Advancing the interests of our members and the profession

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By Electronic Transmission

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Our Ref: G40-0056-0003

Dear Mike,

Re: Consultation Draft for Part 61 Manual of Standards (MOS)

The Australian and International Pilots' Association (AIPA) is grateful for the opportunity to comment on CASA's *Consultation Draft for Part 61 Manual of Standards.*

AIPA takes an active stake in the Australian aviation industry, participating in inquiries in the Australian aviation sector and contributing members to various industry forums. AIPA is also an active member of the global pilot body, the International Federation of Airline Pilots' Association (IFALPA), which represents over 100,000 airline pilots internationally.

Does the Part 61 MOS Meets its Aims?

Part 61 of the CASRs set out to achieve a number of fundamental changes in Australia's approach to flight crew licensing. Harmonisation and continuing the shift to competency-based qualifications were important, but to AIPA the most important outcome was the promise in the original November 2011 Part 61 Briefing Document to:

> "…address known and likely safety risks and provide for outcomes which improve aviation safety…"

The success of that promise could only be assessed by waiting to see how the Part 61 framework was 'fleshed out' in the associated Manual of Standards, the stated aim of which is to consolidate "all current standards relevant to flight crew licensing that are referenced in the CASRs".

However, it is not obvious to us what actions CASA has taken to mitigate the risks identified in a number of significant air transport accidents that have occurred since the Part 61 consultation began on 17 November 2011. AIPA has consistently expressed the view that the source of these emerging risks lies in the initial training that pilots receive and that subsequent airline training cannot reasonably be presumed to detect and mitigate all such training risks.

The Part 61 MOS consultation material identifies that CASA "continues to develop standards…" and "is preparing documentation…" required for training conducted under Part 61 and related Parts. AIPA has significant and continuing concerns about piecemeal consultation where the enabling law is not fully settled, the standards are partially complete and no supporting guidance material has yet been produced.

It is not clear to us the extent to which CASA intends the Part 61 MOS to be all-encompassing, since it is law as distinct from Guidance Material or Acceptable Means of Compliance and there remains a clear reliance by CASA on administrative material such as internal manuals in filling some of the gaps. AIPA is also concerned about the rule-making transparency when the Part 61 MOS imposes a condition on flight examiner ratings to comply with an administrative manual free of consultation and Parliamentary scrutiny. In fact, while the Part 61 MOS Instrument refers to a "*Flight Testing and Proficiency Check Manual"*, it is not currently published and seems to be a future document of unknown impact on training outcomes.

Accordingly, while acknowledging the scope of the project and the difficulties CASA faces, AIPA is unable to give a comprehensive response to this draft MOS as presented. While we offer some comments below, they cannot be said to be our final position.

General

Overall, AIPA finds this document to be inconsistent in quality. While it clearly should be all-inclusive, the result is over-prescriptive and very detailed in parts (e.g. PPL), whilst displaying omissions in other areas (e.g. ATPL, Cruise Type Rating). AIPA has already suggested that a reduced document with appropriate AMCs (CAAPs/ACs) might be a better structure. We note that other regulators (e.g. EASA) are able to provide concise regulations with AMCs that appear to achieve compliance.

AIPA is quite comfortable with CASA's rationale that the absence of prescription equates to a positive decision by CASA to not regulate that subject. However, AIPA is less comfortable where there is a specific regulation mandating compliance with the MOS and the MOS has a related subject heading, clearly indicating an affirmative decision to regulate that subject, yet the only guidance in the MOS is "RESERVED".

A particular example of this is Differences Training, which AIPA considers to be of equal safety significance to initial type rating training: CASR 61.200 has the structure "…a requirement in this Part for the holder of a type rating to have completed differences training for a variant of the aircraft type covered by the rating is met only if…the holder has received training in all the units of competency mentioned in the Part

61 Manual of Standards for the rating…", yet Part 61 MOS instrument 2013 Part 2 Section 7 *Differences Training* is reserved.

AIPA also believes that a compliance matrix showing the identified differences with ICAO SARPs would be useful as a standard consultation device.

As a final general observation, AIPA is curious about the ordering of the Part 61 MOS Schedules – it would seem that the normal sequence of Aeronautical Knowledge, Practical Flight Standards and Flight Tests and Proficiency Checks was not followed, as might otherwise seem logical following the layout of Schedule 1.

The following commentary is a brief selection of identified issues by Schedule.

Schedule 1 - Units of Competency Required for the Issue of a Licence, Rating or Endorsement

Appendix 5: Air Transport Pilot Licence (ATPL) and Multi Crew Pilot Licence (MPL)

AIPA notes that the sequencing of standards for the ATPL and MPL seems inconsistent with the hierarchy that precedes this Appendix and also with that of Schedule 4.

Notwithstanding that AIPA appreciates that an MPL applicant will need to complete the requirements for the PPL and CPL that an ATPL applicant must already have satisfied, the ATPL and MPL Aeronautical Knowledge Standards are clearly different. AIPA cannot see any valid reason to differ from ICAO Annex 1 MPL standard 2.5.1.2 *Knowledge*, which states:

> "The applicant shall have met the requirements specified in 2.6.1.2 for the airline transport pilot licence appropriate to the aeroplane category in an approved training course."

AIPA notes that an MPL applicant must meet knowledge standards titled *ATP Aerodynamics* (AADC and AADA with no helicopter equivalent) which curiously is not required of an ATPL applicant and for which there is no knowledge standard in Schedule 3.

AIPA also notes that the practical flight standards for an MPL and an ATPL applicant appear to be identical. This seems to be problematical, given that the ATPL is a commander's licence while the MPL is only a co-pilot's licence – contrary to ICAO, CASR 61.635 does not even grant command privileges at PPL level. We are concerned that an identical standard may prove to be too high for an MPL applicant or, more importantly, too low for an ATPL applicant.

Schedule 2 – Flight Standards

IFF: Full Instrument Panel Manoeuvres

AIPA is surprised that the flight standards for instrument flying do not include missed approaches or flight under abnormal or emergency conditions. The combination of IFF and IFL seems to represent a very benign requirement in many ways quite unmatched to the rigours often experienced in air transport operations. Even if the statistical evidence for some forms of failures may be low, the associated handling skills under instrument conditions reinforce core skills that provide resilience for the infrequent and improbable failure conditions that are the root cause of many modern accidents.

While we note that these types of manoeuvres are included in aircraft class and type ratings, there does not seem to be a compensating requirement for demonstration of the required competencies in IMC. We also note that they are covered appropriately in Section 4 Instrument Ratings, which begs the question as to why IFF seems so disconnected from the standards required therein. AIPA is concerned that it is not clear what philosophy CASA has adopted to deal with these essential instrument flight competencies.

AIPA also notes that there are no tolerances provided for MPL applicants, despite IFF being a required Practical Flight Standard. It appears to be a common omission in other sections and Schedules.

AME: Aeroplane Multi-Engine Class Rating

The applicability of the included Flight Tolerances Table is unclear and mixing the terms “published tolerances” and “specified tolerances” provides no additional clarity. All of the aircraft ratings appear to ignore the underpinning knowledge and practical usage of such automated flight control systems as may be available.

ATS: Aeroplane Type Rating – Single Engine

The use of the phrases “immediate action items” and “phase one actions” are not universal, nor is the distinction obvious.

ATM: Aeroplane Type Rating – Multi-Engine

There are no tolerances for flight with one or more engines inoperative and use of the phrases “immediate action items” and “phase one actions” is not universal, nor is the distinction obvious.

Section 4: Instrument Ratings

AIPA notes that CASR 61.870 places recency requirements on an “azimuth guidance procedure” and a “course deviation indicator procedure”, in addition to those on 2D and 3D approaches. We are curious as to why the latter approaches have an associated flight standard (IAP2 and IAP3) but the former do not.

Section 9: Cruise Relief Type Ratings

The Cruise Relief Type Rating covers pilots but not Cruise Relief Flight Engineers.

AIPA believes that Cruise Relief Pilots must be able to demonstrate competency from both seats (or the actual seat(s) that will be occupied by the cruise relief pilot in flight), while noting that the rating does not include an engine failure competency in the cruise. We also believe that restricting the landing competency to 'nil wind' is unrealistic.

Schedule 3 – Aeronautical Knowledge Standards

AIPA is curious as to why there are no Aeronautical Knowledge Standards for Multi-crew Cooperation training or for Cruise Relief Pilots and Flight Engineers. We also note that there are many examples of mixed tense and active/passive construction throughout the Schedule.

Schedule 4 – Aeronautical Knowledge Examination Standards

AIPA is unsure why there are apparent inconsistencies between the Examination Subject titles in sections 1.3 (MPL) and 1.4 (ATPL), the Unit of Knowledge title in Schedule 1 as well as between the Unit Code and the Examination Code. Furthermore, we don't believe that it is obvious how some of the Units of Knowledge are examined, whether individually or collectively, particularly in the case of the MPL where it appears that an applicant is examined on subjects not listed in Schedule 1. The difficulty we face in trying to resolve these anomalies is simple: we don't know whether the problem is the result of some well-disguised philosophy or merely poor quality control.

AIPA notes that the overseas conversion examination for an MPL holder is the same as for an ATPL holder, which matches the Australian MPL examination requirements but not the knowledge requirement. We also note that the ADF conversion examinations are misnamed, since they are merely the standard ATPL examinations for any Australian applicant!

In regards to conversion of licences, AIPA is curious as to what an MPL holder is required to do under Part 61 to gain access to the privileges of a PPL, CPL or ATPL.

Schedule 5 – Flight Tests and Proficiency Checks

Appendix 3: Commercial Pilot Licence (CPL)

AIPA notes that Section 1 mentions the CASA ATO Manual but not the "*Flight Testing and Proficiency Check Manual"* mentioned in the Part 61 MOS Instrument. The current ATOM version precedes Part 61 consultation and sheds little relevant light on the required competencies or how to test for them.

There are numerous format, tense and spelling errors in the document. There are also some unexplained phrases that appear to be significant in how some items are tested. For example:

- What does "all available configurations" mean in the varying circumstances that it is used?

- How is “Recognise and manages undesired aircraft state” intended to be tested?

- At what altitudes is “navigation at low level” intended to be conducted? CASR 61.010 provides a potentially misleading definition related to “low level”:

  “low-level operation means an operation below 500 ft AGL, other than the following:
  (a) climbing from take-off;
  (b) descending for the purpose of landing;
  (c) an aerial application operation.”

  for which Table 61.375 requires a rating.”

- Are the ‘Flight Path and Manoeuvre Tolerances’ for Multi Engine Aeroplane Class Rating intended to relate only to the engine failure case?

- Why are there no equivalent engine failure tolerances for helicopters, no requirement for engine failure in the hover and no option for Multi Engine?

Concluding Remarks

It appears to us that the Part 61 MOS is predominantly a collection of existing standards, noteworthy for their inconsistencies in quality and style, that has not benefited from a review of how best to manage the emerging risks to flight safety. AIPA is concerned that the Part 61 MOS will not lead to any improvement to current training standards, which we still see as a latent risk in an operational world that is just beginning to realise the price being paid in terms of skill degradation for the over-reliance on automation and minimisation of initial training and experience requirements.

Should you have any queries or comments, please do not hesitate to contact our office.

Yours sincerely,

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