



Australian Government
Civil Aviation Safety Authority



The Protection of Safety Data, Safety Information and Related Sources — Australia's Approach

Dr Jonathan Aleck
Legal and Regulatory Affairs

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Mandatory Reporting

- ***Transport Safety Investigation Act 2003*** (ss 18 & 19)
<https://www.legislation.gov.au/Details/C2016C00617/Download>
- ***Transport Safety Investigation Regulations 2003*** (regs 2.1-2.9)
<https://www.legislation.gov.au/Details/F2017C00084/Download>
- ***Civil Aviation Regulations 1988*** (defect reporting – regs 51-53)
<https://www.legislation.gov.au/Details/F2016C00883/Download>

Voluntary Reporting

- ***Transport Safety Investigation Act 2003*** (s. 20A)
<https://www.legislation.gov.au/Details/C2016C00617/Download>
- ***Aviation Transport Safety Investigation (Voluntary and Confidential Reporting Scheme) Regulation 2012***
<https://www.legislation.gov.au/Details/F2016C00883/Download>
- ***Civil Aviation Act 1988*** (ss 30DL to 30DR)
<https://www.legislation.gov.au/Details/C2016C01097/Download>
- ***Civil Aviation Safety Regulations 1998 – Aviation Self Reporting Scheme*** (regs 13.320 – 13.365)
<https://www.legislation.gov.au/Details/F2018C00211/Download>

Protection of mandatory safety reports made under the Transport Safety Investigation Act & Regulations

- **Accident and incident reports** (Annex 13)
- **Limitations on the use of occurrence reports** - JOINT POLICY STATEMENT OF THE AUSTRALIAN TRANSPORT SAFETY BUREAU AND CIVIL AVIATION SAFETY AUTHORITY
<https://www.casa.gov.au/rules-and-regulations/standard-page/safety-information-policy-statement>

Protection of mandatory defect reports made under the Civil Aviation Regulations - Civil Aviation Advisory Publication, *Defect Reports* (CAAP 51-1(2), November 2012)

CASA will only use or disclose information reported under the defect reporting scheme for purposes consistent with the interests of safety and in accordance with applicable laws.

<https://www.casa.gov.au/files/511pdf>

- **Protection of voluntary reports made under the *Aviation Transport Safety Investigation (Voluntary and Confidential Reporting Scheme) Regulation 2012***
- **Protection of voluntary reports made under the Civil Aviation Act and the Civil Aviation Safety Regulations**
- **Protection of voluntary reporting under operator's Safety Management System (FDAP) – Civil Aviation Orders (CAO) 82.3:2A.3(d) and 82.5:2A.3(d)**
<https://www.legislation.gov.au/Details/F2017C01127/Download>;
<https://www.legislation.gov.au/Details/F2017C01130/Download>
- **Protection of voluntary reports from disclosure under the *Freedom of Information Act 1982* – *Vasta & Anor and Civil Aviation Safety Authority* [2010] AATA 499 <http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/AATA/2010/499.html>**

CASA's Regulatory Philosophy

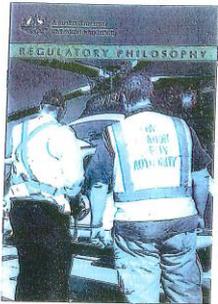
8. CASA embraces and employs rational 'just culture' principles in its regulatory and related actions.

<https://www.casa.gov.au/about-us/standard-page/our-regulatory-philosophy>

DAS Instruction 02/2017 — Limitations on the Use of Safety Information

'In keeping with CASA's Regulatory Philosophy, and the Regulatory Policy and Practice framework within which the Philosophy was developed, this Instruction extends the application of CASA rational approach to 'just culture' to include safety information obtained or derived from sources other than reporting programs of the kind to which 'just culture' protocols normally apply, to cover the full range of information acquired in the normal course of CASA's surveillance and audit processes.'

<https://www.casa.gov.au/files/di-02-2017pdf>



DAS Instruction—02/2017
Limitations on the
Use of Safety Information

Author	Tim
Approved For	Tim
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