

EXPLANATORY STATEMENT

CIVIL AVIATION SAFETY AUTHORITY

STATEMENT OF EXPECTATIONS 2017-2019

Statement of Expectations – Civil Aviation Safety Authority

Outline

The Statement of Expectations (SOE) was issued by the Government as a notice under Section 12A of the *Civil Aviation Act 1988* to the Civil Aviation Safety Authority (CASA).

Section 12A of the *Civil Aviation Act 1988* provides that the Minister may notify the Board of CASA in writing of the Minister's views on the appropriate strategic direction for CASA and the manner in which it should perform its functions.

This SOE outlines the Minister's expectations for the agency in regard to its operations and performance over the period 27 March 2017 to 30 June 2019.

The SOE emphasises the need for CASA to perform its functions in a manner that supports Government policy, including that aviation safety remains the highest priority. CASA is also expected to comply with relevant legislation and to keep the Minister and the Secretary of the Department of Infrastructure and Regional Development (the Department) informed of CASA's actions and initiatives.

Other major areas covered by the SOE include CASA's regulatory approach, a number of aviation initiatives and stakeholder engagement.

The SOE outlines the Government's expectations in relation to the way CASA conducts its functions and the need for consultation with the community, industry and Government agencies.

Details of the SOE are set out in the Attachment.

CASA was consulted in finalising the SOE.

Notices issued under section 12A of the *Civil Aviation Act 1988* are a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

The SOE commences on 27 March 2017 and expires at the end of 30 June 2019 as if it had been repealed by another SOE.

Authority: Section 12A of the *Civil Aviation Act 1988*.

Details of the Statement of Expectations

Section 1: Overview

This section outlines the legislative framework and purpose for issuing the Statement of Expectations to the CASA Board. It also confirms the Government expectation that CASA acts in accordance with the *Civil Aviation Act 1988* (the Act), the *Airspace Act 2007*, the *Public Governance, Performance and Accountability Act 2013* as well as other relevant legislation.

This section includes the expectation that CASA operates in a manner consistent with the standards expected of a highly professional public sector organisation with a strong culture of accountability and transparency consistent with those used by the Australian Public Service.

Section 2: Governance

This section outlines the respective roles and responsibilities of the CASA Board and the Director of Aviation Safety (DAS) and the importance of these two roles working together.

It includes the Board's particular responsibilities for CASA's strategic direction, risk management and corporate planning.

It also includes the Government's expectations that the Board make progress on strategic priorities, in particular the regulatory approach to different categories of aviation operations, emerging risks in the aviation sector, amendments to regulations and other statutory instruments and that the Board facilitate effective interaction with industry.

This section outlines the Government's expectation that the DAS, as the Chief Executive Officer, is responsible for managing the operations of CASA, the development and implementation of regulations, and all day-to-day operational, financial, personnel and administrative activities.

Section 3: Regulatory Approach

This section outlines the Government's expectation in relation to CASA's approach to its aviation safety regulatory functions.

Paragraph (a) – Aviation Safety

This paragraph sets out the expectation that CASA is to ensure that the highest priority is given to aviation safety.

Paragraph (b) – Regulatory Impact

This paragraph sets out the expectation that CASA consider the economic and cost impact on individuals, businesses and the community in the development and finalisation of new or amended regulatory changes.

Paragraph (c) – Regulatory Approach

This paragraph sets out the expectation that CASA takes a pragmatic, practical and proportionate approach to regulation as it applies to each industry sector having regard to risk.

Paragraph (d) – Regulatory Philosophy

This paragraph sets out the expectation that CASA will be implementing its regulatory philosophy as reflected in its relevant policies, procedures, manuals and when CASA personnel are carrying out their day-to-day operations.

Section 4: Key Aviation Activities

This section outlines the Government’s expectations that CASA, in performing its functions, has regard to a number of key aviation initiatives.

Paragraph (a) – Air Traffic Services

This paragraph sets out the expectation that CASA will have regard to changes in air traffic services, including Airservices Australia’s (Airservices) new operating model and the OneSKY Project.

Paragraph (b) – Workforce Planning

This item sets out the expectation that CASA engage in workforce planning, including recruitment and training, in order to manage and develop its workforce to ensure the organisation has the skills and expertise to meet current and emerging challenges in aviation safety regulation.

Paragraph (c) – Information Sharing with the Australian Transport Safety Bureau (ATSB)

This item sets out the expectation that CASA work closely with the ATSB to ensure continued arrangements are in place, consistent with the current Safety Information Policy Statement and informed by ‘just culture’ principles, for the appropriate sharing and use of safety information by CASA and the ATSB.

Paragraph (d) – Government Response to the Aviation Safety Regulation Review (ASRR)

This item sets out the expectation that CASA will complete the implementation of the remaining parts of the Government’s response to all of the CASA-related recommendations in the ASRR Report. This includes actively progressing regulatory reform in consultation with industry and supported by appropriate safety cases.

Paragraph (e) – Airspace Regulation

This item sets out the expectation that CASA implement the recommendations of the review of the operations and functions of the Office of Airspace Regulation.

Paragraph (f) – Controlled Airspace

This item sets out the expectation that CASA work with the Department of Infrastructure and Regional Development (the Department) and Airservices on enhancing the level of controlled airspace in Australia, including at major regional airports.

Paragraph (g) – International Engagement

This item sets out the expectation that CASA continue to pursue the establishment of appropriate mutual recognition arrangements. In addition, it encourages CASA’s continued support for the Government’s aviation safety agenda in the Asia-Pacific region and ongoing commitment to assist in the management of Australia’s International Civil Aviation Organization (ICAO) responsibilities.

Section 5: Stakeholder Engagement

This section outlines the Government's expectation that CASA, in performing its functions, has regard to effective and timely stakeholder engagement.

Paragraph (a) – Engagement and Communication with Industry

This paragraph sets out the expectation that CASA undertake effective and ongoing engagement with the aviation industry to create a collaborative relationship between CASA and industry based on a foundation of mutual understanding and respect.

Paragraph (b) – Industry Complaints Commissioner

This paragraph sets out the expectations that CASA consider recommendations from the Industry Complaints Commissioner (ICC) relating to systemic issues identified from the ICC's investigations.

Paragraph (c) – Regular Communication with Stakeholders

This paragraph sets out the expectation that CASA communicates regularly with the industry, Government agencies, and other key stakeholders in relation to its functions and activities.

Paragraph (d) – Communications with the Minister and Secretary of the Department

This paragraph sets out the expectation that CASA will keep the Minister and the Secretary of the Department informed of CASA's operations, including events or issues affecting those operations, including through the provision of timely quarterly progress reports from the Board against the Corporate Plan.

Paragraph (e) – Portfolio Arrangements

This paragraph sets out the expectation that CASA continue to work closely with the Department, the ATSB, Airservices and the Department of Defence to deliver integrated and comprehensive safety advice to the Government, aviation industry and community.