



DIRECTORATE GENERAL TECHNICAL AIRWORTHINESS
Australian Defence Force

TAR POSITION PAPER 2/2007

PROVIDING ADVICE TO CFU DECISION-MAKERS

Introduction

1. The Carrying Forward of Unserviceabilities (CFUs) is a long-standing, accepted element of the ADF's technical airworthiness framework. It is also long-accepted that CFU decision-makers may seek advice to inform their decisions.
2. The Report of the Sea King BOI made findings relevant to the provision of advice to CFU decision-makers. These findings have created some concern within parts of the ADF maintenance workforce as to the responsibilities and personal liability of people who advise CFU decision-makers.
3. In 2008, DGTA will update the technical airworthiness regulations and guidance to provide clarity on this topic. To reduce existing concerns, there is a need for quicker DGTA direction.

Purpose

4. The purpose of this Position Paper is to provide clarity on who can advise CFU decision-makers and the types of advice that they can provide. It aims to explain a long-standing and enduring technical airworthiness principle, which is commonly known and understood, but which, until now, has never been explicitly documented.
5. This Position Paper will not discuss the broad range of CFU management matters already covered in AAP 7001.053 and AAP 7001.059.

Providing CFU advice

CFU decision-makers

6. Before discussing the advice provided to CFU decision-makers, it is useful to understand part of the process in which the SMM, or maintenance staff authorised by the SMM, may approve CFUs. These staff are authorised to approve a CFU because they are considered, inter alia, competent to judge:
 - a. when they need advice;
 - b. what type of advice they need and from whom they should source that advice;
 - c. what advice is useful and what is not;
 - d. when they are required to seek direction from the AEO,

- e. the relative weighting of differing or conflicting advice,
- f. the technical, operational and personnel safety consequences of their decision, and
- g. when they are not competent to make the CFU decision (and thus the need to defer the decision to another authorised CFU decision-maker).

Seeking CFU advice

7. Authorised CFU decision-makers may seek advice to inform their decision. They may seek advice from anyone they consider able to add value to the decision. Importantly, **there is no concept of people needing to be authorised before they are able to provide advice to CFU decision-makers.**

8. What are the types of technical advice that would be useful to a CFU decision-maker? They include risk-relevant advice on the:

- a. consequences of failure or partial performance of the relevant system;
- b. likelihood of failure or partial performance of relevant system;
- c. appropriate period of the CFU;
- d. evaluated level of risk in approving the CFU;
- e. potential risk treatments to reduce residual risk; and
- f. impact of the CFU on the capability of the aircraft (including mission effectiveness).

9. CFU decision-makers may also seek:

- a. technical data to inform their decision, including component performance and reliability data; and
- b. to have another person comment on their thought processes, without requiring specific information or other advice from that person.

What advice is not relevant to CFU decision-makers?

10. Seeking advice on serviceability criteria, or the criteria's application to a component, is not relevant to a CFU decision-maker. The CFU process may only begin when a component is determined to be unserviceable. Any uncertainty about serviceability must be removed before the CFU process can begin. This can be confusing when the same person decides serviceability criteria and then initiates and approves a CFU. Nevertheless, the two processes are conceptually separate.

11. For the regulatory position on providing advice to those deciding serviceability criteria, refer to TAR Position Paper 1/2007.

Seeking advice is not transferring decision-making

12. An authorised CFU decision-maker who seeks advice is not transferring the decision to the person providing the advice. The person asked to provide advice will never have complete understanding of all the relevant considerations. In many situations he or she will be geographically distant and cannot see the unserviceable component or even photographs/diagrams of it. The extent to which good advice can be provided depends largely on the information provided, and the questions asked by the decision-maker. Therefore people asked to provide advice should do so to the best of their ability, without fear of them becoming liable for the overall integrity of the final decision.

Conclusion

13. As described in this Position Paper, any person can provide advice to CFU decision-makers. They may do so without needing to be authorised to provide that advice. If their advice is sought, they should provide it without fear that they have assumed responsibility for the final CFU decision.

14. During 2008, the content of this Position Paper will be published in the AAP 7001.053 after issue of a Notice of Proposed Rule Making and consideration of the responses. In the interim, if there is a need to clarify or amplify parts of this TAR Position Paper, revisions will be issued.



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4 Dec 07