



From The Lefthand Seat

Jim Davis
RAAA Chair
Director, Regional Express (Rex)

Associate Members may not be aware that since November of last year the RAAA, with the able assistance of Norton White, has been actively involved with the Fair Work Commission's (FWC) four yearly review of the Air Pilots Award 2010. This review is conducted as a regular exercise and is designed to clarify clauses in the Award that are confusing or contentious. The FWC provides an interpretation of contentious clauses to reduce confusion and will consider amendments from stakeholders in the process. However it is not a process for introducing new rules or radically changing existing ones. Procedurally, the RAAA is officially representing 16 named operators at the FWC but the consequences of the review will affect all Ordinary Members.

Of particular interest is the Award clause relating to training and the use of training bonds. Training bonds are commonly used for pilot type ratings and are a feature of most Enterprise Agreements however they are not specifically included in the Award. For the past few years the AFAP has taken it upon itself to legally defend any pilot that does not honour his or her obligations after agreeing to and signing a training bond.

This is heart breaking for operators who spend considerable time and money training a pilot on a new type only to have him or her walk away, sometimes within days, and refuse to pay the bond. If an operator then takes a pilot to court to enforce a training bond it finds itself facing the deep pockets

of the AFAP which pays all legal expenses for defaulting pilots. Court decisions have been mixed with many ruling in favour of the pilot but even when an employer wins a case the reimbursement of training costs is cancelled out by extensive legal fees. This is a no win situation for operators and is not sustainable.

The AFAP position is that training bonds are acceptable provided pilots are paid in excess of the Award to the extent that the extra salary covers the cost of a type rating. This can be the case with large operators using Enterprise Agreements but for smaller employers that may be struggling and are operating purely under the Award it is not feasible. These are the ones most affected by current pilot attrition and it is therefore important that the RAAA strongly presents their case to the FWC.

As well as the RAAA, Qantas, Alliance and Rex are putting arguments to the Commission for the enforcement of training bonds. At the most recent appearance, a Conciliation Hearing on 2 May, the Commission had some sympathy for the RAAA position and advised the AFAP to try and reach a compromise solution with employer representatives on the matter of training bonds. It remains to be seen whether or not this can be achieved and further Commission proceedings avoided.

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From The Lefthand Seat

Continued.....

Legal proceedings at the FWC involve the use of Barristers and are extremely expensive. The RAAA has spent around \$58,530.40 (ex GST) so far with the potential for this to reach \$100,000 if a compromise solution cannot be reached. The larger operators and the AFAP may be able to fund this type of expense but for the RAAA it is a challenge. However, our participation is necessary because it is important to highlight to the Commission the plight of the smaller operators in the industry. Because of this we have asked Ordinary Members to make a one off contribution and some have been generous but we are currently looking at a considerable shortfall in funding. If any Ordinary Members that haven't contributed so far wish to do so it will be very warmly welcomed.

On a different note work continues at CASA's Aviation Safety Advisory Group with current Technical Working Groups (TWG) examining new Part 43 regulations for GA maintenance,

43 regulations for GA maintenance, Part 66 provisions, Dangerous Goods, Fatigue, maintenance regulations for 135 operators and UAVs. The workload has eased since the completion of the flying operations suite of regulations last year and the ASAP has now decided to convene a TWG to once again look at the problems that still exist in Parts 61, 141 and 142.

I have called for information on current problems to do with these regulations many times before but I do so yet again as the ASAP wants a current target hit list that it will use when convening this TWG. This may be our last chance to get CASA to seriously try and fix these ill-conceived regulations so please advise Mike of your Part 61/141/142 issues as soon as possible. The next ASAP meeting is 20 June and we will need any information prior to that. Thank you to those who have recently provided their input. ✦



2019 RAAA Events Calendar

**30 May 2019
Darwin, NT**

- ✦ Board meeting
- ✦ Technical Working Group
- ✦ Member Function

**5 September 2019
Canberra, ACT**

- ✦ Board meeting
- ✦ Technical Working Group
- ✦ Member Function

**28-30 October 2019
RAAA Annual Convention
RACV Royal Pines Resort
Gold Coast, Queensland**

**28 November 2019
Sydney NSW**

- ✦ Annual General Meeting
- ✦ Board Meeting
- ✦ Technical Working Group
- ✦ Annual Christmas Function

RAAA
ANNUAL CONVENTION
2019 **28-30**
OCT.





From The Righthand Seat

Mike Higgins
RAAA CEO

IN THE COCKPIT

The RAAA: Representing Aviation Across Australia.

Engineering Part 43

CASA claim that the Government and the CASA Board have directed CASA to adopt and implement the FAA Part 43 maintenance rules for private flying and aerial work. There appears to be no safety case or risk analysis conducted by CASA that examines the requirement for, or potential impact of, this within the existing Australian legal and legislative framework. All regulatory change needs to pass certain criteria. One of these is that the proposal should provide an equivalent level of safety or ELOS. There is no evidence that this has been conducted by the regulator.

According to CASA, in the Policy Decision Summary – SS05/01, there was ‘a clear and strong preference for CASA to replace the current maintenance regulations for GA/ AWK aircraft with a set of regulations based on the FARs with minimal changes’. The wholesale adoption of the FAA Part 43, one that includes all the attending mitigators provided by the whole FAA regulatory suite, might provide a safe operating environment in Australia. However, on closer examination of the detail of the FARs, that would be so similar to the current CAR 30 system as to render the exercise of no benefit to anyone. There is also significant doubt that any Government or any CASA Board would accept the current version of the proposal. There are also significant concerns as senior CASA management have demonstrated little knowledge of the content of the current proposal.

A sensible way forward might be to migrate CAR 30 into the CASRs and then provide whatever alleviation(s) the CASA policy intent may be seeking, in a safe, considered and controlled manner.

One example of concern is the proposed removal of the requirement

for an independent flight control inspection by a qualified person (usually an LAME or a pilot). Government imposed this safety regulation many years ago to overcome maintenance induced aircraft control errors that resulted in incidents and accidents, some fatal.

Another example is the removal of the requirement to have aircraft engines overhauled by a CASA approved engine overhaul maintenance organisation. Again, Government imposed this safety regulation many years ago to overcome maintenance induced engine failures that resulted in incidents and accidents, some fatal.

Yet another example is the proposed removal of the requirement for a CASA approved maintenance organisation to carry out the annual or 100 hourly inspection and major modifications and repairs. Again, Government imposed this safety regulation many years ago to overcome maintenance induced errors that resulted in incidents and accidents, some fatal.

Engineering CAR 30 and Part 135 operations

On a more positive note, CASA and the industry recently conducted the first three-day Sector Risk Profile (SRP) on CAR 30 organisations. We examined all the available data on safety concerns associated with the current arrangements. We identified a number of potential hazards that are currently addressed adequately by the current system and a couple that can be addressed by non-regulatory intervention. This SRP is highly relevant because if the outcome is that there is nothing amiss with the present day CAR 30 organisations maintaining the charter sector, then there is no reason to drive them towards Part 145, like the Qantas and Virgin end of town. The policy position we are pursuing is that Part 135

operators should be able to continue with their maintenance providers being CAR 30 approved or voluntarily step up to Part 145.

One suggestion was for industry and CASA to work together in line with the CASA mantra of them being our ‘Australian aviation safety partner in promoting safe skies for all’. We discussed how there are circumstances where education and awareness can often produce exceptional results in terms of ownership and uptake of improved practices, without new regulation. Industry has offered work together with CASA to draft plain english material highlighting how business improvements can be made voluntarily.

Convention 20/40 2019

This year we are celebrating our 20th annual convention and 40 years as an association and our plans are locked and loaded. We currently have at least fourteen workshops over two afternoons providing the latest intelligence on a whole range of matters of interest. These include Emerging Technology, Engineering and Flight Operation training sessions, Human Factors, Post-Accident response, Pilot Training and Fatigue Management. We have an exciting line up of speakers including Peter FitzSimons, Merren McArthur from Tigerair and John Gissing from Qantas Link, to name but a few. We have chosen the very popular RACV Royal Pines Resort on the Gold Coast again this year. Please visit www.raaaconvention.com.au and avail yourself of the limited early bird registration offer. While you are there, browse the many sponsorship opportunities available to promote your business or product. ✦

Choosing a new default super fund for your employees

By Silas Dingiria
for AvSuper



While most of your employees probably have superannuation choice, some will not actively make a choice. For those employees who do not choose for themselves, current legislation requires that employers need to have chosen a default super fund.

Current legislation requires that your chosen default super fund is compliant with MySuper regulations, which arose from the former Government's Stronger Super reforms. If you haven't reviewed your current default super fund, or they are not MySuper compliant, you may need to change your default super fund to ensure you are not subject to fines and/or penalties.

What requirements must be met by a default fund?

Under law, your default fund must:

- be a superannuation compliant fund as defined in legislation. A Fund's compliance notice fulfils your obligations to check they are compliant
- offer life insurance to all members based on a premium of at least \$0.50 a week for members under 56 years. The minimum cover for each age group and exceptions to this rule are detailed on the ATO website.
- be MySuper compliant

What else may be important?

You may also want to consider the following when choosing a default fund:

- Is the fund supportive and helpful to you as an employer?
- Is the fund connected with your industry?
- Are member fees competitive?
- Is the fund producing good investment returns over the long term?
- Will the fund provide information to your employees, even do workplace visits to help them with their super?

How do I change default funds?

You can change your default fund at any time, as long as you meet the requirement of choosing a suitable fund. The following key steps will help you through the process.

- Look at potential funds and ensure they meet the requirements of a default fund (see list above)
- Ensure a potential fund will accept your contributions via suitable payment options and terms. For instance, some funds

provide a payment schedule for contributions whilst other funds will let you set your own contribution timetable – legal obligations apply either way, of course

- Keep a record of your research in English for five years - in particular, record details of your selected fund
- Establish your account with the new fund if necessary – this may be time consuming for some funds
- Update the standard choice form you supply to new employees
- Notify your existing employees about your new default fund at least 28 days before you change. Include a standard choice form so they can easily move to your default fund if they wish
- Start making contributions to your new default fund!

AvSuper is a MySuper-compliant super fund dedicated to the aviation industry, with a personalised service approach to make super as simple as possible to administer. This information is of a general nature only and does not take into account your personal objectives, situation or needs. Before making a decision about AvSuper (ABN84 421 446 069), you should consider your own requirements and the relevant Product Disclosure Statement. For a copy or to discuss your super, call 1300 128 751 or visit www.avsuper.com.au ✦





Welcome Aboard Black Diamond Aviation



We are pleased to welcome Black Diamond Aviation to the RAAA as an Ordinary Member.

It started with a little boy folding paper planes.

His spirit and the love for aviation allowed a dream to evolve, and today, we offer you Black Diamond Aviation!

Founded by Matthew and Maché Collins - a husband and wife team - Black Diamond Aviation is a privately owned aircraft charter company, operating out of Gove Airport in East Arnhemland.

Operations commenced in 2011 with just one aircraft. However, it was Matthew's vision of providing an air service with an absolute commitment to remote settlements and communities within Arnhemland, and the corporate sectors that support and services them, that saw Black Diamond Aviation grow dramatically over the past few of years.

Even with this growth, every transaction with the business is guided by Matthew and Maché. Personal touch genuinely matters and firmly remains at the centre of Black Diamond Aviation.

Both Matthew and Maché bring unique and diverse experience to the business. As the Chief Executive Officer of Black Diamond Aviation, Matthew has built the business to be a leader in the Aviation market. His background in Economics and Finance combined with his experience in Aviation has ensured Black Diamond Aviation continues to grow debt-free. Matthew's role as Chief Pilot has put him front and

centre in our daily operations. His operational expertise, technical know-how, management ability, leadership skills and business sense has allowed Matthew to be the perfect conduit between our business, pilots and Civil Aviation Rules.

Maché brings a wealth of knowledge in the areas of business management, marketing and human resource management to our business. In an ever-changing market place, Mache's unique vision for Black Diamond Aviation has seen our business achieving its goals whilst remaining constant in providing an exceptional air-charter service and value for money. Mache has taken a leading role in our Operations, Marketing and Accounts departments, focussing on brand awareness and market growth.

From humble beginnings, Black Diamond Aviation is now an established operator with a dedicated team and a superior fleet of aircraft. Our charter capabilities include passenger charters, medical charters, scenic tours, airfreight and remote logistics, aerial surveys, aerial photography, and search and rescue.

Specialising in multi engine passenger charter, our fleet incorporates the latest aviation technology. Our twin engine aircraft enables a year-round all-weather 24/7 capability, enabling

our pilots to meet strict deadlines.

Our commitment to safety includes a zero-harm safety culture. All Black Diamond Aviation pilots are handpicked for their commitment, skills and enthusiasm for what we do and how we do it. You are guaranteed to fly with a CASA certified pilot with an incident free record. Just so, we are proud to offer you the safest aircraft in Arnhemland as we maintain all our aircraft above the current passenger carrying charter requirements.

With strong values and a philosophy of offering unparalleled safety and service, Black Diamond Aviation is the leading and locally preferred operator in East Arnhem. We strive to be a champion in customer service excellence by fully understanding our customer needs, ensuring on-time and reliable services, providing competitive market prices and flexible availability, while building long-term and trusted relationships.

Servicing individuals, businesses and Government, Black Diamond Aviation makes it possible for you to do business in the Territory.

To find out more about our services and capabilities, please visit Black Diamond Aviation at www.blackdiamondaviation.com.au ✦





Welcome Aboard



AXIOM'S EDGE

We are pleased to welcome Axiom's Edge to the RAAA as an Associate Member.

Axiom's Edge was formed in 2017 from 20+ years previous experience of project management and support in the flight simulation business.

In November 2017 Axiom's Edge was appointed by Esterline Simulation Visuals Systems as sales and service representative in the Australian and New Zealand regions for the TREALITY® range of Simulation Visual System products. Axiom's Edge have a TREALITY® Authorised Service Centre and can offer ILS support options on simulations visual systems.

Currently we are supporting the visual systems in simulators at air bases throughout Australia and New Zealand. TREALITY® are currently completing the last of the 7 simulators for the AIR 5428 Pilot Acedemy in RAAF East Sale and Pearce WA. Axiom's Edge are assisting in the deployment and we will be responsible for the long term support.

Based in Xenia, TREALITY® Simulation Visual Systems is a leading supplier of simulation products. With facilities in the USA and Belgium, the company serves clients around the world.

Previously, TREALITY® SVS was known as Esterline Simulation Visual Systems and before that BARCO Simulation Systems. Following the acquisition of Esterline by Transdigm in March, we have been rebranded to TREALITY® SVS (TREALITY® Simulation Visual Systems).

TREALITY® stands for 'Training Reality', and the multi-color spherical logo captures the essence and core competency of our business:



designing, deploying and sustaining high performance, multi-channel, curved screen visual systems for the stringent demands of the training and simulation market. Our mission remains unchanged: To be the preferred and trusted provider of simulation visual systems worldwide.

TREALITY® Simulation Visual Systems offers the industry's broadest array of simulation display products. These products include a variety of collimated displays, the world's highest performing 360-degree rear-projection domes, standard and custom front-projection displays, and the first truly deployable dome with a seamless screen. User-friendly projector control and alignment systems make the display operation simple and easy.

TREALITY® Simulation Visual Systems are used in flight, maritime, air traffic control, driving, ground warfare, and firearms simulators as well as a variety of research applications. All TREALITY® products are supported by a full complement of services, including design, project management, installation, integration, and worldwide maintenance.



Cross-cockpit collimated display system. Fully integrated displays for enhanced side-by-side cockpit training.

To find out more about our product, services and capabilities or if you are contemplating acquiring or upgrading a flight simulator or requiring local support on an existing flight simulator please reach call Phillip Revens, Director on +61(0)416 134 103 or

visit either www.axiomsedge.com or www.trealitysvs.com ✦

We would also like to welcome the following new members to the RAAA:



East Air provides reliable and flexible aircraft charter services throughout North and Far North Queensland. The company's services are regularly called upon by Government Agencies and private companies who entrust our professional staff and well-maintained aircraft to provide extensive patient and medical staff travel, medivac flights, infrastructure maintenance, indigenous community clinics, cargo transport and regular passenger transfers.

More information about East Air can be found at: www.eastair.net.au ✦



magniX is bringing to market an advanced electric propulsion system for aircraft. We know from history that a disruption in aircraft design has always come about from revolution in the propulsion systems. magniX is working to revolutionize the way the world flies by transforming the way aircraft are powered.

magniX will shape culture by enabling cheaper, cleaner transport solutions and inspire more aircraft companies to become electric by demonstrating a sustainable air travel solution.

MagniX can be contacted by email at info@magnix.aero or you can visit their website: www.magnix.aero ✦

RAAA Scholarships 2019

Application Forms available at:
www.raaa.com.au/scholarships/



Ansett Aviation Training are offering
2 x Pilot Scholarships



Jeppesen Australia are offering
1 x Pilot Scholarship



Hawker Pacific are offering
1 x Aircraft Maintenance (Airframe Engines) Scholarship
and
1 x Aircraft Maintenance (Avionics) Scholarship



MOORABBIN FLYING SERVICES

Moorabbin Flying Services are offering
1 x Multi-Crew Cooperation Scholarship

Assisting future pilots and engineers across Australia