

Minutes of the 32nd Joint Meeting of the Civil Aviation Authority and Aviation Community Advisory Group

Date:	Tuesday 19 th July 2016
Venue:	Level 15, Asteron Centre, 55 Featherston Street, Wellington
Invited:	<u>ACAG:</u> Dave Reynolds, Qwilton Biel, Paul Drake, Mike Haines, Lachlan Thurston, Jonathan Shorer, John Cook, Steve Horne <u>CAA:</u> Graeme Harris, Brigid Borlase, Steve Moore, Kate McNabb <u>Ministry of Transport:</u> Sonya van de Geer

1. Welcome

The meeting opened at 1.00pm

2. Apologies

Mark von Motschelnitz, John Kay, Mike Groome, Errol Burtenshaw, Ian Andrews, Gerald Grocott

3. Minutes from the previous meeting

30th Joint Meeting of CAA and ACAG held Tuesday 15th March 2016.

4. Understanding how effective the RPAs rules have been (101 & 102)

It was understood by members of ACAG that there would be a review, but there seems to have been some confusion, so wanting clarification on whether the review is moving forward and timeframes. Graeme confirmed that we would be running a 'Lessons Learned' meeting, which should be kicked off shortly.

It was mentioned that greater rule changes would always follow last years' rule changes. This was agreed by Graeme but is still looking to be years away yet.

Do have a draft Integration Strategy that is being worked on for consultation with the sector in due course but still too early for this to be put out yet.

Some bits that need fixing urgently whether this be through an AC or other appropriate channel. Little changes could possibly be considered for a small issues rule in future. One of the big issues is the removal of the minimum weight load. This is putting more pressure and workload on Airways as people are contacting them for constant clarification. Believe this could be changed simply by adding a sentence.

Action – CAA to organise a meeting in Sept/Oct to discuss lessons learned out of 101 & 102 and suggestions for improvement.

Action – CAA to make public the scope of 102 privileges.

Action – Jonathan to submit petitions for three identified Pt 101 and 102 issues.

5. Funding Review update

CAA and the Ministry are working on the RIS and it is progressing. Draft Cabinet paper will follow. These are Ministry owned papers but the CAA are assisting. Is still about a month away before the documents will go to the Minister.

Action – Qwilton to distribute letter included in Aviation NZ newsletter from the Minister to the rest of ACAG.

6. Civil Aviation Act

Has been a long-haul. Minister has some advice in front of him. Hopeful that some decisions on progressing things will be made after the current Parliamentary recess. MoT will be hoping to update stakeholders when they can but is well in the political process now. It is really up to the Minister as to when he is ready to make announcements.

One of the major issues that has slowed things is whether the process for authorising airline code shares and alliances should stay in the Civil Aviation Act? At the moment the Minister can authorise these which has the effect of exempting them from the Commerce Act. There are some majorly opposing views from stakeholder groups.

Proposed changes to the Act is what has gone forward to Minister.

7. Issue Assessment Update – (Brigid Borlase)

There are currently:

- 19 Assigned issues. 15 are scheduled to go to the Issue panel by end of Oct.
- 9 open issues.

Issue process: Petition/Issue comes in. Is sent to the appropriate General Manager for approval. Assigned to an adviser for assessment/analysis. Once completed will go up to the Issue Assessment panel for final approval, and assignment of any actions that have arisen.

The issue panel meet monthly. The Policy team develops a summary report of the issues considered and the Panel's decisions.

Action – Kate to ensure issue assessment updates are sent out to ACAG 2 weeks prior to meeting. Also remove names of the issue submitters.

Action – Kate to ensure Issue panel meeting decision summaries to be sent out to ACAG members following every meeting. The open and assigned issues to be sent monthly also.

Action – Kate to send the issue update for this meeting to Paul Drake for distribution. (Completed 20/07)

8. Policy Project Update – (Brigid Borlase)

a) Emergency Location of Aircraft

RIS has been completed and is sitting with the Ministry for assessment. Once completed will move through to the rule development process. NPRM looking to be published mid/late Sept.

b) Engineer Licencing Review

Policy work on-going. Revisiting issues around extended privileges. A workshop currently being held on this topic now, so the results from that meeting should dictate next steps.

c) Fatigue risk management

Discussion document has been drafted. Has gone through the Fatigue Risk Management panel. The document is currently being tweaked for readability before being released.

d) NSS

19D – transitional rule. Been in transition for 20 odd years. The RIS has been approved.

This is the first step of the PBN rule programme on NSS. The intention is to revoke 19D and put those relevant rule parts into where they should logically lie and delete the bits that are no longer relevant. In effect, it is clearing the decks for what will come after.

ADS-B – mandate above FL245. Due to come into force at the end of 2018. RIS is with the Ministry and we are working through some questions they have and then will progress through to NPRM stage. Looking to have the final rules in place by early April 2017.

Would like to acknowledge support we have had from Airways with collecting data.

98% of the flights above FL 245 are already ADS-B equipped so the need for transition periods will be limited. The focus will mainly be on those aircraft that are flying above 245 that are not ADS-B equipped.

Qwilton suggests that it is important to stay in touch with Warbird operators as there could be equipage issues there.

9. General Business –

- i. AOPA – AC43-14 Fitting of ADS-B transponders. Looking at a total of \$6 million to fit and install. This is extremely discouraging for GA. Deeply concerned about the cost. Can this be addressed and flagged with the Avionics installers as to why?

CAA noted that one of the reasons for the change is that there has been a bunch of mechanical technicians (LAMES) working outside the privileges of their documents and have been doing a poor job. Avionics meeting coming up soon so wait to see what arises from there. The requirement for electrical load analysis and certification highlighted in the revised AC43-14 has always been there, but has not always been applied. This is not a new requirement.

- ii. A couple of ACs released recently (AC41-4 and AC139-6) say updated for clarity but it is not clear what the change actually was as there is no change bars or summary statement to show what has changed.

Action – CAA to look into the ACs to ensure that any changes are marked clearly. Need to either add change bars or a summary statement.

- iii. Bi-annual ARAs – Is being captured in the Small Issues Rule which has made it onto the rules programme.
- iv. Qwilton - Health & Safety (Fox Glacier Accident) – there is some concern about the prosecution of senior persons when an accident report hasn't yet been released.

Graeme – TAIC who are investigating this accident do an Annex 13, no blame investigation so the accident report wouldn't be particularly relevant. TAIC don't make judgements or findings on whether someone has done their job correctly.

Qwilton is raising concerns on behalf of others. Graeme encourages people to come to speak directly to the CAA if they have a concern. Some believe that any action should be taken under Aviation law not HSE law and that CAA have taken the easy way out.

Up until 2004 there was an exclusion for Aviation activities under the HSE Act and even though this has changed, some in the sector are still in this mindset. Now the HSW legislation sits across everything including the Aviation sector. This is becoming particularly relevant with the introduction of Part 100, SMS Rule. Operators will now be required to identify all of their operational risks and take all reasonably practicable steps to manage those risks. This is going to be a huge challenge for the CAA and the sector to get their heads around. Just complying with the Rules does not automatically demonstrate that operators are taking all practicable steps to mitigate the specific risks posed by their operation.

Action – Graeme to have a discussion on regulatory issues and approach with ACAG

- v. SMS – early days with transition. Engaging with operators that haven't provided a plan as yet. A number of plans have been approved. Feb 2018 is when the first group is required to be certified under the rule. Do need to do a huge amount of education and talking to the sector about it.

There is some confusion amongst the sector that a Part 100 certificate will be required but this is not the case. The requirement will be a change to your exposition but won't need a Part 100 certificate

Action – Mike Haines to send Steve Moore the email re SMS certification.

10. Next Meeting – Tuesday 15th November 2016

Close of meeting 2.20pm