

Good on Tiger Airway's. It certainly was looking bleak there for a while, but the civil aviation accountability framework in Australia ensured DCA had to justify its decision to suspend Tiger's AOC first within 5 days and then 40 days. Compare this with the New Zealand framework. The only accountability is the District Court and that can take well over three years to get there –that's if the company survives with no income but having to pay expenses during this time.

So New Zealand loses the benefits competition brings whereas Australia now has three families of carriers safely competing.

The point being the New Zealand system is not any safer than the Australian regulatory system, but we don't have the benefit of a well thought through framework whose purpose is to ensure safe sustainable operations. In general we think the Civil Aviation Act, now over 20 years old, is a good piece of legislation except in three or four areas:

- The mission statement doesn't make sense and should be aligned to some consideration of "reasonable cost" ie the benefits of change have to outweigh the costs.
- Some increased independent and timely public scrutiny needs to be exercised in respect of decisions of the Director to suspend AOC's or aviation documents, or place conditions on documents
- The penalty provisions need to be aligned with the language of just culture even if they don't refer to just culture
- Increased transparency in respect of public policy decisions needs to be provided for