prescriptiveness to ensure a more outcome-based system, to harmonise with EASA (where appropriate), and the creation of a more progressive licensing system.

The TWG acknowledges that CASA is intending to and attempting to reduce the complexity and prescriptiveness of the Part 66 ruleset with the proposed MOS amendment. However, six members of the TWG (out of eight) believe the amendment does not achieve this intent, but rather adds further ambiguity which could lead to incorrect interpretation, such as through the perceived changes of licence privileges. Additionally, the specific problem to be solved has not been sufficiently explained, rather the broader policy outcome principles were used as justification for the proposed MOS amendment.

On reflection, the TWG strongly believes that the current priority for the group is to focus on the development of the progressive licensing system, such as with the introduction of a small aircraft licence. The progressive licensing system has been promised for quite some time, and six members of the TWG believe this to be a high priority for the broader industry given its large-scale impact. The decline of LAME numbers is a major concern to the industry, and it is believed a progressive licensing system will reduce the complexity of training and lead to the establishment of a clearer career pathway for new apprentices.

As a way forward, the TWG recommends that:

- 1) The ASAP considers the priorities as recommended by the TWG.
- 2) If CASA wishes to continue progressing to deal with the problem that resulted in the proposed MOS amendment, that the ASAP advises CASA:
  - a. To provide further explanation and information as to the specific problem trying to be solved. This would need to include the extent to which the problem affects the national industry, potential safety impacts on not making the change, and potential solutions to assist the TWG providing informed and considered advice.
  - b. To show the TWG how the use of guidance will ensure on-going compliance and mitigate potential ambiguity and misinterpretation as per the concerns raised by the TWG on potential privilege changes associated with the proposed amendment.

The TWG are ready, willing, and able to work constructively and collaboratively with CASA to improve the Part 66 ruleset and ensure that the policy outcomes are achieved for the benefit of the broader industry.

## **Additional Comments**

### Comments from a TWG member:

I certainly agree that reducing complexity within the regulations is important, but as long as it does not come at the expense of providing the industry and workforce with a strong and clearly defined set of rules to work by. From that point of view i am not convinced that the goal of removing prescriptiveness is always appropriate.

The level to which we 'harmonise with EASA' is also a point of discussion. In many areas we already are, but we must recognise that we will never achieve full harmonisation due to our own industries many unique factors. To that extent if it is determined that Australia's industry is better served by variations, amendments and /or different content then so be it.

Most importantly of all, the production of the guidance material such as AC 66-08 was an important initial step in addressing industry concerns but it must be followed up by effective education and communication from both CASA and the major P145 organisations. At present it is somewhat a 'job half done'.

Going forward, one of the strengths of this TWG is that it comprises representatives from all parts of the industry, all with varied needs, experience and concerns. An important key to success is achieving a forum where we can openly express, listen to, discuss and 'brainstorm' ideas. In doing so providing CASA with constructive feedback from the end users. I believe we all have the shared goal of work towards improving our industry and helping it prosper.

### **CASA Lead Summary**

#### **Michael McGill**

##### *Comment:*

CASA acknowledges and appreciates the commitment of the TWG to work constructively to improve Part 66 for the benefit of the broader industry.

CASA notes that the proposed MOS amendments presented to the TWG are directly aligned with the objectives in the TWG's Tasking Instructions, such as to reduce complexity and remove anomalies in the MOS, to rely on the knowledge modules as the licensing standard, and to clarify and improve the understanding of licence privileges to achieve the policy outcomes. The amendments address ongoing feedback from industry since the introduction of Part 66 and from specific feedback to the Part 66 review.

CASA has thoroughly reviewed the industry feedback of the review and agrees that there are inconsistencies in the Part 66 MOS that could be interpreted to unnecessarily restrict licence holders' privileges and thereby prevent industry achieving the potential benefits of Part 66. In particular, where some privilege provisions exclude areas covered by the licence knowledge modules. The proposed amendments will simplify licence privileges and align them with the licence knowledge modules, which in turn, will also further assist industry's understanding of their privileges.

CASA acknowledges the feedback of the TWG and, as advised in the TWG meeting, CASA is developing more comprehensive information to support the TWG and ensure industry understand the amendments and licence privileges.

CASA notes the recommendation of the TWG to commence discussions on a new small aircraft licence. CASA remains committed to that goal in line with the agreed Part 66 work program, which will progress the following work already underway to completion prior to commencing work on a new licence category – in particular:

- improvements to type rating requirements
- correcting licence privilege inconsistencies
- using the new self study pathway to remove licence exclusions
- moving the current prescriptive VET units of competency from legislation to acceptable means of compliance to provide more flexibility for training organisations.

## Appendix

1. Extract from ASAP and TWG Terms of Reference regarding Consensus.
2. Meeting Summaries:
  - a. 25 August 2021
  - b. 16 September 2021

## APPENDIX 1

### *(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.