

ICAO Universal Safety Oversight Audit Programme

**FINAL REPORT
ON THE SAFETY OVERSIGHT AUDIT
OF THE
CIVIL AVIATION SYSTEM
OF
AUSTRALIA**

(18 to 28 February 2008)



International Civil Aviation Organization

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ICAO UNIVERSAL SAFETY OVERSIGHT AUDIT PROGRAMME

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(18 to 28 February 2008)

1. INTRODUCTION

1.1 Background

1.1.1 The 32nd Session of the ICAO Assembly (Assembly Resolution A32-11 refers) resolved the establishment of the ICAO Universal Safety Oversight Audit Programme (USOAP), comprising regular, mandatory, systematic and harmonized safety audits of all Contracting States. The mandate for regular audits foresaw the continuation of the Programme, and the term “safety audits” suggested that all safety-related areas should be audited. The expansion of the Programme “at the appropriate time”, as recommended by the 1997 Directors General of Civil Aviation Conference on a Global Strategy for Safety Oversight, had thus been accepted as an integral part of the future of the Programme.

1.1.2 The 35th Session of the ICAO Assembly considered a proposal of the Council for the continuation and expansion of the USOAP as of 2005 and resolved that the Programme be expanded to cover all safety-related Annexes (Assembly Resolution A35-6 refers). The Assembly also requested the Secretary General to adopt a comprehensive systems approach for the conduct of safety oversight audits.

1.1.3 Assembly Resolution A35-6 further directed the Secretary General to ensure that the comprehensive systems approach maintain as core elements the safety provisions contained in Annex 1 — *Personnel Licensing*, Annex 6 — *Operation of Aircraft*, Annex 8 — *Airworthiness of Aircraft*, Annex 11 — *Air Traffic Services*, Annex 13 — *Aircraft Accident and Incident Investigation* and Annex 14 — *Aerodromes*; to make all aspects of the auditing process visible to Contracting States; to make the final safety oversight audit reports available to all Contracting States; and also to provide access to all relevant information derived from the Audit Findings and Differences Database (AFDD) through the secure website of ICAO.

1.1.4 In accordance with Assembly Resolution A35-6, safety oversight audit reports have been restructured to reflect the critical elements of a safety oversight system, as presented in ICAO Doc 9734 — *Safety Oversight Manual, Part A — The Establishment and Management of a State’s Safety Oversight System*. ICAO Contracting States, in their effort to establish and implement an effective safety oversight system, need to consider these critical elements.

1.2 ICAO audit team composition

1.2.1 The safety oversight audit team was composed of: Ms. Elizabeth Gnehm, team leader, airworthiness of aircraft (AIR)/aircraft accident and incident investigation (AIG); Ms. RoseMarie Heftberger, team member, AIR; Mr. Arvind Mohan, on-the-job training (OJT)/AIR; Ms. Siew Huang Tay, team member, primary aviation legislation (LEG)/civil aviation organization (ORG)/air navigation services (ANS); Ms. CJ Collins, team member, personnel licensing (PEL)/aircraft operations (OPS); Mr. Fared Shah, OJT/PEL/OPS; Mr. Oon Kok Ko, team member, ANS; Mr. Wang Yong, team member, aerodromes (AGA); and Mr. Chee Beng Loo, OJT/AGA.

1.3 Acknowledgements

1.3.1 ICAO expresses its sincere appreciation for the assistance provided to the audit team during the preparation and conduct of the audit. The professionalism and enthusiasm of all personnel who interacted with the audit team greatly contributed to the success of the audit mission.

2. OBJECTIVES AND ACTIVITIES OF THE AUDIT MISSION

2.1 The comprehensive systems approach for the conduct of safety oversight audits consists of three phases. In the first phase, the level of implementation of Annex provisions is assessed and differences from ICAO Standards and Recommended Practices (SARPs) are identified for each Contracting State through a review of a duly completed State Aviation Activity Questionnaire (SAAQ) and Compliance Checklists (CCs) for all safety-related Annexes, as well as through a review of documents developed by the State to assist it in implementing SARPs and in maintaining an effective safety oversight system. In the second phase, the State being audited is visited by an ICAO audit team to validate the information provided by the State and to conduct an on-site audit of the State's overall capability for safety oversight. The third phase of the audit process consists of the activities following the completion of the on-site audit.

2.2 The safety oversight audit of Australia was carried out from 18 to 28 February 2008 in accordance with the standard auditing procedures provided for in ICAO Doc 9735 — *Safety Oversight Audit Manual* and the revised Memorandum of Understanding (MOU) as approved by the ICAO Council on 29 November 2006 (C-DEC 179/12 refers) and agreed to on 21 November 2007 between Australia and ICAO. The audit was carried out with the objective of fulfilling the mandate given by the Assembly which requires ICAO to conduct a safety oversight audit of all Contracting States (Assembly Resolutions A32-11 and A35-6 refer), reviewing a State's compliance with ICAO SARPs set out in all safety related Annexes and their associated guidance material, as well as with related Procedures for Air Navigation Services (PANS). Furthermore, the objective was also to offer advice, as applicable, to Australia in implementing these provisions.

2.3 The audit team reviewed the SAAQ and the CCs submitted by Australia prior to the on-site audit in order to have a preliminary understanding of the civil aviation system established in the State, to determine its various functions as well as to assess the status of implementation of relevant Annex provisions. Information provided and assessed prior to the conduct of the audit was validated during the on-site audit phase. In this regard, particular attention was given to the presence of an adequate organization, processes, procedures and programmes established and maintained by Australia to assist it in fulfilling its safety oversight obligations.

2.4 The audit results including the findings and recommendations contained in this report reflect the capabilities and limitations of the civil aviation system of Australia as assessed by the audit team. They are thus based on evidence gathered during interviews by the audit team with Australia's technical experts and background information provided by such personnel, review and analysis of civil aviation legislation, specific regulations, related documentation and file records. Considering the time that was available to conduct the audit and the fact that the safety oversight audit team members could only review and analyse information and documentation made available by the State, it is possible that some safety concerns may not have been identified during the audit. The findings and recommendations related to each audit area are found in Appendix 1 to this report.

3. AUDIT RESULTS

3.1 Critical element 1 – Primary aviation legislation

“The provision of a comprehensive and effective aviation law consistent with the environment and complexity of the State’s aviation activity, and compliant with the requirements contained in the *Convention on International Civil Aviation*.”

3.1.1 The Australian Government has developed and promulgated a comprehensive legal framework applicable to the various civil aviation agencies established to manage the civil aviation system of Australia. The aviation legislative framework consists of the following Acts which are regularly amended:

- a) *Air Navigation Act 1920*, last amendment March 2007;
- b) *Civil Aviation Act 1988*, last amendment 20 August 2007;
- c) *Transport Safety Investigation Act 2003*, came into effect 1 July 2003;
- d) *Air Services Act 1995*, last amendment March 2007;
- e) *Airports Act 1996*, last amendment April 2007;
- f) *Australian Maritime Safety Authority Act 1990*, last amendment March 2005;
- g) *Airspace Act 2007*, assented to on 30 March 2007;
- h) *Meteorology Act 1955*, last amendment by Act No. 138, 2007;
- i) *Aviation Transport Security Act 2004*, last amendment August 2007; and
- j) *National Measurement Act 1960*, last amendment by Act No. 27, 2004.

3.1.2 These Acts have been approved by Parliament and assented to by the Governor General. Any future proposal for development and/or amendment to these Acts has to be submitted to the Cabinet of Ministers and then to Parliament. An amendment may take a period of several years as the regulatory approval and rule making process involves coordination with the Minister of Infrastructure, Transport, Regional Development and Local Government (hereinafter “the Minister”), the Department of Infrastructure, Transport, Regional Development and Local Government (hereinafter “the Department of Infrastructure”), the Civil Aviation Safety Authority (CASA), and any other relevant civil aviation agencies. A Financial Impact Statement is prepared for presentation to the Parliament with the draft legislation. Overall, Australia has established a robust regulatory approval and rule making process, reflected in the up-to-date civil aviation legislation. All regulations and legislative instruments are available for free on the Australian government website (www.comlaw.gov.au) and on the CASA public website (www.casa.gov.au). CASA also makes available the CASA Document Library on CD-ROM to its staff and for a fee to the public.

3.1.3 The *Air Navigation Act 1920* approves the ratification of the Chicago Convention as well as the Protocols amending or added to the Convention. In addition, it makes provisions for the Governor-General of Australia to make regulations “not inconsistent” with the *Air Navigation Act 1920* “for the purpose of carrying out and giving effect to the Chicago Convention” and to “any Annex to the Convention relating to international standards and recommended practices.”

3.1.4 The *Civil Aviation Act 1988* (hereinafter “the Act”), promulgated on 15 June 1988, established the Civil Aviation Safety Authority (CASA) as the body responsible for conducting the safety regulation of “civil air operations in Australian territory” and “the operation of Australian aircraft outside Australian territory” (Section 9). It also provides for the appointment of a Director of Aviation Safety who is responsible for the management of CASA and is also known as the Chief Executive Officer (CEO) of CASA (Sections 84 and 84A, respectively). Other functions of CASA as described in the Act (Section 9) include the following:

- a) “developing and promulgating appropriate, clear and concise aviation safety standards;”
- b) “developing effective enforcement strategies to secure compliance with aviation safety standards;”
- c) “issuing certificates, licences, registrations and permits;”
- d) “conducting comprehensive aviation industry surveillance, including assessment of safety-related decisions taken by industry management at all levels for their impact on aviation safety;”
- e) “conducting regular reviews of the system of civil aviation safety in order to monitor the safety performance of the aviation industry, to identify safety-related trends and risk factors and to promote the development and improvement of the system;”.
- f) “conducting regular and timely assessment of international safety developments;” and
- g) carrying out other safety-related functions, such as “co-operating with the Executive Director of Transport Safety Investigation in relation to investigations under the *Transport Safety Investigation Act 2003* that relate to aircraft;” “entering into 83 *bis* agreements on behalf of Australia;” and “any functions conferred on CASA under *Airspace Act 2007* or under regulations under that Act.”

3.1.5 Subject to the provisions of the Act, CASA is required to “perform its functions in a manner consistent with the obligations of Australia under the Chicago Convention and any other agreement between Australia and any other country or countries relating to the safety of air navigation” as well as “in a manner consistent with the Australian Airspace Policy Statement” as outlined in subsection 8 (1) of the *Airspace Act 2007* (Sections 11 and 11A, respectively). The Act also provides for the Minister to give CASA written directions as to the performance of CASA’s functions (Section 12), including reporting to the Minister or the Department of Infrastructure about matters specified by the Minister (Section 12D).

3.1.6 In accordance with Section 98 (4A) of the Act, “CASA may issue Civil Aviation Orders, not inconsistent with this Act or the regulations, and not prescribing any pecuniary penalty, with respect to any matter in relation to which regulations may be made for the purposes of Sections 23, 23B or 28BA.” Sections 23 and 23B relate to the transport of dangerous goods by air, while Section 28BA concerns the condition of an air operator certificate (AOC).

3.1.7 The Act provides that the contravention of several of its provisions constitutes an offence that is subject to financial penalties, and in some cases, custodial sentences imposed by a court. The Act also provides for the imposition of penalties for contravention of provisions of the civil aviation regulations (Section 98(3)(p)) and has introduced an administrative penalty scheme (Section 98(3)(q)) and a demerit points scheme (Division 3D of Part III of the Act) which are implemented pursuant to Part 17, Division 3 (“*Infringement Notices*”) of the *Civil Aviation Regulations 1988* (hereinafter “the CARs”) and Part 13 Subpart 13.K.2 (“*Demerit point scheme*”) of the *Civil Aviation Safety Regulations 1998* (hereinafter the CASRs), respectively. Civil aviation authorizations may be amended, suspended or cancelled in accordance with the Act (subsections 28BA and 28BB), the CARs (Part 16), and the CASRs.

3.1.8 Under the Act, CASA may appoint investigators who are authorized to exercise (with consent or under warrant) monitoring, inspection and search powers (Part IIIA). Access of authorized persons to aircraft, airport and aviation facilities in order to inspect facilities or any aviation document is also addressed in CAR 305, while CAR 301 deals with the surrender of documents. The Act is complemented by the CARs, which gives the inspectors/investigators the authority to detain aircraft for just cause (CAR 288). The authority to suspend or cancel a certificate or approval is addressed in Part 16 of the CARs as well as in the various provisions of the CASRs associated with the approval process.

3.1.9 The Act also provides the legislative framework under which “CASA may, under a contract with a foreign country or with an agency of a foreign country, provide services for that country or agency in relation to the regulation of the safety of air navigation or any other matter in which CASA has expertise,” such as “conducting safety regulation oversight in relation to foreign-registered aircraft under the law of a foreign country” (Section 9(4)).

3.1.10 Australia ratified Article 83 *bis* of the Chicago Convention on 2 December 1994. In this connection, the Act provides for the transfer of functions between the State of Registry and the State of Operator by CASA on behalf of Australia (Sections 4A and 9(3)(ca)). To date, Australia has not entered into any agreement on the transfer of functions and duties from the State of Registry to the State of the Operator under the provisions of Article 83 *bis*. However, the legislation and related operating regulations do not provide for the recognition of certificates of airworthiness, radio licences and crew licences issued or validated by the State of Operator in lieu of the State of Registry in the event of an Article 83 *bis* agreement between two outside parties.

3.1.11 With respect to personnel licensing, the Act confers on CASA the function of conducting safety regulation by issuing certificates, licences, registrations and permits (Section 9(1)(e)) and by prohibiting a person from flying an Australian aircraft without licence (Section 20AB). The Act also provides for the drafting of regulations “requiring persons performing specified functions in relation to the operation or maintenance of aircraft and aerodromes to be the holders of licences, permits or certificates of specified kinds and providing for the grant, issuance, cancellation, suspension or variation of such licences, permits and certificates” (Section 98(3)(c)). CARs 263 through 272A allow for the refusal to grant licences, certificates and authorities and for the suspension and cancellation of licences and certificates. The penalties for offences in relation to licences, certificates and authorities are addressed in CAR 282.

3.1.12 In the area of aircraft operations, Sections 27 and 28 of the Act outline the conditions for the issuance of an AOC by CASA, including required manuals, inspections and proving flights. The issuance of a foreign aircraft AOC and permission for the operation of foreign-registered aircraft without an AOC are also addressed in Sections 27, 27A and 28A. Section 28 contains the grounds for CASA to impose conditions, revise, suspend or cancel an AOC. In addition, CAR 269 grants CASA the authority to revise, suspend or cancel a licence, certificate or authority when CASA is satisfied that the holder has contravened a provision of the Act or the CARs.

3.1.13 With respect to the transport of dangerous goods by air, the Act specifies that an aircraft must not carry dangerous goods “except in accordance with the regulations,” including any conditions regarding the carriage of those goods, and “with the written permission of CASA, in accordance with any conditions specified in the permission” (Section 23(2)). In addition, “a person must not carry or consign for carriage any dangerous goods on board an aircraft except in accordance with the stipulated conditions” (Section 23(2A)). Persons handling or involved in the handling of cargo for carriage on an aircraft are required to undertake specified dangerous goods training (Section 23B).

3.1.14 With respect to airworthiness, Part III of the Act (“*Regulation of Civil Aviation*”) outlines the general regulatory provisions on the registration and airworthiness of civil aircraft in Australia. Section 20AA(1) (“*Flying an unregistered aircraft*”), Section 20AA(3) (“*Flying without a certificate of airworthiness*”) and Section 20AA(4) (“*Flying without satisfying safety requirements*”) address issues such as aircraft registration, requirement for a certificate of airworthiness, maintenance of aircraft, defect and damage to aircraft, and also prescribe criminal penalties for non-compliance with these provisions. In addition, Part II of the Act (“*Establishment, Functions Etc of CASA*”) stipulates that in the performance of its functions, CASA has to take into account the protection of the environment from the effects and associated effects of the operation and use of aircraft (Section 9A(2)).

3.1.15 The Act also specifically addresses the making of regulations relating to the “design and manufacture of aircraft” (Section 98(3)(aa)). Under CAR 21 and CAR 21A, CASA may issue a design standard for an aircraft for which no appropriate design standard is in force. Airworthiness standards and associated certification requirements are established under Parts 21 to 35 of the CASRs. The regulations stipulate the persons who can approve aircraft related designs, manufacture aircraft and components, and carry out repairs or maintenance on aircraft or components (CARs 35, 36, Parts 4 and Part 4A of the CARs and CASRs Part 21. Meanwhile, CARs 30 and 30A address the issue of certificates of approval which are required of persons “engaged, or intending to engage, in any stage of design, distribution or maintenance of aircraft, aircraft components or aircraft materials.” CARs 31 to 32B deal with the issue and regulation of aircraft maintenance engineer (AME) licences, including the comprehensive application process, conditions for issuance and enforcement provisions in the event of contravention of any condition to which a certificate of approval is subject. Provisions on the issuance, suspension and/or cancellation of type certificates, supplemental type certificates, production certificates, Australian parts manufacture approvals (APMAs) and Australian technical standard orders (ATSOs) are covered in Part 21 (“Certification and airworthiness requirements for aircraft and parts”) of the CASRs.

3.1.16 In the area of air navigation services, the *Air Services Act 1995* establishes Airservices Australia (AA) as the provider of facilities and services for air traffic services (ATS), communications, navigation and surveillance (CNS), and aeronautical information service (AIS). Like other services providers in the Australian aviation industry, it comes under the supervision of CASA in the latter's capacity as the designated safety regulator under the Act. Another key service provider is the Bureau of Meteorology (BOM), established by the *Meteorology Act 1955* as the designated meteorological authority for Australia. An MOU between BOM and AA ensures coordination of meteorological responsibilities with respect to the Chicago Convention. In addition, *Air Services Act 1995* enables AA to make arrangements with the Director of Meteorology for the provision of meteorological information (Regulation 5.06), while CAR 120 stipulates that weather observations, forecasts or reports should not be made without the authority of the Director of Meteorology or by a person approved for the purpose by CASA. The *Australian Maritime Safety Authority Act 1990* establishes the Australian Maritime Safety Authority (AMSA) as the search and rescue (SAR) authority that is responsible for carrying out ICAO and International Maritime Organisation (IMO) requirements for SAR. In addition, the *National Measurement Act 1960*, which establishes the system of units and standards of measurement of physical quantities throughout Australia, is in conformance with the requirements of ICAO Annex 5 — *Units of Measurement to be Used in Air and Ground Operations* with respect to the specific units of measurements to be used in air and ground operations.

3.1.17 The *Airspace Act 2007* establishes CASA’s responsibility to “administer and regulate Australian-administered airspace,” which includes the airspace over Australian territory, and airspace that has been allocated to Australia by ICAO under the Chicago Convention and for which Australia has accepted responsibility. The Act requires the Minister to make an “Australian Airspace Policy Statement” outlining the government’s policy with respect to classification, designation and strategies for the administration and management of Australian-administered airspace. This statement must be reviewed every three years, with consultation between the Department of Infrastructure, CASA, AA and other relevant entities.

3.1.18 With respect to aerodromes, Section 98 of the Act provides for the drafting of regulations related to the “planning, construction, establishment, operation and use of aerodromes, including the licensing of aerodromes” (Section 98(d)) as well as “the prohibition of the construction of buildings, structures or objects, the restriction of the dimensions of buildings, structures or objects, and the removal in whole or in part or the marking or lighting of buildings, structures or objects (including trees or other natural obstacles) that constitute or may constitute obstructions, hazards or potential hazards to aircraft flying in the vicinity of an aerodrome, and such other measures as are necessary to ensure the safety of aircraft using an aerodrome or

flying in the vicinity of an aerodrome” (Section 98(g)). Australia has promulgated CASR Part 139 (“Aerodromes”) which requires the certification of aerodromes in Australia and spells out the requirements that apply to operators of certified aerodromes. In addition, CASA is empowered to suspend or cancel an aerodrome certificate under certain conditions.

3.1.19 The *Transport Safety Investigation Act 2003* (hereinafter “the TSI Act”), came into effect 1 July 2003, is considered the legislative framework for transport safety investigations in aviation, marine and the interstate rail system. Section 7 of the TSI Act lays down its objective, which is to improve transport safety and is aimed at determining the factors that led to an accident or an incident so that lessons can be learned and transport safety improved in the future. The TSI Act further stipulates that the apportionment of blame for aircraft accidents and incidents is not the objective of the Act. Section 71 of the TSI Act provides that the Governor-General may make regulations for carrying out or giving effect to the TSI Act. This act applies not only to accidents and incidents occurring in the Australian territory but also to occurrences involving Australian-registered aircraft anywhere in the world.

3.1.20 The TSI Act provides for the appointment of the Executive Director of Transport Safety Investigation who is the Executive Director of the Australian Transport Safety Bureau (ATSB) and delegates to the Executive Director the powers related to the reporting of transport safety matters, the conduct of no-blame safety investigations, the making of safety action statements (including safety recommendations to address safety issues), the protection and dissemination of information, and the publication of investigation results. Part 2 of this act establishes that “the Executive Director is not subject to directions from the Minister or the Secretary in respect of the exercise of the Executive Director’s powers under this Act,” and includes a provision for Australia’s compliance with ICAO Annex 13. The compulsory reporting of accidents and incidents is addressed in Part 3, while Part 5 of the TSI Act grants the Executive Director the powers to investigate, access relevant premises including accident sites, detain aircraft, and issue protection orders under certain provisions of the TSI Act. There are penalties for non-compliance with certain provisions of the TSI Act. The protection of on-board recording information and restricted information is addressed in Part 6. The TSI Act also provides for the protection of the confidentiality of records and restricted information when the ATSB participates in an investigation conducted by another State or conducts an investigation delegated to it by another State. However, Australian legislation does not provide for the medical examination and toxicological testing of surviving flight crew, passengers and involved aviation personnel following an accident.

3.2 Critical element 2 – Specific operating regulations

“The provision of adequate regulations to address, at a minimum, national requirements emanating from the primary aviation legislation and providing for standardized operational procedures, equipment and infrastructures (including safety management and training systems), in conformance with the Standards and Recommended Practices (SARPs) contained in the Annexes to the *Convention on International Civil Aviation*.

Note.— The term ‘regulations’ is used in a generic sense to include instructions, rules, edicts, directives, sets of laws, requirements, policies, orders, etc.”

3.2.1 In addition to the Act that sets forth the basis for the development of civil aviation regulations in Australia, the civil aviation legislative system is also comprised of the following regulations, listed in order of legislative hierarchy:

Tier 1:

- *Air Navigation Regulations 1947,*

- *Civil Aviation Regulations 1988,*
- *Civil Aviation Safety Regulations 1998,*
- *Air Services Regulations 1995,*
- *Airspace Regulations 2007,* and
- *Transport Safety Investigation Regulations 2003.*

Tier 2:

- Civil Aviation Orders (CAOs),
- Airworthiness Directives (ADs),
- Australian Technical Standard Orders (ATSOs), and
- Manual of Standards (MOS) (some MOS publications are only advisory).

Tier 3: Advisory publications which are advisory rather than legislative (regulatory) in effect, such as

- Acceptable Means of Compliance (AMC),
- Civil Aviation Advisory Publications (CAAPs),
- Advisory Circulars (ACs), and
- Guidance Material (GM), e.g. Airworthiness Bulletin (AWBs and some MOS).

3.2.2 Under the Australian legislative framework, regulations made under an Act are referred to as delegated (or subordinate) legislation or legislative instruments signed by the Governor-General, the Minister or an official empowered by an Act. The power to make delegated legislation is restricted by the scope of the power provided in the Act. Regulations are drafted by the Attorney General's Department on instructions from the relevant technical specialists in CASA. The policy contents of regulations and amendments to regulations are cleared with the Department of Infrastructure and legal clearance obtained from the Attorney General's Department before they are formally made by the Governor-General in Council (Executive Council) on advice from the Minister. Once drafted, the regulations must be tabled in Parliament and are subject to Parliamentary disallowance. A public consultation process is carried out and a cost-benefit impact assessment (i.e. Regulation Impact Statement), prepared, for regulations or amendments with medium to high impact on business or competition. Regulations and some other instruments only become effective when they are published in the Federal Register of Legislative Instruments.

3.2.3 For the regulatory framework and rulemaking procedures, the *Regulatory Development Management (RDM) Manual*, dated 20 February 2008, describes the processes and requirements involved in the making of aviation safety regulations, standards and associated advisory materials. Procedures for amending regulations, including identifying and notifying differences to ICAO, are established and documented in the manual. In addition, the manual provides an overview of the requirements established by the Australian Government for conducting consultations on regulatory requirements and following other regulatory "best practices." However, the procedures described in the new manual for the amendment of regulations and for the identification and notification to ICAO of differences existing between the ICAO SARPs and PANS (Procedures for Air Navigation Services) do not address adopted regulations and have not kept the national regulations in pace with ICAO Annex amendments, in particular for personnel licensing, airworthiness and aircraft operations. In addition, not all differences to ICAO SARPs have been notified to ICAO.

3.2.4 The CARs provide the general regulatory controls over air navigation safety and enable CASA to carry out its regulatory functions. They are supported by a number of other documents such as the CAOs, ATSOs, ACs and CAAPs. Under a Regulatory Reform Programme to validate, update and consolidate CASA's regulatory requirements, the CARs and CAOs are progressively being converted into the new CASRs supported by MOSSs, AMCs and GMs.

3.2.5 The CASRs cover a range of subjects which can be broadly grouped as certification/airworthiness, identification, flight operations, pilot licensing, airspace, air traffic controller (ATC) licensing, and administrative matters.

3.2.6 Regarding personnel licensing, CAR Part 5 (“*Qualifications of Flight Crew*”) outlines the requirements for flight crew licences, validation, training, testing, examinations, exemptions, and flying schools. Civil Aviation Order 40.0 (“*Conditions — Flight Crew Licences*”), Amendment Order No. 1, issued on 6 December 2006, regulates conditions on flight crew licences. CARs 30 and 31 govern the issuance of AME licences and are supported by CAOs 100.90 through 100.95. CASR Part 65 outlines the requirements for the issuance of air traffic controller licences and the associated ratings and endorsements. CASR Part 143 describes the certification requirements for approval as an ATS training provider. It also includes operating rules under which an ATS training provider conducts training and examinations of ATS personnel. CASR Part 67 sets out the requirements for appointment as Designated Aviation Medical Examiners (DAMEs) and establishes the medical standards for the issuance of medical certificates. Collectively, the CARs and the CASRs do not however incorporate the latest medical-related amendments to ICAO Annex 1.

3.2.7 Regarding aircraft operations, the CARs require an air operator to do the following: develop an operations manual for the use and guidance of the operations personnel; maintain current flight crew records; and provide training and verification organization so as to ensure that members of the operator’s crews maintain their competency. The CAOs related to aircraft operations include Part 20 (“*Air Services Operations*”); Part 48 (“*Flight Time Limitations*”); and Part 82 (“*Air Operators’ Certificates*”). Although the CARs and the CAOs are progressively being incorporated into the CASRs, currently the CARs and CASRs do not address the latest amendments to ICAO Annex 6, Parts I, II and III.

3.2.8 CASR Part 92 (“*Consignment and carriage of dangerous goods by air*”) prescribes requirements for the consignment and carriage of dangerous goods by air and also addresses issues on training, documentation, record-keeping, incident reporting, packaging, marking, labelling and loading. However, the regulations are not up to date with the latest amendments of ICAO’s Annex 18 — *The Safe Transport of Dangerous Goods by Air* and its *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284).

3.2.9 With respect to airworthiness of aircraft, Parts 4, 4A, 4B, 4D, and 14 as well as Schedules 5 to 9 of the CARs, together with Parts 21 to 35, 39, 45 and 47 of the CASRs, address the airworthiness-related requirements of ICAO Annexes 6, 7 and 8. The relevant CARs are supported by the CAOs, specifically CAOs Parts 101 (“*Airworthiness Civil Aviation Orders*”) and 104 (“*Certificate of Approval*”) that provide for additional airworthiness provisions. However, not all airworthiness-related provisions of ICAO Annexes 6 and 8 are addressed by the currently applicable CARs, CASRs and CAOs, such as requirements for some operational airworthiness, human factors and extended twin-engine operations (ETOPS) related issues.

3.2.10 Aircraft noise is regulated through the *Air Navigation (Aircraft Noise) Regulations 1984*, introduced in 1984 under the *Air Navigation Act 1920*. However, not all provisions of ICAO Annex 16 — *Environmental Protection* regarding noise certification have been addressed. Noise certification, or lack of such certification, has no legal impact on type certification or individual certificate of airworthiness issue. However, if an individual aircraft does not meet the Australian noise requirements, it is illegal for that aircraft to operate in Australian territory, even though the aircraft may have a valid certificate of airworthiness. Noise testing requirements for normal light aircraft are as outlined in ICAO Annex 16, Chapter 10. For CAO 101.55 aircraft (weighing less than 450 kg), the requirements on noise certification are laid down in subsection 9 of CAO 101.55.

3.2.11 CASR Part 21 (“*Certification and airworthiness requirements for aircraft and parts*”) is based on the United States Federal Aviation Regulation (FAR) Part 21 and establishes the requirements for the approval of type certificates, supplemental type certificates, production under a type certificate only, production certificates, Australian parts manufacture approval (APMA), Australian Technical Standard Order (ATSO), and identification of aircraft parts. Modifications have been made to CASR Part 21 to fully address ICAO Annex 8 SARPs and ICAO’s *Airworthiness Manual* (Doc 9760) as well as to appropriately address the needs of the Australian aviation industry.

3.2.12 Australia has adopted by reference foreign airworthiness design standards as specified in the following CASRs:

- a) CASR Part 22 for sailplanes and powered sailplanes — European Joint Aviation Requirements (JAR) 22 or Section E of the British Civil Airworthiness Requirements or the airworthiness standards for Sailplanes and Powered Sailplanes issued by the *Luftfahrt-Bundesamt* of the Federal Republic of Germany, or the airworthiness standards for Sailplanes published by the *Organisation Scientifique et Technique Internationale du Vol a Voile* (OSTIV);
- b) CASR Part 23 for normal, utility, acrobatic or commuter category aeroplanes — FAR Part 23, JAR-VLA or JAR-23;
- c) CASR Part 25 for transport category aeroplanes — FAR Part 25 or JAR-25;
- d) CASR Part 27 for normal category rotorcraft — FAR Part 27;
- e) CASR Part 29 for transport category rotorcraft — FAR Part 29;
- f) CASR Part 31 for manned free balloons — Section 101.54 of the Civil Aviation Orders;
- g) CASR Part 32 for engines for very light aeroplanes — Subpart H of JAR-22;
- h) CASR Part 33 for aircraft engines — FAR Part 33; and
- i) CASR Part 35 for aircraft propellers — FAR Part 35.

Each of these CASRs clarifies any changes that are required to the adopted standards to ensure effective implementation and state applicability as of 1 October 1998. However, CASA has not established procedures to review amendments made to the adopted regulations or to ICAO Annex 8 in order to initiate an amendment update to the CASRs or notify a difference to ICAO. The CASRs, FARs and JARs are available on the Internet.

3.2.13 The CASRs related to air navigation services are Part 143 (“ATS training providers”), Part 171 (“Aeronautical telecommunication service and radio navigation service providers”), Part 172 (“ATS providers”), and Part 173 (“Instrument Flight Procedures Design”), all supported by the relevant MOSs. Some of the provisions in the CASRs specify the regulatory framework for the approval of a service provider, including the requirements for certification and procedures. For example, Sub-Part 172.C (“Requirements to be complied with by ATS providers”) and Part 172.145 (“Safety Management System”) of the CASRs require that AA maintains an operations manual that complies with the standards set out in the MOS as well as establishes, documents and maintains a safety management system (SMS), respectively. To comply with these two requirements, AA establishes and maintains a comprehensive Manual of Air Traffic Services as well as an SMS that includes the policies, requirements, procedures and activities to manage safety issues.

3.2.14 In the area of aerodromes, CASR Part 139 (“*Aerodromes*”) prescribes the regulatory requirements for aerodromes used in air transport operations. It is supported by the MOS Part 139 (“*Aerodromes*”), which sets out the technical standards for aerodrome design and operations. In particular, the MOS Part 139H (“*Standards Applicable to the Provision of Aerodrome Rescue and Fire Fighting Services*”) lays down the standards applicable for the provision of aerodrome rescue and firefighting services. In addition, CASA provides technical guidance in the form of ACs to facilitate compliance with standards. Aerodromes

that are for use by aircraft with a maximum passenger seating capacity of more than 30 seats or a maximum carrying capacity of more than 3 400 kg and are available for use in regular public transport operations or charter operations by such aircraft are required to be certified.

3.2.15 The *Transport Safety Investigation Regulations 2003*, together with the TSI Act, came into effect on 1 July 2003, and address matters primarily to do with the mandatory reporting of accidents and incidents. The *Air Navigation (Confidential Reporting) Regulations 2006* came into effect on 29 January 2007 and provides legislative guarantees of confidentiality for reporting safety concerns. All three legislation address the ICAO Annex 13 provisions and enable the ATSB to effectively conduct or participate in aircraft accident and incident investigations. The ATSB has notified its differences to ICAO with respect to ICAO Annex 13. The process used to review ICAO Annex 13 amendments and identify differences with the national legislation and regulations is described in the ATSB's *Safety Investigation Quality System*.

3.3 **Critical element 3 – State civil aviation system and safety oversight functions**

“The establishment of a civil aviation authority (CAA) and/or other relevant authorities or government agencies, headed by a Chief Executive Officer, supported by the appropriate and adequate technical and non-technical staff and provided with adequate financial resources. The State authority must have stated safety regulatory functions, objectives and safety policies.

Note.— The term ‘State civil aviation system’ is used in a generic sense to include all aviation-related authorities with aviation safety oversight responsibility which may be established by the State as separate entities, such as: CAA, airport authorities, air traffic service authorities, accident investigation authority, meteorological authority, etc.”

3.3.1 Primary responsibility for civil aviation oversight in Australia is entrusted to the CASA which was established as an independent agency in 1995 when the air navigation services and safety regulation functions were separated from the former Australian Civil Aviation Authority. CASA reports to the Minister through its CEO who is assisted by two deputy CEOs. The Minister appoints the CEO who holds statutory decision-making powers as the Director of Aviation Safety. The Minister can and does give strategic direction to CASA, but cannot intervene in specific regulatory matters.

3.3.2 The organization of CASA has its Headquarters in Canberra and 8 regional offices: 3 established in Brisbane, Melbourne and Sydney for oversight of air transport (with aircraft weighing more than 5 700 kg), and 5 for functions other than air transport at regional offices designated as Northern Region, Eastern Region, Sydney Region, Southern Region and Western Region. These regional offices come under the responsibilities of two Group General Managers, namely the Air Transport Operation Group (ATOG) and the General Aviations Operation Group (GAOG), both with operational Headquarters at Brisbane, to serve more effectively the interests of aviation users in the country. New types of inspectors (such as safety system specialist and air transport inspectors) have been introduced to enhance surveillance and auditing activities. CASA headquarters and regional offices have been provided with staff, facilities and equipment. CASA has developed an extensive Intranet/Internet system which permits the dissemination of information including applicable regulations and procedures manuals. CASA also has its own technical library while the staff has access to the library of AA which contains general documentation previously held by the Civil Aviation Authority Central Library. All employees have job descriptions and inspectors have been issued the necessary credentials for them to perform their regulatory functions. Public funding for CASA comes from the national budget, revenues collected through fuel excise on aviation fuel and cost recovery from industry for some regulatory services.

3.3.3 Other agencies with important and distinctive responsibilities for aviation-related activities have also been established in Australia. These are:

- a) The *Department of Infrastructure, Transport, Regional Development and Local Government* (hereinafter known as “the Department of Infrastructure”) provides policy advice to the Minister in relation to aviation. The Department of Infrastructure is also responsible for the general civil aviation policy and governance of oversight of CASA and AA. It also administers the Australian Government’s interests in major airports, performs regulatory functions in relation to aviation environmental issues (in particular aircraft noise), and regulates aviation security. The ATSB and the Office of Transport Security are established within the Department of Infrastructure.
- b) *Airservices Australia* (AA) is an independent statutory authority wholly owned by the Australian government and provides air traffic management, air navigation infrastructure services, and aviation rescue and firefighting services at airports/aerodromes.
- c) The *Australian Transport Safety Bureau* (ATSB) operates as a division within the Department of Infrastructure and is an independent investigator of transport accidents and other safety occurrences;
- d) The *Australian Maritime Safety Authority* (AMSA) is the State-designated authority that provides maritime and aeronautical SAR services.
- e) The *Bureau of Meteorology* (BOM) is the State meteorological authority in Australia.

3.3.4 The Department of Infrastructure, CASA and AA constitute a tripartite group (coordinated under an MOU) for joint consultation on aviation-related matters, such as arrangement for participation by Australian representatives in ICAO forums. A recent enhancement to the operating arrangements is the formation of the Aviation Policy Group which brings together the chief executives of the Department of Infrastructure, AA, CASA and the Chief of the Royal Australian Air Force. It aims to share information and discuss approaches on issues which cut across the functions of several agencies and to contribute to strategic planning for the longer term infrastructure and policy framework for Australian aviation.

3.3.5 CASA uses Instruments of Delegation and Instruments of Approval as the legal mechanism for transferring powers to an individual or organization with a stated expiry date. Instruments of Delegation can be issued to persons employed by CASA or by the aviation industry. There are numerous types of powers that delegates may hold. An Instrument of Approval is issued when CASA is authorized under the CARs or CAOs to approve the performance of a particular function by a person or an organization, such as a flight crew licensing delegate or an approved training organization.

3.3.6 The personnel licensing activities of CASA are assigned to the Personnel Licensing, Education and Training (PLET) Group, which reports directly to the Deputy CEO, Strategy and Support. The PLET Group is comprised of two branches located in Canberra: the Personnel Licensing and Registration Branch and the Safety Promotion Branch.

3.3.7 The Personnel Licensing and Registration Branch is responsible for the standards applicable to both air transport operations and general aviation operations with respect to aircraft registration, aviation medicine and the licensing of flight crew and maintenance personnel. The Branch is comprised of five sections:

- 1) The *Flight Crew Licensing Standards Section* is responsible for developing and maintaining standards and advisory material, providing technical advice, overseeing contracts for licensing examination delivery, supporting the computer-based testing system (Cyber-Exam), and managing special cases of licence suspensions and cancellations.
- 2) The *Aviation Medical Standards Section* is responsible for delivering medical certification services, issuing Instruments of Delegation to DAMEs and supervising their work, maintaining a DAME database, developing and maintaining standards and advisory materials, issuing policy advice on medical matters, and researching and analyzing medical data.
- 3) The *Maintenance Personnel Licensing Standards Section* is responsible for developing and maintaining standards and advisory materials; undertaking licensing and renewal functions; developing and delivering examinations nationwide; and providing technical advice as it relates to maintenance personnel licensing. The regional offices of CASA have also been granted the responsibility of assessing and issuing AME licences.
- 4) The *Aircraft Registration Section* is responsible for maintaining data in the Australian civil aircraft registry; maintaining aircraft certification and continuing airworthiness data; and developing and maintaining standards and advisory materials as it relates to aircraft registration.
- 5) The *CASA Licensing and Registration Centre (CLARC)* is responsible for maintaining records of personnel licensing and aircraft registration, assisting pilots, engineers and aircraft owners with enquiries and applications, and coordinating the issuance of medical certificates, Aviation Reference Numbers and Aviation Security Identification Cards. Since 15 November 2007, CLARC has been responsible for administering air traffic controller licensing. Meanwhile, CASA has delegated to AA the authority to provide training and testing leading up to the issuance of an air traffic controller licence.

3.3.8 The duties and responsibilities of staff members of the Personnel Licensing and Registration Branch are well defined and documented. With the exception of the Maintenance Personnel Licensing Standards Section, the Branch is sufficiently staffed to satisfactorily fulfil all of its assigned responsibilities.

3.3.9 The Safety Promotion Branch encourages the widespread adoption of safety principles, and develops and produces a wide range of safety and educational materials. The Branch's Field Safety Advisors serve as focal points for safety promotion and distribution of education materials.

3.3.10 The safety oversight of aircraft operations is the responsibility of the ATOG and the GAOG. Both groups report to the Deputy CEO for Operations.

- a) ATOG is responsible for air operators with aircraft weighing more than 5 700 kg. Its personnel are assigned to the headquarters office in Canberra and to field offices in Brisbane, Sydney and Melbourne. Within ATOG, the Policy and Business Development Section provides technical, policy and process support services to the ATOG field offices.

- b) The ATOG field offices are responsible for the certification of foreign and domestic air operators, the monitoring and inspection of air operations, the conduct of cabin safety inspections, and the oversight of the transport of dangerous goods by air. Given the level of aviation activity in Australia, the current number of dangerous goods inspectors is not sufficient to ensure effective safety oversight.
- c) GAOG is assigned responsibilities related to all operations with aircraft of less than 5 700 kg, including all rotary wing aircraft, sport aircraft and parachuting activities. These responsibilities also include regulatory services, surveillance and development of initiatives contributing to aviation safety.
- d) GAOG includes the Safety Oversight Branch, the Group Business Strategy Branch, the Operations Branch, and the Airworthiness Branch. In addition, there are five Regions, each with a main office: Northern Region — Darwin; Eastern Region — Brisbane; Sydney Region — Bankstown; Southern Region — Moorabbin; and Western Region — Perth. Some regions also have field offices which are authorized to perform core safety oversight functions, with each regional office manager holding relevant delegations applicable to the activities in their regions.
- e) GAOG has 65 approved positions of Team Leader Specialists and Flying Operations Inspectors, of which 11 are vacant and under advertisement.

3.3.11 Under GAOG, the Safety Oversight Branch is responsible for the management of entry control and safety surveillance, allocation of resources, analysis of safety data and strategic intervention strategies. The Operations Branch is responsible for coordination and leadership of the regional offices, staff technical training and capability, and implementation of new aviation regulations. A CASA Service Centre has been established to assist the aviation industry with the process of applying for a certificate, licence or approval. A team of technical and administrative staff is also available to provide advice on the certification process.

3.3.12 With regard to airworthiness, inspection tasks are carried out by the technical staff of the ATOG and the GAOG. The functions and responsibilities of the airworthiness inspectorate staff include aircraft registration; maintenance of the aircraft register; type certificate acceptance or type certificate validation; issuance of certificates of airworthiness, special flight permits and export airworthiness approvals; approval of air operator's maintenance control manuals and maintenance programmes; airworthiness aspects of air operator-specific operating provisions; approval of maintenance organizations; surveillance of air operators and maintenance organizations; ramp inspections; continuing airworthiness responsibilities as the State of Registry; and the issuance and renewal of AOCs. Through Instruments of Appointment and Delegation, CASA has delegated such duties to authorized persons and organizations. The delegated tasks of authorized persons are clearly defined. Currently the number of airworthiness maintenance inspectors working in the ATOG and the GAOG is sufficient.

3.3.13 The Airworthiness Engineering Branch (AEB) is established within the GAOG. Instruments of Delegation have been issued to the technical staff of the AEB outlining the powers and functions delegated to persons holding or performing the duties of the various positions. The technical staff of the AEB may be assigned to the various regional offices and reports functionally to the manager of each AEB Section. Under the AEB, a number of sections carry out a variety of functions.

- 1) The *Certification Policy and Programmes Section* is responsible for certification policy, standards and guidance material as well as for the oversight of delegated and authorized

persons carrying out engineering approval, project management and project support functions.

- 2) The *Manufacturing Section* is responsible for issuing new production approvals under CASR Part 21, and the oversight of those manufacturing organizations which have been issued with production approvals. It is also responsible for the oversight of delegated persons who provide services related to the aviation manufacturing industry.
- 3) The *Airframe and Structure Section* provides airframes and structural engineering expertise for CASA. The main tasks of this section revolve around the structural aspects of continuing airworthiness as well as the management, receipt, dissemination and recording of incoming and outgoing ADs and Service Bulletins.
- 4) The *New Technologies and Systems Section* is responsible for the provision of expertise on all aircraft engineering systems as well as the management of any applications associated with new and emerging technologies for CASA. In addition, this section manages the receipt, distribution and assessment and database of the Service Difficulty Reporting System.
- 5) The *Maintenance and Continuing Airworthiness Section* is responsible for the formulation of continuing airworthiness policy, the maintenance of airworthiness-related standards for aircraft and aeronautical products as well as for other functions related to the generated minimum equipment list, aircraft reliability and trend monitoring, and performance engineering.

All five sections of the AEB are based in Canberra, with the exception of Manufacturing Support Section which is based in Moorabbin. The AEB's *Standard Operating Procedure, Staff Briefings*, issued in January 2008, outlines the frequency of the various types of meetings held to coordinate activities between the technical staff in each section and between the different sections.

3.3.14 CASA appoints authorized persons to approve the design of modifications and repairs and/or the replacement of an aircraft component with another aircraft component pursuant to CAR 35 and/or CAR 36 requirements. Authorizations, issued using formal Instruments of Appointment, also describe limitations and conditions on the appointment that vary in the scope of repair or modification which may be approved and the technical discipline (e.g. structures, avionics, mechanical systems) that is involved. CAAP No: ADMIN (1) ("*Delegations and Authorisations*," dated January 1992) and Advisory Letter to Authorized Persons (ALAP) 200801 (dated 15 February 2008) provide essential information for persons who intend to become authorized persons to carry out design approval functions. Criteria Instrument of Delegation CASR Part 21.033(1) outlines the scope of authorization and conditions for delegations granted to a person or an organization appointed to inspect, on behalf of CASA, aircraft, aircraft engines, propellers and parts for conformity with design data under CASR 21.033(1).

3.3.15 The safety oversight system for air navigation services in Australia involves several government agencies, namely CASA, AA, AMSA and BOM. CASA's Airways and Aerodromes Branch under the Airspace and Aerodrome Regulation Group is made up of the Airways and ATS Standards Section and the CNS/ATM Standard Section (including the Aerodrome Section) and is vested with the responsibility for safety oversight and other regulatory duties relating to air navigation service providers of ATS, CNS and ATM services (including aerodromes). Headed by a Manager and assisted by three Section Heads, the Airways and Aerodromes Branch is principally responsible for the development of rules and standards for, and execution of

entry control and surveillance of, service providers operating under CASRs Parts 65, 139, 143, 171, 172 and 173. Other responsibilities include the introduction of new technology and supporting standards in areas such as CNS/ATM as well as the development of regulations to cover new areas of CASA accountability. The regulatory framework enables CASA to oversee AA, which is an air navigation service provider, in the same way that it regulates other aviation service providers.

3.3.16 As an independent statutory authority wholly owned by the Australian Government, AA was established on 6 July 1995 under the *Air Services Act 1995*, and provides ATM, AIS, CNS as well as rescue and firefighting services at airports/aerodromes in Australia. AA employs about 3 000 employees and is governed by a Board of Directors appointed by the Minister. Two flight information regions (FIRs) are established within Australia, namely the Brisbane and Melbourne FIRs which together cover about 53 million square km or 11 percent of the earth's surface. AA has established 2 major Air Traffic Control Centres at Brisbane and Melbourne, 4 Terminal Control Units in Sydney, Cairns, Adelaide and Perth, and 26 control towers throughout Australia for the provision of ATS. Overall, AA has about 1 000 air traffic controllers and handles approximately 4 million aircraft movements each year. However, there is currently a shortage of air traffic controllers in Australia which has resulted in service interruptions for some ATS locations. AA is also authorized by CASA to carry out specified terminal instrument flight procedures, while other entities such as NAVERUS and Qantas have been contracted to provide certain PANS-OPS and charting services (such as instrument flight procedure design, required navigation performance and approach design plates). Cartographic services are also provided by AA. However, a safety oversight system or mechanism to oversee AIS and aeronautical charts has not been established.

3.3.17 As the meteorological authority in Australia, the BOM is an executive agency under the Department of Environment, Water, Heritage and the Arts. It provides ICAO Annex 3 aeronautical meteorological (MET) service under a Management of the Aviation Weather Services Programme. An MOU between the BOM and AA ensures coordination of meteorological responsibilities with respect to the Chicago Convention. With its headquarters located in Melbourne, BOM has established ten meteorological offices throughout Australia, including the Volcanic Ash Advisory Centre (VAAC) and the Tropical Cyclone Advisory Centre (TCAC), both located in Darwin. In addition, BOM has applied for ISO 9001 Certification from Lloyd's Register Quality Assurance Ltd.

3.3.18 The AMSA, established under the *AMSA Act 1990*, is the SAR authority in Australia and is responsible for ICAO Annex 12 — *Search and Rescue*. The Joint Rescue Coordination Centre Australia, located in Canberra at AMSA's head office, is staffed by a team of trained SAR officers who provide a combined maritime and aeronautical SAR service coverage on a 24-hour basis, with close coordination and cooperation with Australia's State and Territory Governments and all other entities that are responsible for assisting in SAR operations. AMSA operates two ground stations and a mission control centre for Cospas-Sarsat satellite distress beacon system at Albany and Bundeburg. AMSA is also the secretariat for the National Search and Rescue Council (NATSAR) which is the national coordinating body for SAR operations in Australia, with members made up of representatives from the Australian State and Territories SAR authorities and the Australian Defence Force.

3.3.19 The aerodrome regulatory staff at the Airways and Aerodromes Branch under the Airspace and Aerodrome Regulation Group of CASA is responsible for the development of aerodrome regulations and standards, while the aerodrome inspectors based in the eight regional offices are responsible for the certification and surveillance of aerodromes across Australia. All the aerodrome inspectors report to the Aerodromes Coordinator who in turn is responsible to the Manager of the Airways and Aerodromes Branch. Most of the aerodromes in Australia are private (including Commonwealth Government-leased ones), and although there are a few State-owned aerodromes, CASA is not involved in the provision of aerodrome

facilities and operations. Aerodrome inspectors have been delegated safety oversight responsibilities by the Director of Aviation Safety (i.e. CEO of CASA) pursuant to Section 94 of the Act.

3.3.20 The ATSB was officially established as a multi-modal (aviation, marine and rail) investigation bureau on 1 July 1999. Section 15 of the TSI Act ensures the independence of the ATSB by allowing its Executive Director to exercise his powers under the TSI Act without being subject to directions from the Minister or the Secretary. The ATSB Executive Director is supported by Directors responsible for Aviation Safety Investigation, Strategy and Capability, International and Surface Safety. The ATSB is located in Canberra, with two aviation field offices (Perth and Brisbane), and both have aviation investigators ready to respond rapidly to aviation accidents and incidents. Team leaders and managers visit the regional offices from time to time and there are weekly telephone conferences to discuss issues and review workload and priorities. The ATSB has put in place the *Safety Investigation Quality System* on its Intranet that sets out all the procedures, forms and databases to facilitate the coordination and standardization of the work being carried out by accident investigators assigned to the various offices.

3.3.21 Funding for aviation accident investigations is provided by the Australian Federal Government through the Department of Infrastructure. The ATSB participates by appointing an accredited representative and advisers to investigations conducted by other States when Australia is involved as per ICAO Annex 13 (mainly when Australia is the State of Registry or State of the Operator). The ATSB may also provide assistance to another State upon request. To make the most of its allocated funding, the ATSB has established guidelines to determine the level of response made to an occurrence based on resource availability and other factors including: existence of fatalities; anticipated safety value of an investigation; extent of public, media or political interest; timeliness of notification; training benefit for ATSB investigators; likelihood of safety action arising from the investigation or the existence of supporting evidence or requirements to conduct a special investigation based on trends; safety analysis or an identified targeted programme; and scope or impact of any system failures. Under the ATSB guidelines, occurrences that may fit the ICAO Annex 13 definition of an aircraft accident or incident may not be investigated. There is however a process established for the acquisition of supplementary funding of accident investigations, when required, in the event of a major accident.

3.4 **Critical element 4 – Technical personnel qualification and training**

“The establishment of minimum requirements for knowledge and experience of the technical personnel performing safety oversight functions and the provision of appropriate training to maintain and enhance their competence at the desired level. The training should include initial and recurrent (periodic) training.”

3.4.1 CASA has an established training policy, while its Human Resources Management Branch has also been developing a Competency Based Training (CBT) programme for all CASA staff. However, this CBT programme has not yet been finalized although some courses that underpin this programme have been delivered. In addition, the CBT programme does not address all the training needs of the inspectorate staff (including initial, on-the-job, recurrent and specialized training) in accordance with the assigned duties and responsibilities of each position. There is also no established system for maintaining the training records of inspectorate staff, although an online Human Resources Management Information System for the maintenance of staff training records has been introduced.

3.4.2 CASA has established minimum qualifications and experience requirements for the personnel licensing staff. While ad hoc training is provided to the staff, CASA has not developed a formal training programme and plan detailing the type of training to be provided to the staff of the PLET Group. For the position of DAME, Australia only appoints physicians with appropriate training in aviation medicine.

Possession of an Australian Certificate in Civil Aviation Medicine or equivalent qualification is the minimum requirement for appointment as a DAME. Once appointed, the DAMEs are required to attend periodic aerospace medicine training seminars, courses, or scientific meetings approved by CASA, with documented attendance of relevant activity at least once every two years a requirement.

3.4.3 With respect to aircraft operations, CASA has established minimum qualifications and experience requirements for the inspectorate staff, including those of ATOG and GAOG. Inspectorate positions include Flying Operations Inspector, Air Transport Inspector, Airworthiness Inspector, Dangerous Goods Inspector, and Cabin Safety Inspector. However, the inspectorate staff has only received ad hoc training. CASA has not developed a formal training programme and periodic training plan for its aircraft operations inspectorate staff.

3.4.4 In the area of airworthiness, CASA has established the minimum qualification and experience requirements for airworthiness inspectors, but none for technical personnel dealing with noise certification, a task that has been assigned to AA. CASA delegates tasks to organizations and individuals who meet its qualification and experience criteria and issues Instruments of Delegation to the qualified organizations or individuals. However, no training programme or training plans have been established for airworthiness inspectors. In addition, there is no requirement for airworthiness inspectors to satisfactorily complete their OJT before being assigned their tasks and responsibilities. In practice, training courses and seminars are provided to airworthiness inspectors on an ad hoc basis.

3.4.5 Job descriptions including the minimum qualifications and experience requirements have been developed for airworthiness engineers and manufacturing inspectors. The responsibilities of CASA managers include ensuring appropriate training for the staff so that they can perform their duties, while the responsibilities of team leaders include mentoring of less experienced staff. The qualifications and experience requirements for authorized persons carrying out design approval functions are outlined in ALAP 200801, while those for persons delegated in the manufacturing inspection area are laid down in the Criteria Instrument of Delegation CASR 21.033(1). The existing technical training matrix of the CBT programme developed by the Human Resources Management Branch does not address all the specific training needs of the AEB and its technical staff. Moreover, final review and approval of the CBT programme is still pending. The managers of the AEB identify and provide annual training to their technical staff, including the staff of the field offices. This process is documented in the AEB's *Standard Operating Procedures, Staff Training*. Human factors training has not been provided to the technical staff and the OJT provided in the past has not been documented, although a related form has been developed recently.

3.4.6 With respect to air navigation services, CASA has established the minimum knowledge and experience requirements of the air navigation service regulatory staff performing safety oversight functions. However, CASA has not developed nor implemented a training programme and a periodic training plan, including initial, on-the-job, recurrent and specialized training for the PANS-OPS inspectorate staff. With respect to MET, the Bureau of Meteorology Training Centre, which is a unit of BOM, provides training that leads to a nationally accredited qualification and also meets BOM's requirements for new and existing staff to acquire necessary professional, technical and management skills.

3.4.7 In the area of aerodromes, CASA has established minimum qualifications and experience requirements for aerodrome regulatory staff, including aerodrome inspectors based in the regional offices. CASA has also developed a general learning and development policy for its staff, and it is setting up a training programme that covers aerodrome regulatory staff. However, a comprehensive training programme for the aerodrome regulatory staff has not been developed and implemented. In particular, the aerodrome regulatory staff has not received formal training in the development, use and evaluation of SMS (including aeronautical studies and risk assessments).

3.4.8 ATSB's aircraft accident and incident investigators come from diverse backgrounds and have experience as pilot, engineer, maintenance engineer, air traffic controller, and human factors practitioner. Other ATSB technical staff members include flight recorder specialists and material failure analysis experts. The ATSB is accredited to award its staff a Diploma of Transport Safety Investigation. ATSB investigators who have demonstrated a level of competency based on standards established in the *Policy and Procedures Manual* of the *Safety Investigation Quality System* are awarded this diploma. The competency standards describe the core range of duties and skills required for all investigators at each level as well as the various associated requisite specialized duties and skills. All training conducted under this diploma programme is recorded in a Training and Assessment Record Book which is updated by the investigators during their training. A review of various training records confirmed that they were up-to-date and consistent with the training requirements. Except for new hires, all ATSB investigators have completed the diploma programme.

3.5 **Critical element 5 – Technical guidance, tools and the provision of safety critical information**

“The provision of technical guidance (including processes and procedures), tools (including facilities and equipment) and safety critical information, as applicable, to the technical personnel to enable them to perform their safety oversight functions in accordance with established requirements and in a standardized manner. In addition, this includes the provision of technical guidance by the oversight authority to the aviation industry on the implementation of applicable regulations and instructions.”

3.5.1 CASA's *Surveillance Procedures Manual* outlines the information and procedures that enable its regulatory staff to perform their surveillance tasks, with focus on a system assessment model. ICAO documents and other technical and regulatory information are readily available to its staff through the CASA Intranet, *CASAcconnect*. In addition, CASA uses a “Webmaster Controller” system to ensure receipt, control and dissemination of technical documents. CASA's regulatory staff has been provided with adequate facilities, equipment, computers, office space, telephones and fax machines to ensure an efficient and conducive working environment.

3.5.2 In the area of personnel licensing, CASA has established a licensing system supported by rules and technical guidance materials to enable it to undertake its functions effectively. The following technical guidance materials are applicable to the work of the personnel licensing staff: *Flight Crew Licensing Procedures Manual*, *Aircraft Maintenance Engineer Licensing Procedures Manual*, *Designated Aviation Medical Examiner's Handbook*, *Surveillance Procedures Manual*, *Enforcement Manual*, *Civil Aviation Advisory Publications*, *Certificate of Approval Procedures Manual* and the *Manual of Standards*. The *Flight Crew Licensing Procedures Manual* and the *Aircraft Maintenance Engineer Licensing Procedures Manual* describe at length the licensing processes and procedures. Procedures for issuing validations and conversions are outlined in the technical guidance materials.

3.5.3 For the operations inspectorate, CASA provides the following technical guidance materials, in addition to the applicable manuals listed in 3.5.2: *Air Operator Certification Manual*, *Industry Delegates and Authorized Persons Management Manual*, *Minimum Equipment List and Permissible Unserviceability Procedures Manual*, *Operational Standards and Requirements – Approved Synthetic Trainers and Air Display Safety*, and *Administrative Arrangements*. The *Air Operator Certification Manual* describes the policies and procedures to be followed by CASA in assessing an application for, and the issuance of, an AOC. These procedures include coordination on the certification, licensing and approval activities with other relevant areas, such as airworthiness of aircraft, personnel licensing and cabin safety. CASA uses a Workflow System Management to track the AOC certification process that is based on ISO 90001 principles. However, CASA

does not have comprehensive procedures for the acceptance or approval of aircraft leasing arrangements and agreements by its technical staff.

3.5.4 The Dangerous Goods Inspectors who are responsible for providing dangerous goods approvals and surveillance have not been provided with technical guidance materials. Some dangerous goods manuals and checklists are under development and still only in draft form. ACs have been issued to provide advice to the aviation industry on the regulatory requirements for dangerous goods, including training for employees of operators, cargo handling agents, freight forwarders, shippers and security screeners.

3.5.5 CASA's airworthiness inspectors are provided with procedures manuals for every area. However, some existing procedures do not fully reflect the required level of detail or are not kept up-to-date. In addition, some essential procedures have not been developed and implemented, such as procedures for the approval of modifications and repairs, issuance of export airworthiness approvals, review and approval of operators' maintenance control manual, and approval of leases among commercial air transport operators. Additional guidance and information, including accepted methodology for authorized persons or CASA in a designated area, are described in a number of CAAPs. However, the industry does not have sufficient guidance materials concerning reporting of unapproved parts, proper usage of parts removed from the aircraft no longer in service, and the disposal of scrapped parts. Technical libraries are available at headquarters and in the regional offices. Almost all relevant ICAO documents and other technical and regulatory publications are readily available to the airworthiness inspectors via the CASA website and/or CASA Intranet. Airworthiness inspectors also have access to design organizations' documentation as well as continuing airworthiness-related information for all aircraft on Australia's register.

3.5.6 CASA has developed the *Type Certification Procedures Manual* as a guide for CASA staff involved in type certification (including all engineering, manufacturing inspection and administrative personnel) with respect to the type certification process of civil aircraft, aircraft engines and propellers as required by the CARs. Specifically, this manual lays down the procedures for evaluating and approving aircraft type design data and changes to approved type design data. A *Production Approval Procedures Manual* outlines the procedures for assessing applications for Production Approvals under CASR Part 21 and for issuing related CASA approvals. However, these two manuals have not been updated to reflect the current organizational structure. Furthermore, the *Production Approval Procedures Manual* does not include the latest forms and worksheets available for the tasks related to the issuance of Production Approvals and the conduct of production facility inspections.

3.5.7 Authorized persons and manufacturing delegates perform their authorized functions in accordance with the procedures manual specified in the Instrument of Approval issued to them. CAAP 30-6(0) ("Certificate of Approval — Design Organisations") provides guidance to applicants "for showing compliance with the applicable regulatory requirements to obtain, or change the Certificate of Approval for the design of aircraft and aircraft components. It also describes acceptable procedures for holders of certificates of approval to maintain their certificates." The CAAP 30-6(0) is supported by a full range of ACs.

3.5.8 In the area of air navigation services, CASA has developed comprehensive documentation and tools for the conduct of regulatory duties by the air navigation service inspectors. Other entities involved in the provision air navigation services (such as AA, BOM and AMSA) have also established a comprehensive Intranet and Internet systems for the dissemination of safety-critical information to their users. AA publishes and maintains a *Manual of Air Traffic Services* that outlines the rules related to the provision of ATS. The *Aeronautical Services Handbook* (ASH) is BOM's operational manual for the provision of MET services in Australia. Based on ICAO Annex 3, the ASH also includes additional information on products and services provided in consultation with the aviation sector. With respect to SAR, AMSA publishes the *National SAR*

Manual, which is also sponsored by the NATSAR and which describes the agreed SAR response and coordination for SAR operations conducted within Australia. The manual was developed with reference to ICAO's *International Aeronautical and Maritime SAR Manual* (Doc 9731) and is supplemented by various legal, informative and instructional documents of other SAR-related agencies. All documents on the provision of air navigation services are readily available online on the websites of the various entities such as AA, BOM, and AMSA (www.airservicesaustralia.com, www.bom.gov.au and www.amsa.gov.au, respectively) and they are updated regularly. Secured documents (such as staff personal files, training records and policies) are only accessible to senior staff.

3.5.9 The promulgation of guidance and safety-critical information such as AIS and Notices to Airmen (NOTAMs) is the responsibility of the Australian Flight Information Centre (AusFIC). Established by AA at Brisbane, AusFIC provides aeronautical data and information services through a system of operational data management (i.e. aeronautical fixed telecommunication network (AFTN) and the National Aeronautical Information Processing System (NAIPS)), briefing and flight notification processing, "Flightwatch" and communications relay services, and NOTAM services. The NOTAM Office which is responsible for the issuance, maintenance and distribution of data within the automated environment controls the national NOTAM register for the issuance of all domestic and international NOTAM in Australia. The *Aeronautical Information Publication (AIP) Australia*, which also contains all applicable aeronautical charts, is published by the AIS and AA, and is available for free on AA's website. However, significant differences between ICAO Standards and the national regulations and practices have not been updated since 9 June 2005.

3.5.10 CASA has developed an *Aerodrome Certification Manual* that provides guidance to its aerodrome inspectors on the initial certification of aerodromes. A *Surveillance Procedures Manual* has also been developed and is used by aerodrome inspectors to conduct continuing surveillance of aerodrome operations. In addition, an *Enforcement Manual*, which provides guidance to staff on the enforcement tools available and the circumstances in which these tools should be used, has been developed. ICAO's aerodrome-related documents and other technical and regulatory information are readily available to aerodrome regulatory staff, including aerodrome inspectors.

3.5.11 The ATSB facilities in Canberra include offices, conference rooms, a flight recorder laboratory and a material failure laboratory. Aircraft accident investigators are provided with the equipment necessary to carry out their investigations, including the equipment required under the *Occupational Health and Safety Act 1991*. A system is in place to ensure that all equipment to be used by investigators are properly maintained and stored, and appropriate records are kept of their serviceability. The ATSB's *Safety Investigation Quality System* includes a comprehensive set of manuals, along with a mechanism for submitting suggestions to allow for continuous improvement. The procedures included in these manuals also address the notification, investigation and reporting of aircraft accidents and incidents and are comprehensive and in conformity with ICAO Annex 13 requirements.

3.5.12 The ATSB has signed several MOUs with external organizations and agencies (including COMCARE, CASA, AA, and the Chief Magistrate of Tasmania) to facilitate collaboration on coronial matters. In the States and Territories of Australia where MOUs have not been feasible to date, the ATSB has established specific guidelines to be used by investigators for the various coronial-related situations. The role of the police is also described in the ATSB's *Safety Investigation Quality System* manuals and in the *Civil and Military Aircraft Accident Procedures for Police Officers and Emergency Services Personnel*.

3.5.13 By law, the investigations carried out by the ATSB include the completion, release and publication of a final report. Exceptionally, when an investigation is discontinued by a decision of the ATSB Executive Director, the final report is not completed. In this case, a statement setting out the reasons must be

published by the ATSB. Final reports are placed on the ATSB website, providing for large dissemination of the information. Paper copies are provided to relevant individuals and organizations.

3.6 **Critical element 6 – Licensing, certification, authorization and/or approval obligations**

“The implementation of processes and procedures to ensure that personnel and organizations performing an aviation activity meet the established requirements before they are allowed to exercise the privileges of a licence, certificate, authorization and/or approval to conduct the relevant aviation activity.”

3.6.1 With respect to personnel licensing, CASA has established a comprehensive system for the issuance of licences. Applicants for a flight crew licence undertake relevant training, written examinations and flight examination before receiving a flight crew licence. Candidates are required to make their application in writing by submitting the relevant application form available from the CASA website. All flight crew licence applications are assessed at the CASA Central Office. The flight crew licences issued by CASA are the continuing type and the supporting documentation is attached. In order to exercise the privileges of an aviation licence, the licence holder must have both a licence and a valid medical certificate corresponding to the class of licence. DAMEs perform the necessary medical examinations for CASA’s Aviation Medicine Section. CASA issues all the licences outlined in ICAO Annex 1 with the exception of flight operations officer licences. In line with the CARs, CASA exempts Australian military flight crew from the requirements specified for a private or commercial licence if their military qualifications and aeronautical experience are equivalent to those required of civilian applicants. CASA has procedures for issuing validations and conversions of licences on the basis of foreign licences. However, the personnel licensing staff do not systematically contact the foreign civil aviation authority to confirm the authenticity of the foreign licence and its full conformance with ICAO Annex 1, even though this step is outlined in the procedures.

3.6.2 CASA’s licensing system addresses the conditions for the designation of approved training organizations and the delegation of individuals to carry out functions on behalf of CASA, as described in the *Industry Delegates and Authorized Persons Management Manual*. There is one approved training organization for air traffic controller training and several for aircraft maintenance training. For flight crew training, AOC holders are authorized to establish and conduct flight training courses. To obtain a Certificate of Approval for the conduct of AME training and examinations, an applicant must have procedures, training packages, facilities and staff necessary to provide AME training that meets CASA requirements. AME licences are issued with a maximum validity period of 24 months. Examination questionnaires for air traffic controller licences are developed and administered through use of the Air Services National Assessment Database.

3.6.3 Australia has established a plan to implement language proficiency requirements and has created and distributed published and electronic guidance materials for CASA staff and the aviation public. These include the *Introduction to ICAO’s Requirements for English Proficiency Level VI – Expert Speakers*, a CD of audio clips of English speakers with various accents, and lists of accredited language assessors and training centres. Some CASA flight operations inspectors have also received training under this programme.

3.6.4 The initial issue of an AOC to an applicant is processed in five distinct phases: 1) Pre-Application, 2) Formal Application, 3) Document Evaluation, 4) Inspection and Proving Flights, and 5) Certification. An applicant who requires specific approvals receives additional inspections during the Inspection and Proving Flights Phase. Specific approvals include reduced vertical separation minima (RVSM), Category (CAT) II and CAT III landings, and extended twin engine operations (ETOPS). CAT II and CAT III low visibility landing operations are only approved for operations outside Australia. Airworthiness and flying

operations inspectors provide recommendations and supporting data for the team leader's review and concurrence. The issuance of an AOC is a coordinated effort between the airworthiness and flying operations inspectors, and an AOC is not issued until the team leader for flying operations can advise the Area Manager that both disciplines have been satisfied. An AOC is issued with accompanying Schedules defining a variety of authorizations. However, the AOC and Schedules do not contain all the specified authorizations, conditions and limitations to conduct commercial air transport operations.

3.6.5 CASA has not developed a process for granting specific authorizations related to the transport of dangerous goods by air, including review of the air operator's acceptance checklists, loading procedures, in-flight emergency response procedures, and approval of dangerous goods training programmes. A draft authorization process is under development, but has not been finalized and approved by CASA.

3.6.6 With regard to airworthiness, CASA maintains an aircraft register in electronic and paper version. The data of the aircraft register are also published on CASA's website. The certificates of registration issued in Australia do not conform to the model shown in ICAO Annex 7 — *Aircraft Nationality and Registration Marks*. CASA issues type certificates for its own products, accepts aircraft type certificates issued by seven other Contracting States, and validates type certificates issued by Contracting States other than the seven cited above in special cases. Certificates of airworthiness are issued on a continuing basis following established procedures. Aircraft noise assessments are the responsibility of AA, although this was not confirmed. Regarding air operator certification, a formal process ensures that all applicable airworthiness requirements are met by the air operator prior to the issuance of an AOC. Approval of approved maintenance organizations (AMOs) is based on implemented procedures, including submission of a maintenance procedures manual by the AMOs for review and approval by CASA. CASA issues approval certificates to both domestic and foreign AMOs.

3.6.7. CASA has issued type certificates for aircraft under 5 700 kg in accordance with the requirements of CASR Part 21 and the established procedures. Supplemental type certificates have also been issued by CASA. Design organizations have also been approved in accordance with CAR 30, the design of aircraft and aircraft components based on these organizations with authorized persons under CAR 35 and/or CAR 36. The design organization submits a design advice using CASA form DA-213 to approve the design data; if the design approval is not within the scope and engineering specialty of the design organization, a compliance matrix is submitted to CASA for a final decision. CASA also issues Certificates of Approval to production organizations. Some production organizations in Australia also hold APMAs and/or ATSOs. The Environment Monitoring Branch of AA is responsible for the issuance of the noise certificate to the manufacturer and/or type certificate holder. However, this process was not confirmed.

3.6.8 In the area of air navigation services, CASA has established and implemented processes and procedures to oversee the comprehensive certification requirements for the ATS training provider, CNS provider, ATS provider and designers of instrument approach and departure procedures as described in the CASR Parts 143, 171, 172 and 173, respectively. The ATS personnel licences and associated ratings and endorsements stipulations which are described in CASR Part 65 are administered by CLARC, while functions on training and testing leading up to the issuance of an air traffic controller's licence are delegated to AA. In line with the requirements of CASR Part 172.145, AA has implemented a mature and comprehensive SMS that includes policies, procedures and activities to manage safety effectively. A dedicated unit known as the Safety Management Group has been established within AA, and all AA staff are responsible for both operational and occupational safety, with all managers accountable for safety performance in their respective areas of responsibility.

3.6.9 With respect to aerodromes, as of February 2008, 164 aerodromes in Australia have been certified in accordance with the established national regulations. In addition, 135 aerodromes not requiring certification have been registered with CASA. As part of the aerodrome certification process, an aerodrome inspector reviews the aerodrome manual submitted by an aerodrome operator and assesses the physical characteristics, facilities and equipment of the aerodrome before an aerodrome certificate is issued. Copies of aerodrome manuals, certificates and files containing correspondences between CASA and the aerodrome operators are kept by the respective aerodrome inspectors in the regional offices. CASA also maintains a register of certified and registered aerodromes in Australia on the CASA website.

3.7 **Critical element 7 – Surveillance obligations**

“The implementation of processes, such as inspections and audits, to proactively ensure that aviation licence, certificate, authorization and/or approval holders continue to meet the established requirements and function at the level of competency and safety required by the State to undertake an aviation-related activity for which they have been licensed, certified, authorized and/or approved to perform. This includes the surveillance of designated personnel who perform safety oversight functions on behalf of the CAA.”

3.7.1 In the area of personnel licensing, Section 9 of the Act authorizes CASA to conduct “comprehensive aviation industry surveillance,” while CAAP 30-5(0) (“*Certificates of Approval – Training Organisations*”) states that “CASA will confirm by means of scheduled and special purpose audits and inspections” an organization’s compliance with “both its documented procedures and regulatory requirements.” CASA issues Certificates of Approval to training organizations to enable them to conduct personnel licensing examinations and Instruments of Delegation to individuals to act as Approved Testing Officers and perform personnel licensing practical examinations. However, CASA has not developed or implemented a surveillance programme for performing oversight of the consistency and reliability of the examinations conducted by the Approved Testing Officers or training organizations. In the Australian medical certification system, all medical examiners, both domestic and foreign, are required to submit medical information to enable CASA to audit medical assessments. Under CAR 302, an authorized CASA officer may require a licence holder to produce a valid medical certificate.

3.7.2 In the area of aircraft operations, surveillance is conducted based on guidance provided in CASA’s *Surveillance Procedures Manual* and through the CASA Regulatory Oversight System (CROS), which is defined through a comprehensive set of systems and elements containing data collection tools and audit worksheets. Under the CROS concept, the emphasis for surveillance planning is based upon a combination of data analysis and risk assessments. CROS provides systems attributes, which can be broken down into components and sub-components to facilitate evaluation. CASA inspectorate staff verifies the legislative compliance of an AOC or Permission holder and evaluates the performance of the compliance assurance systems that an AOC or Permission holder has put in place to manage risks. CASA’s systems approach leads air operators to assume higher levels of responsibility for safety, while working to keep operational risk as low as reasonably practicable. The types of surveillance undertaken through the CROS concept include scheduled audits, operational surveillance, scheduled audit replacement, special audits, and spot checks. Surveillance planning is based on risk analysis for each AOC. The plan is reviewed annually and forms the basis for the surveillance programme. A monthly planning review reassesses the surveillance plan, with particular attention to identifying overdue inspections, upcoming scheduled surveillance, and planning and identifying special audits and spot checks. CASA does not conduct planned surveillance programme activities for the observation of individuals delegated to perform tasks, such as flight proficiency checks, on behalf of CASA. Regarding the safe transport of dangerous good by air, CASA has not developed and implemented a comprehensive surveillance programme of regular and random inspections of activities.

3.7.3 In the area of airworthiness, each regional office of CASA has developed an annual surveillance programme which describes the area of inspection and the assigned team of inspectors. The surveillance programme covers all Australian AOC holders, foreign AOC holders, AMOs and organizations or persons performing delegated functions. The annual surveillance programme includes random inspections on all aspects of maintenance. The completed surveillance activities are documented and the implementation was confirmed during the industry visits. Although operators authorized to carry out ETOPS submit reports periodically, ongoing oversight of reliability programmes has not been conducted.

3.7.4 The *Design Audit Programme and Procedures*, dated February 2008, was adapted and modified from those outlined in the *Surveillance Procedures Manual* to reflect the design approval process and internationally recognized practice. These procedures outline a risk-based approach that is used to define a risk profile category for each Authorized Person. The risk profile category determines the frequency of inspection in a two-year rolling audit plan that ensures that the activities of Authorized Persons are audited within a two-year cycle. The audit plan includes desk-top audits, site visit audits, special audits and design approval review meetings and has been fully completed.

3.7.5 The surveillance of production activities is conducted according to the *Surveillance Procedures Manual – CASR Part 21, Production Approval Holders (PAH) and Authorized Persons*. There are two types of scheduled audits conducted on Production Approval Holders (PAHs): a complete quality management system audit conducted at intervals based on the individual PAH's risk profile; and a number of product, process or quality procedures audits as required based on the individual PAH's risk profile. The likelihood of a PAH producing a non-conforming product and the consequence of a part/product failure are considered during the risk analysis. PAH suppliers who perform critical manufacturing operations or processes, manufacture critical parts or assemblies, or supply significant volume of parts or assemblies must be included in the audit programme cycle for the particular PAH. An extensive conformity inspection, such as a first article inspection for a major assembly, may also be used to replace entirely a scheduled audit of a particular part of the PAH's facility. Special audits may also be planned when indicators suggest increased safety risk. The audit plan for 2007 has been successfully completed.

3.7.6 With respect to air navigation services, CASA conducts audits over AA in accordance with an annual surveillance plan, in the form of a formal, scheduled audit or unscheduled operational surveillance. Internal records of surveillance activity are maintained by CASA, while AA is issued a short statement for the record with associated findings, if any, in the form of Observations or Request for Corrective Actions consistent with formal audit practice. Audits are conducted primarily against CASR provisions, relevant documents and checklists. In addition, CASA may observe the internal audit of AA's Audit and Assurance Unit (A&AU) as part of CASA's operational surveillance. Meanwhile, A&AU has a standing invitation to take part in CASA's audit entry and exit meetings.

3.7.7 Internally, AA has established a Safety Management Group that conducts safety-related programmes, including safety audits, safety case studies, safety enhancement and development. In addition, AA has taken action to mitigate the risk of runway incursions. A group called the Runway Incursion Group (RIG) has been established to provide a national perspective on runway incursions and to facilitate greater awareness among operators and end users. The RIG last met on 18 Dec 2007 to collate the growing number of activities to address runway incursions and to plan cohesive action, including site visits by the Runway Safety Teams, for the next 18 months.

3.7.8 Also air navigation service related, the Australian Airspace Monitoring Agency (AAMA) provides summaries of airspace safety oversight for the post-RVSM implementation in the Asia-Pacific region. AMSA and BOM have an embedded system of safety surveillance in their management hierarchy for the

provision of SAR and MET services, respectively. Senior officers have safety surveillance as part of their duties and responsibilities.

3.7.9 An aerodrome certificate, once issued, remains in force unless it is cancelled or suspended. Certified aerodromes are subject to periodic surveillance audits by CASA to ensure continued compliance with the regulatory requirements. CASA has developed and implemented a surveillance programme for continuing surveillance of all certified aerodromes, which includes random and unannounced inspections. The certified aerodromes are assessed against criteria established in the regulations, and checklists are used by aerodrome inspectors for the conduct of surveillance audits. Registered aerodromes in Australia are not directly subjected to regulatory audits by CASA, but must be inspected at least once a year by persons approved by CASA as “Approved Persons”. A copy of the inspection report of a registered aerodrome has to be submitted to CASA for review.

3.8 **Critical element 8 – Resolution of safety concerns**

“The implementation of processes and procedures to resolve identified deficiencies impacting aviation safety, which may have been residing in the aviation system and have been detected by the regulatory authority or other appropriate bodies.

Note.— This would include the ability to analyse safety deficiencies, forward recommendations, support the resolution of identified deficiencies as well as take enforcement action, when appropriate.”

3.8.1 With respect to the resolution of identified safety concerns, the Act provides CASA the necessary enforcement powers. CASA’s enforcement strategies for securing compliance with aviation safety standards are stipulated in the Enforcement Manual. CASA has a range of compliance and enforcement tools in order to effectively address its safety obligations under the Act in light of differing circumstances. These tools include counselling, remedial training, enforceable voluntary undertakings, variation, suspension and cancellation of authorizations, infringement notices, recommending prosecution, and demerit points scheme.

3.8.2 The Personnel Licensing Section and the Medical Section of CASA have established a system for the follow-up and rectification of deficiencies identified during inspections and audits. A review of inspection reports in both Sections confirmed that procedures had been implemented and action had been taken with respect to personnel licensing and medical examinations.

3.8.3 For aircraft operations, audit discrepancies are reported to identify potential problems and/or legislative breaches noted during surveillance by CASA’s operations inspectorate. These deficiencies may be issued as Safety Alerts, Requests for Corrective Action (RCA), Aircraft Survey Reports, and Audit Observations. RCAs are processed and sent to the affected organization. Within CASA, an RCA Coordinator provides monthly RCA reports to all applicable offices. RCA reports may be generated at any time from relevant support systems to determine overdue RCAs. If an RCA is associated with a Safety Alert and the operator has failed to respond, enforcement actions may be activated. CASA’s ATOG and GAOG have established a system for the follow-up and rectification of deficiencies identified during inspections and audits. A review of inspection reports confirmed that the process was being implemented with safety concerns being systematically resolved. The aircraft operations inspectorate staff is required to coordinate with CASA’s Legal Services Group and CASA investigators in accordance with procedures outlined in the *CASA Investigator’s Manual*.

3.8.4 In the area of airworthiness, a computerized system has been developed to track deficiencies identified during surveillance activities and ensure their timely resolution. All the findings identified during inspections, including those related to persons with delegated functions, have been resolved in timely manner.

Due to the absence of an ongoing oversight of reliability programmes, no examples were found of special operational restrictions imposed in case of indicated degraded level of safety.

3.8.5 CASR Part 39 (“*Airworthiness Directives*”) provides for mandatory compliance with the ADs issued by CASA, which can be based on ADs of the State of Design or initiated by CASA. In some cases, the AEB issues additional mandatory actions after assessing the continuing airworthiness information received from the State of Design. Operators of aircraft registered in Australia are required to ensure receipt of all ADs, Service Bulletins, Service Letters, and other documents that concern their aircraft. A sophisticated electronic system has been established to ensure that information on faults, malfunctions and defects for aircraft registered, being operated or receiving maintenance under an approval issued by Australia is transmitted to the organization responsible for the type design.

3.8.6 Both the Certification Policy and Programs Section and the Manufacturing Support Section of the AEB have inspection checklists used to document and track the deficiencies identified during inspections. These deficiencies are entered in a centralized database to allow for the supervision of the resolution of the deficiencies from their headquarters offices. The *Enforcement Manual* (version 3.1), dated December 2005, indicates the measures to be taken by inspectors and engineers if and when deficiencies are not resolved within a reasonable timeframe. In one instance, a production organization with an APMA was reviewed and its Certificate of Approval suspended after its efforts to resolve identified deficiencies were unsuccessful. The review of inspection reports and corrective actions taken by design organizations indicates that enforcement action is rarely necessary. For delegated or authorized persons, deficiencies identified during the review of their activities are documented in a Procedures Improvement Advice, which also provides an Instrument of Approval Holder an opportunity to respond to the improvement advice. The audit revealed an instance when an Instrument of Approval was revoked due to failure to resolve repeated Procedures Improvement Advices.

3.8.7 CASA has a system in place for the submission of information received on faults, malfunctions and defects for aircraft and aircraft products designed in the State. The New Technologies and Systems Section is responsible for reviewing the reports submitted and coordinating with other specialists in the AEB as needed to determine if an AD is required. The system in place allows searches of the reports stored in the database, maintains a history of everyone who reviews each report and keeps track of the status of the report. If a decision is made to issue an AD, the Airframe and Structures Section will work with the design organization to ensure that a Service Bulletin is developed and the AD is issued to mandate compliance with the Service Bulletin. The Airframe and Structures Section will also manage the dissemination of ADs to other States with the aircraft on their registry.

3.8.8 In the area of air navigation services, audit findings identified during the annual surveillance plan by CASA are submitted to AA for timely resolution. In addition, AA’s Safety Management Unit has established and utilizes a formal safety occurrence incident reporting mechanism and safety database, called the Electronic Safety Incident Reporting system, which enables the tracking, timely notification, investigation and resolution of all safety-related occurrences, including ATS incidents and runway incursions.

3.8.9 With respect to aerodromes, a system for the resolution of safety concerns is in place in which the aerodrome inspector issues an RCA to the aerodrome operator in the event of non-compliance with regulatory requirements identified during a surveillance audit. The aerodrome inspector follows up with the aerodrome operator to ensure timely corrective action by the operator. If corrective action is not taken by the aerodrome operator within a reasonable time period, enforcement action may be taken against the certificate holder, such as a suspension or cancellation of the aerodrome certificate. Exchange of safety information across the aerodrome community is achieved through publications such as the *CASA Flight Safety Magazine* and the Australian Airports Association.

3.8.10 Safety recommendations are issued by the ATSB in conformity with ICAO Annex 13 requirements. The ATSB has established an accident/incident data reporting (ADREP) system database that is fully European Co-ordination Centre for Aviation Incident Reporting Systems (ECCAIRS)-compatible and has also developed new procedures for the preparation and submission of reports to ICAO that are included in the *Safety Investigation Tools Manual Notification and Assessment Work Instructions*.

3.8.11 The TSI Act contains a scheme for the mandatory reporting of occurrences that are classified as “immediately reportable matters” (accidents and serious incidents) and “routine reportable matters” (mandatory reporting of incidents). Detailed guidance on the processing and categorization of the reported occurrences is outlined in the ATSB’s *Safety Investigation Quality System*. All data reported to the ATSB as notifications of accidents, serious incidents and incidents and as (mandatory) air safety incident reports are stored in the ATSB’s Safety Investigation Information Management System.

3.8.12 An Aviation Self Reporting Scheme, established on 21 February 2004 and administered by the ATSB, allows civil aviation authorization holders to “claim protection from administrative action” by voluntarily reporting “reportable contravention” (as defined in Section 9.5 of the *Enforcement Manual* of CASA) to the ATSB “within 10 days of the contravention.” This protection is available only once every five years and is subject to limitations set out in the *Enforcement Manual*. In addition, a voluntary, confidential and non-punitive reporting system, the REPCON, was established on 29 January 2007 under the *Air Navigation (Confidential Reporting) Regulations 2006* for the reporting of aviation safety concerns. The number of reports received in the past year indicates a good response to this scheme by the Australian aviation industry. In addition to accident and incident investigation, the ATSB also undertakes safety data analysis and research.

4. VISITS TO THE INDUSTRY/SERVICE PROVIDERS

4.1 Accompanied by staff members of the State’s civil aviation system, the audit teams visit aviation service providers, operations and maintenance departments of operators and maintenance organizations, aeronautical product/equipment manufacturers, aviation training institutes, etc. The objective of the visits is to validate the capability of the State to supervise the activities of these service providers, airlines and organizations.

4.2 In the case of Australia, the audit team visited the following organizations:

- 1) Aviation Australia, Brisbane (PEL);
- 2) Virgin Blue Airlines, Brisbane (OPS);
- 3) Sunstate Airlines, Brisbane International Airport (AIR – Air Operator);
- 4) Virgin Tech, Brisbane International Airport (AIR – AMO);
- 5) Helitech, Brisbane (AIR – Design and production);
- 6) Bureau of Meteorology Headquarters, and Operational and Training Centre, Melbourne (ANS);
- 7) Melbourne Area Control Centre, air traffic control tower at Melbourne International Airport, Melbourne Training Centre for Air Traffic Controllers (ANS);
- 8) Joint Rescue Coordination Centre, AMSA in Canberra (ANS);
- 9) Gold Coast Airport (AGA); and
- 10) Brindabella Canberra Airport (AGA).

5. **AUDIT FINDINGS AND DIFFERENCES DATABASE (AFDD)**

5.1 The general objective of the AFDD is to assist States in identifying the elements that need attention in the implementation of the proposed corrective action plan. The information is also intended to assist States in establishing a priority of actions to be taken to resolve safety concerns identified by the audits. Appendix 2 to this report contains a graphic representation of the lack of effective implementation of the critical elements of the safety oversight system (ICAO Doc 9734, Part A refers) in Australia and at a global level (average results from all States audited). The graphic representation enables the audited State to prioritize the necessary corrective actions and to identify assistance requirements based on its personnel, technical and financial capabilities in consideration of its safety oversight obligations.

6. **STATE AVIATION ACTIVITY QUESTIONNAIRE (SAAQ)**

6.1 The SAAQ is one of the major tools required for conducting a comprehensive systems approach-based safety oversight audit. As such, all Contracting States are required to complete the SAAQ and submit it to ICAO for proper evaluation and recording. The submitted information enables ICAO to maintain an up-to-date database on the State's activities. Australia has submitted its SAAQ to ICAO, which can be found at www.icao.int/soa.

7. **COMPLIANCE CHECKLISTS (CCs)**

7.1 The CCs are one of the main tools used in the conduct of safety oversight audits under the comprehensive systems approach. As such, all Contracting States are required to complete the CCs and submit them to ICAO for evaluation and recording. The submitted information enables ICAO to maintain an up-to-date database on the State's level of compliance to the ICAO SARPs and assist in facilitating the conduct of a standardized audit of all Contracting States. As a result, States will be enabled to have a clear picture of the implementation status of the relevant SARPs. Australia has submitted its CCs to ICAO, which can be found at www.icao.int/soa.

8. **FOLLOW-UP ACTION**

8.1 In accordance with the MOU agreed to between Australia and ICAO, Australia submitted an action plan on 29 August 2008 as well as comments and updates to the action plan on 28 October, 12 November, and 4 December 2008. The action plan submitted was reviewed by the Safety Oversight Audit (SOA) Section and was found to fully address most of the findings and recommendations contained in this report. The proposed action plan, including comments and clarifications provided by the State, is attached as Appendix 3 to this report. Comments by ICAO on each corrective action are found in Appendix 1 to this report.

APPENDIX 1

APPENDIX 1-1-01
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	LEG/01 1.009; 1.025; 1.205; 3.005; 3.007; 3.011; 4.005; 4.011; 4.333; 5.005; 5.007; 7.307;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: Australia has established procedures for the amendment of its regulations and for the identification and notification to ICAO of differences existing between the ICAO SARPs and PANS on one hand and Australia's regulations in its newly approved <i>Regulatory Development Management Manual</i> on the other hand. However, these procedures do not address adopted regulations and have not fully kept the national regulations in pace with ICAO Annex amendments, in particular in the areas of personnel licensing, airworthiness and aircraft operations. In addition, not all differences to ICAO SARPs have been notified to ICAO. Furthermore, the list of differences to ICAO SARPs as published in the <i>Aeronautical Information Publication (AIP) Australia</i> has not been updated since 9 June 2005.	
RECOMMENDATION: Australia should: <ol style="list-style-type: none"> 1. systematically review the national regulations to ensure compliance with ICAO SARPs; 2. amend the national regulations in an effective and timely manner in order to keep pace with ICAO Annex amendments; 3. identify and notify ICAO of all existing differences between the ICAO Standards and the national regulations, including adopted regulations, and practices; and 4. publish existing significant differences between the ICAO Standards and the national regulations and practices in the AIP in accordance with ICAO Annex 15. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-1-1 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/01/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-1-02
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	LEG/02 1.029; 5.003; 5.009;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The <i>Civil Aviation Safety Regulations 1998 (CASRs)</i> , Parts 22, 23, 25, 27, 29, 32, 33 and 35, adopt by reference foreign airworthiness design codes. However, the versions of the foreign design codes cited in the CASRs date back to 1 October 1998, and significant changes have since taken place for most of the adopted design codes which have incorporated advances in technology as well as lessons learned through accident investigations. In practice, applicants for a type certificate or supplemental type certificate voluntarily comply with the design codes in effect as of the date of application.	
RECOMMENDATION: Australia should establish procedures for the review and amendment of the CASRs which have adopted foreign airworthiness design codes to ensure that, whenever the originating design codes are amended, the latest airworthiness standards can be applied for type certification projects.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-1-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-1-03
FINDINGS AND RECOMMENDATIONS RELATED TO
PRIMARY AVIATION LEGISLATION AND CIVIL AVIATION REGULATIONS

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>LEG/03 1.151;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 X CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>Australia ratified Article 83 <i>bis</i> to the Chicago Convention on 2 December 1994. The primary aviation legislation provides for the transfer of functions between the State of Registry and the State of the Operator. However, the primary aviation legislation and/or related operating regulations do not provide for the recognition of certificates of airworthiness, radio licences and crew licences issued or validated by the State of the Operator in lieu of the State of Registry in the event of an Article 83 <i>bis</i> agreement.</p>	
<p>RECOMMENDATION:</p> <p>Australia should amend the legislative provisions related to Article 83 <i>bis</i> to the Chicago Convention to allow for the recognition of certificates of airworthiness, radio licences and crew licences issued or validated by the State of the Operator in lieu of the State of Registry, when the States have entered into an agreement under Article 83 <i>bis</i>.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-1-3 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-2-01
FINDINGS AND RECOMMENDATIONS RELATED TO
CIVIL AVIATION ORGANIZATION**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>ORG/01 3.119; 4.059; 5.055; 5.493; 7.073; 7.219; 7.389; 8.057;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 X CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>Training records of the technical staff of the Civil Aviation Safety Authority (CASA) of Australia are not systematically maintained in a manner that provides for effective evaluation of an individual's competency and training needs.</p>	
<p>RECOMMENDATION:</p> <p>CASA should establish a system to maintain the training records of its technical staff in a manner that provides for an effective evaluation of an individual's competency and training needs.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-2-1 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-3-01
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING**

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	PEL/01 3.001;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: Australia has promulgated personnel licensing regulations to implement the provisions of ICAO Annex 1; however these regulations do not incorporate the latest ICAO Annex 1 amendments.	
RECOMMENDATION: Australia should develop a system to ensure that the provisions of current and future ICAO Annex 1 amendments are reviewed and promulgated into Australian personnel licensing regulations in a timely manner.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-3-1 of this report. <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-3-02
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	PEL/02 3.109;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: The Personnel Licensing, Education and Training Group within CASA does not have sufficient human resources to perform the assigned functions and responsibilities in the area of maintenance personnel licensing. Required tasks that are not being accomplished include surveillance of delegated licensing activities and approved training organizations.	
RECOMMENDATION: CASA should provide sufficient human resources to the Personnel Licensing, Education and Training Group in the area of maintenance personnel licensing in order to ensure that the required tasks are accomplished, such as the surveillance of delegated licensing activities and approved training organizations.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-3-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-3-03
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>PEL/03 3.113; 3.115; 3.117;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 X CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>CASA has not developed a formal training programme or a periodic training plan detailing the type of training to be provided to the staff of its Personnel Licensing, Education and Training Group.</p>	
<p>RECOMMENDATION:</p> <p>CASA's Human Resource Management Branch and Personnel Licensing, Education and Training Group should work together to develop and implement a formal training programme and a periodic training plan for all the staff performing personnel licensing functions. These programmes should include initial, on-the-job, recurrent and specialized training in accordance with the assigned duties and responsibilities of each position.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-3-3 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-3-04
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>PEL/04 3.307; 3.309;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>CASA has procedures for issuing validations and conversions of licences on the basis of foreign licences. The procedures include verification in writing by CASA with the issuing regulatory authority, either by email or fax, before issuance of an Australian equivalent. However, the personnel licensing staff do not systematically contact the foreign civil aviation authority to confirm the authenticity of the foreign licence and its full conformance with ICAO Annex 1.</p>	
<p>RECOMMENDATION:</p> <p>CASA should ensure that its personnel licensing staff, prior to issuing a validation or a conversion on the basis of foreign licence, systematically contact the foreign civil aviation authority to confirm the authenticity of the foreign licence and its full conformance with ICAO Annex 1 and with CASA's <i>Flight Crew Licensing Procedures Manual</i>.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-3-4 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/06/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-3-05
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>PEL/05 3.407;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>Australia does not require that an applicant for a medical certificate indicate to the medical examiner whether a medical assessment has previously been refused, revoked or suspended and, if so, the reason for such refusal, revocation or suspension.</p>	
<p>RECOMMENDATION:</p> <p>Australia should promulgate regulations to require that an applicant for a medical certificate indicate to the medical examiner whether a medical assessment has previously been refused, revoked or suspended and, if so, the reason for such refusal, revocation or suspension.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-3-5 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-3-06
FINDINGS AND RECOMMENDATIONS RELATED TO
PERSONNEL LICENSING AND TRAINING

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>PEL/06 3.605; 3.755; 3.767;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>CASA issues Certificates of Approval to training organizations for them to conduct personnel licensing examinations on behalf of the State. In addition, CASA issues Instruments of Delegation designating individuals as Approved Testing Officers who perform personnel licensing practical examinations. However, CASA has not developed and implemented a surveillance programme for the oversight of the consistency and reliability of the examinations conducted by these Approved Testing Officers or training organizations.</p>	
<p>RECOMMENDATION:</p> <p>CASA should develop and implement a surveillance programme for the oversight of the approved training organizations and Approved Testing Officers who conduct personnel licensing practical examinations on behalf of the State, in order to ensure the consistency and reliability of the examinations.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-3-6 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-4-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>OPS/01 4.001; 4.153;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>Australia has promulgated operating regulations to implement the provisions of ICAO Annex 6; however these regulations do not incorporate the latest ICAO Annex 6 amendments.</p>	
<p>RECOMMENDATION:</p> <p>Australia should develop a system to ensure that the provisions of current and future ICAO Annex 6 amendments are reviewed and promulgated into Australian operating regulations in a timely manner.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-4-1 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-4-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>OPS/02 4.051; 4.053; 4.055; 4.057;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 X CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>While some ad hoc training is being provided to the operations inspectorate staff, CASA has not developed and implemented a formal training programme and a periodic training plan detailing the type of training to be provided. A requirement for each inspectorate staff member to satisfactorily complete on-the-job training prior to being assigned tasks and responsibilities has not been institutionalized.</p>	
<p>RECOMMENDATION:</p> <p>CASA's Human Resource Management Branch should work together with the Air Transport Operations Group and the General Aviation Operations Group to develop and implement formal training programmes and periodic training plans for all operations inspectorate staff assigned to perform safety oversight functions. These training programmes and plans should include initial, on-the-job, recurrent and specialized training in accordance with the assigned duties and responsibilities of each position.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-4-2 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-4-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>OPS/03 4.135; 4.137;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The Australian regulations do not require air operators certificate (AOC) holders and applicants to ensure that, in the event that an aeroplane becomes involved in an accident or incident, all related flight recorder records and associated flight recorders are preserved to the extent possible and are retained in safe custody pending their disposition as determined in accordance with ICAO Annex 13.</p>	
<p>RECOMMENDATION:</p> <p>Australia should promulgate and implement regulations to require that AOC holders and applicants ensure the preservation, to the extent possible, of all related flight recorder records and associated flight recorders and their retention in safe custody pending their disposition as determined in accordance with ICAO Annex 13, in the event that an aeroplane becomes involved in an accident or incident.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-4-3 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-4-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>OPS/04 4.145; 4.147; 4.251; 4.253;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 X CE-7 X CE-8</p>	
<p>FINDING:</p> <p>Australia has not established regulations to limit flight time and flight duty periods as well as to provide for adequate rest periods for cabin crew.</p>	
<p>RECOMMENDATION:</p> <p>Australia should promulgate and implement regulations establishing limits to flight time and flight duty periods and providing for adequate rest periods for cabin crew. These regulations should require AOC holders to include these limits and rest periods in the operations manual as well as to maintain current records of the flight time, flight duty periods and rest periods for all cabin crew.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-4-4 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2010</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-4-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	OPS/05 4.203; 4.205;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: Australia has not developed regulations that require an air operator of an aeroplane of a maximum certified take-off mass in excess of 27 000 kg to establish and maintain a flight data analysis programme as part of its accident prevention and flight safety programme or safety management system.	
RECOMMENDATION: Australia should promulgate and implement regulations to require an air operator of an aeroplane of a maximum certified take-off mass in excess of 27 000 kg to establish and maintain a flight data analysis programme as part of its accident prevention and flight safety programme or safety management system. These regulations should require the flight data analysis programme to be non-punitive and to contain adequate safeguards to protect the source(s) of the data.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-4-5 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-4-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	OPS/06 4.331;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2 X</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2 X	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8		
FINDING: The <i>Civil Aviation Act 1988</i> , Section 23 forbids the carriage of dangerous goods by air, except under the conditions permitted by CASA. In addition, CASR Part 92 provides regulations governing the carriage of dangerous goods by air. However, Australia has not promulgated legislation that addresses all of the provisions of ICAO Annex 18, including the latest amendments.									
RECOMMENDATION: Australia should develop a system to ensure that the provisions of current and future ICAO Annex 18 amendments as well as ICAO's <i>Technical Instructions for the Safe Transport of Dangerous Goods by Air</i> (Doc 9284) are reviewed and promulgated into Australian dangerous goods regulations in a timely manner.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-4-6 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-4-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	OPS/07 4.335; 4.341; 4.343; 4.357;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table style="width: 100%; border: none;"> <tr> <td style="border: none;">CE-1</td> <td style="border: none;">CE-2</td> <td style="border: none;">CE-3 X</td> <td style="border: none;">CE-4 X</td> <td style="border: none;">CE-5 X</td> <td style="border: none;">CE-6</td> <td style="border: none;">CE-7</td> <td style="border: none;">CE-8</td> </tr> </table>		CE-1	CE-2	CE-3 X	CE-4 X	CE-5 X	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3 X	CE-4 X	CE-5 X	CE-6	CE-7	CE-8		
FINDING: Australia has designated CASA as the appropriate authority to be responsible for oversight of the transport of dangerous goods by air, but this information has not been specified to ICAO. CASA has two dangerous goods inspectors; however, this number is not sufficient for the level of activity in Australia as to ensure effective safety oversight. In addition, the dangerous good inspectors have not been provided with adequate dangerous goods training or technical guidance materials. Some dangerous goods manuals and checklists are under development, but only exist in draft form.									
RECOMMENDATION: Australia should specify to ICAO the appropriate authority within the State that is responsible for oversight of the transport of dangerous goods by air. In addition, CASA should: <ol style="list-style-type: none"> 1. review its human resources requirements in order to meet Australia's obligations as an ICAO Contracting State to provide effective safety oversight of the transport of dangerous goods by air; 2. develop and implement a training programme and periodic training plans for all staff who are assigned to perform dangerous goods inspections and oversight activities; and 3. develop and utilize technical guidance materials for its dangerous goods inspectors, including procedures and checklists for inspection, surveillance and enforcement. 									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-4-7 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2010</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

APPENDIX 1-4-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>OPS/08 4.345; 4.347; 4.349; 4.355; 4.361; 4.363;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>CASA has not developed a process for the issuance of specific authorizations for the transport of dangerous goods by air, including review of air operator's acceptance checklists, loading procedures, in-flight emergency response procedures and approval of dangerous goods training programmes. A draft authorization process is under development, but has not been finalized and approved by CASA.</p>	
<p>RECOMMENDATION:</p> <p>CASA should develop and implement a process for the issuance of specific authorizations for the transport of dangerous goods by air. The authorization process should include procedures for review of air operator's acceptance checklists, loading procedures, in-flight emergency response procedures and approval of dangerous goods training programmes.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-4-8 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-4-09
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>OPS/09 4.359;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>CASA has not developed and implemented a comprehensive surveillance programme of regular and random inspections of activities pertaining to the safe transport of dangerous goods by air.</p>	
<p>RECOMMENDATION:</p> <p>CASA should develop and implement a comprehensive surveillance programme of regular and random inspections of activities pertaining to the safe transport of dangerous goods by air.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-4-9 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not provided sufficient details on the surveillance programme pertaining to the safe transport of dangerous goods by air.</p>	

APPENDIX 1-4-10
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>OPS/10 4.389; 4.433; 4.435;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>CASA issues an AOC with accompanying Schedules defining a variety of authorizations. However, the AOC and Schedules do not contain all the specified authorizations, conditions and limitations related to the conduct of commercial air transport operations. In addition, the regulations do not require an AOC holder to ensure that an aeroplane carries on board a certified true copy of the AOC and corresponding authorizations, conditions and limitations, including information on leased aircraft.</p>	
<p>RECOMMENDATION:</p> <p>Australia should promulgate and implement regulations to require an AOC holder to ensure that an aeroplane carries on board a certified true copy of the AOC and corresponding authorizations, conditions and limitations, including information on leased aircraft.</p> <p>CASA should also issue AOCs and accompanying documents that contain all the specified authorizations, conditions and limitations related to the conduct of commercial air transport operations.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-4-10 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2010</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-4-11
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>OPS/11 4.157; 4.201;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>There are no regulations in Australia that require an air operator to implement a safety management system acceptable to the State or to clearly define the direct accountability for safety on the part of senior management.</p>	
<p>RECOMMENDATION:</p> <p>Australia should develop and implement regulations that require an air operator to establish a safety management system acceptable to the State and to clearly define the direct accountability for safety on the part of senior management.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-4-11 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-4-12
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>OPS/12 4.047;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>CASA has delegated some tasks, such as flight proficiency checks, to qualified persons within an AOC holders' organization who conduct testing on behalf of CASA. However, CASA does not perform sufficient safety oversight of these delegated individuals, as the surveillance programme is not being fully implemented.</p>	
<p>RECOMMENDATION:</p> <p>CASA should develop and implement a surveillance programme for the oversight of the individuals within AOC holders' organizations who have been delegated by CASA to conduct tasks, such as flight proficiency checks, on behalf of the State.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-4-12 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-4-13
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	OPS/13 4.383;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8	
FINDING: CASA does not have sufficient procedures for the acceptance or approval of aircraft leasing arrangements and agreements by its technical staff.	
RECOMMENDATION: CASA should develop and implement procedures for the operations inspectorate staff regarding the acceptance or approval of aircraft leasing arrangements and agreements. The procedures and technical guidance should include, as applicable: <ol style="list-style-type: none"> 1. a review of flight crew training and scheduling; 2. a review of cabin crew training and scheduling; 3. the arrangements for dispatch and flight watch; and 4. operational control agreements. 	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-4-13 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2009</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-5-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>AIR/01 5.001; 5.153; 5.171; 5.281; 5.283; 5.301; 5.303; 5.321; 5.325; 5.341; 5.361; 5.363; 5.371; 5.535;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>Australia has promulgated the <i>Civil Aviation Regulations 1988</i> (CARs), the CASRs and the Civil Aviation Orders (CAOs). However, the existing regulations do not enable Australia to implement all the airworthiness-related provisions of ICAO Annexes 6 and 8.</p>	
<p>RECOMMENDATION:</p> <p>Australia should promulgate airworthiness regulations to fully implement the airworthiness-related provisions of ICAO Annexes 6 and 8, in particular as pertaining to the following subjects:</p> <ol style="list-style-type: none"> 1. requirements for operations-derived equipment, such as those for emergency locator transmitter (ELT) and ground proximity warning systems (GPWS); 2. approval of modifications and repairs, including the definition of major and minor repairs; 3. requirement for air operators to submit an operator maintenance control manual for review and acceptance to the State of Registry and the State of the Operator; 4. requirements related to the content of a maintenance control manual; 5. requirement for maintenance programme to be approved by the State of Registry, including human factors in the design and application of the operator's maintenance programme; 6. requirements related to the content of a maintenance programme; 7. requirement for operators to prepare a minimum equipment list (MEL) based on the master minimum equipment list (MMEL) for review and approval; 8. requirements for extended twin-engine range operations (ETOPS) approval; 9. airworthiness requirements for the approval of leases among commercial air transport operators; 10. requirement for operators of aeroplanes over 5 700 kg to monitor and assess maintenance and operational experience with respect to airworthiness; 11. requirement for operators of aeroplanes over 5 700 kg to obtain and assess airworthiness information from organization responsible for type design; and 12. requirements for obtaining a maintenance organization approval, including safety policy, manager accountable for promoting safety policy, a quality system to monitor compliance with and adequacy of maintenance procedures and proper control of subcontracted work. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-5-1 of this report.</p>	

APPENDIX 1-5-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	AIR/01 5.001; 5.153; 5.171; 5.281; 5.283; 5.301; 5.303; 5.321; 5.325; 5.341; 5.361; 5.363; 5.371; 5.535;
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COMMENTS BY ICAO:

The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the need of a requirement for operators of aeroplanes over 5 700 kg to obtain and assess airworthiness information from organization responsible for type design, as prescribed in item 11 of the recommendation. In addition, the State has indicated that there is no plan to define major and minor repairs in their regulation as prescribed in item 2 of the recommendation.

APPENDIX 1-5-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	AIR/02 5.031; 5.161; 5.163; 5.165;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2 X</td> <td>CE-3</td> <td>CE-4 X</td> <td>CE-5 X</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2 X	CE-3	CE-4 X	CE-5 X	CE-6	CE-7	CE-8
CE-1	CE-2 X	CE-3	CE-4 X	CE-5 X	CE-6	CE-7	CE-8		
FINDING: Australia has promulgated the <i>Air Navigation (Aircraft Noise) Regulations 1984</i> under the <i>Air Navigation Act 1920</i> . Aircraft noise assessments are carried out by Airservices Australia. However, the regulations do not enable Australia to implement all the airworthiness-related provisions of ICAO Annex 16. In addition, no requirement has been established for a document attesting to noise certification to be carried on board. Furthermore, no procedures have been developed for the granting or validation of noise certification. In addition, no minimum qualification and experience requirements for technical personnel dealing with noise certification have been established.									
RECOMMENDATION: Australia should promulgate requirements to fully implement the noise standards of ICAO Annex 16, Volume I, and to require a document attesting to noise certification to be carried on board all aircraft engaged in international transportation. Furthermore, the Department of Infrastructure, Transport, Regional Development and Local Government should ensure that procedures for the granting or validation of noise certification are developed and implemented in order to assist the technical staff dealing with noise certification in performing their duties and responsibilities. In addition, it should establish the minimum qualifications and experience criteria for technical personnel dealing with noise certification.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-5-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

**APPENDIX 1-5-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>AIR/03 5.047; 5.049; 5.051; 5.053;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 CE-3 CE-4 X CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>CASA's Human Resources Management Branch has recently established a training policy that makes a commitment to provide initial, on-the-job, recurrent and specialized training to its staff in the area of airworthiness. However, no training programmes have been developed detailing the type of training to be provided to technical staff in each position, including periodic training plans. In general, the training provided to technical staff is insufficient to address the competency requirements for all the technical tasks.</p>	
<p>RECOMMENDATION:</p> <p>CASA's Human Resources Management Branch, in cooperation with the Air Transport Operations Group and the General Aviation Operations Group, should develop and implement comprehensive training programmes (including initial, on-the-job, recurrent and specialized training) and periodic training plans based on the needs and priorities of all technical personnel dealing with airworthiness maintenance and the aircraft register.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-5-3 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-5-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>AIR/04 5.485; 5.489;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 X CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>CASA's Human Resources Management Branch has been developing a Competency Based Training (CBT) programme for all CASA staff and some courses that underpin this programme have been delivered. However, the existing technical training matrix does not address all the specific training needs of the Airworthiness Engineering Branch (AEB) and its technical staff. In addition, final review and approval of the CBT programme is still pending. Managers of the AEB identify and provide training to their technical staff, including the staff of the field offices, on a yearly basis. However, some specific training has not been provided (i.e. training on human factors) and while on-the-job training is provided, it has not been documented.</p>	
<p>RECOMMENDATION:</p> <p>CASA's Human Resources Management Branch and the AEB should work together to finalize and implement the CBT programme for the technical staff of the AEB to ensure that the needs of the AEB, as well as the specific training needs of each technical position, are addressed, including initial, on-the-job, recurrent and specialized training.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-5-4 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-5-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>AIR/05 5.107; 5.173; 5.175; 5.243; 5.285; 5.287; 5.343; 5.345;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>The airworthiness inspectors of CASA are provided with procedures manuals and guidance related to most of the airworthiness tasks. However, some existing procedures do not fully reflect the required level of detail or are not kept up-to-date. The following essential procedures have not been developed and implemented:</p> <ol style="list-style-type: none"> 1. approval of modifications and repairs; 2. issuance of export airworthiness approvals; 3. review and approval of operators' maintenance control manual; and 4. approval of leases among commercial air transport operators. 	
<p>RECOMMENDATION:</p> <p>CASA should provide its airworthiness inspectors with comprehensive and updated technical guidance and procedures to assist them in performing their duties and responsibilities.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-5-5 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not specified in sufficient details the procedures and guidance materials that have to be developed and implemented as identified in the finding.</p>	

**APPENDIX 1-5-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	AIR/06 5.507;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5 X</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2	CE-3	CE-4	CE-5 X	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3	CE-4	CE-5 X	CE-6	CE-7	CE-8		
FINDING: The <i>Type Certification Procedures Manual</i> (TCPM), the <i>Certificate of Approval Procedures Manual</i> (CAPM) and the <i>Production Approval Procedures Manual</i> (PAPM) have not been updated to reflect the current organizational structure of the AEB. In addition, the PAPM does not include the latest forms and worksheets available for the conduct of tasks related to the issuance of production approvals and for the conduct of production facility inspections. Moreover, there is no revision control of these documents.									
RECOMMENDATION: CASA's AEB should ensure that the TCPM, CAPM and the PAPM are kept up to date to reflect the current organizational structure and to include the latest forms and worksheets available for the conduct of the tasks identified therein. A numbering system including revision control should be established for the forms and worksheets required for the tasks addressed in all the manuals.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-5-6 of this report.									
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the revision control of the documents.									

**APPENDIX 1-5-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>AIR/07 5.251; 5.253; 5.255;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>CASA has not provided industry with sufficient guidance on the reporting of unapproved parts to type certificate holders and regulatory agencies. In addition, guidelines have not been developed and provided for the proper usage of parts removed from the aircraft no longer in service and for the disposal of scrapped parts.</p>	
<p>RECOMMENDATION:</p> <p>CASA should ensure that clear comprehensive procedures and industry guidelines are developed and provided to industry for:</p> <ol style="list-style-type: none"> 1. the reporting of unapproved parts to type certificate holders and regulatory agencies; 2. the proper usage of parts removed from the aircraft no longer in service; and 3. the disposal of scrapped parts. 	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-5-7 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the need to report unapproved parts to type certificate holders and regulatory agencies. In particular, the State has indicated that CASA does not require the industry to report SUP directly to TC holders or regulatory agencies.</p>	

APPENDIX 1-5-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	AIR/08 5.129; 5.245;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: The certificate of registration issued by CASA does not conform to the model shown in ICAO Annex 7 with regard to the name of the owner. Furthermore, the export airworthiness approval issued by CASA does not indicate whether the product is newly overhauled and does not include a statement of compliance with any additional requirements specified by the importing State.	
RECOMMENDATION: CASA should issue certificates of registration conforming to the model shown in ICAO Annex 7. Furthermore, CASA should indicate, when issuing export airworthiness approvals, whether the product is newly overhauled and include a statement of compliance with any additional requirements specified by the importing State.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-5-8 of this report. <p style="text-align: right;">Estimated Implementation Date: 31/12/2008</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-5-09
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRWORTHINESS OF AIRCRAFT**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>AIR/09 5.451; 5.453;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8 X</p>	
<p>FINDING:</p> <p>Although the air operators carrying out ETOPS submit periodic reports and airworthiness inspectors attend the operators' meetings from time to time, CASA does not conduct ongoing oversight of reliability programmes and consequently does not initiate actions in case a degraded level of safety is detected.</p>	
<p>RECOMMENDATION:</p> <p>CASA should ensure the conduct of ongoing oversight of reliability programmes. In addition, CASA should ensure that a special evaluation is carried out or special operational restrictions are imposed in case degraded level of safety indicators are identified during reliability monitoring.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-5-9 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2008</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-6-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	AIG/01 6.105; 6.301;
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DOCUMENT REFERENCE:

Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.

CE-1	CE-2	CE-3 X	CE-4	CE-5 X	CE-6	CE-7	CE-8
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FINDING:

Funding for aviation accident investigations is provided by the Federal Government of Australia through the Department of Infrastructure, Transport, Regional Development and Local Government. To make the most of the funding allocated to it, the Australian Transport Safety Bureau (ATSB) has established guidelines to determine whether to investigate an occurrence with the level of response to a notification determined by resource availability and such factors as:

1. existence of fatalities;
2. anticipated safety value of an investigation;
3. extent of public, media or political interest;
4. timeliness of notification;
5. training benefit for ATSB investigators;
6. likely possibility of safety action arising from the investigation or the existence of supporting evidence or requirements to conduct a special investigation based on trends;
7. safety analysis or an identified targeted programme; and
8. scope or impact of any system failures.

Under the ATSB guidelines, occurrences that may fit the ICAO Annex 13's definition of an aircraft accident or incident may not be investigated. Although the ATSB submits a notification of these occurrences to ICAO in accordance with ICAO Annex 13 provisions, the ATSB does not submit a preliminary report and/or an accident data report identifying contributing safety factors or probable cause.

RECOMMENDATION:

Australia should provide sufficient funding to the ATSB to allow the investigation of all aircraft accidents and serious incidents in accordance with Australia's responsibilities under ICAO Annex 13. Alternatively, the ATSB should revise their policy to include the investigation of all aircraft accidents and serious incidents in accordance with ICAO Annex 13, with the minimum response to include:

1. at least a level of investigation to allow the determination of contributing safety factors even if an accident investigation team is not deployed; and
2. the completion and forwarding of preliminary and/or accident data reports to ICAO.

CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:

Corrective action plan and comments submitted by the State are found at Appendix 3-6-1 of this report.

APPENDIX 1-6-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	AIG/01 6.105; 6.301;
COMMENTS BY ICAO: The corrective action plan submitted by the State does not addresses this ICAO finding and recommendation. The State has opted to notify a difference to ICAO.	

APPENDIX 1-6-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>AIG/02 6.377;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The ATSB has developed draft amendments to the <i>Transport Safety Investigation Act 2003</i> to provide for the medical examination and toxicological testing of surviving flight crew, passengers and involved aviation personnel following an accident. However, these amendments have not been promulgated.</p>	
<p>RECOMMENDATION:</p> <p>Australia should promulgate national legislation to allow medical examinations and toxicological testing by a physician, preferably experienced in accident investigation, following an accident of surviving flight crew, passengers and involved aviation personnel.</p> <p>Once supported by the legislation, the ATSB should establish procedures to ensure that the medical examinations and toxicological testing are carried out in an expeditious manner.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-6-2 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-7-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	ANS/01 7.007;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: Australia has published appropriate regulations and directives regarding interception of aircraft. However, directives for action by intercepted aircraft which are published in AIP ENR 1.12 para. 1.5.1 does not include the action for intercepted aircraft equipped with Automatic Dependent Surveillance-Broadcast (ADS-B) and Automatic Dependent Surveillance-Contract (ADS-C).	
RECOMMENDATION: Australia should publish directives for action by intercepted aircraft in accordance with ICAO Annex 2 Appendix 2.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-7-1 of this report. <p style="text-align: right;">Estimated Implementation Date: 05/06/2008</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	ANS/02 7.033; 7.269; 7.271; 7.273; 7.275; 7.277; 7.279; 7.281; 7.283; 7.285; 7.287; 7.289; 7.325; 7.327; 7.329; 7.331; 7.333; 7.335; 7.337; 7.339; 7.341; 7.343; 7.345;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 X CE-4 X CE-5 CE-6 CE-7 X CE-8 X	
FINDING: Australia has not established or implemented a safety oversight system or any other mechanism to ensure in an objective manner the effective implementation of safety-related policy and procedures for Aeronautical Information Services (AIS) and Aeronautical Maps and Charts (MAP).	
RECOMMENDATION: Australia should establish and implement a safety oversight system to ensure the effective implementation of safety-related policy and procedures in all air navigation fields, including AIS and MAP.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-7-2 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/01/2010</div>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	ANS/03 7.081;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8	
FINDING: Although Airservices Australia has developed policies and procedures to determine staff requirements, currently, there is a shortage of 20 to 40 air traffic controllers. The shortage has resulted in service interruptions in the provision of air traffic services (ATS).	
RECOMMENDATION: Airservices Australia should review the policies and procedures in determining staff requirements to ensure the provision of an adequate ATS system.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-7-3 of this report. <p style="text-align: right;">Estimated Implementation Date: 31/12/2008</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

APPENDIX 1-7-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	ANS/04 7.111;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5</td> <td>CE-6 X</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2	CE-3	CE-4	CE-5	CE-6 X	CE-7	CE-8
CE-1	CE-2	CE-3	CE-4	CE-5	CE-6 X	CE-7	CE-8		
FINDING: CASRs 1998, Part 172 <i>Manual of Standards - Air Traffic Services</i> , Chapter 10 contains the standards, rules and procedures for the provision of air traffic services. However, not all separation minima are applied in accordance with ICAO's <i>PANS-ATM</i> (Doc 4444), Chapter 6 and the <i>Regional Supplementary Procedures</i> (Doc 7030), such as: <ol style="list-style-type: none"> 1. wake turbulence separation minima for a light aircraft following a medium aircraft; and 2. the clearances to fly maintaining own separation while in visual meteorological conditions above 10 000 ft. 									
RECOMMENDATION: CASA should ensure that separation minima are applied in accordance with ICAO's Doc 4444 (PANS-ATM) and Doc 7030 (SUPPS).									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-7-4 of this report. <div style="text-align: right;">Estimated Implementation Date: 31/12/2009</div>									
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.									

**APPENDIX 1-7-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>ANS/05 7.153;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 X CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>The national air traffic control contingency plans contain contingency measures for application in the event of disruptions to ATS and associated services within Australia. However, Australia has not yet developed or promulgated similar contingency measures with adjacent airspaces which are likely to be affected by such service disruption.</p>	
<p>RECOMMENDATION:</p> <p>Australia should develop and promulgate contingency plans in accordance with ICAO Annex 11 so as to provide a safe and orderly flow of international air traffic in the event of disruptions of air traffic services and related supporting services, and to ensure continuous access to airspace for international civil flights over areas of the high seas.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-7-5 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 30/09/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

**APPENDIX 1-7-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>ANS/06 7.211; 7.213; 7.215; 7.217;</p>								
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4 X</td> <td>CE-5</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2	CE-3	CE-4 X	CE-5	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3	CE-4 X	CE-5	CE-6	CE-7	CE-8		
<p>FINDING:</p> <p>CASA has not developed and implemented a formal training programme and a periodic training plan, including initial, on-the-job, recurrent and specialized training for PANS-OPS inspectorate staff.</p>									
<p>RECOMMENDATION:</p> <p>CASA's Human Resource Management Branch should work together with the Airways and Aerodromes Branch to develop and implement a formal training programmes and periodic training plans for PANS-OPS inspectorate staff. These training programmes and plans should include initial, on-the-job, recurrent and specialized training.</p>									
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-7-6 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>									
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>									

APPENDIX 1-7-07
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	ANS/07 7.361;								
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.									
<table border="0" style="width: 100%; text-align: center;"> <tr> <td>CE-1</td> <td>CE-2</td> <td>CE-3</td> <td>CE-4</td> <td>CE-5 X</td> <td>CE-6</td> <td>CE-7</td> <td>CE-8</td> </tr> </table>		CE-1	CE-2	CE-3	CE-4	CE-5 X	CE-6	CE-7	CE-8
CE-1	CE-2	CE-3	CE-4	CE-5 X	CE-6	CE-7	CE-8		
FINDING: The information on published aeronautical charts made available to users is not consistent with the provisions of ICAO Annex 4, such as: <ol style="list-style-type: none"> 1. some of the symbols used in the instrument approach procedures charts, such as the instrument landing system/localizer, radio marker beacon and waypoint, were not in accordance with those outlined in ICAO Annex 4, Appendix 2; and 2. not all units of measurement for distance (km or NM), altitude (metre or feet) and magnetic variation were expressed in the instrument approach charts. 									
RECOMMENDATION: CASA should publish its aeronautical charts in accordance with the provisions of the ICAO Annex 4.									
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-7-7 of this report.									
COMMENTS BY ICAO: The corrective action plan submitted by the State does not addresses this ICAO finding and recommendation. The State has opted to notify a difference to ICAO.									

APPENDIX 1-7-08
FINDINGS AND RECOMMENDATIONS RELATED TO
AIR NAVIGATION SERVICES

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	ANS/08 7.517;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 X CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: Australia has coordinated its search and rescue (SAR) organization with those of neighbouring States, except for Sri Lanka, in the form of a Letter of Agreement in order to facilitate the conduct of SAR operations.	
RECOMMENDATION: Australia should conclude a Letter of Agreement with Sri Lanka, which is a neighbouring State, in order to facilitate the conduct of SAR operations in accordance with the provisions of ICAO Annex 12.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-7-8 of this report. <p style="text-align: right;">Estimated Implementation Date: 30/09/2008</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-8-01
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>AGA/01 8.051; 8.053; 8.055; 8.371;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 X CE-5 CE-6 CE-7 CE-8</p>	
<p>FINDING:</p> <p>CASA has not developed and implemented a comprehensive training programme for its aerodrome regulatory staff. In particular, training on the development, use and evaluation of safety management system (including aeronautical studies and risk assessments) has not been provided to the aerodrome regulatory staff.</p>	
<p>RECOMMENDATION:</p> <p>CASA's Human Resource Management Branch should work together with the Airways and Aerodrome Branch to develop and implement a comprehensive training programme for its aerodrome regulatory staff, encompassing training on the development, use and evaluation of safety management system (including aeronautical studies and risk assessments).</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-8-1 of this report.</p> <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.</p>	

APPENDIX 1-8-02
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	AGA/02 8.139;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 CE-8	
FINDING: CASA has not established criteria and associated industry guidelines to regulate the use of a pavement by an aircraft with an aircraft classification number (ACN) higher than the reported pavement classification number (PCN).	
RECOMMENDATION: CASA should establish criteria and associated guidelines to regulate the use of a pavement by an aircraft with ACN higher than the reported PCN.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-8-2 of this report. <p style="text-align: right;">Estimated Implementation Date: 31/12/2009</p>	
COMMENTS BY ICAO: The corrective action plan submitted by the State fully addresses this ICAO finding and recommendation.	

**APPENDIX 1-8-03
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>AGA/03 8.163; 8.165;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 X CE-7 CE-8</p>	
<p>FINDING:</p> <p>CASA has amended its regulatory requirement for the provision of runway end safety area (RESA) at aerodromes in accordance with ICAO Annex 14, Volume 1. The regulation provides a five-year timeframe for aerodrome operators of existing code 4 runways used by air transport jet aircraft conducting international operations to comply with the new RESA standards by May 2008. However, other existing aerodromes are only required to comply with the new RESA standards for a new runway, or an existing runway when it is lengthened. Consequently, a number of aerodromes in Australia do not have a RESA that complies with the new standards.</p>	
<p>RECOMMENDATION:</p> <p>CASA should take measures to address the existing aerodromes where a RESA is not provided in accordance with the new standards, to ensure that the runway surroundings are safe for use by aircraft in the event of an aircraft overrunning or undershooting the runway.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-8-3 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State does not addresses this ICAO finding and recommendation. The State has opted to notify a difference to ICAO.</p>	

**APPENDIX 1-8-04
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

Auditee: AUSTRALIA Audit Period: 18/02/2008 - 28/02/2008	AGA/04 8.231;
DOCUMENT REFERENCE: Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.	
CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8	
FINDING: CASA does not have a regulatory requirement for the provision and assessment of information markings at aerodromes.	
RECOMMENDATION: CASA should establish a regulatory requirement for the provision and assessment of information markings at aerodromes, in accordance with ICAO Annex 14, Volume 1.	
CORRECTIVE ACTION PLAN PROPOSED BY THE STATE: Corrective action plan and comments submitted by the State are found at Appendix 3-8-4 of this report.	
COMMENTS BY ICAO: The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the need for the assessment and effectiveness of aerodrome information markings with the aerodrome operators.	

**APPENDIX 1-8-05
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>AGA/05 8.283; 8.285;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p style="text-align: center;">CE-1 CE-2 CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8 X</p>	
<p>FINDING:</p> <p>Approval of building developments in Australia is granted by the respective land use planning authorities, such as the State or local town councils, in consultation with the aerodrome authorities concerned. Proposed developments exceeding a height of 110 metres or likely to create an obstacle to aircraft operations near an aerodrome are required to be reported to CASA. However, CASA's safety advice may not be taken by the land use planning authorities and CASA is unable to prohibit any building developments which could create an obstacle to aircraft operations, except at the Commonwealth Government-leased aerodromes covered under the <i>Airports Act 1996</i>.</p>	
<p>RECOMMENDATION:</p> <p>Australia should establish an effective mechanism to ensure that building developments around aerodromes do not constitute a hazard to aircraft operations.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-8-5 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not defined an estimated implementation date. In addition, the State has not addressed the process to be followed to ensure aircraft safety is not compromised in the event of conflicting interest between land use and aviation authorities.</p>	

**APPENDIX 1-8-06
FINDINGS AND RECOMMENDATIONS RELATED TO
AERODROMES**

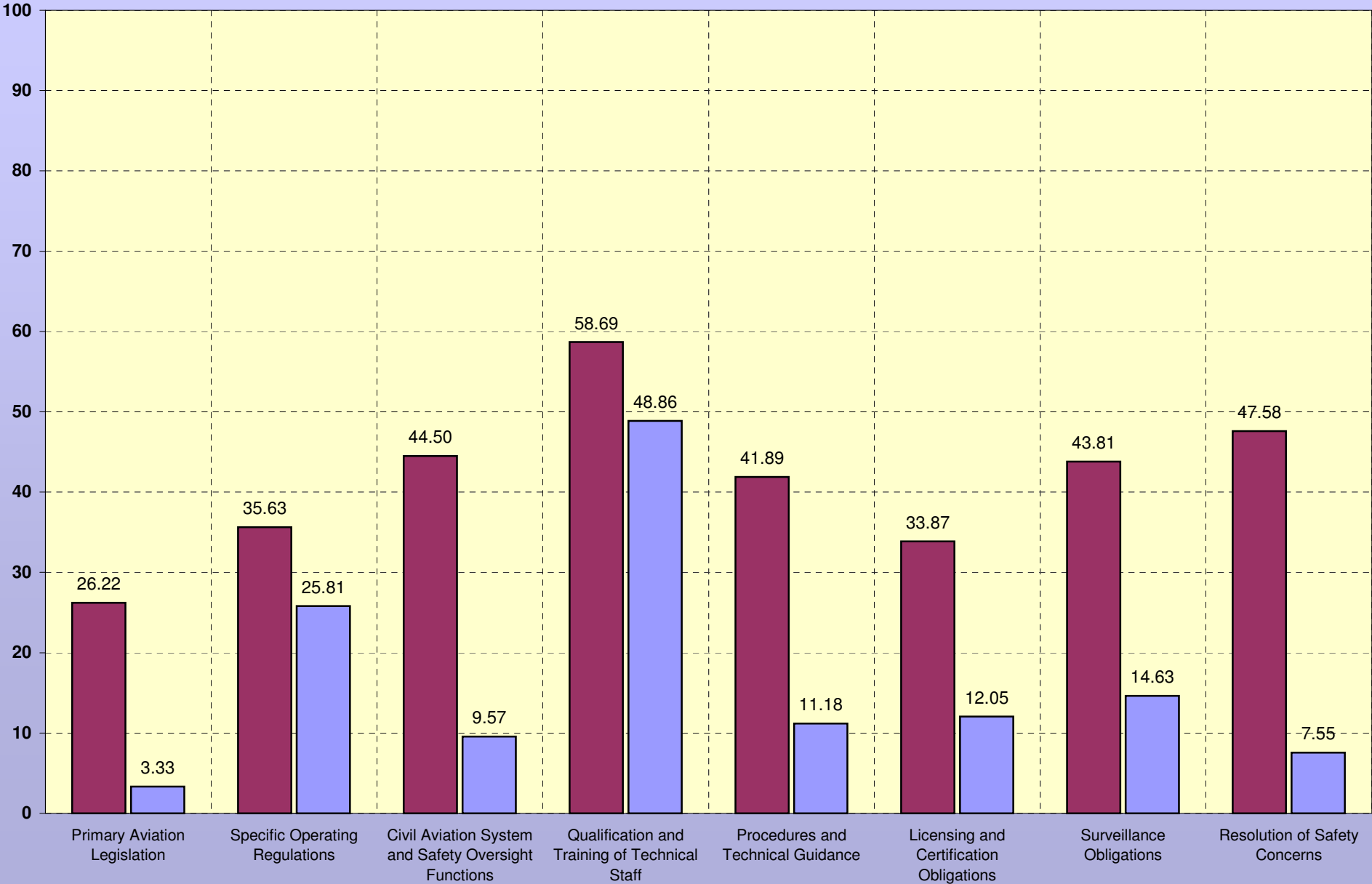
<p>Auditee: AUSTRALIA</p> <p>Audit Period: 18/02/2008 - 28/02/2008</p>	<p>AGA/06 8.301; 8.303;</p>
<p>DOCUMENT REFERENCE:</p> <p>Refer to Doc 9735, Appendix F for the document reference(s) associated with the protocol questions identified in this finding.</p>	
<p>CE-1 CE-2 X CE-3 CE-4 CE-5 CE-6 CE-7 X CE-8</p>	
<p>FINDING:</p> <p>CASA has a regulatory requirement for the provision of rescue and firefighting (RFF) services that applies to aerodromes where an international passenger air service operates, or where there are more than 350 000 passengers on air transport flights a year. However, the requirement does not cover all the aerodromes that have to be certified. In addition, the regulation allows a reduction in the level of protection for RFF services based on the number of movements of the longest aircraft operating at the aerodrome (referred to as “remission factor”).</p>	
<p>RECOMMENDATION:</p> <p>Australia should amend the aerodrome regulations to require RFF at all certified aerodrome in accordance with ICAO Annex 14 Volume 1 and to remove the option of using a remission factor to justify the reduction in the level of protection for RFF services at aerodromes. CASA should ensure that RFF services are provided at all certified aerodromes.</p>	
<p>CORRECTIVE ACTION PLAN PROPOSED BY THE STATE:</p> <p>Corrective action plan and comments submitted by the State are found at Appendix 3-8-6 of this report.</p>	
<p>COMMENTS BY ICAO:</p> <p>The corrective action plan submitted by the State partially addresses this ICAO finding and recommendation. The State has not addressed the requirement and implementation for all certified aerodromes to provide RFF services in accordance with ICAO Annex 14.</p>	

APPENDIX 2

**CRITICAL ELEMENTS OF A SAFETY OVERSIGHT SYSTEM
LACK OF EFFECTIVE IMPLEMENTATION (%)**

■ Global: (115) Audited States: 41.52%

■ Audit of: AUSTRALIA 16.62%



APPENDIX 3

APPENDIX 3-1-1

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/01		
<p>Australia has established procedures for the amendment of its regulations and for the identification and notification to ICAO of differences existing between the ICAO SARPs and PANS on one hand and Australia's regulations in its newly approved <i>Regulatory Development Management Manual</i> on the other hand. However, these procedures do not address adopted regulations and have not fully kept the national regulations in pace with ICAO Annex amendments, in particular in the areas of personnel licensing, airworthiness and aircraft operations. In addition, not all differences to ICAO SARPs have been notified to ICAO. Furthermore, the list of differences to ICAO SARPs as published in the <i>Aeronautical Information Publication (AIP) Australia</i> has not been updated since 9 June 2005.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>A new Australian policy and associated procedures for identifying and notifying ICAO of differences to standards and those recommended practices has been developed. The policy includes notification of a difference to those recommended practices which we consider integral to the implementation of a standard. Once adopted, the new policy will be used to complete a thorough review of Australia's differences. All differences to standards and significant recommended practices will then be notified to ICAO in a single document.</p> <p>Note: The policy also includes a regular review of differences followed by any required notification to ICAO, to be coordinated by the Department of Infrastructure, Transport, Regional Development and Local Government (Department of Infrastructure).</p>	<p>Infrastructure</p>	<p>By 31 October 2008</p>

* Text reproduced as submitted by Australia

APPENDIX 3-1-1 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Following the notification of all differences to ICAO, Australia will update its AIP to reflect all notified differences and those relating to PANS.	Airservices Australia	By 30 November 2008
Each relevant agency will also develop, document and implement a process for critically assessing proposed amendments to the SARPs to support the differences policy and procedures. These processes will ensure that amendments are adopted as appropriate, or a difference is notified, in a timely manner.	CASA Airservices Australia ATSB BOM AMSA	By 31 January 2009

* Text reproduced as submitted by Australia

APPENDIX 3-1-2

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/02		
<p>The <i>Civil Aviation Safety Regulations 1998 (CASRs)</i>, Parts 22, 23, 25, 27, 29, 32, 33 and 35, adopt by reference foreign airworthiness design codes. However, the versions of the foreign design codes cited in the CASRs date back to 1 October 1998, and significant changes have since taken place for most of the adopted design codes which have incorporated advances in technology as well as lessons learned through accident investigations. In practice, applicants for a type certificate or supplemental type certificate voluntarily comply with the design codes in effect as of the date of application.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p> <p>CASA has a legislative change project underway to amend CASR Parts 22-35 to adopt airworthiness design codes in FARs and EASA certification specifications. Completion of the amendment will ensure that the latest airworthiness standards are applied to new certification projects.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
CASA will develop drafting instructions and appropriate consultative mechanisms to update and amend CASR Parts 22-35.	CASA	By 31 December 2008
These regulations will be incorporated in detail into the CASRs so they will be subject to Australian review and amendment. A procedure will be put in place to trigger amendments if/when the foreign codes are amended.	CASA	By 31 December 2009

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APPENDIX 3-1-3

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO PRIMARY AVIATION LEGISLATION AND
CIVIL AVIATION REGULATIONS**

AUDIT FINDING LEG/03		
<p>Australia ratified Article 83 <i>bis</i> to the Chicago Convention on 2 December 1994. The primary aviation legislation provides for the transfer of functions between the State of Registry and the State of the Operator. However, the primary aviation legislation and/or related operating regulations do not provide for the recognition of certificates of airworthiness, radio licences and crew licences issued or validated by the State of the Operator in lieu of the State of Registry in the event of an Article 83 <i>bis</i> agreement.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Australia will review its domestic implementation of Article 83 <i>bis</i> to determine what changes will be required within the legislative procedures to ensure that certificates of airworthiness, radio licences and crew licences are formally recognized within any Article 83 <i>bis</i> agreement.</p>	<p>CASA</p>	<p>Review to be completed by 31 December 2008, with legislative amendments in 2009 if required.</p>

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APPENDIX 3-2-1

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO CIVIL AVIATION ORGANIZATION**

AUDIT FINDING ORG/01		
<p>Training records of the technical staff of the Civil Aviation Safety Authority (CASA) of Australia are not systematically maintained in a manner that provides for effective evaluation of an individual's competency and training needs.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>CASA will develop a revised training records management system to include processes for:</p> <ul style="list-style-type: none"> • identifying the competency level and training needs of all technical staff; • incorporating changes to training needs into the training programmes and records management systems; and • continuous evaluation of individual competency levels and training needs of technical staff. 	CASA	By 31 December 2008
<p>CASA will implement the training records management system.</p>	CASA	By 31 December 2009
<p>CASA will monitor, review and revise its training records management system.</p>	CASA	Ongoing
<p>Note: CASA has a detailed plan to support this corrective action.</p>		

* Text reproduced as submitted by Australia

APPENDIX 3-3-1

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/01		
Australia has promulgated personnel licensing regulations to implement the provisions of ICAO Annex 1; however these regulations do not incorporate the latest ICAO Annex 1 amendments.		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding. Future amendments to Annex 1 will be dealt with in accordance with the procedure being developed as a response to item LEG/01.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
CASA will consider current amendments to Annex 1 and will either develop amendments to the appropriate regulations or file differences with ICAO. See also LEG/01 [<i>Refers to Appendix 3-1-1.</i>]	CASA	Review by 31 October 2008, any amendments to regulations will be made by the end of 2009.

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APPENDIX 3-3-2

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/02		
<p>The Personnel Licensing, Education and Training Group within CASA does not have sufficient human resources to perform the assigned functions and responsibilities in the area of maintenance personnel licensing. Required tasks that are not being accomplished include surveillance of delegated licensing activities and approved training organizations.</p>		
<p>STATE'S COMMENTS AND OBSERVATIONS*</p>		
<p>Australia agrees with the finding in part.</p> <p>Although subject to resource limitations, CASA does plan and undertake regular and random inspections on a scheduled basis.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Responsibility for oversight of Maintenance Training Organisations (MTO) (currently CAR 30 approval holders) and entry control is proposed to be moved to Airways Engineering Group (AEG). Until this is finalised, Maintenance Personnel Licensing within CASA will undertake surveillance of approval holders.</p>	<p>CASA</p>	<p>By 31 December 2008</p>
<p>CASA will, through the AEG, undertake appropriate surveillance of licensing and training organisations against an agreed surveillance plan including delegated licensing activities and approved training organisations.</p>	<p>CASA</p>	<p>By 31 December 2009</p>

* Text reproduced as submitted by Australia

APPENDIX 3-3-3

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/03		
CASA has not developed a formal training programme or a periodic training plan detailing the type of training to be provided to the staff of its Personnel Licensing, Education and Training Group.		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding in part.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>CASA will develop a comprehensive formal training programme which will include</p> <ul style="list-style-type: none"> • Appropriate formal and periodic training programmes, • Annual training plans for staff based on assigned functions, and • Appropriate processes for continual monitoring, reporting and improving training plans and programmes. 	CASA	By 31 December 2008
<p>CASA will evaluate and refine training the implemented programmes, plans and processes.</p> <p>Note: CASA has a detailed plan to support this corrective action</p>	CASA	By 31 December 2009

* Text reproduced as submitted by Australia

APPENDIX 3-3-4

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/04		
<p>CASA has procedures for issuing validations and conversions of licences on the basis of foreign licences. The procedures include verification in writing by CASA with the issuing regulatory authority, either by email or fax, before issuance of an Australian equivalent. However, the personnel licensing staff do not systematically contact the foreign civil aviation authority to confirm the authenticity of the foreign licence and its full conformance with ICAO Annex 1.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Audit finding has been addressed through procedural change which has been recorded in the Flight Crew Licensing (FCL) Procedures Manual.</p>	<p>CASA</p>	<p>Completed 30 June 2008</p>

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APPENDIX 3-3-5

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/05		
Australia does not require that an applicant for a medical certificate indicate to the medical examiner whether a medical assessment has previously been refused, revoked or suspended and, if so, the reason for such refusal, revocation or suspension.		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
CASA will amend the Medical Examiners questionnaire to require applicants to indicate whether a medical assessment has previously been refused, revoked or suspended.	CASA	By 31 December 2008

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APPENDIX 3-3-6

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO PERSONNEL LICENSING AND TRAINING**

AUDIT FINDING PEL/06		
<p>CASA issues Certificates of Approval to training organizations for them to conduct personnel licensing examinations on behalf of the State. In addition, CASA issues Instruments of Delegation designating individuals as Approved Testing Officers who perform personnel licensing practical examinations. However, CASA has not developed and implemented a surveillance programme for the oversight of the consistency and reliability of the examinations conducted by these Approved Testing Officers or training organizations.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees that, at the time of the audit, it had not fully developed and implemented a surveillance programme for performing oversight of the consistency and reliability of the examinations conducted by Approved Testing Officers (ATOs) or training organisations.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The oversight, standardisation and monitoring of ATOs and the flying training system will be incorporated into the Flying Training and Testing Office (FTTO) which has been established within the General Aviation Operations Group (GAOG).</p>	CASA	By 31 December 2008
<p>FTTO and monitoring program fully implemented.</p>	CASA	By 31 December 2009

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APPENDIX 3-4-1

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/01		
Australia has promulgated operating regulations to implement the provisions of ICAO Annex 6; however these regulations do not incorporate the latest ICAO Annex 6 amendments.		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding. The latest ICAO Annex 6 amendments are being considered as part of the development of a revised set of regulations. See also LEG/01.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
CASA will consider the latest amendments to Annex 6 and will either make amendments to the appropriate regulations or file differences with ICAO. See also LEG/01. <i>[Refers to Appendix 3-1-1.]</i>	CASA	Review by 31 October 2008, any amendments to regulations will be made by the end of 2009.

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APPENDIX 3-4-2

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/02		
<p>While some ad hoc training is being provided to the operations inspectorate staff, CASA has not developed and implemented a formal training programme and a periodic training plan detailing the type of training to be provided. A requirement for each inspectorate staff member to satisfactorily complete on-the-job training prior to being assigned tasks and responsibilities has not been institutionalized.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>CASA will develop a comprehensive formal training programme for inspectorate staff which will include initial, on-the-job, recurrent and specialised training for operations inspectorate staff assigned to perform safety oversight functions. CASA will also develop and implement processes for reporting changes in training needs to the Human Resources.</p>	<p>CASA</p>	<p>By 31 December 2008</p>
<p>CASA will implement the formal training programme for operations staff. Implementation will include continuous monitoring, review and evaluation.</p> <p>Note: CASA has a detailed plan to support this corrective action.</p>	<p>CASA</p>	<p>By 31 December 2009</p>

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APPENDIX 3-4-3

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/03		
<p>The Australian regulations do not require air operators certificate (AOC) holders and applicants to ensure that, in the event that an aeroplane becomes involved in an accident or incident, all related flight recorder records and associated flight recorders are preserved to the extent possible and are retained in safe custody pending their disposition as determined in accordance with ICAO Annex 13.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p> <p>This issue is being addressed in the development of CASR Part 91. Until the Part is made, a difference will be filed.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
File a difference with ICAO.	CASA	By 31 October 2008
Address issue during CASR Part 91 drafting and development.	CASA	By 31 December 2008
Develop and promulgate CASR Part 91.	CASA	By 31 December 2009

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APPENDIX 3-4-4

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/04		
Australia has not established regulations to limit flight time and flight duty periods as well as to provide for adequate rest periods for cabin crew.		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding. Presently duty and rest periods are only subject to workplace agreements and State based legislation in relation to OH&S.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Government/Industry project team formed to develop a proposal for both a prescriptive rule set and an alternative means of compliance through a Fatigue Risk Management System (FRMS).	CASA	By 31 December 2008
Option of FRMS or prescriptive rule set developed.	CASA	By 31 December 2009
Amendments introduced over a two year transition period with ongoing monitoring and post implementation review.	CASA	By 31 December 2010

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APPENDIX 3-4-5

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/05		
Australia has not developed regulations that require an air operator of an aeroplane of a maximum certified take-off mass in excess of 27 000 kg to establish and maintain a flight data analysis programme as part of its accident prevention and flight safety programme or safety management system.		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
CASA will amend Civil Aviation Order Section 82 to incorporate flight data analysis as an operator requirement.	CASA	By 31 December 2008
CASA will include those operator requirements in regulations currently under development. (See also OPS/11) [<i>Refers to Appendix 3-4-11</i>].	CASA	By 31 December 2009

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APPENDIX 3-4-6

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/06		
<p>The <i>Civil Aviation Act 1988</i>, Section 23 forbids the carriage of dangerous goods by air, except under the conditions permitted by CASA. In addition, CASR Part 92 provides regulations governing the carriage of dangerous goods by air. However, Australia has not promulgated legislation that addresses all of the provisions of ICAO Annex 18, including the latest amendments.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees that its legislation may not include all the provisions of Annex 18.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>In accordance with the Australian response to LEG/01, a thorough review of the provisions of Annex 18 will be conducted to determine if Australian legislation requires amendment. CASA will also develop and implement processes to ensure future Annex 18 amendments are considered and either appropriately incorporated into the Australian safety system or differences are lodged with ICAO.</p>	CASA	By 31 December 2008
<p>Action to amend legislation will be undertaken, should this be required as a result of the review outlined above.</p>	CASA	By 31 December 2009

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APPENDIX 3-4-7

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/07		
<p>Australia has designated CASA as the appropriate authority to be responsible for oversight of the transport of dangerous goods by air, but this information has not been specified to ICAO. CASA has two dangerous goods inspectors; however, this number is not sufficient for the level of activity in Australia as to ensure effective safety oversight. In addition, the dangerous good inspectors have not been provided with adequate dangerous goods training or technical guidance materials. Some dangerous goods manuals and checklists are under development, but only exist in draft form.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Australia has formally advised ICAO that CASA is the appropriate authority for the oversight of the transport of dangerous goods by air.</p> <p>A dangerous goods review project (DGVision2010) is underway. The review will consider and develop approaches to:</p> <ul style="list-style-type: none"> • Ensuring adequate numbers of trained inspectors are available • Setting clear standards and processes (including a program) for surveillance and enforcement, • Developing systems for reporting, capturing and analysing data in relation to dangerous goods. <p>The existing training course for Dangerous Goods will be revised and updated.</p>	<p>CASA</p>	<p align="center">Completed 12 August 2008</p> <p align="center">By 31 January 2009</p>

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APPENDIX 3-4-7 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Implementation of a layered approach to DG inspection will commence with existing Flying Operations, Cabin Safety, Air Transport and Aerodrome inspectors receiving DG surveillance and audit training. Once trained, these inspectors will provide initial safety oversight in conjunction with their other duties. Recruitment and development of specialists will be undertaken as necessary.</p> <p>Technical guidance material (manuals, procedures and processes) will be comprehensively reviewed and revised as necessary.</p>	<p align="center">CASA</p>	<p align="center">By 31 December 2009</p>
<p>The course “DGs for Aviation Safety Regulators” will be incorporated into the Diploma of Aviation Safety.</p> <p>A core team of DG specialists will be supported by the other inspectors (up to two per office) which have received enhanced DG oversight training.</p> <p>Note: CASA has a detailed plan to support this corrective action.</p>	<p align="center">CASA</p>	<p align="center">By 31 December 2010</p>

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APPENDIX 3-4-8

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/08		
<p>CASA has not developed a process for the issuance of specific authorizations for the transport of dangerous goods by air, including review of air operator's acceptance checklists, loading procedures, in-flight emergency response procedures and approval of dangerous goods training programmes. A draft authorization process is under development, but has not been finalized and approved by CASA.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding in part.</p> <p>With regard to carrying dangerous goods in accordance with the ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air, Australia does not issue specific authorisations but does require compliance with the Technical Instructions and has processes that address those issues, and more, raised in the audit team's recommendation. However, as part of the review of CASR Part 92, Australia will examine and consider instituting specific authorisations to carry dangerous goods.</p> <p>Australia also has a process for dealing with the consignment and carriage of dangerous goods which are not carried in accordance with the Technical Instructions, but it is agreed this should be clearly communicated to industry.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>CASA will finalise and publish an advisory circular relating to applications for permissions for the consignment and carriage of dangerous goods which are not prepared and/or not carried in accordance with the ICAO Technical Instructions.</p> <p>CASA will consider implementing specific authorisations for the carriage of dangerous goods. This will include consultation with industry and relevant stakeholders concurrently with the Part 92 Post-Implementation Review.</p>	<p>CASA</p>	<p>By 31 December 2008</p>

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APPENDIX 3-4-8 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Following consultation, CASA will make any necessary legislative amendments and update supporting documentation including the advisory circular.</p> <p>Note: CASA has a detailed plan to support this corrective action.</p>	CASA	By 31 December 2009

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APPENDIX 3-4-9

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/09		
<p>CASA has not developed and implemented a comprehensive surveillance programme of regular and random inspections of activities pertaining to the safe transport of dangerous goods by air.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding in part.</p> <p>CASA does plan and undertake regular and random inspections on a scheduled basis. Currently inspections by the DG Inspectors are being undertaken on a risk management basis with a particular focus on both random and scheduled audits occurring in areas that are of higher risk or have not been closely scrutinised in recent times. However, a specific surveillance programme is not yet in place.</p> <p>This issue will be dealt with in the context of the corrective action plan outlined for OPS/07.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Refer to Corrective Action for OPS/07. <i>[Refers to Appendix 3-4-7.]</i></p>		

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APPENDIX 3-4-10

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/10		
<p>CASA issues an AOC with accompanying Schedules defining a variety of authorizations. However, the AOC and Schedules do not contain all the specified authorizations, conditions and limitations related to the conduct of commercial air transport operations. In addition, the regulations do not require an AOC holder to ensure that an aeroplane carries on board a certified true copy of the AOC and corresponding authorizations, conditions and limitations, including information on leased aircraft.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>CASA lodged a difference in 2007 with ICAO in regard to the substance of this finding. CASA will again lodge a difference, proposing a new date of compliance.</p>	<p>CASA</p>	<p>By 31 December 2008</p>
<p>CASA will implement regulatory requirements for the AOC and schedules contain all the specified authorisation, conditions and limitations. CASA will also require a true copy of the AOC and associated documents, authorisations and information in regard to leased aircraft are carried on the aircraft.</p>	<p>CASA</p>	<p>By 31 December 2010</p>

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APPENDIX 3-4-11

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/11		
<p>There are no regulations in Australia that require an air operator to implement a safety management system acceptable to the State or to clearly define the direct accountability for safety on the part of senior management.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p> <p>CASA is currently taking steps to introduce a requirement for AOC holders to implement Safety Management Systems in accordance with ICAO timeframes.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>CASA will amend Civil Aviation Order Section 82 to incorporate requirements for AOC holders to implement Safety Management Systems.</p>	<p>CASA</p>	<p>By 31 December 2008</p>
<p>CASA will incorporate operator requirements into regulations currently under development (CASR Part 119).</p>	<p>CASA</p>	<p>By 31 December 2009</p>

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APPENDIX 3-4-12

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/12		
<p>CASA has delegated some tasks, such as flight proficiency checks, to qualified persons within an AOC holders' organization who conduct testing on behalf of CASA. However, CASA does not perform sufficient safety oversight of these delegated individuals, as the surveillance programme is not being fully implemented.</p>		
<p>STATE'S COMMENTS AND OBSERVATIONS*</p>		
<p>Australia agrees with the finding in part.</p> <p>CASA's regulatory oversight system identifies that CAR 217 organisations/individuals are subject to ongoing surveillance. This is reflected in the regulations (CAR 217) and AOCM (7.12). In addition to this, CASA has a delegate's handbook which details the requirements that need to be met to approve individual Approved Testing Officers.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>CASA Certificate Management Team will develop a risk based surveillance programme relating to the frequency of surveillance of CAR 217 organisations to ensure effective safety oversight of associated delegated individuals.</p>	<p>CASA</p>	<p>By 31 December 2009</p>

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APPENDIX 3-4-13

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT OPERATIONS CERTIFICATION AND SUPERVISION**

AUDIT FINDING OPS/13		
CASA does not have sufficient procedures for the acceptance or approval of aircraft leasing arrangements and agreements by its technical staff.		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding. However, CASA believes that aircraft leasing arrangements are an issue for operators and as such, CASA should not be involved with contractual arrangements between operators. It is a requirement of an AOC that the operator comply with the Air Operator Certificate Manual, including the procedures in Chapter 5 of the Manual which deals with leasing arrangements.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
CAO 82.3 and CAO 82.5 (CAAP) will be amended to introduce the recommended requirements for high capacity and low capacity carriers in relation to third party contractors and specifically leasing arrangements.	CASA	By 31 December 2008
CASR 119, which is currently under development, will then impose the requirements, as set out in CAO 82.3 and CAO 82.5, when promulgated.	CASA	By 31 December 2009

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APPENDIX 3-5-1

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/01		
<p>Australia has promulgated the <i>Civil Aviation Regulations 1988</i> (CARs), the CASRs and the Civil Aviation Orders (CAOs). However, the existing regulations do not enable Australia to implement all the airworthiness-related provisions of ICAO Annexes 6 and 8.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding and has considered the related recommendations from the audit team.</p> <p>Australia is currently undertaking a number of regulatory amendments and the majority of the recommendations will be addressed through these processes.</p> <p>However, Australia makes the following comments in relation to the recommendations:</p> <p>Recommendation 1 — Australia already has requirements for operations-derived equipment in the CAR and CAO (CAR 262 AC, CAR 238, CAR 252A, CAO 20.18, CAO 20.11).</p> <p>Recommendation 2 — There is no plan to define major and minor repairs in CASR Subpart 21.M.</p> <p>Recommendation 8 — Australia has comprehensive ETOPS requirements in Section 82.0 of Civil Aviation Orders; and, in particular, Appendix 4 to CAO 82.0.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>CASA will finalise and promulgate amended airworthiness regulations to address the majority of the recommendations, including:</p> <ul style="list-style-type: none"> • approval of modifications and repairs through new CASR Subpart 21.M (regulations 35 and 42U of the CAR will be replaced by CASR Subpart 21.M). As stated above, this will not include a definition of major and minor repairs. • New CASR Parts 42 and 145 will contain provisions which address Recommendations 3, 4, 5, 6, 10 and 12. 	<p>CASA</p> <p>CASA</p> <p>CASA</p>	<p>By 31 December 2009</p> <p>By 31 December 2008</p> <p>By 31 December 2009</p>

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APPENDIX 3-5-1 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<ul style="list-style-type: none">• CASR Part 121 will contain provisions to address Recommendation 7.• CAO 82 (CAAP) amendments will impose an obligation on operators to ensure safety requirements are met in 3rd party leasing arrangements. This will then be incorporated into the new CASR Part 119. <p>Note: CASA has a detailed plan to support this corrective action.</p>		By 31 December 2009 By 31 December 2009

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APPENDIX 3-5-2

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/02		
<p>Australia has promulgated the <i>Air Navigation (Aircraft Noise) Regulations 1984</i> under the <i>Air Navigation Act 1920</i>. Aircraft noise assessments are carried out by Airservices Australia. However, the regulations do not enable Australia to implement all the airworthiness-related provisions of ICAO Annex 16. In addition, no requirement has been established for a document attesting to noise certification to be carried on board. Furthermore, no procedures have been developed for the granting or validation of noise certification. In addition, no minimum qualification and experience requirements for technical personnel dealing with noise certification have been established.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Draft and implement revisions to the Air Navigation (Aircraft Noise) Regulations 1984 to enable implementation of the airworthiness-related provisions of ICAO Annex 16 Volume I.	Infrastructure	By 31 December 2009
Develop and implement procedural documentation prescribing required evaluation methods, as outlined in Annex 16, to be used in the granting or validation of noise certification of an aircraft.	Airservices Australia In consultation with CASA and Infrastructure	By 30 June 2009
Develop a formal policy document, which contains: minimum qualifications, knowledge and skills, for all technical staff undertaking noise certification of aircraft.	Airservices in consultation with Infrastructure	By 30 June 2009
In consultation with relevant agencies, develop and implement a regulatory requirement for all aircraft operating in Australia to carry documentation attesting to noise certification on board.	CASA	By 31 December 2009

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APPENDIX 3-5-3

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/03		
<p>CASA's Human Resources Management Branch has recently established a training policy that makes a commitment to provide initial, on-the-job, recurrent and specialized training to its staff in the area of airworthiness. However, no training programmes have been developed detailing the type of training to be provided to technical staff in each position, including periodic training plans. In general, the training provided to technical staff is insufficient to address the competency requirements for all the technical tasks.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>CASA is developing and will implement a comprehensive training programme to address the training needs and competency requirements for Air Transport Operations Group, the General Aviation Operations Group and the Personnel Licensing, Education and Training Group technical staff dealing with airworthiness maintenance and the aircraft register.</p> <p>CASA is developing / sourcing and implementing comprehensive initial, on-the-job, recurrent and specialised training programme based on agreed priorities.</p>	<p>CASA</p>	<p>By 31 December 2008</p>
<p>CASA will implement the formal training programme for technical staff. Implementation will include continuous monitoring, review and evaluation to determine effectiveness.</p> <p>Note: CASA has a detailed plan to support this corrective action.</p>	<p>CASA</p>	<p>By 31 December 2009</p>

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APPENDIX 3-5-4

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/04		
<p>CASA's Human Resources Management Branch has been developing a Competency Based Training (CBT) programme for all CASA staff and some courses that underpin this programme have been delivered. However, the existing technical training matrix does not address all the specific training needs of the Airworthiness Engineering Branch (AEB) and its technical staff. In addition, final review and approval of the CBT programme is still pending. Managers of the AEB identify and provide training to their technical staff, including the staff of the field offices, on a yearly basis. However, some specific training has not been provided (i.e. training on human factors) and while on-the-job training is provided, it has not been documented.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>CASA will develop and implement a comprehensive initial, on-the-job recurrent and specialised training programme for technical staff.</p>	<p>CASA</p>	<p>By 31 December 2009</p>
<p>CASA will implement the training programme for technical staff and include continuous monitoring, review and evaluation.</p>	<p>CASA</p>	<p>By 31 December 2009</p>
<p>Note: CASA has a detailed plan to support this corrective action.</p>		

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APPENDIX 3-5-5

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/05		
<p>The airworthiness inspectors of CASA are provided with procedures manuals and guidance related to most of the airworthiness tasks. However, some existing procedures do not fully reflect the required level of detail or are not kept up-to-date. The following essential procedures have not been developed and implemented:</p> <ol style="list-style-type: none"> 1. approval of modifications and repairs; 2. issuance of export airworthiness approvals; 3. review and approval of operators' maintenance control manual; and 4. approval of leases among commercial air transport operators. 		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>CASA is currently developing new regulations (CASR Part 146). CASA will develop and implement appropriate procedures and guidance material for technical officers to ensure effective implementation of the new regulatory requirements.</p> <p>The procedures will include regular monitoring and review to ensure that it is kept up to date.</p> <p>Note: CASA has a detailed plan to support this corrective action.</p>	CASA	By 31 December 2008

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APPENDIX 3-5-6

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/06		
<p>The <i>Type Certification Procedures Manual</i> (TCPM), the <i>Certificate of Approval Procedures Manual</i> (CAPM) and the <i>Production Approval Procedures Manual</i> (PAPM) have not been updated to reflect the current organizational structure of the AEB. In addition, the PAPM does not include the latest forms and worksheets available for the conduct of tasks related to the issuance of production approvals and for the conduct of production facility inspections. Moreover, there is no revision control of these documents.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The TCPM, CAPM and PAPM (including all forms and worksheets) will be updated to reflect changes in the organizational structure.</p>	<p>CASA</p>	<p>By 31 December 2008</p>
<p>CASA will develop and implement a review procedure for each of the TCPM, CAPM and PAPM to ensure that these documents remain up to date.</p>	<p>CASA</p>	<p>By 31 December 2008</p>

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APPENDIX 3-5-7

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/07		
<p>CASA has not provided industry with sufficient guidance on the reporting of unapproved parts to type certificate holders and regulatory agencies. In addition, guidelines have not been developed and provided for the proper usage of parts removed from the aircraft no longer in service and for the disposal of scrapped parts.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding in part.</p> <p>CASA provides comprehensive procedures and guidelines for suspected unapproved parts (SUP) in CAAP 51-2. CASA investigates SUP and liaises with Type Certificate (TC) holders and regulatory agencies. However, CASA does not require the industry to report SUP directly to TC holders or regulatory agencies.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Airworthiness Engineering Branch will prepare a CAAP on the subject of usage of parts removed from aircraft (utilising CAR 42W to 42ZA inclusive as its head of power.).</p> <p>Airworthiness Engineering Branch will prepare guidance on the subject of disposal of scrapped parts and publish as a CAAP.</p>	CASA	By 31 December 2008

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APPENDIX 3-5-8

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/08		
<p>The certificate of registration issued by CASA does not conform to the model shown in ICAO Annex 7 with regard to the name of the owner. Furthermore, the export airworthiness approval issued by CASA does not indicate whether the product is newly overhauled and does not include a statement of compliance with any additional requirements specified by the importing State.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Australia will issue certificates of registration conforming to the model shown in ICAO Annex 7. Australia will also indicate, when issuing export airworthiness approvals, whether the product is newly overhauled and include a statement of compliance with any additional requirements specified by the importing State.</p>	<p>CASA</p>	<p>By 31 December 2008</p>

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APPENDIX 3-5-9

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRWORTHINESS OF AIRCRAFT**

AUDIT FINDING AIR/09		
<p>Although the air operators carrying out ETOPS submit periodic reports and airworthiness inspectors attend the operators' meetings from time to time, CASA does not conduct ongoing oversight of reliability programmes and consequently does not initiate actions in case a degraded level of safety is detected.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Regulations have been amended to address the issue of oversight of reliability programmes. Under CAO 82.0 s 9, CASA requires the operator to provide a reliability programme prior to the issue of an EDTO approval, while amendments to s 11, requires that the reliability programme be reported to CASA. These changes come into effect from 1 July 2008.</p> <p>Australia will ensure the conduct of ongoing oversight of ETOPS reliability programmes. Australia will also ensure that a special evaluation is carried out or special operational restrictions are imposed where degraded levels of safety indicators are identified during reliability monitoring.</p>	<p>CASA</p>	<p>By 31 December 2008</p>

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APPENDIX 3-6-1

CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION

AUDIT FINDING AIG/01

Funding for aviation accident investigations is provided by the Federal Government of Australia through the Department of Infrastructure, Transport, Regional Development and Local Government. To make the most of the funding allocated to it, the Australian Transport Safety Bureau (ATSB) has established guidelines to determine whether to investigate an occurrence with the level of response to a notification determined by resource availability and such factors as:

1. existence of fatalities;
2. anticipated safety value of an investigation;
3. extent of public, media or political interest;
4. timeliness of notification;
5. training benefit for ATSB investigators;
6. likely possibility of safety action arising from the investigation or the existence of supporting evidence or requirements to conduct a special investigation based on trends;
7. safety analysis or an identified targeted programme; and
8. scope or impact of any system failures.

Under the ATSB guidelines, occurrences that may fit the ICAO Annex 13's definition of an aircraft accident or incident may not be investigated. Although the ATSB submits a notification of these occurrences to ICAO in accordance with ICAO Annex 13 provisions, the ATSB does not submit a preliminary report and/or an accident data report identifying contributing safety factors or probable cause.

STATE'S COMMENTS AND OBSERVATIONS*

Australia has considered this finding and the related recommendations from the audit team.

Australia meets its Article 26 obligations. However, Australia has also lodged a difference with ICAO in relation to standard 5.1 and recommended practice 5.1.1 of Annex 13 as Australia considers it impractical to investigate all accidents and serious incidents within resources available. In addition to targeting those accidents and incidents that are likely to yield the greatest safety value in accordance with the guidelines quoted above, Australia normally gives priority to investigations of accidents and serious incidents involving regular public transport aircraft (especially with fare-paying passengers) and accidents involving fatalities other than those involving ultralights and sport aviation.

Australia notes that the investigation of accidents and serious incidents has been included for discussion at the ICAO Accident Investigation and Prevention (AIG) Divisional meeting in October 2008. ATSB will participate in this discussion as it relates to upgrading recommendation 5.1.1 to a standard and allocating resources to those investigations that will yield the greatest safety value. Australia may review its investigation policy following the AIG meeting.

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APPENDIX 3-6-1 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Subject to outcomes of AIG Divisional meeting, review compliance with 5.1 and 5.1.1 after AIG Divisional meeting.	ATSB	Dependent on AIG outcome.

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APPENDIX 3-6-2

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIRCRAFT ACCIDENT AND INCIDENT INVESTIGATION**

AUDIT FINDING AIG/02		
<p>The ATSB has developed draft amendments to the <i>Transport Safety Investigation Act 2003</i> to provide for the medical examination and toxicological testing of surviving flight crew, passengers and involved aviation personnel following an accident. However, these amendments have not been promulgated.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia has considered this finding and related recommendations from the audit team.</p> <p>The Australian Government will consider proposed amendments to the TSI Act 2003 although it may be more appropriate to facilitate the toxicological testing component in alternative legislation. Any amendments supported by the Government would then need to proceed through Australia's normal legislative processes, including approval through Parliament, before they could be formally implemented.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Toxicological testing amendments to be progressed through the Australian Parliamentary legislative processes to be made into law.</p>	<p>Infrastructure in consultation with ATSB and CASA</p>	<p>By 31 December 2009</p>
<p>Medical Examination amendments to be progressed through the Australian Parliamentary legislative process to be made into law.</p>	<p>ATSB in consultation with Infrastructure and CASA</p>	<p>By 31 December 2009</p>

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APPENDIX 3-7-1

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/01		
Australia has published appropriate regulations and directives regarding interception of aircraft. However, directives for action by intercepted aircraft which are published in AIP ENR 1.12 para. 1.5.1 does not include the action for intercepted aircraft equipped with Automatic Dependent Surveillance-Broadcast (ADS-B) and Automatic Dependent Surveillance-Contract (ADS-C).		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
AIP has been amended to include the action for intercepted aircraft equipped with ADS-B and ADS-C.	Airservices Australia	Completed 5 June 2008

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APPENDIX 3-7-2

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/02		
Australia has not established or implemented a safety oversight system or any other mechanism to ensure in an objective manner the effective implementation of safety-related policy and procedures for Aeronautical Information Services (AIS) and Aeronautical Maps and Charts (MAP).		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
CASA will establish and implement the surveillance capability and regulatory provisions for oversight of the Aeronautical Information Services (AIS) and Aeronautical Charts (MAP).	CASA	By 31 January 2010

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APPENDIX 3-7-3

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/03		
<p>Although Airservices Australia has developed policies and procedures to determine staff requirements, currently, there is a shortage of 20 to 40 air traffic controllers. The shortage has resulted in service interruptions in the provision of air traffic services (ATS).</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>The intake of ATC trainees is being increased.</p> <p>Review and revise the processes utilised in ATC resource planning activities, including:</p> <ul style="list-style-type: none"> • Review ATS service provision Hours of Coverage (HoC) 	<p>Airservices Australia</p>	<p>Commenced 2008 and ongoing</p> <p>By 30 September 2008</p>
<ul style="list-style-type: none"> • Implement a flexible measure of requirement that reflects the needs of different operating environments over time 		<p>By 30 September 2008</p>
<ul style="list-style-type: none"> • Prioritise the required elements to ensure resources are allocated to maintaining service provision 		<p>By 30 September 2008</p>
<ul style="list-style-type: none"> • Enhance training delivery by developing methodologies that are more resource and time effective. 		<p>By 31 December 2008</p>

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APPENDIX 3-7-4

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/04		
<p>CASRs 1998, Part 172 <i>Manual of Standards - Air Traffic Services</i>, Chapter 10 contains the standards, rules and procedures for the provision of air traffic services. However, not all separation minima are applied in accordance with ICAO's <i>PANS-ATM</i> (Doc 4444), Chapter 6 and the <i>Regional Supplementary Procedures</i> (Doc 7030), such as:</p> <ol style="list-style-type: none">1. wake turbulence separation minima for a light aircraft following a medium aircraft; and2. the clearances to fly maintaining own separation while in visual meteorological conditions above 10 000 ft.		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
CASA will develop an amendment to Part 172 in accordance with the recommendation.	CASA	By 31 December 2009

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APPENDIX 3-7-5

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/05		
<p>The national air traffic control contingency plans contain contingency measures for application in the event of disruptions to ATS and associated services within Australia. However, Australia has not yet developed or promulgated similar contingency measures with adjacent airspaces which are likely to be affected by such service disruption.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p> <p>However, Australia notes it has unique challenges in meeting ICAO's Annex 11 requirements for ensuring continuous access to airspace for international civil flights over areas of the high seas with few options to allow international aircraft to divert around Australian FIR's. This challenge is further exacerbated by the geographic isolation of the continent. Any final traffic management solution will require significant consultation with ICAO to ensure that the appropriate contingency arrangements are put into place.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Airservices Australia will develop a contingency route structure which ensures international civil traffic segregation during contingency periods over the high seas. This will include validation by Total Airspace and Aerodrome Modelling (TAAM) and ATC simulation of city pairs.</p>	<p>Airservices Australia</p>	<p>By 31 October 2008</p>
<p>Airservices Australia will refine airspace and level of service requirements, 'Enter and Leave' contingency period plans and complete development of single Australian FIR outage.</p>	<p>Airservices Australia in consultation with CASA</p>	<p>By 30 November 2008</p>
<p>Airservices will review the draft plan, conduct risk identification and stakeholder consultation and endorsement.</p>	<p>Airservices Australia</p>	<p>By 31 July 2009</p>

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APPENDIX 3-7-5 (CONT.)

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIR NAVIGATION SERVICES**

CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>Airservices will consult with CASA to receive approval and provide final documentation.</p> <p>All processes will be monitored and reviewed annually.</p> <p>Note: Airservices Australia has a detailed plan to support this corrective action.</p>	<p>Airservices Australia</p>	<p>By 30 September 2009</p>

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APPENDIX 3-7-6

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/06		
CASA has not developed and implemented a formal training programme and a periodic training plan, including initial, on-the-job, recurrent and specialized training for PANS-OPS inspectorate staff.		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
CASA will develop a formal training programme and training plan for PANS-OPS inspectorate staff in the Airways and Aerodromes Branch.	CASA	By 31 December 2008
The training programmes will include initial, on-the-job, recurrent and specialised training. CASA will also develop and implement processes for reporting changes in training needs to the Human Resources		
Implementation will include continuous monitoring, review and evaluation.	CASA	By 31 December 2009
Note: CASA has a detailed plan to support this corrective action.		

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APPENDIX 3-7-7

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/07		
<p>The information on published aeronautical charts made available to users is not consistent with the provisions of ICAO Annex 4, such as:</p> <ol style="list-style-type: none">1. some of the symbols used in the instrument approach procedures charts, such as the instrument landing system/localizer, radio marker beacon and waypoint, were not in accordance with those outlined in ICAO Annex 4, Appendix 2; and2. not all units of measurement for distance (km or NM), altitude (metre or feet) and magnetic variation were expressed in the instrument approach charts.		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia works closely with its user base and whilst the audit findings are consistent with the Annex; they are not reported as deficiencies or matters to be addressed by the user constituency. Australia uses the legend of AIP and DAP to safely advise users of the symbology adopted and provide clear interpretation of the procedures. Australia uses a basic radio navigation aid symbol to represent NDB, VOR etc without the need to distinguish between them. Detailed information on the navigation aid frequency and identification are separately displayed. This alternate strategy achieves the same outcome as intended by ICAO Annex 4.</p> <p>Australia considers that the clutter introduced by the use of the specific symbols, which are larger in size, has the potential to degrade the clarity of the plates. This has the potential to introduce a risk into the system. Additionally at certain locations the size of the specific symbols would make some information unreadable.</p> <p>Australia only utilises NM and metres, therefore there is no potential for confusion and the addition of the measurement unit is superfluous and adds to clutter.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Australia will file a difference in respect of both items 1 and 2.	Airservices Australia	By 31 October 2008

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APPENDIX 3-7-8

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AIR NAVIGATION SERVICES**

AUDIT FINDING ANS/08		
Australia has coordinated its search and rescue (SAR) organization with those of neighbouring States, except for Sri Lanka, in the form of a Letter of Agreement in order to facilitate the conduct of SAR operations.		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
AMSA has developed a formal policy document (Arrangement between the Search and Rescue Agencies of Australia and Sri Lanka for the Coordination of Search and Rescue Services) which has been sent to the relevant Sri Lankan agencies consideration and signature.	AMSA	Completed March 2008
Receive the signed "Arrangement" from Sri Lanka and publish on the AMSA intranet. Advise all interested AMSA Search and Rescue and Emergency Response personnel.	AMSA	By 30 September 2008

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APPENDIX 3-8-1

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AERODROMES**

AUDIT FINDING AGA/01		
<p>CASA has not developed and implemented a comprehensive training programme for its aerodrome regulatory staff. In particular, training on the development, use and evaluation of safety management system (including aeronautical studies and risk assessments) has not been provided to the aerodrome regulatory staff.</p>		
STATE'S COMMENTS AND OBSERVATIONS*		
<p>Australia agrees with the finding.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>CASA will develop a comprehensive training programme for aerodrome regulatory staff which will include development, use and evaluation of SMS, including aeronautical studies and risk assessments.</p>	CASA	By 31 December 2008
<p>CASA will develop and implement processes for reporting changes in training needs to the Human Resources</p>		
<p>CASA will implement the formal training programme for aerodrome regulatory staff. Implementation will include continuous monitoring, review and evaluation.</p>	CASA	By 31 December 2009
<p>Note: CASA has a detailed plan to support this corrective action.</p>		

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APPENDIX 3-8-2

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AERODROMES**

AUDIT FINDING AGA/02		
CASA has not established criteria and associated industry guidelines to regulate the use of a pavement by an aircraft with an aircraft classification number (ACN) higher than the reported pavement classification number (PCN).		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
CASA will review draft Civil Aviation Advisory Publication CAAP 89P-5(0) – Surface condition and strength rating of aerodrome pavements - and develop an advisory circular for publication and distribution.	CASA	By 31 December 2009

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APPENDIX 3-8-3

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AERODROMES**

AUDIT FINDING AGA/03		
<p>CASA has amended its regulatory requirement for the provision of runway end safety area (RESA) at aerodromes in accordance with ICAO Annex 14, Volume 1. The regulation provides a five-year timeframe for aerodrome operators of existing code 4 runways used by air transport jet aircraft conducting international operations to comply with the new RESA standards by May 2008. However, other existing aerodromes are only required to comply with the new RESA standards for a new runway, or an existing runway when it is lengthened. Consequently, a number of aerodromes in Australia do not have a RESA that complies with the new standards.</p>		
<p>STATE'S COMMENTS AND OBSERVATIONS*</p>		
<p>It is impractical for all Australian aerodromes to meet the current ICAO standard for RESA. However, CASA does ensure that adequate overrun/undershoot areas are available where practical, through application of a RESA consistent with previous ICAO standards.</p> <p>Australia will file a difference with ICAO to reflect current Australian regulatory requirements for RESA.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Difference to be lodged with ICAO.	CASA	By 31 October 2008

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APPENDIX 3-8-4

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AERODROMES**

AUDIT FINDING AGA/04		
CASA does not have a regulatory requirement for the provision and assessment of information markings at aerodromes.		
STATE'S COMMENTS AND OBSERVATIONS*		
Australia agrees with the finding.		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
CASA currently requires information signs to be provided to assist pilots during ground navigation. The recommendation for a regulatory requirement in accordance with Annex 14 will be addressed in the review of CASR Part 139.	CASA	By 31 January 2010

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APPENDIX 3-8-5

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AERODROMES**

AUDIT FINDING AGA/05		
<p>Approval of building developments in Australia is granted by the respective land use planning authorities, such as the State or local town councils, in consultation with the aerodrome authorities concerned. Proposed developments exceeding a height of 110 metres or likely to create an obstacle to aircraft operations near an aerodrome are required to be reported to CASA. However, CASA's safety advice may not be taken by the land use planning authorities and CASA is unable to prohibit any building developments which could create an obstacle to aircraft operations, except at the Commonwealth Government-leased aerodromes covered under the <i>Airports Act 1996</i>.</p>		
<p>STATE'S COMMENTS AND OBSERVATIONS*</p>		
<p>Australia agrees with the finding. Acknowledging the complex Australian legal environment, with several tiers of government, the Australian Government aviation agencies (Infrastructure, CASA and Airservices) endeavour to work cooperatively with State and local governments and industry representatives to ensure that aviation safety and efficiency is taken into account in relation to building around all aerodromes.</p> <p>The Department of Infrastructure and CASA are actively monitoring international developments in relation to encroachment at aerodromes and Public Safety Zones. The Australian Government has recently raised this issue in the context of a public consultation on formulating an Australian Aviation Policy and work is underway to develop national guidelines to promote greater awareness of aviation safety and efficiency issues in development planning.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
Continued cooperative work with the State and Local Governments and industry bodies to ensure appropriate safety around airports.	Infrastructure CASA Airservices	Ongoing

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APPENDIX 3-8-6

**CORRECTIVE ACTION PLAN PROPOSED BY AUSTRALIA
RELATED TO AERODROMES**

AUDIT FINDING AGA/06		
<p>CASA has a regulatory requirement for the provision of rescue and firefighting (RFF) services that applies to aerodromes where an international passenger air service operates, or where there are more than 350 000 passengers on air transport flights a year. However, the requirement does not cover all the aerodromes that have to be certified. In addition, the regulation allows a reduction in the level of protection for RFF services based on the number of movements of the longest aircraft operating at the aerodrome (referred to as “remission factor”).</p>		
<p>STATE’S COMMENTS AND OBSERVATIONS*</p>		
<p>Australian international airports with scheduled RPT services with more than 350,000 passenger movements per annum are required by regulation to meet the minimum ICAO standard for provision of RFF. In practice, the provision of RFF at other aerodromes is determined based on the requirement for the international airports (i.e. Where there are in excess of 350,000 passenger movements per annum).</p> <p>The remission factor applied in Australia is that which is set out in Volume 1, Annex 14, 9.2.3.</p> <p>Australia has filed a difference with ICAO which reflects the current regulatory situation. However, Australia is reviewing the regulatory requirements relating to RFF as contained in Part 139H.</p>		
CORRECTIVE ACTION(S) PROPOSED*	ACTION OFFICE	ESTIMATED IMPLEMENTATION DATE(S)
<p>This issue will be considered as part of the review of Part 139H and any regulatory amendments necessary will be implemented through the standard Australian regulatory process.</p>	<p>CASA</p>	<p>By 31 December 2010</p>

— END —

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