

OVER-REGULATION IN AUSTRALIAN GENERAL AVIATION – THE CASE OF COST-SHARING FOR PRIVATE FLIGHT OPERATIONS

The paper concerns the recent overseas developments that have relaxed regulations regarding the cost-sharing of private flights. Private pilots in Europe and the UK can now advertise online and invite anyone who may be interested in joining them to help defray the costs. The costs must be equally split and no profit can be made from the flight.

CASA (Civil Aviation Safety Authority) in Australia has not endorsed the scheme. In fact, it has taken moves to tighten up regulations governing Community Service Flights which have operated under similar arrangements. Under this scheme, passengers requiring flights from regional or rural areas to the city for non-urgent medical attention have their details posted online via a registered charity. Private pilots can volunteer for the flights and generally the charity will pay the costs of fuel and aerservices charges. CASA recently introduced a legislative instrument that limits the type of pilot and aircraft that can be used in these flights. This legislation appears to be the forerunner to further tougher changes under the *Civil Aviation Safety Regulations 1998* (Cth) dealing with approved self-administering aviation organisations.

The essay argues that given the decline in private GA in Australia, what is needed is less regulation not more. The deregulation of private cost-sharing flights in Europe has stimulated the sector without compromising safety. Under the provisions of the *Civil Aviation Act 1988* (Cth) CASA must endeavour to harmonise its legislation with other regulatory agreements that include European Union Aviation Safety Agency.

Tamaris Hoffman

Geoff Masel 2022

