

QualaTech Aero Consulting Ltd.

720 Long Harbour Road,
Salt Spring Island,
British Columbia,
Canada. V8K 2L6



Phone (1-250) 655-0987
Cell (1-250) 213-5025
WWW.qualatech.ca
e-mail: k.green@qualatech.ca

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The Honourable Marc Garneau

Minister of Transport

Parliament Hill Office
House of Commons
Ottawa, Ontario
K1A 0A6

Re: Transport Canada Oversight – Civil Aviation

Dear Minister,

The following initiative presents a proactive methodology to augment Transport Canada's current ability to perform Oversight inspections of the aviation industry, while reducing cost and simultaneously, improving the efficiency and effectiveness of the existing compliance monitoring process/infrastructure. Another advantage, one of potentially many, is significant savings will be achieved by the aviation industry, while improving Safety and Quality at the Operator level.

Background / Rationalisation:

The Auditor General of Canada, the ICAO, Transport Safety Board of Canada (TSB) and numerous aviation professionals have identified over the last decade, that 'Oversight' of the Canadian Aviation Industry is problematic. Nevertheless, although improvement has been achieved corrective action remains a 'continuing process'. Fortunately, a viable remedy exists that would not only improve the oversight process but simultaneously reduce costs incurred by Transport Canada (TC) and Industry alike; furthermore, and arguably more important, the initiative will enhance aviation safety.

General:

A crucial factor underpinning this initiative is the existing infrastructure within TC to facilitate an augmented 'Compliance Monitoring' system, thus ensuring every Operator "*be subject to surveillance once every 12 months*". Nevertheless, without the political will at the National Level to enable change within the current Oversight Programme, the surveillance predicament will not be resolved or the various advantages achieved.

Of primary consideration is TC is going to have to do more with fewer resources - without further degrading service - while remaining effective: a problem equally applicable to the Canadian aviation industry. As indicated, this initiative does not require additional resource allocation, but utilises an enhanced delegation of responsibility to designated (Minister's) Delegates, essentially, the same system as currently exists to monitor and control other 'Minister Delegate' authorities i.e. 'Maintenance' (MD-M) or the safety oversight responsibility assigned to the Approved Check Pilot program. In essence, the initiative is an expansion of a proven process that would be 'self-sufficient' (user pay) without additional burden to the Minister.

Advantages:

Various reasons exist why this submission is beneficial, albeit too numerous to state here; however, in addition to the above, one crucial advantage is in reducing the existing disparity within the industry to conduct consistent and subsequently effective audits to a national and controlled level. This refers primarily to the 3rd Party Audit (Auditor), although 1st & 2nd Party Audits are equally applicable. By enabling a new category of 'Minister Delegate' for Auditor (MD-A), consistency achieved within a subsequent 'Audit Standard' would be attained throughout the industry; a critical consideration currently lacking. Obviously, careful consideration and thought is required, nevertheless the concept is logical, practical and obtainable.

It is an undisputed fact that not all aviation auditors are equal in applied knowledge / experience or even competence. The MD-A would resolve this inherent discrepancy; moreover, the 'Delegation Authority' could be further divided into sub categories i.e. MD-A-Airport, MD-A-Maintenance, -Manufacturing & -Flight Ops, etc., with each MD specialising in their own specific discipline(s).

Context:

During the 20 years as an Aviation Auditor (TC trained) and audit/auditor Instructor, accumulated evidence and experience personally confirms a developing negative trend in the quality of industry audits conducted by 3rd Party Auditors, the subsequent audit result and the reduced oversight activity of Transport Canada: as alleged by the Auditor General of Canada and the ICAO. This is problematic for several reasons, not least of which is a presumed decrease in '*duty of care*' by the aviation industry and TC alike, thus affecting the State Safety Providers (SSP)' commitment to the ICAO Chicago Convention and the Canadian General Public.

I submit the MD-Auditor concept is of considerable importance to Canadian Civil Aviation, given it would enhance industry and TC, not only in terms of Safety and Oversight, but also economically. As an additional benefit, such a strategy would once again enforce the fact TC (Canada) is a world leader in aviation.

As you are undoubtedly aware, TC is in the final stages of a new draft 'SSP Manual' and training syllabus that harmonises with the ICAO Annex 19 – Safety Manual, plus several ICAO Doc's i.e. Doc 9734 – Safety Oversight Manual, etc. The MD-A proposal would augment this critical process without change to the Canadian Aviation Regulations or Standards, wherein, not unlike other MD categories, control and standardisation is achievable via TC internal documents and instructions.

Arguably, an inability to provide required Certificate Holders with annual surveillance will continue post COVID as resources and mitigation constraints remain dominate. Meanwhile, inconsistent industry auditing is a growing concern as finances will remain weak and 3rd Party Auditors will be selected/engaged on a 'cost bases' rather than ability, while being further subjected to increasing time constraints: all the nemesis of good quality. Consequently, audits will continue to weaken growing less reliable in the process. Although remuneration does not guarantee quality or consistency, the converse is equally true and in times of constraint, the fact remains, program cutbacks are first applied by industry to Quality, Training and Safety.

Certificate Holders, especially Air Operators are typically audited (Internal and External) multiple times a year, with each audit resulting in additional burden and cost. Inconsistency between each Audit is a known factor attributed to the expertise of the Auditor, a Lack of Resources and a National Audit Standard. Consequently, an Audit is often considered a mere "tick in the box"; thus, it is misleading for the Regulator to consider data correlated on this methodology. However, if aviation auditors were 'controlled' (with consequence) under an MD infrastructure with a subsequent TC internal standard applied - inclusive of training (possible 3rd Party) - audit consistency would improve along with other advantages such as the sharing of Audit results (i.e. risk scale) between Client Organisations, thus reducing in certain situations or even negating multiple audit requirements.

I would be delighted to present a more formal case in support of this initiative in person or via other means.

Sincerely,

Keith Green

President: QualaTech Aero Consulting Ltd.
M1/M2/S. FAA – IA.
Aviation Risk Assessor & Auditor
ICAO 'Roster of Experts' – Aerodromes, Flight & Maintenance Ops.

Former:

TATC - Transportation Appeal Tribunal of Canada - Judiciary
CBAA - Judiciary/Arbitrator
CARAC – Member
MD-M – Minister's Delegate Maintenance