



SUMMARY OF CONSULTATION

Proposed Safety Standard - Community Service Flights

CASA 09/19 — Civil Aviation (Community Service Flights—Conditions on
Pilot Licences) Instrument 2019

| | |
|-----------------------|---------------|
| Date | February 2019 |
| Project number | OS 13/25 |
| File ref | D18/41818 |

Overview

The main object of the *Civil Aviation Act 1988* (the Act) is to establish a regulatory framework for maintaining, enhancing and promoting the safety of civil aviation, with an emphasis on preventing aviation accidents and incidents.

A Community Service Flight (CSF) is a private operation conducted by a pilot for the purposes of transporting a person to a destination where non-urgent medical treatment is to be provided and is usually accompanied by one or more passengers. The flight is arranged by a charitable or community organisation. A detailed definition of CSF is included in the legislative instrument that is the subject of this summary of consultation.

In 2011, a tragic accident occurred involving a CSF. In 2013, the Australian Transport Safety Bureau (ATSB) published its report on the accident with a number of safety recommendations. In 2014, CASA published a discussion paper seeking comment on proposed CSF safety standards. Responses to the discussion paper indicated a significant lack of support for any regulatory intervention. CASA concluded it would not proceed with any regulatory action at that time but would monitor the sector and take appropriate action in the future, if necessary.

More recently, in 2017, another fatal accident involving a CSF occurred. The accident is subject to an ATSB investigation with a report expected soon.

Since 2014, CASA has been considering the appropriateness of the current safety standards for CSF operations. Because sufficient voluntary progress has not been made in relation to voluntary safety improvements, a decision was taken in November 2018 to consult publicly on a proposal to set new safety standards. Public consultation commenced on 18 December 2018, with the publication of consultation document CD 1814OS – Proposed Safety Standard – Community Service Flights. Consultation ended on 31 January 2019.

Executive summary

Public consultations are conducted to elicit feedback from the community on specified proposals. Decisions on public policy matters are not decided based solely on raw quantitative results but instead on a considered evaluation of the feedback and whether appropriate reasons exist for modifying proposed actions.

CASA conducted public consultation CD 1814OS – Proposed Safety Standard – Community Service Flights from 18 December 2018 to 31 January 2019 on a draft legislative instrument that would apply additional safety requirements for the conduct of CSF. The instrument included 16 provisions.

In order to gather maximum data, CASA sought detailed comments on the proposed CSF requirements. Respondents were asked to provide free-text comments on the proposal, limited personal information and to consent, if they wished, to the publication of their submission.

Responses were received from 233 individuals or organisations, including 6 that contained no information relating to the proposals. All other responses (227 in total) were critically evaluated and reviewed to determine whether respondents either entirely opposed, fully supported or partly supported the proposal. Information on the assessment methodology can be found at Appendix A.

Responses were evenly split between a group of respondents that did not support any element of the proposal and a combined group of those respondents that partially or fully supported the proposal.

The proposal was fully supported by 43 respondents (19%), 61 respondents (27%) partly supported the proposal, 106 respondents (47%) opposed the proposal and 17 respondents (7%) neither supported nor opposed the proposal.

Of the 227 respondents, 217 identified as pilots including 115 who said they had flown a CSF. 62 pilots (27% of respondents) indicated that CASA should take further measures, beyond those in the proposal.

Two primary reasons for not supporting the proposal were identified. The first was that CASA has not provided any evidence or justification for the proposal. The second relates to the anticipated costs being imposed on CSF pilots with the highest of these costs associated with the proposed maintenance standards

There was significant divergence in feedback from respondents regarding CASA's underpinning assessment of the nature of the operational environment (additional risks of CSFs). Of all respondents, 22 (10%) considered the operational environment of a CSF to be far more complex than a standard private flight. Of these 22 respondents, 19 (86%) fully supported the proposed CSF measures. Conversely, 42 (19%) of all respondents considered the operational environment of a CSF to be the same as a normal private flight. Of these 42 respondents, 31 (74%) opposed the proposed CSF measures generally.

CASA notes the feedback provided but remains satisfied that CSF operations have an elevated probability of an accident or incident due to the existence of risk factors that are not usually present in baseline private operations. Therefore, reasonable and proportionate additional safety measures to ensure that pilots undertaking CSF are appropriately experienced for the CSF operational environment are considered necessary.

However, the consultation feedback clearly highlighted that certain elements of the proposal are disproportionately costly compared to the safety benefits. CASA has therefore modified the instrument to more appropriately align the safety benefits and costs associated with this regulatory change.

The following changes have been made:

- The engine maintenance requirements have been removed.
- Factory-built light sport aircraft registered under Part 47 of CASR may be used.
- The CSF definition has been refined to provide that the pilot and passengers are introduced through a charitable or community service organisation and the passengers are not charged for the flight.
- The PPL multi-engine 100-hour experience requirement has been reduced to 25 hours and applied to all pilots.
- The flight notification requirement has been clarified to be a full flight details or SARTIME notification with a remark stating the flight is a CSF operation.

CASA appreciates the contributions made by the respondents and acknowledges the feedback as beneficial to the effectiveness of the consultation process.

Discussion

The primary aim of this consultation was to elicit feedback about proposed conditions that would apply to pilots conducting CSF operations. In order to gather maximum data, CASA sought detailed comments on the proposed requirements. The respondents had the opportunity to voice their concerns, raise related issues and offer their suggestions and opinions regarding their CSF experiences. The collection of both quantitative and qualitative data enabled a comprehensive analysis to be undertaken.

Respondent overview

CASA received 227 relevant responses - 200 identified as pilots, 2 as engineers, 2 as health care professionals, 6 CSF users and 17 identified as 'other'. Respondents who identified as pilots were also asked if they had flown a CSF. Six (6) additional responses contained no information relating to the CSF proposal.

115 respondents (51%) identified as pilots having flown a CSF (CSF pilots), with 85 (38%) identifying as not having flown a CSF (non-CSF pilots) (figure 1).

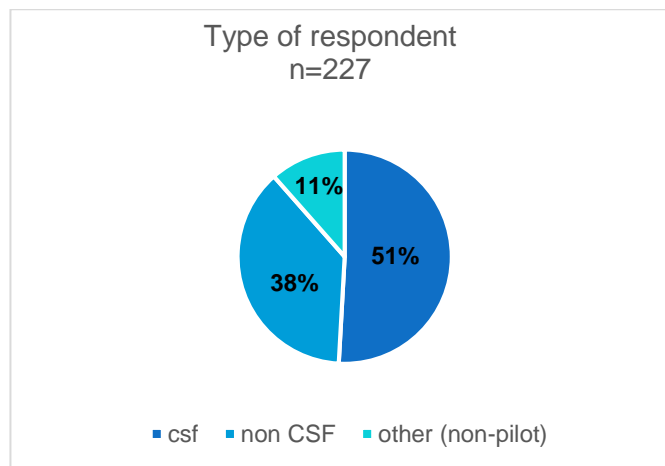


Figure 1 - Type of respondent across total submissions to consultation hub

Submissions were received from all Australian States and Territories (see Table 1).

Table 1 - Location of respondent across total submissions to consultation hub

| State | Number of submissions |
|-------------|-----------------------|
| NSW/ACT | 78 |
| QLD | 57 |
| VIC | 47 |
| SA | 18 |
| WA | 13 |
| TAS | 6 |
| NT | 1 |
| unspecified | 7 |

Qualitative data

The feedback provided by the 227 respondents was in free-text format. The responses varied from brief to lengthy and each required subjective interpretation in order to obtain qualitative data.

The content and context of each comment was assessed and then grouped within common themes established by frequency of reference. The themes are not mutually exclusive; multiple themes can be revealed within a single response.

Key themes

Nine (9) key themes were identified using the methodology described at Appendix A and are described below (see Table 2). Two (2) of the key themes—flight standards and maintenance standards—directly related to provisions in the proposal.

Samples of feedback received for each of the key themes can be found at Appendix C.

This section provides an overview of the key themes and the range of responses.

Table 2 - Key themes

| Theme | Explanation |
|--|---|
| Flight Standards | This theme relates to the provisions for medical certification, licensing, flight experience and recency. |
| Maintenance Standards | This theme relates to the provisions for enhanced maintenance standards. |
| Regulatory Justification | This theme focussed on respondents' views that CASA lacked evidence to support the proposal. More specifically, that there was no evidence provided that the specific elements of the proposal would increase safety. |
| Operational Environment (OE) | This theme relates to the underpinning safety assessment that CSF operations are exposed to additional risks when compared to baseline private operations. It also includes statements by CASA about the type of passenger and any expectations to deliver a certain type of service. |
| Higher Standards | This theme focussed on respondents' views that CASA could apply further measures to one or more elements of the proposal. |
| Community Impact | This theme relates to the likelihood of the proposal having significant negative impacts on the availability of CSF. The main causes identified were additional cost and additional flight experience. |
| Training & Education including Human Factors | This theme relates to the proposal not addressing or requiring some form of education or training for CSF pilots, including Human Factors (HF) training. Such training would include matters related to decision making, attitude and culture. |
| Consultation Process | This theme focusses on the respondents' view that CASA had not adhered to the consultation process or the regulatory philosophy. |
| Definition | This theme relates to the clarity of the definition of CSF and whether any unintended activities were captured by the proposed definition. |

Theme 1 - Flight standards

This theme was referenced by 157 respondents (69%). The range of feedback varied from "complete overkill" to agreeing with the proposal, or suggestions to impose higher standards.

52 respondents (23%) referred to training and education as an important sub-issue. Human factors (HF) training was identified by 35 respondents (15%) as a key element missing from the proposal.

Theme 2 - Maintenance standards

137 respondents (60%) mentioned maintenance standards generally. 111 respondents made specific reference to various categories of aircraft maintenance, which they considered should apply to aircraft undertaking CSF.

66% of the 111 respondents indicated a preference for maintenance to be that required of a "private aircraft", 26% to what respondents referred to as "airwork"¹ and 8% to what respondents termed "charter".

61 respondents (27%) noted that the maintenance provisions of the proposed instrument would result in the imposition of significant costs.

Theme 3 - Regulatory justification

102 respondents (45%) that opposed the proposal referenced the lack of evidence or justification included in the proposal.

Theme 4 - Operating environment

There was significant divergence in feedback regarding CASA's underpinning assessment of the nature of the operational environment (i.e. that additional risks are involved in CSF). 22 respondents (10%) considered the operational environment of a CSF to be far more complex than a standard private flight. Of these 22 respondents, 19 (86%) fully supported the proposed CSF measures. Conversely, 42 respondents (19%) considered the operational environment of a CSF to be no different to a normal private flight. Of these 42 respondents, 31 (74%) generally opposed the proposed CSF measures.

Respondents that considered the operating environment as being more complex mainly cited operational pressure to complete the flight in variable conditions, whereas respondents that considered it to be the same complexity, often stated that passenger perception of the nature of the flight would be no different to that of a person carried on a CSF.

Theme 5 - Higher standards

62 respondents (27%) indicated that CASA could apply further measures in the instrument, such as requiring additional training and HF training or a requirement for CSF to be conducted by the holder of an Air Operator's Certificate (AOC).

¹ CASA interpreted "airwork" to be the maintenance standard for aerial work operations.

Theme 6 - Community impact

61 respondents (27%) referred to the potential negative impact on resourcing in the CSF sector as a result of the proposed regulatory changes, primarily around cost burden with a focus on flight qualifications / currency and maintenance requirements.

Theme 7 - Training and education including human factors

While ‘flight qualification, experience and currency’ was the key theme that was referenced by most respondents, human factors training was identified as a key missing piece of the proposal. The matter of human factors training was raised by 35 respondents (15%).

Theme 8 - Consultation process

17 respondents (8%) raised the issue of the consultation process. These comments related to the timing of the consultation and whether CASA followed its own consultation processes and adhered to its regulatory philosophy.

Theme 9 - Definitions

9 respondents (4%) identified that additional clarity in the CSF definition would assist in understanding the specific application of the proposed instrument.

Quantitative data

The 227 responses were initially assessed to broadly determine whether the respondent entirely opposed, fully supported or partly supported the proposal.

The level of support was relatively evenly split across multiple types of respondents (see Table 3). 47% of respondents are opposed to the proposed changes and this increases to 50% when the respondent group includes only CSF pilots. The relative proportion of CSF and non-CSF pilots that either supported or partly supported the overall measures was 47% and 48% respectively, with more non-CSF pilots (26%) fully supporting the proposed measures than CSF pilots (15%). 42% of “other” respondents either supported or partly supported the overall measures.

Table 3 – Level of support by respondent type

| Level of support | Overall n=227 | CSF Pilots n=115 | non-CSF Pilots n=85 | Other n=27 |
|------------------|------------------|---------------------|------------------------|---------------|
| Fully | 19% | 15% | 26% | 11% |
| Partly | 27% | 32% | 22% | 31% |
| Opposed | 47% | 50% | 44% | 37% |
| Neither | 7% | 3% | 8% | 21% |

Following this initial assessment, the 227 responses were each analysed against the 16 provisions in the proposal. The response rate varied from 105 respondents (47%) for the requirement for logging a flight to 139 respondents (62%) for the maintenance requirements.

From those respondents that provided feedback, the lowest level of support was for the maintenance requirements (32%), and the highest was for licensing requirements (87%). The

average level of support across all the detailed provisions from those who provided feedback was 58% (see Table 4).

Provisions that received clear majority support

The following provisions received a clear majority support (greater than 65%) from the respondents who provided feedback on these provisions. Unless specified otherwise, these provisions will remain unchanged.

- **General Conditions – Licencing**
 - 106 respondents (47%) provided feedback on the provision of aircraft being aeroplanes only. Of these, 87% supported the proposal.
- **Maintenance - Standard Certificate of Airworthiness**
 - 10 respondents (4%) provided feedback on the provision of aircraft being aeroplanes only. Of these, 70% supported the proposal.
 - Despite this support, CASA has reviewed this requirement and will modify the legislative instrument to permit CSF to be conducted in a registered factory-built light sport aircraft.
- **Medical Class 1 or Class 2**
 - 104 respondents (46%) provided feedback on the medical certification standards for the pilots. Of these, 69% supported the proposal.
- **Operational - No night V.F.R.**
 - 118 respondents (52%) provided feedback on the provision of aircraft being aeroplanes only. Of these, 66% supported the proposal.

Provisions that received majority support

The following provisions received majority support (greater than 50% and less than 65%) from the respondents who provided feedback on these provisions. Unless specified otherwise, these provisions will remain unchanged.

- **General Conditions - Aeroplanes only**
 - 96 respondents (42%) provided feedback on the provision of aircraft being aeroplanes only. Of these, 54% supported the proposal and 3% queried the lack of ability for rotorcraft to undertake CSF.
 - CASA has excluded helicopters from undertaking CSF on the basis that insufficient information is currently available on the nature, extent and risks of helicopter CSF. The inclusion of helicopters for CSF will be considered in the future after further assessment.
- **Aeronautical - Recency**
 - 122 respondents (54%) provided feedback on the requirement to undertake a landing once every 30 days. Of these, 53% supported this provision.
- **Aeronautical - VFR 10 hours on type**
 - 112 respondents (50%) provided feedback on the requirement for the pilot to have at least 10 hours on type if the CSF is conducted under the VFR. Of these, 59% supported this provision.

- **Aeronautical - IFR 20 hours on type**
 - 113 respondents (50%) provided feedback on the requirement for the pilot to have at least 20 hours of experience on type if the CSF is conducted under the IFR. Of these, 58% supported this provision.
- **Aeronautical - PPL(A) 250hr pilot in command experience**
 - This requirement only applies to PPL holders - not CPL or ATPL holders.
 - 123 respondents (54%) provided feedback on the requirement for CSF private pilot license holders to have at least 250 hours of pilot in command experience – being helicopter or aeroplane flight time. Of these, 59% supported this provision.
- **Operational - Flight notification**
 - 110 respondents (49%) provided feedback on the requirement to submit a flight notification. Of these, 59% supported this provision.
 - CASA has reviewed this provision and made modifications based on advice from Airservices Australia. The note following the provision outlined that a Flight Note was one method of providing the flight notification to Airservices Australia however Flight Notes are not accepted by Airservices Australia. The requirements for notification have been modified to remove the reference to Flight Notes and to insert the requirement that the notification must include 'CSF' in the remarks field of the SARTIME or Full Flight Details flight notification.
- **Operational - No more than 5 Passengers**
 - 98 respondents (43%) provided feedback on the provision of no more than 5 passengers being carried. Of these, 56% supported this provision.
 - The limit of 5 passengers was selected to provide regulatory similarity to the cost sharing provisions in the *Civil Aviation Regulations 1988* which limit the number of persons on board (passengers and crew) to a maximum of 6 (CAR 2(7A)(b)).
- **Operational - Log Book Entry**
 - 95 respondents (42%) provided feedback on the requirement to annotate a logbook flight record to indicate it was a CSF. Of these, 56% supported this provision.
- **Maintenance – System of Maintenance**
 - 95 respondents (44%) provided feedback on the requirement for a system of maintenance. Of these, 59% supported this provision.

Provisions that did not receive majority support

The following provisions did not receive majority support (less than 50%) from the respondents who provided feedback on these provisions. Where specified, certain provisions have been modified.

- **Aeronautical - PPL(A) 400hr**
 - This requirement only applies to PPL holders - not CPL or ATPL holders.
 - 122 respondents (54%) provided feedback on the requirement for a CSF private pilot license holder to have a minimum of 400 hours aeronautical experience. 52% of these respondents rejected this provision. Of those respondents who disagreed, 83% were CSF pilots. The main reason for the rejection is the perceived imbalance between the minimum requirements of a CPL holder who can conduct CSF without restriction, and PPLs who are required to obtain the 400hr minimum.

- CASA will maintain this requirement as a CPL holder has undergone training and assessment considerably beyond that of a PPL. Whilst the CPL regulatory minimum experience is lower than this requirement, most CPL holders have experience significantly in excess of the regulatory minimums and have been exposed to organisational systems that provide them with additional knowledge to ameliorate the additional risks associated with CSF. CPL and ATPL holders will still need to comply with the VFR / IFR time on type requirements and the landing recency requirement.
- **Aeronautical - PPL(A) minimum multi-engine experience of 100 hours**
 - 117 respondents (52%) provided feedback on the provision requiring private pilots to have at least 100 hours of multi-engine aeroplane experience to conduct a CSF in a multi-engine aeroplane. This provision was equally supported and rejected. Of those respondents that disagree, 79% were CSF pilots. Of those that agreed with the provision, 56% were CSF pilots. The most common reason given for the rejection is that within the Australian aviation environment, the threshold is too high and unrealistic.
 - CASA has noted the feedback, evaluated the cost versus benefit of this specific proposal and reviewed whether the validity of the assumption that this requirement should only apply to PPL holders. The legislative instrument has been modified to considerably reduce the requirement to 25 hours multi-engine experience and has now been applied to all pilots, rather than only private pilots, as it would be relevant in all cases since aircraft ratings are not applicable to licence levels.
- **Maintenance standards**
 - 133 respondents (59%) specifically identified compliance with the AD/ENG/4 and AD/ENG/5 provision as an issue.
 - This provision was rejected by 66% of respondents. The main reason was the cost of compliance with AD/ENG/4. The cost of this maintenance was also reported as an issue by some of those that supported this provision.
 - CASA has noted this feedback and evaluated the cost versus benefit of this specific proposal. CASA recognises that the operating regime of aircraft used for CSF is relatively benign in respect of maintenance and that mandating overhaul requirements at the manufacturer's recommended calendar time interval is not presently warranted. The legislative instrument has been modified to remove the requirement for compliance with requirement 2 of AD/ENG4. Instead, maintenance requirements consistent with the requirements for private operations.
 - This is consistent with the approach of the Federal Aviation Administration (FAA) to the same issue (extract from FAA Instrument below).

Condition/Limitation No. 10 is also amended to remove the specific requirement for engine, propeller, and component overhaul requirements. The FAA recognizes the volunteer nature of these operations and that it may not be practical for the owner/operator to conduct an engine, propeller, or component overhaul at the manufacturer's recommended interval. The FAA has amended this condition and limitation to reflect more appropriate maintenance requirements for the operations conducted under this exemption.

Table 4 – Scale and nature of input provided by respondents to each of the provisions

| Provision | Licence CPL/PPL/ ATPL 7(1)(a) | Aeroplane only 7(1)(b) | Standard CofA 7(1)(b) | Medical class 1 / 2 7(1)(c) | Landing last 30 days 8(2)(a) | V.F.R. 10 hrs on type 8(2)(b) | I.F.R. 20 hrs on type 8(2)(c) | PPL(A) 400hrs TT 8(4)(a) | PPL(A) 250hrs PIC 8(4)(b) | PPL(A) ME 100hrs PIC 8(4)(c) | Max 5 pax 9(a) | No night VFR 9(b) | Flight notification 9(c) | Logbook entry (9d) | System of maintenance 10(a) | AD/ENG/4 or 5 10(b) |
|--|--|------------------------------|-----------------------------|-----------------------------------|---------------------------------------|--|--|--------------------------------|------------------------------------|--|----------------------|----------------------------|--------------------------------|--------------------------|-----------------------------------|---------------------------|
| Nil pertinent comment | 121 | 131 | 219 | 123 | 105 | 115 | 114 | 104 | 104 | 110 | 129 | 108 | 127 | 121 | 127 | 88 |
| Support | 92 | 52 | 7 | 72 | 65 | 66 | 66 | 59 | 73 | 58 | 55 | 78 | 59 | 59 | 59 | 45 |
| Oppose | 14 | 44 | 3 | 32 | 57 | 46 | 47 | 64 | 50 | 59 | 43 | 40 | 41 | 47 | 41 | 94 |
| Percentage of respondents to a proposal that supported or opposed the provision | | | | | | | | | | | | | | | | |
| Support | 87% | 54% | 70% | 69% | 53% | 59% | 58% | 48% | 59% | 50% | 56% | 66% | 59% | 56% | 59% | 32% |
| Oppose | 13% | 46% | 30% | 31% | 47% | 41% | 42% | 52% | 41% | 50% | 44% | 34% | 41% | 44% | 41% | 68% |
| Number and kind of pilots that either <i>supported</i> or <i>opposed</i> the CSF measures generally that indicated <i>support</i> or <i>opposition</i> to the specific provision | | | | | | | | | | | | | | | | |
| CSF pilots | 46 | 39 | 28 | 30 | 29 | 27 | 36 | 27 | 26 | 41 | 28 | 28 | 29 | 18 | 18 | 17 |
| Pilot (not CSF) | 37 | 29 | 30 | 30 | 31 | 27 | 31 | 26 | 24 | 31 | 26 | 26 | 26 | 23 | 23 | 23 |
| CSF pilots | 9 | 26 | 47 | 36 | 37 | 46 | 37 | 43 | 36 | 30 | 33 | 37 | 31 | 65 | 65 | 68 |
| Pilot (not CSF) | 4 | 5 | 8 | 8 | 8 | 15 | 12 | 13 | 6 | 9 | 6 | 8 | 9 | 17 | 17 | 20 |

Summary

CASA appreciates the feedback from the aviation community and accepts that elements of the initial proposal did not appropriately balance safety and risk amelioration with cost imposition on the CSF sector.

However, CASA remains satisfied that safety of flight risks associated with the conduct of CSF are higher compared to baseline private operations and that it remains appropriate to specify additional requirements for CSF operations.

CASA will modify the legislative instrument as outlined in Table 5.

Table 5 - CASA Disposition

| Initial Proposal | Modified Proposal |
|---|---|
| CSF definition (Section 6) | Section 6 will be amended to clarify that: <ul style="list-style-type: none"> i) a community service flight is arranged by an entity for a charitable or community service purpose; ii) transport destinations include the place of medical service or treatment and the place of origin or place of residence of the patient; iii) medical treatment is not provided on board the aircraft for the flight other than the administering of medication or in response to an unexpected medical emergency. |
| General conditions - Aircraft: standard certificate of airworthiness only (Section 7(1)(b)) | Removed from section 7. Modified requirements inserted as a new section 8 (excluded aeroplanes) that only excludes amateur built ABAA aircraft, limited category aircraft, experimental aircraft and unregistered aircraft (i.e. factory built VH-registered light sport aircraft will be eligible to undertake CSF). |
| Aeronautical experience – PPL(A) multi-engine 100 hours total time (Section 8(4)(c)) | Requirement now applicable to all licence holders conducting CSF. Moved to section 9(1)(d) and reduced to 25 hours. |
| Operational – issue of flight notification to Airservices Australia that identifies flight as a CSF (Section 9(c)) | Amended to remove reference to flight note and to clarify that identification of the flight is by insertion of the acronym “CSF” in the remarks section of the flight notification. |
| Aeroplane maintenance – class B aeroplane operated if maintained in accordance with approved system of maintenance (Section 10(a)) | Removed as reg 42C of CAR applies on its terms. |
| Aeroplane maintenance – class B aeroplane maintenance release inspection at the earlier of 100 flight hours or 12 months before the flight and engines maintained in accordance with either requirement 2 of AD/ENG4 (piston) or AD/ENG/5 (turbine) (Section 10(b)) | AD/ENG requirements removed. Policy amended to reflect that a class B aircraft maintained under the CASA maintenance schedule operated for a CSF must have undergone periodic inspection in accordance with CASA Schedule 5 paragraph 2.4 (i.e. within the last 100 hours of service or 12 months if in service for less than 100 hours since either the last periodic inspection or since the issue of the aircraft’s certificate of airworthiness). |

Future direction

CASA will make a legislative instrument containing the conditions proposed and as modified based on community feedback. The legislative instrument will be laid before the Parliament for scrutiny and possible disallowance.

CASA anticipates that registration of the instrument will occur in mid to late February 2019. The instrument will commence on 19 March 2019. An AIP Supplement will also be published.

Appendix A

Methodology

A.1 Methodology

Respondents were asked to complete an online questionnaire and provide free-text feedback on the CD 1814OS – Proposed Safety Standard – Community Service Flights.

Relevant pages published on the consultation hub are provided at Appendix B.

No restrictions were applied to the free-text section. Respondents had the opportunity to voice their views on the proposal at a general or specific level.

All submissions were reviewed and analysed. Both quantitative and qualitative analyses were applied to the data to measure engagement and levels of support.

A.1.1 Content analysis

Each submission was systematically evaluated and coded to determine the key issues and themes expressed in the responses. The key issues and themes of each response were highlighted and tagged according to categories that 'revealed themselves in the data'. This process was undertaken several times to ensure consistency and validity for the themes associated with each response. A peer review of the material was conducted to ensure the interpretation was valid.

Once the data had been categorised, the frequency of responses was collated and presented in the form of charts and graphs. However, the key to understanding this information is to remember that, by quantifying the data, some richness of meaning is lost. To allow the reader an insight into some of the nuances and depth of meaning behind each category, examples of feedback have been included in the results. Feedback is attributed to the respondents via anonymous ID labels as an additional level of information. The quotes are 'examples only' to show samples of what was considered during the categorisation stage of the analysis.

A.1.2 Explaining the codes and categories

The first level of categorisation measured the level of support for the proposal or aspects of the proposal; overt statements of support or opposition were not the only relevant information. The responses were grouped according to both overt statements of support or opposition, and by analysing the tone or related comments in the response. Except for those cases where respondents overtly stated their support or opposition for the proposal, there was often a level of ambiguity in responses. Some respondents did not specify direct support or opposition but made suggestions as to their preferred requirements. Where these aligned entirely with the proposal, they were counted as 'fully supported'. Respondents who made it clear they supported more extensive requirements beyond the proposal, were also counted as 'fully supported'. Where respondents only liked one or some elements of the proposal they were counted as 'partly supported'.

When assessing the level of support as a proportion of responses, the percentage was calculated based on the number of qualitative responses provided (i.e. 227 out of 233 total submissions).

A.1.3 Those who fully support

Responses included in this category were identified by the following characteristics:

- A direct statement of support.

- Suggestions that aligned fully with the proposal.
- Either of the above plus suggestion(s) for even more stringent conditions as part of the legislative change.
- No repudiation of any elements of the proposal.

Examples of feedback:

I agree strongly with this. (ANON-Z7UJ-QXST-Z)

It is simply unacceptable that ill and infirm pax, of all people, should be at the mercy of barely-competent amateur pilots (and a handful of low-time CPLs anxious to fill their logbooks). (ANON-Z7UJ-QX8Q-2)

A.1.4 Those who partly support

Responses included in this category were identified by the following characteristics:

- Overt acknowledgement that one or multiple elements of the proposal were acceptable.
- A generally supportive tone to this proposal and/or some form of regulatory response, but where they didn't have as positive a tone as those who 'fully supported'.

Sometimes the delineation is blurry. For instance, where a respondent stated they 'mostly support' the proposal but oppose one aspect of it, their response is included in this category. Additionally, where a respondent says they 'totally reject the proposal...except for [one component]', their response is also included here.

Examples of feedback:

The only proposal I agree with is operations under the IFR for night flights rather than NVFR. (ANON-Z7UJ-QX25-Z)

I believe that licensing and medical requirements should remain at PPL and class 2 respectively. However, I do agree with night flights to be conducted under IFR and that the pilot should at least hold PIFR rating. I also agree with maintenance standard to be raised to charter. (ANON-Z7UJ-QX2Y-4)

A.1.5 Those who oppose or strongly oppose

Responses included in this category clearly stated opposition or had nothing positive to say about any part of the proposal (i.e. 'totally reject', 'strongly oppose'). As with the previous 'partly supported' category, the delineation is not always clear.

Examples of feedback:

I do not think it necessary for CASA to regulate the CSF flight program. (ANON-Z7UJ-QXQ2-V)

I believe that the existing regulations cover the safety issues with carrying passengers on charity flights. This has been proven with their existing safety record. (ANON-Z7UJ-QX9M-Y)

A.1.6 Strong opinions about regulation and CASA

35% of those who were totally against the proposal submitted responses that could be described as adamantly against further regulation of both CSF and regulations more generally. None of

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PROPOSED SAFETY STANDARD - COMMUNITY SERVICE FLIGHTS

these respondents provided specific comments on the 16 provisions. These responses have been included in the analysis and were used to identify the key themes.

Examples of feedback:

Too much government interference in private operations. CASA has no credibility in the community. (ANON-Z7UJ-QX84-5)

It defies belief that CASA is considering actively causing people in remote areas increased suffering as a result of their activities. This is incredible. (ANON-Z7UJ-QX9M-Y)

I consider CASA's proposed changes to be outrageous considering the accidents being analysed. (ANON-Z7UJ-QXSZ-6)

Appendix B

**Extracts from the consultation hub showing
directions to respondents and the layout of the
questionnaire form**

B.1 Instructions page

Consultation Contents

This consultation asks for your feedback on the proposal which introduces minimum standards of experience and qualifications for community service flight pilots.

We will ask you for:

personal information, such as your name, any organisation you represent, and your email address

your consent to publish your submission

your responses to the proposed regulations

basic demographic information.

Our **website** <<https://www.casa.gov.au/rules-and-regulations/landing-page/consultation-process>> contains more information on making a submission and what we do with your feedback.

When you have completed the consultation, click the 'Finish' button at the bottom right of this page.

B.2 Personal information section

Personal information

First name (Required)

Last name (Required)

Email address

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response.

Email

Do your views officially represent those of an organisation? (Required)

Please select only one item

- Yes
- No

If yes, please specify the name of the organisation.

Where do you operate from?

Please enter your postcode below.

Who are you?

Required Please select only one item

- Pilot (has flown community service flights)
- Pilot (has not flown community service flight)
- Licensed aircraft maintenance engineer/aircraft maintenance engineer
- User of community service flights
- Healthcare professional
- Other (please specify).

Other

B.3 Consent to publish

Consent to publish your submission

To promote debate and transparency, we intend to publish all responses to this consultation. This may include both detailed responses/submissions in full and aggregated data drawn from the responses received.

Where you consent to publication, we will include:

- your name, if the submission is made by you as an individual or the name of the organisation on whose behalf the submission has been made
- your responses and comments

We will not include any other personal or demographic information in a published response.

Information about how we consult and how to make a confidential submission is available on the [CASA website](https://www.casa.gov.au/rules-and-regulations/landing-page/consultation-process) <https://www.casa.gov.au/rules-and-regulations/landing-page/consultation-process>

Do you give permission for your response to be published?
(Required)

Please select only one item

- Yes - I give permission for my response/submission to be published.
- No - I would like my response/submission to remain confidential but understand that de-identified aggregate data may be published.
- I am a CASA officer.

B.4 Free-text form for providing feedback

Introduction of proposed safety standard – community service flights

The proposal introduces minimum CSF pilot experience, licensing and medical requirements, requirement of flights at night to be conducted using instrument procedures instead of visual procedures and requires slightly enhanced aircraft maintenance requirements, in line with other operations within Australia involving similar participants.

We recommend you read the Summary of Proposed Change (SPC) to fully understand the changes. You will find a link to this document on the overview page.

Please provide feedback below. You may enter as little or as much information as you wish.

Appendix C

Sample feedback for each key theme

C.1 Key Themes

Figure 2 shows the number of responses that referred to each of the key themes.

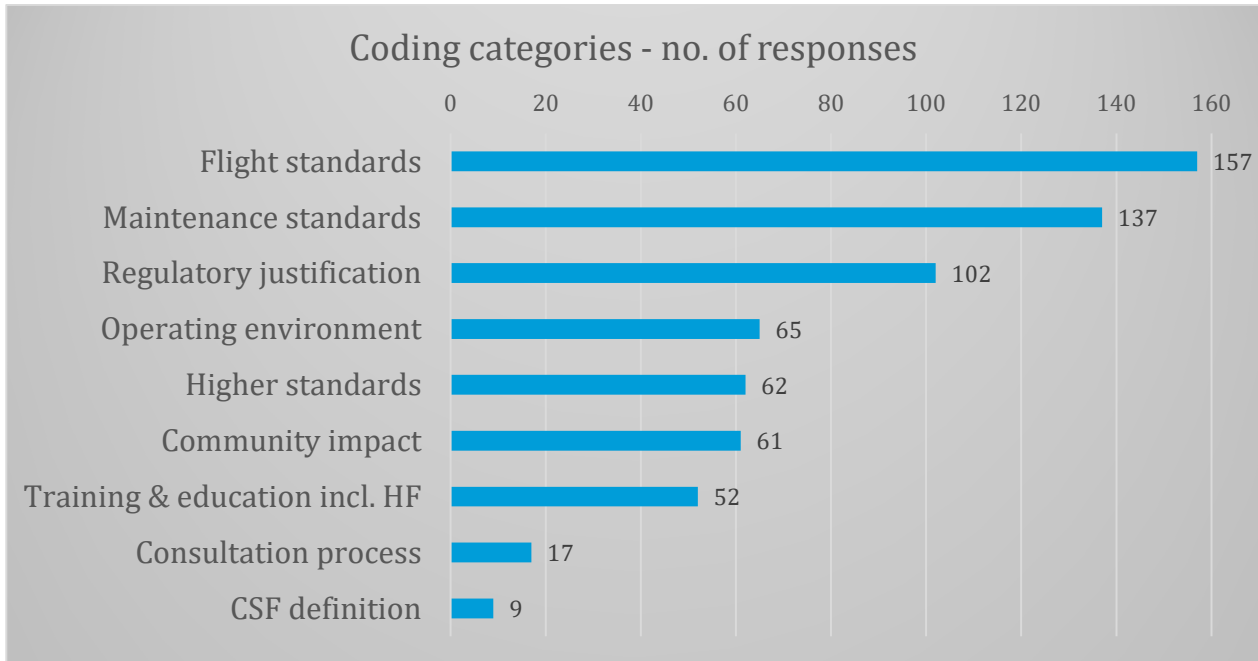


Figure 2 - Type of respondent across total submissions to consultation hub

C.2 Flight standards

157 respondents (69%) referred to at least one of the flight standards requirements as a key theme.

The following are examples of comments from respondents:

I believe the Aeronautical experience requirements should be no less than those required as if the flight was a Charter flight flown by a CPL holder. Given that the operation is unlikely to be conducted under an AOC and not subject to regular "line checks" it may be appropriate the a Flight Review to have been conducted in the previous 12 months. (ANON-Z7UJ-QXQR-V)

There is no evidence that medical requirements should be amended as medical incapacitation for private pilots world-wide is negligible. (ANON-Z7UJ-QXS1-W)

The 400 flight hours requirement is excessive for PPL holders and will mean the pool of available pilots will be limited. (ANON-Z7UJ-QX21-V)

There should be no reason that CSFs require any additional burden beyond holding an appropriate license. Any increase in the experience required to conduct such flights will reduce the number of pilots able to conduct such flights which will have a negative effect on the CSF organisations and the important work they do. (ANON-Z7UJ-QXM3-S)

I believe that 250 hours PIC/400 hours TT is too low. Community confidence in these flights is vital. 250 PIC hours is too low to handle the pressure and decision making. Many older pilots who are attracted to do CSF meet this requirement even though they fly just 30 hours/year. I believe that an increase to 500 hours min time as PIC will only

marginally reduce the potential pool of volunteer pilots, but this will increase safety significantly. If a PPL get to 500 hours then they are better equipped to manage carrying non aviation pax in a higher pressure environment than that they normally carry (friend/family). Managing non aviation strangers with medical needs and often in less than perfect weather is an order of magnitude of difference from typical private ops with family when you choose to fly in perfect VFR weather, and have the option to change or cancel the flight if the weather deteriorates - and your family understands that. Saying no to strangers who need to get to medical treatment is hard. This is "gethomeitis" x 10. (ANON-Z7UJ-QX81-2)

I support better control CSFs. Having flown many of these flights I have been amazed to hear some of the stories that passengers have related about other flights they have taken. I would feel that an additional minimum requirement should be that the PIC should have at least a PIFR endorsement to ensure that the dangers of developing adverse weather conditions should not put passengers at undue risk. (ANON-Z7UJ-QX8A-J)

Minimum 400 hours for PPL holders: If you are using the additional hours to mitigate the risk of no SMS or additional HUF/TEM training, then I feel that would be inadequate. (ANON-Z7UJ-QXMW-W)

The flights should be conducted under IFR rules by a pilot who is certified under the IFR rules (ANON-Z7UJ-QX2A-C)

C.3 Maintenance standards

137 respondents (60%) referred to maintenance standards as a key theme. 133 of these respondents specifically mentioned the AD/ENG4 or AD/ENG/5 provisions.

The following are examples of comments from respondents:

The operational impact on the aircraft/engine are more akin to those experienced in agricultural operations. (ANON-Z7UJ-QXK3-Q)

With regard to the maintenance of the aircraft carrying out these flights I do not think that they should be allowed to be conducted in aircraft with "on condition" engines. In all reality these flights are essentially "private" (and people will argue that they are) but they are essentially "unpaid charter flights" and the patients/passengers should be given the same level of protection and safety as "legitimate charter flights". (ANON-Z7UJ-QXJ8-U)

As with even a slight increase in regulation many participants will drop out as it is simply "too hard". This would be especially true of any increase in maintenance regulation as private aircraft operators will simply and immediately refuse to pay sums required to maintain their aircraft at the increased level. (ANON-Z7UJ-QXMU-U)

There is no evidence to suggest maintenance on engines contributed to either accident and CASA has not demonstrated a need for engines to be maintained as per the charter category and this is a significant cost burden. (ANON-Z7UJ-QXS1-W)

Unacceptable because it will mean private GA aircraft must be maintained to CHARTER category, which will exclude roughly 50% of aircraft currently involved in CSFs, and there is no evidence that the current maintenance regime is inadequate. CASA has ignored the considerable additional cost this would impose on many aircraft owners. (ANON-Z7UJ-QX9W-9).

Effectively these flights are free of charge charter flights. The pilot usually has no relationship with the passengers. Having said that the fact pilots volunteer their time and aircraft is admirable and for the right reasons, but the passengers have the fiduciary right the pilot is fit and qualified and to a high standard and has been checked thoroughly and the aircraft is maintained to an appropriate standard. Aircraft "airwork schedule 5" but not on condition with respect to engines (within TBO). (ANON-Z7UJ-QXD7-M)

Aircraft should be maintained at a minimum in AWK. (ANON-Z7UJ-QXQR-V)

I also agree with maintenance standard to be raised to charter. (ANON-Z7UJ-QX2Y-4)

New maintenance requirements I think that is a good proposal. (ANON-Z7UJ-QXJG-A)

C.4 Regulatory justification

102 respondents (45%) referred to a lack of justification for the proposed regulatory action with a lack of evidence (49 of the 102 respondents (48%)) and over-regulation (35 of the 102 respondents (35%)) being key sub-themes.

The following are examples of comments from respondents:

It would have been useful for CASA to present the evidence of the risks that it is attempting to mitigate. (ANON-Z7UJ-QX2P-U)

No evidence is presented supporting CASA's key claim that people who benefit from CSF (ie patients) are ill-informed about the increased risk associated with private operations as opposed to charter. (ANON-Z7UJ-QX9C-N)

Evidence based again, what faulty maintenance data do you have to suggest CSF aircraft are subject to incidents based on maintenance issues? (ANON-Z7UJ-QXDV-K)

Making some huge assumptions on the understanding of the passengers. (ANON-Z7UJ-QXMP-P)

CASA have not provided any statistical evidence on how this would improve flight safety, as a regulator its your job to prove why these changes are necessary and what effect they would have. (ANON-Z7UJ-QX25-Z)

What is the accident statistic number for aircraft accidents/incidents who fly night VFR in this category? Where do you derive your figures (if any). (ANON-Z7UJ-QXJM-G)

Of the 2 incidents in 47,000 Angel Flights conducted thus far, both pilots and aircraft met or exceeded the proposed requirements. This would indicate the proposals have no bearing on improving the accident rate of the CSF. (ANON-Z7UJ-QXQ3-W)

Yet, none of the documents made available to date on this topic provide any qualitative or quantitative evidence in support of the proposal. (ANON-Z7UJ-QX93-5)

For example, if current regulations are sufficient to allow a pilot with a plane capable of carrying 7 people to safely fly with 7 people, if the pilot has conducted 3 take-offs and landings in the past 90 days, it should not be necessary to impose additional regulations that limit them to 5 people and having done one landing in the last 30 days. (ANON-Z7UJ-QXDY-P)

My comment is to leave matters exactly as they are, no legislative changes are required. There has already been a public consultation in this matter in 2014 which

stated the desire was then that no legislative changes are required, what has happened in the four years since to change the matter. (ANON-Z7UJ-QXQE-F)

Proposed changes are not required. The Australian general aviation industry is one of the premier organisations globally, because of the current standards in place. (ANON-Z7UJ-QXD3-G)

There are Regulations in place for Pilots prior to operating any flight. (ANON-Z7UJ-QX8G-R)

Why is it that many a PPL CSF PiC ask that CASA's 1st assumption is always that more regulation must be forced onto this specific sector (GA), without 1st considering methods and practices to enforce or improve the current massive amount of regulation? (ANON-Z7UJ-QXDX-N)

C.5 Operational environment (including definition of CSF)

65 respondents (29%) discussed the operational environment and 9 respondents (4%) discussed the definition of a *community service flight*.

The following are examples of comments from respondents:

Why is a community service flight different to any other private flight? The fact that a passenger may or may not know the pilot prior to the flight is irrelevant. (ANON-Z7UJ-QX2F-H)

If I can fly people privately and the regulations deem that as being safe, I see no difference when it comes to CSFs. (ANON-Z7UJ-QX21-V)

There is no difference between a PPL pilot transporting passengers from A to B for charitable purposes, and a PPL pilot transporting passengers from A to B for recreational travel. (ANON-Z7UJ-QXMG-D)

I totally reject the suggestion that these volunteer community flights are different to any other private flight. (ANON-Z7UJ-QXS4-Z)

Why is it different to any other flight a passenger is a passenger in the non-commercial way. Also long as the pilot in command obeys the rules of there [sic] endorsements and is current. (ANON-Z7UJ-QXDG-4)

Effectively these flights are free of charge charter flights. (ANON-Z7UJ-QXD7-M)

Charity flying should be held to the same standards as Commercial flying. Pilots are transporting members of the general public in both operations - they are providing a transportation service - so there should be no difference in standards simply because one is unpaid. (ANON-Z7UJ-QXST-Z)

Carrying pax who are not your friends is a huge change for the average PPL. (ANON-Z7UJ-QX81-2)

The proposed requirements are generally supported by the AFAP. We have had some feedback questioning the restriction from utilising rotorcraft in CSF operations and this may be an area for future review by CASA. Possibly with some limitations and restrictions unique to CSF rotorcraft ops. (ANON-Z7UJ-QX4C-G)

I think the nature of this flying - the transport of medically fragile patients and dealing with emotive relatives could benefit from a training package. It should cover special considerations for the transport of people with differing conditions in the aviation

environment, medical divert considerations, mission pressures (patient having an episode etc) (ANON-Z7UJ-QX8Y-A)

Having flown both critical EMS operations and pressured CSF flights, the essence of the conceptual thinking described above is briefly, that the pressures involved with CSF flights can be as great or even greater than full EMS operations, as the aircraft are usually single engine, the operation is single pilot, crewed by less competent and lower time pilots and at times. (ANON-Z7UJ-QX2Q-V)

I believe a clearer definition of CSF is required. However if, for example, I choose to fly somebody to a place in order to receive medical treatment, and I do it purely out of personal charity, could that be construed as a CSF? (ANON-Z7UJ-QX8D-N)

If my wife has a minor operation in Melbourne and I fly her home, I am conducting a CSF. (ANON-Z7UJ-QXDY-P)

The definition of a "community service flight" in 6 (1) is unreasonably broad. As written, a pilot flying a family member to a regional town to attend a GP appointment would be subject to the conditions imposed by this instrument, while the same pilot flying the same family member to the same town in order to go shopping would not. (ANON-Z7UJ-QXQ5-Y)

C.6 Higher standards

Higher standards for the CSF proposal were a key theme for 62 respondents (27%). These 62 respondents consisted of 28 CSF pilots (13% of total respondents) and 27 non-CSF pilots (12% of total respondents).

The following are examples of comments from respondents:

I would feel that an additional minimum requirement should be that the PIC should have at least a PIFR endorsement to ensure that the dangers of developing adverse weather conditions should not put passengers at undue risk. (ANON-Z7UJ-QX8A-J)

It is simply unacceptable that ill and infirm pax, of all people, should be at the mercy of barely-competent amateur pilots (and a handful of low-time CPLs anxious to fill their logbooks) without any commitment to the vulnerable people they're transporting. (ANON-Z7UJ-QX8Q-2)

The CSF is really "Charter ops" with no remuneration. (ANON-Z7UJ-QX8Y-A)

I 100% agree that Pilots operating CSF flights should hold a specific minimum qualification requirement. There have been too many incidents involving flights where passengers are in need to arrive at a medical appointment by a certain deadline which imposes the need to get them there by the pilot. These pressures can force pilots to fly in conditions that they would normally not operate in, and inexperienced pilots can and do find themselves in situations they should not be in. As a charter pilot I believe all these flights should be operated under the supervision of an AOC with aircraft in charter maintenance category or something similar to ensure the vital safety monitoring needed for all involved. (ANON-Z7UJ-QXQF-G)

Both the Doctor and the Patient could expect that the Community service flight is operated under the same regulations that apply to a contracted patient transfer flight as provided by the various state health departments. In any case, if they were aware of the risks, they might still proceed due to the overarching need for medical treatment. In this case they are putting blind faith into and unknown aircraft and unknown pilot who

are operating to a lower set of standards and regulation than one should reasonably expect. (ANON-Z7UJ-QXQR-V)

C.7 Community impact

61 respondents (27%) referred to the potential negative impact on resourcing in the CSF sector as a result of the proposed regulatory changes, primarily around cost burden with a focus on flight qualifications / currency and maintenance requirements.

The following are examples of comments from respondents:

My question to casa is who's going to pay for the now large cost of operating a charity flight as what the proposed changes incur is a greater maint cost and pilot training cost? (ANON-Z7UJ-QXDC-Z)

As with even a slight increase in regulation many participants will drop out as it is simply "too hard". With would be especially true of any increase in maintenance regulation as private aircraft operators will simply and immediately refuse to pay sums required to maintain their aircraft at the increased level. Similar effects may also occur in relation to the other proposed changes such as implementing minimum hours and increased standards. (ANON-Z7UJ-QXMU-U)

There are enough regulations and costs involved in aviation without destroying these types of flight. Not everyone who participate in these want to be IFR. (ANON-Z7UJ-QX21-V)

The PATS scheme whilst less glamorous is adequate for most people's transport. .A little extra input from doctors into the application assists in ensuring the patient gets transport appropriate to their condition. (ANON-Z7UJ-QXJG-A)

C.8 Training and Education, including human factors training

While 'flight qualification, experience and currency' was the key theme that was referenced by most respondents, human factors training was identified as a key missing piece of the proposal. The matter of human factors training was raised by 35 respondents (15%).

The following are examples of comments from respondents:

What is more the issue is the competency and decision making ability of the pilots who conducted the said flights - they stuffed up (in my opinion based on the reported information) and regulation cannot prevent bad decisions or the incompetent from flying. CASA administers and regulates licencing standards - the documented standards may be fine - but the bigger question in general is how do we help pilots to make the right decisions, on their own, without "rules". (ANON-Z7UJ-QXS2-X)

If CASA is concerned about pilots not being well versed in in-flight management, human factors and threat-and-error management skills, then they should just provide courses that adequately cover these subjects and invite pilots operating CFS's to attend those courses. There is no need to go to the extent of providing a whole range of costly impositions which are not required. I am sure that those pilots carrying friends and acquaintances around would love to take advantage of those courses as well, thereby improving the general attitude to safety across a wider pilot community. (ANON-Z7UJ-QXK1-N)

Interestingly the 1 landing in 30 days is not really the issue - the danger I see is not whether a pilot has the physical "stick n rudder" skills - (which 1 landing in the last month implies) but whether the pilot has the right mindset maturity and decision making currency to make the right decisions early to avoid getting themselves into marginal VMC or other boxed in corner. This is human factors - not physical skills. "Decision making currency" is more important than the number of circuits you have done currency. Decision making currency will help ensure that prior planning, contingency planning, physical currency, and ability to say "no" are all done when needed in a timely fashion. (ANON-Z7UJ-QX81-2)

Having flown both critical EMS operations and pressured CSF flights, the essence of the conceptual thinking described above is briefly, that the pressures involved with CSF flights can be as great or even greater than full EMS operations, as the aircraft are usually single engine, the operation is single pilot, crewed by less competent and lower time pilots and at times, it is obvious that the passengers on the CSF flights are critically ill. (ANON-Z7UJ-QX2Q-V).

C.9 Consultation process

17 (8%) respondents commented on the perception that CASA had failed to follow its consultation process.

The following are examples of comments from respondents:

Changing regulations without proper regulatory process by the CEO of CASA without Parliamentary scrutiny thereby curtailing the rights of pilots to exercise the full privileges of their licenses. (ANON-Z7UJ-QXZT-7)

The Authority has deliberately bypassed proper processes and in effect, is seeking to add a new licence category, and a new maintenance category, for private flights and private/CPL and ATPL pilots. This is occurring without adhering to settled and well-published procedures – all of which were designed to ensure proper industry consultation: and all of which CASA has, on many occasions, championed. (ANON-Z7UJ-QXE7-N)

I object to the fact that no proper consultation took place with either the industry and I see the proposal as an attempt to bypass the NPRM process by seeking to implement a direction and not amending the relevant regulations AFTER DUE PROCESS. CASA did in this case not comply with the 2015 Statement of Expectations published by the Board of the Civil Aviation Safety Authority, which includes a requirement for CASA to consider the economic and cost impact on individuals, businesses and the community in the development and finalisation of new or amended regulatory changes. (which also includes proposed directives like the present one) CASA has also not complied in my view with their obligation to adopt a proper, fair and transparent process, by publishing proposed Directions immediately upon the rising of Parliament, with the closing date set prior to the resumption of Parliament. In this case CASA also failed in my view to adhere to the proper regulatory processes, whereby long-standing Regulations, which confer fundamental rights on pilots and aircraft owners (being the rights to exercise the full privileges of their licences and aircraft use) are sought to be changed by the direction of CASA. This in my view is an attempt not to make the proposals subjected to Parliamentary scrutiny as would be the case if they were tabled as proposed Regulations. (ANON-Z7UJ-QXEA-Y)

Given that CASA has now deemed CSF's to be a 'sector' worthy of specific and unique directions, which impact significantly upon the rights of pilots and owners to fly and operate their machines according to current regulatory requirements, then it is incumbent upon the Authority to heed its own recommendations before publishing a set of directions without industry or 'sector' consultation. It is insufficient that it has written the directions without consultation nor proper analytical process, to now stand behind the one month 'consultation' feedback process (which has no statutory mandate in terms of changing the directives pursuant to the consultation), or that it may now be embarking on a data analysis or risk analysis subsequent to the issuance of the proposed directions. (ANON-Z7UJ-QXEC-1)

It is not reasonable for this proposal to be the first action the regulator takes in relation to CSFs, when it hasn't even bothered measuring the effectiveness of the less-intrusive and less-disruptive alternatives required by Regulatory Philosophy principle 9. (ANON-Z7UJ-QXES-H)

C.10 Definition of CSF

Refer to section C.5 above.