



**Australian Government**  
**Department of Defence**

# DEFENCE INSTRUCTIONS (GENERAL)

## Amendment

OPS 02-2 *Defence Aviation Safety Program*  
AMDT NO 2  
**Complete Revision**

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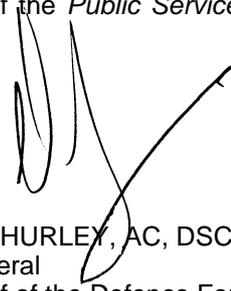
Department of Defence  
CANBERRA ACT 2600

Issued with the authority of the Chief of the Defence Force and the Secretary of the Department of Defence pursuant to section 9A of the *Defence Act 1903* for members of the Australian Defence Force.

Issued with the authority of the Secretary pursuant to section 20 of the *Public Service Act 1999* for Department of Defence Australian Public Service employees.



Duncan Lewis, AO, DSC, CSC  
Secretary



D.J. HURLEY, AC, DSC  
General  
Chief of the Defence Force

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## LIST B—ISSUE NO OPS B/2/2011

### Sponsor:

Defence Aviation Authority

### Sponsor contact:

Director Airworthiness Coordination and Policy Agency

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### Cancellation

DI(G) OPS 02-2 ISSUE NO OPS B/7/2002 of 11 OCT 2002 (AL1) is cancelled. DI(G) OPS 28-2—*Australian Defence Force Flying Safety philosophy, organisation and responsibilities*, ISSUE NO OPS B/3/99 of 7 SEP 99, pages 1-2 and ISSUE NO OPS B/7/2001 of 20 AUG 2001, pages 3-4 is cancelled. Information incorporated into DI(G) OPS 02-2. This amendment no longer includes single-Service filing numbers.

### Note

This amendment incorporates a title change.



# DEFENCE AVIATION SAFETY PROGRAM

## INTRODUCTION

1. The Chief of the Defence Force (CDF), through the Service Chiefs, requires capability that delivers a required operational outcome in a nominated environment, within a specified time, and to sustain that effect for a designated period. Defence Aviation systems are therefore managed to ensure that their capability is commensurate with Defence operational requirements. Central to this management is the safe operation of aviation systems, which is effected through the Defence Aviation Safety Program.
2. The Defence Aviation Safety Program supports safe operation based on the premise of military aviation being safe by operating aircraft at acceptable levels of risk. The Defence Aviation Safety Program provides the framework for making judgements relating to acceptable level of risk in the context of capability, underpinning decisions by Service Chiefs regarding operational suitability and operational effectiveness. While the Defence Aviation Safety Program is broad and has many activities, it acknowledges that required operational outcomes must be weighed against the potential for harm to people and/or property.
3. Further, Defence is bound by the provisions of Commonwealth health and safety legislation. The Defence Aviation Safety Program contributes to compliance with this legislation within Defence Aviation.

## POLICY STATEMENT

4. Defence must implement and maintain an Aviation Safety Program consisting of an Airworthiness Management System (AMS) and an Aviation Safety Management System (ASMS) to meet the objective of Defence Aviation being conducted at acceptable levels of risk and, where appropriate, to a level As Low As Reasonably Practicable (ALARP).
5. This Instruction provides the authority for issue of the [Australian Air Publication 7001.048—ADF Airworthiness Manual](#) and the [Defence Aviation Safety Manual](#). These manuals detail the implementation and management of the AMS and ASMS.

## SCOPE

6. This Instruction establishes the Defence Aviation Safety Program and applies to all Defence Personnel and External Service Providers who are involved in Defence Aviation as defined in [annex A](#).

## DEFINITIONS

7. [Annex A](#) provides a list of definitions applicable to this Instruction.

## AVIATION SAFETY PROGRAM CHARACTERISTICS

8. The Defence Aviation Safety Program must have the following characteristics:
  - a. Defined Defence airworthiness and aviation safety appointments for both regulating the AMS/ASMS and making determinations within the AMS/ASMS.
  - b. Clear individual and organisational accountabilities and responsibilities with respect to airworthiness and aviation safety management.
  - c. Defined airworthiness and aviation safety related Command responsibilities.

- d. Regulation to ensure airworthiness and aviation safety.
- e. Mechanisms for ongoing review.
- f. Clear guidance as to when individuals may operate contrary to the requirements of the Defence Aviation Safety Program within given operational imperatives.

## AIRWORTHINESS AND AVIATION SAFETY

### Airworthiness

9. Airworthiness is a concept, the application of which defines the condition of an aircraft and supplies the basis for judgement of the suitability for flight of that aircraft in that it has been designed, constructed, maintained and operated to approved standards and limitations<sup>1</sup>, by competent and authorised individuals<sup>2</sup>, who are acting as members of an approved organisation and whose work is both certified as correct and accepted on behalf of Defence.

10. Airworthiness comprises the following elements:

- a. **Operational airworthiness.** Operational airworthiness is concerned with ensuring aircraft are operated in approved roles, with correct mission equipment, by competent and authorised individuals, according to approved procedures and instructions, under a system of supervision and monitoring.
- b. **Technical airworthiness.** Technical airworthiness is concerned with ensuring aircraft are designed, constructed and maintained to approved standards by competent and authorised individuals, using approved data and working within approved organisations under a system of certification and acceptance.

### Suitability for flight

11. Suitability for flight is an assessment that flight of the aircraft within designated configuration, role and environment occurs to an acceptable risk of:

- a. loss of life or injury to aircrew and passengers;
- b. loss to other personnel or damage to property as a direct consequence of the flight; and
- c. loss of, or damage to the aircraft.

### Aviation safety

12. Aviation safety is the state of freedom from unacceptable risk of injury to persons or damage to aircraft and property. The ASMS enhances operational capability by ensuring preservation of personnel and equipment through continuous improvement in aviation safety management. Defence will best achieve its safety objectives within the aviation environment with a well defined aviation safety organisation, with clear responsibilities and an effective aviation safety management system. The Defence ASMS must consist of the written policies, procedures, and plans, coupled with the attitudes, beliefs, values and practices of the organisation, that converge to promote aviation safety.

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1 In accordance with regulations, policy and guidance.

2 In accordance with regulations, policy and guidance.

## AIRWORTHINESS MANAGEMENT SYSTEM

### Objective of the Airworthiness Management System

13. The objective of the AMS is to ensure that Defence Aviation is conducted at acceptable levels of risk.

### Scope of the Airworthiness Management System

14. The AMS applies to all Defence Aviation, namely the design, construction, maintenance and operation of:

- a. any aircraft owned, leased, hired or chartered by Defence;
- b. any aircraft operated Exclusively for or on behalf of Defence;
- c. any aircraft for which Civil Aviation Safety Authority has placed statutory airworthiness responsibilities on Defence; and
- d. any Aviation Support System (ASS).

15. The AMS does not apply to the following:

- a. Defence Personnel or External Service Providers travelling as passengers on Australian or foreign public air transport.
- b. Defence Personnel or External Service Providers acting as crew or travelling as passengers on foreign military flights which are not exclusively for Defence use.
- c. Defence Personnel or External Service Providers participating in recreational flying.

16. The circumstances in [paragraph 15](#) of this Instruction have been specifically excluded from the scope of the AMS; however, this does not relieve Defence or Defence Commanders and Managers from their responsibilities to exercise 'duty of care' over those Defence Personnel and External Service Providers under their command or management. As required, the CDF and Secretary, or subordinate authorities, may choose to issue Defence policy covering the above circumstances set out in [paragraph 15](#). Such policy may be informed by outcomes from the AMS; however, the policy would be established independent of the AMS.

## AVIATION SAFETY MANAGEMENT SYSTEM

### Objective of the Aviation Safety Management System

17. The objective of the ASMS is to preserve human and materiel resources and enhance the well being of its members through continuous improvements in aviation safety management.

### Scope of the Aviation Safety Management System

18. The ASMS applies to all Defence Aviation activities, Defence Personnel and External Service Providers who may detect, contain or eliminate hazards in Defence Aviation. All Defence Personnel and External Service Providers regardless of employment or specialisation, may be involved with aviation to varying degrees and therefore have a role in the ASMS.

## AVIATION SAFETY PROGRAM APPOINTMENTS

19. **Defence Aviation Authority (Defence AA).** Chief of Air Force is appointed the Defence AA. The Defence AA is accountable to the CDF and Secretary for establishing and managing the Defence Aviation Safety Program. The Defence AA must also be responsive to Service Chiefs and Group Heads for airworthiness and aviation safety matters affecting aviation capability under their command. The Defence AA must:

- a. act as issuing authority for regulations related to Defence Aviation and for Defence wide airworthiness instruments;
- b. formally appoint Operational Airworthiness Authorities (OAAs) and Flight Test Approval Authorities (FTAAs) as nominated by Service Chiefs and Group Heads;
- c. ensure that, wherever practical, there is alignment between command, airworthiness and safety responsibilities for aircraft and ASS operated by Defence;
- d. establish guidance on the application of risk management, including the ALARP principle, in the Defence Aviation Safety Program;
- e. appoint appropriately experienced star-ranked officers to membership of the Airworthiness Board (AwB) panel; and
- f. ensure that OAA responsibility is assigned for every aircraft and ASS subject to the AMS.

20. **Operational Airworthiness Regulator (OAR).** Deputy Chief of Air Force is appointed the OAR. The OAR is accountable to the Defence AA for establishing and managing the operational airworthiness element of the AMS as described in [paragraph 39](#).

21. **Technical Airworthiness Regulator (TAR).** Director-General Technical Airworthiness (DGTA) is appointed the TAR. The TAR is accountable to the Defence AA for establishing and managing the technical airworthiness element of the AMS as described in [paragraph 40](#).

22. **OAA.** Each OAA is accountable to the Defence AA and responsible to the relevant Service Chief and Group Head for:

- a. determinations regarding the operational airworthiness of aircraft subject to the AMS,
- b. determinations regarding operational aspects of ASS, and
- c. making informed decisions on the treatment of risks.

23. **Technical Airworthiness Authority (TAA).** DGTA is also appointed the TAA. The TAA is accountable to the Defence AA and responsive to Service Chiefs and Group Heads for:

- a. determinations regarding the technical airworthiness of aircraft subject to the Australian Defence Force (ADF) AMS;
- b. determinations regarding technical aspects of ASS; and
- c. communicating technical risks to the relevant OAAs.

24. **FTAA.** FTAAs are accountable to the Defence AA and responsible to the relevant Service Chiefs and Group Heads for:

- a. the airworthiness management of nominated flight test and evaluation activity;
- b. determinations regarding an aircraft's suitability for flight under specific flight test configurations and conditions; and
- c. determinations regarding the extent of testing necessary to demonstrate that an aircraft can be safely operated in its intended configuration, role and environment.

25. **Director Airworthiness Coordination and Policy Agency (DACPA).** DACPA is accountable to the Defence AA and OAR for representing them on matters concerning airworthiness management and operational airworthiness management respectively. DACPA is also accountable to the Defence AA for maintaining the Defence State Register.

26. **AwB members.** AwB members are accountable to the Defence AA for reviewing Defence Aviation elements as directed and providing recommendations regarding airworthiness (for aircraft) or a contribution to airworthiness (for ASS).

27. **Director Defence Aviation and Air Force Safety (DDAAFS).** DDAAFS is accountable to the Defence AA for matters concerning aviation safety and for assisting Defence Personnel throughout the chain-of-command with advice and expertise to successfully implement their ASMS. DDAAFS is responsible to Service Chiefs and Group Heads for investigating aviation safety matters.

## INDIVIDUAL ACCOUNTABILITIES

28. **Service Chiefs.** The three Service Chiefs are accountable to CDF for ensuring that the management of Defence Aviation within their respective service complies with the requirements of the Defence Aviation Safety Program.

29. **Chief Executive Officer Defence Materiel Organisation (CEO DMO).** CEO DMO is accountable to CDF and Secretary to ensure DMO complies with the requirements of the Defence Aviation Safety Program. Responsibilities include, but are not limited to, ensuring compliance with requirements associated with the acquisition and sustainment phases of materiel associated with Defence Aviation.

30. **Chief of Joint Operations (CJOPS).** CJOPS is accountable to CDF for complying with the requirements of the Defence Aviation Safety Program for CJOPS lease, hire or charter of aircraft not on the Defence State Register. In the case of force-assigned, single-Service capabilities, the responsibility for ensuring compliance with the requirements of the Defence Aviation Safety Program is normally retained by the relevant Service Chief under the principle of Technical Control. Responsibilities for force-assigned, single-Service capabilities may be allocated to CJOPS as part of the force assignment process depending on the force design.

31. **All Defence Personnel.** All Defence Personnel are accountable to CDF and Secretary for complying with the requirements of the Defence Aviation Safety Program. This includes an obligation to notify the Defence AA, TAA and respective OAA, through their chain of command, of any event that may adversely affect the airworthiness of Defence aircraft or the integrity of an ASS, and to notify the respective chain of command, of any event that may adversely affect aviation safety.

32. **Defence Contract Managers.** All Defence Personnel involved with contracting any aspect of Defence Aviation are accountable to CDF and Secretary for complying with the requirements of the Defence Aviation Safety Program. This includes, but is not limited to, ensuring compliance with any Defence Aviation Safety Program requirements relating to the contracting of Australian and foreign civil registered aircraft, maintenance and engineering organisations. Defence Contract Managers must ensure clauses are included in tender and contract documentation to cover the requirement for External Service Providers to comply with the Defence Aviation Safety Program.

33. **Other Defence Groups.** The following appointments are accountable to CDF and Secretary for complying with the requirements of the Defence Aviation Safety Program:

- a. **Deputy Secretary Defence Support** for requirements related to Defence Aviation under Defence Support Group control such as systems supporting the operation of Defence aerodromes;
- b. **Chief Capability Development Group** for requirements related to the needs and requirements phases of the Capability Development lifecycle of Defence Aviation assets;

- c. **Chief Defence Scientist** for requirements related to civil aircraft operated by Defence Science and Technology Organisation on behalf of Defence for tender evaluation, technology demonstration and research purposes; and
- d. **Chief Information Officer** for requirements relevant to Information Communication Technology provided to Defence Aviation, including ASS.

## **DEFENCE AVIATION SAFETY PROGRAM AND COMMAND**

34. Aviation safety is a command responsibility and command commitment to the Defence Aviation Safety Program is the single-most important element to the program's success. Apart from the allocation of resources to enable the effective implementation and support to the Defence Aviation Safety Program, the commander's attitudes, example and behaviours will directly influence safety culture and, in turn, the success of the Defence Aviation Safety Program.

35. Commanders and Managers at all levels must ensure that elements under their command or control comply with the requirements of the Defence Aviation Safety Program. Thus, compliance with the Defence Aviation Safety Program is a command responsibility, which will be monitored through compliance assurance ([paragraph 42.](#)).

36. Achieving the objective of the Defence Aviation Safety Program requires informed decisions that consider, among other things, operational and aviation safety factors. These decisions are affected by circumstances such as balancing mission accomplishment with aviation safety objectives. Hence, OAAs (and their Representatives, if established) are usually also commanders. As there is the potential for multiple lines of authority, Defence Personnel must refer to the delegations for guidance to ensure they understand these lines of authority in the interest of efficiency, clarity and accountability.

## **REGULATION**

37. The Defence AA, OAR and TAR must ensure a formal process is in place to steer policy development and provide Service/Group feedback regarding airworthiness and aviation safety regulatory issues. When a new regulation or amendment is proposed for adoption, a formal consultation process must be used prior to promulgation to seek Service/Group advice and determine the impact of implementing new regulations.

### **Defence Aviation Authority**

38. The Defence AA is to regulate the Defence Aviation Safety Program.

### **Operational Airworthiness Regulator**

39. The OAR is to regulate the operation of all aircraft and ASS subject to the AMS. The OAR must consider regulations for:

- a. operating standards,
- b. operating processes,
- c. competencies for operator personnel, and
- d. operational certification requirements.

### Technical Airworthiness Regulator

40. The TAR is to regulate the design, construction and maintenance of all aircraft, Aeronautical Product and ASS subject to the AMS. The TAR should consider regulations for:

- a. materiel design standards;
- b. design, construction and maintenance processes;
- c. competencies for engineering and maintenance personnel; and
- d. materiel certification requirements.

### Principles for regulation development

41. In developing regulations, the Defence AA, OAR and TAR must apply the principles in [annex B](#).

### Compliance assurance processes

42. The OAR and TAR must ensure compliance assurance processes are in place to assure Defence Aviation is conducted in accordance with the regulatory requirements of the Defence Aviation Safety Program.

## REVIEW

43. The Defence AA must establish and maintain processes to regularly review the Defence Aviation Safety Program.

### Executive review of the Airworthiness Management System

44. The Defence AA must implement an Airworthiness Board to provide an independent review and to make recommendations on the airworthiness management of Defence Aviation in-service, being introduced into service and undergoing major modifications.

## OPERATIONAL IMPERATIVES

### Primacy of operations

45. **Commanders.** Commanders responsible for the conduct of aviation operations must have the flexibility to deviate from the requirements of the AMS due to compelling operational imperatives. For deviations relating to airworthiness issues, when time permits, a formalised risk management process should be applied with full engagement of the relevant OAA and the TAA.

46. **Pilot-in-command.** The pilot-in-command of an aircraft is directly responsible for the safe operation of the aircraft and is the final authority for determining suitability for flight. In an emergency requiring immediate action, the pilot-in-command may deviate from the requirements of the AMS, to the extent required by the emergency situation. Any such deviation must be reported to the chain of command at the earliest opportunity.

### Recording and reporting

47. All deviations from the AMS must be documented to the extent necessary to provide an auditable trail.

48. Following situations where commanders have deviated from the requirements of the AMS, and time did not permit engagement with the relevant OAA and TAA, the circumstances must be reported to them through the relevant chain of command.

## COMPLIANCE REGIME

49. All Defence Personnel must comply with this Instruction.
50. Defence Instruction (General) (DI(G)) are issued jointly by the Secretary and the CDF under [section 9A](#) of the *Defence Act 1903*.
51. **ADF.** This Instruction from the CDF constitutes a general order to Defence members for the purposes of the [Defence Force Discipline Act 1982](#) (DFDA). Non-compliance may result in disciplinary action being taken in accordance with the [DFDA](#).
52. **Australian Public Service (APS).** This Instruction is a lawful and reasonable direction to Defence Employees by the Secretary under [subsection 13\(5\)](#) of the *Public Service Act 1999*. Non-compliance may be referred to a delegate for investigation and possible sanction in accordance with the APS Code of Conduct.
53. Defence contract managers must include the requirement that External Service Providers must comply with this Instruction in the terms of the contract. Failure by an External Service Provider to comply with this Instruction may result in a breach of contract.

### Related publications

[Occupational Health and Safety Act 1991](#)<sup>3</sup>

[DI\(G\) LOG 4–5–012—Regulation of technical integrity of Australian Defence Force materiel](#)

[DI\(G\) OPS 40–2—Australian Defence Force Aviation Risk Management](#)

[DI\(G\) OPS 43–1—Defence Test and Evaluation policy](#)

[Australian Standard/New Zealand Standard International Standardization Organization 31000:2009—Risk management—Principles and guidelines](#)

[Australian Defence Doctrine Publication 00.1—Command and Control](#)

### Annexes:

- A. [Definitions](#)
- B. [Principles for Regulation Development](#)

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3 Expected to be replaced by the model Work Health and Safety Act in January 2012.

## DEFINITIONS

1. The following definitions apply to this Instruction:
  - a. **Aeronautical Product** means any aircraft system, sub-system, component, part or material, including computer systems software/firmware and fuels, oils and lubricants whose intended end-use is to form a physical part of an aircraft.
  - b. **Aircraft** means any machine or craft, including unmanned machine or craft, that can derive support in the atmosphere from the reactions of the air.
  - c. **Airworthiness** is a concept, the application of which defines the condition of an aircraft and supplies the basis for judgement of the suitability for flight of that aircraft, in that it has been designed, constructed, maintained and operated to approved standards and limitations<sup>1</sup>, by competent and authorised individuals<sup>2</sup>, who are acting as members of an approved organisation and whose work is both certified as correct and accepted on behalf of Defence.
  - d. **As Low As Reasonably Practicable (ALARP)** principle. A risk is ALARP when it has been demonstrated that the cost<sup>3</sup> of any further risk reduction, where the cost includes the loss of defence capability as well as financial or other resource costs, is 'grossly disproportionate' to the benefit obtained from that risk reduction.
  - e. **Aviation Safety** is the state of freedom from unacceptable risk of injury to persons or damage to aircraft and property.
  - f. **Aviation Support Systems (ASS)** are systems or services that:
    - (1) are Defence-owned or are operated exclusively for or on behalf of Defence;
    - (2) have a functional or physical interface with aircraft; and
    - (3) have the potential to affect the airworthiness of those aircraft.

ASS can be ground-based, ship-based, aircraft-based or space-based. An ASS may be approved to operate when it is designed, constructed, maintained and operated to approved standards and limitations for its intended purpose, by competent and authorised individuals, who are acting as members of an approved organisation and whose work is both certified as correct and accepted on behalf of Defence.
  - g. **Certification** is the end result of a process which formally examines and documents compliance of a product, against predefined standards, to the satisfaction of the certifying authority.
  - h. **Civil registered aircraft** means an aircraft that is registered by a civilian airworthiness authority.
  - i. **Construction** is the production of materiel through manufacture, fabrication and assembly of approved parts and materials to meet an approved design.
  - j. **Defence** includes civilian and Service elements of the Defence portfolio.
  - k. **Defence Aviation** means the design, construction, maintenance and operation of:
    - (1) any aircraft owned, leased, hired or chartered by Defence;
    - (2) any aircraft operated exclusively for or on behalf of Defence;

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1 In accordance with regulations, policy and guidance.

2 In accordance with regulations, policy and guidance.

3 In this context, the term 'cost' extends beyond financial costs and includes consideration of operational, safety, environmental and reputational factors.

- (3) any aircraft for which Civil Aviation Safety Authority has placed statutory airworthiness responsibilities on Defence; and
  - (4) any ASS.
- i. **Defence Personnel** means all Defence Employees, Defence members, Australian Defence Force (ADF) Cadets and ADF Cadet Staff and equivalents from other defence organisations on exchange to Defence:
- (1) **Defence Employee** means a person employed in the Department of Defence under [section 22](#) of the *Public Service Act 1999*.
  - (2) **Defence member** as defined in [section 3](#) of the *Defence Force Discipline Act 1982*, means (1) a member of the Permanent Navy, the Regular Army or the Permanent Air Force; or (2) a member of the Reserves who is rendering continuous full-time service or is on duty or in uniform.
  - (3) **ADF Cadets** is a collective reference to the three cadet organisations, namely, the Australian Navy Cadets, Australian Army Cadets and Australian Air Force Cadets.
- m. **Defence State Register** means the register maintained by Defence, which lists the state registered aircraft operated by the Commonwealth. The Defence State Register lists all state registered aircraft, and includes details of when the aircraft was added to the register, its current status, and if removed from the register, the date and reason for removal.
- n. **Design** means the process or act of creating or changing a product and related technical process descriptions through the application of scientific and engineering effort (verb), or the outcome of that process (noun). The design therefore encompasses not only the configuration of the product, but also the:
- (1) test and evaluation needed to validate that the design meets performance and safety requirements;
  - (2) manufacturing processes (including production test requirements) which require special control to ensure the product meets requirements;
  - (3) in-Service monitoring requirements, maintenance processes and authorised repairs;
  - (4) maintenance lives and intervals and fatigue life; and
  - (5) operating procedures and limits.
- o. **Exclusively for or on behalf of Defence** applies across the spectrum from an individual flight or mission through to the entire scope of operations for an aircraft or ASS.
- p. **External Service Providers** means contractors, consultants and professional service providers engaged by Defence.
- q. **Maintenance** means all actions taken to retain material in or restore the materiel to a specified condition or to restore it to serviceability. It includes inspections, condition monitoring, servicing, replenishment, repair, overhaul, testing, calibration, rebuilding, reclamation, upgrades, modification, recovery, classification and the salvage of technical equipment.
- r. **Operation** means the process and action of operating aircraft following the initial and continual acceptance of the design, construction and maintenance processes, acts and actions by the operational chain of command at an acceptable level of risk as to the suitability of flight of that aircraft in the operational environment.

- s. **Operational Effectiveness** means the ability of a system to perform its intended function over its intended operational spectrum, in the expected operational environment, and in the face of expected threats when operated by typical operational Defence Personnel. ([Defence Instructions \(General\) \(DI\(G\)\) OPS 43-1—Defence test and evaluation policy](#)).
- t. **Operational Suitability** means the capacity of the system, when operated and maintained by typical operational Defence Personnel in expected numbers, at the expected level of competency, to be reliable, maintainable, available, logistically supportable, compatible, interoperable, safe and is ergonomically satisfactory. ([DI\(G\) OPS 43-1](#))
- u. **Passenger** means any person carried in an aircraft who has not been authorised as a crew member of that aircraft.
- v. **Risk** means the effect of uncertainty on objectives. ([Australian Standard/New Zealand Standard International Standardization Organization 31000:2009—Risk management—Principles and guidelines](#))
- w. **Suitability for Flight** is an assessment that flight of the aircraft within designated configuration, role and environment occurs to an acceptable risk of:
- (1) loss of life or injury to aircrew and passengers;
  - (2) loss to other personnel or property as a direct consequence of the flight; and
  - (3) loss of, or damage to the aircraft.
- x. **Technical Control** is the provision of specialist and technical advice by designated authorities for the management and operation of forces. Notes:
- (1) Technical control is exercised by capability managers, or by designated authorities through the capability manager.
  - (2) For forces assigned to operations, technical control is exercised through Chief of Joint Operations, where it directly affects operations only.
  - (3) Technical control advice may not be modified but may be rejected in part or in total by a commander in consideration of operational factors. ([Australian Defence Doctrine Publication 00.1—Command and Control](#))
- y. **Test and Evaluation** is a process to obtain information to support the objective assessment of a Capability System with known confidence, and to confirm whether or not a risk is contained within acceptable boundaries across all facets of a system's life cycle. The individual terms are defined as:
- (1) a test is an activity in which a scientific method is used to obtain quantitative or qualitative data relating to the safety, performance, functionality, contractual compliance, and supportability of a system; and
  - (2) evaluation is analysis of test results to determine (verify) or prove (validate) something. ([DI\(G\) OPS 43-1](#))



## PRINCIPLES FOR REGULATION DEVELOPMENT

1. In developing regulations, the Defence Aviation Authority, Operational Airworthiness Regulator and Technical Airworthiness Regulator are to apply the following principles:

a. **Level of safety:**

- (1) The level of safety applied to Defence Aviation must be affordable, given that Defence does not have unlimited resources to apply.
- (2) The level of safety applied to different Defence Aviation assets may vary depending on the specific risks they pose. Any differences in safety levels between the operational and technical airworthiness elements of the Defence Aviation Safety Program, as applied to the same aircraft type or Aviation Support Systems, are to be justifiable in terms of the different levels of risk.
- (3) The safety of persons must have a higher priority than the preservation of property or the generation of capability.
- (4) The Operational Airworthiness Authority and Technical Airworthiness Authority must be kept informed of events or situations that may adversely affect the airworthiness of aircraft.

b. **Effectiveness and efficiency:**

- (1) Regulations should only be developed to the extent necessary to assure the objective of the Defence Aviation Safety Program.
- (2) There is to be clarity on roles and responsibilities of individuals so that all key airworthiness appointments and other individuals can fulfil their obligations under the Airworthiness Management System (AMS).
- (3) The operational airworthiness and technical airworthiness elements of the AMS are to be interconnected to the extent necessary to manage airworthiness.
- (4) There should be an appropriate allocation of responsibilities between the regulators, authorities and the command chains.
- (5) There is to be clarity on the way that different Defence Aviation assets are regulated.
- (6) Regulations should be developed considering the disparate configurations, roles and environments within which Defence Aviation operates.
- (7) The regulations should not inhibit the timely resolution of airworthiness or aviation safety problems.
- (8) The regulations are to recognise the oversight, where credible, provided by other civilian and military safety and airworthiness authorities.
- (9) The regulations should allow authority to be devolved to the lowest reasonable level, and only held centrally where justifiable.

c. **Development process:** Published regulations are to be the product of sound regulation-making processes that:

- (1) clearly establish the need for regulation based on a safety imperative;
- (2) create regulations that are outcome-based and not simply for management convenience;
- (3) consider a range of options to achieve the desired outcome;
- (4) engage with regulated parties and other stakeholders at all stages of development;

- (5) provide mechanisms that ensure regulations remain relevant and effective over time; and
- (6) create effective guidance to supplement the regulations.