



DRUG AND ALCOHOL MANAGEMENT PLAN

**Effective
1 April 2017**

This DAMP has been developed to meet the requirements of
Civil Aviation Safety Regulations 1998 (CASR) Part 99B

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AMENDMENT RECORD

Amendment No.	Date	Amendment Details	Approved by
1	09/08/12	Whole document	Aviation Operations Manager
2	01/03/17	Whole document	General Manager Aviation

DISTRIBUTION

An electronic copy of the Moorabbin Airport Corporation DAMP is available on the Moorabbin Airport Corporation website www.moorabbinairport.com.au.

GLOSSARY

AOD.....	Alcohol and other drugs
CASA.....	Civil Aviation Safety Authority
DAMP.....	Drug and Alcohol Management Plan
MRO.....	Medical Review Officer
CASR Part 99B.....	Part 99B of the <i>Civil Aviation Safety Regulations 1998</i>
SSAA.....	Safety-sensitive aviation activity

1. GENERAL

1.1. INTRODUCTION

Moorabbin Airport Corporation (**MAC**) is required by Part 99B of the *Civil Aviation Safety Regulations 1998 (CASR)* to develop a Drug and Alcohol Management Plan (**DAMP**), covering employees who perform, or are available to perform, a 'safety-sensitive aviation activity' (**SSAA**).

The aim of a DAMP is to minimise the risk of accident, incident or injury in the workplace due to the consumption of alcohol and other drugs (**AOD**).

This document sets out how MAC implements its DAMP. It is an important document that all employees should be familiar with.

1.2. MOORABBIN AIRPORT CORPORATION (MAC) POLICY ON AOD USE

MAC has a duty to provide a safe workplace for all employees. The health and welfare of all staff is the prime consideration in developing this policy.

Problematic AOD use can create many difficulties in the workplace including: compromised workplace safety; accidents and workers' compensation claims; absenteeism; and problems with employee commitment and morale, including declines in individual performance.

The aim of this policy is to reinforce MAC's commitment to safety, by ensuring that all employees understand what their individual responsibilities are when it comes to AOD use in the workplace.

If you take prescription drugs (e.g. antibiotics, painkillers or anti-inflammatory medication) it is your responsibility to ensure that such use does not adversely affect your ability to perform your role. You must let your immediate supervisor or a responsible manager know if you believe that your ability to perform your role has been adversely affected by AOD use.

Consumption of AOD in the workplace while performing your duties is strictly prohibited. MAC takes a zero tolerance approach to on-the-job AOD use, which will be treated as a disciplinary issue and dealt with under the organisation's Disciplinary Policy.

Occasionally, MAC's Management may approve company sponsored social activities during which alcohol may be responsibly consumed. On such occasions, you are responsible for ensuring you behave appropriately and safely, and show respect for yourself and colleagues.

If you have a drug or alcohol problem that is adversely affecting your performance at work, MAC may assist you in obtaining professional help through the organisation's Employee Assistance Program and will support you through that process. Your immediate supervisor or the HR Manager should be your first point of contact should you require assistance. Such contact will be treated with complete confidentiality.

While MAC shall endeavour to provide support to employees who have a drug or alcohol problem, by offering appropriate guidance and assistance in arranging treatment, all employees will be aware that the responsibility for treatment and rehabilitation rests with the employee themselves.

1.3. DISCIPLINARY ACTION FOLLOWING A POSITIVE TEST RESULT

MAC, on behalf of Goodman, has a responsibility to ensure a safe place to work and the abuse of alcohol and illicit drugs will not be tolerated. No circumstances exist where the use of illicit substances or the abuse of alcohol will be tolerated in the workplace or when otherwise representing the Company.

Employees are responsible for ensuring their own health and safety at work and for avoiding adversely affecting the health and safety of others. Goodman will seek, where possible, to assist employees with drug or alcohol dependency problems. Any employee who voluntarily seeks assistance may consult confidentially with HR who may refer the employee to an independent counsellor. Paid sick leave and/or unpaid leave of absence will be available. Employees are required to report to work in a fit and proper condition and to competently undertake their duties. Reporting to work under the influence of alcohol or drugs, or in an otherwise unfit condition so as to be unable to safely and competently perform work duties is a serious breach of employee obligations.

Where an employee's work performance and/or behaviour indicate possible drug or alcohol abuse, the employee's manager should contact HR. In circumstances where an employee is clearly so affected as not to be able to responsibly undertake his or her duties, a manager has the authority to insist that the employee immediately leave the workplace. The matter should then be reported to HR and a decision can then be made as to whether disciplinary action should apply when the employee resumes normal duties.

Goodman reserves the right to request an employee to attend a medical facility for alcohol or drug dependency evaluation as part of the investigation into possible violations of this policy. Goodman also reserves the right to request an employee to undertake a test for drugs or alcohol.

On occasion, internal and external functions will be held at which alcohol is served. The responsible service of alcohol and consumption of alcoholic beverages at these functions does not constitute a breach of this policy.

Any MAC contractor or consultant who refuses to be tested in accordance with this Program shall be refused entry to MAC workplaces or requested to leave. They may also be denied future access to an MAC workplace until they produce a negative test result.

1.4. KEY CONTACTS

Full contact details (names, email, phone number) are available by contacting Moorabbin Airport Administration at admin@moorabbinairport.com.au.

1.4.1 DAMP Contact Officer

MAC's DAMP Contact Officer details are below:

General Manager Aviation (Primary)

General Manager Commercial and Corporate (Secondary)

1.4.2 DAMP Supervisor

MAC's DAMP Supervisor details are below:

General Manager Commercial and Corporate

Grounds Services Officer – MAC

1.4.3 DAMP Medical Review Officer

MAC's DAMP Medical Review Officer details are below:

Dr Marcus Hirschfield
03 9270 3352
0438 531 921
marcus.l.hirschfield@exxonmobil.com
12 Riverside Quay, Southbank, VIC, 3006

1.5. APPLICATION

Who is covered by this DAMP?

This DAMP applies to all MAC employees who perform, or are available to perform, a SSAA.

These employees include:

- individuals employed directly by MAC
- contractors engaged by MAC
- subcontractors engaged by contractors of MAC
- individuals employed by those contractors and subcontractors
- volunteers of MAC.

In this DAMP, the individuals listed above are all referred to as 'SSAA employees' even though they may not be directly employed by MAC.

The MAC employees to whom this DAMP applies will generally be engaged in the following employment categories:

- Airport Reporting Officer tasks, including provision of aerodrome information (NOTAMs etc.) and coordination of emergency services
- Airport Management activities
- aerodrome maintenance, including certification
- airport security.

MAC SSAA employees are listed on the MAC 'Training Register' stored on the MAC internal filing system.

1.6. CONTENT OF THIS DAMP

This DAMP comprises three key elements:

- Drug and alcohol **education** program (see further section 2).
- Drug and alcohol **testing** program (see further section 3).
- Drug and alcohol **response** program (see further section 4).

1.7. RESPONSIBILITIES UNDER THIS DAMP

1.7.1 Responsibilities of MAC

MAC must:

- make this DAMP available to each SSAA employee before they begin to perform, or become available to perform, a SSAA
- keep records related to the implementation of this DAMP
- not permit a SSAA employee to perform, or be available to perform, a SSAA in any of the following circumstances:
 1. If a DAMP supervisor has reasonable grounds to believe that the employee may be adversely affected by AOD.
 2. If an accident or serious incident has occurred which involved the employee, while he or she is performing or available to perform a SSAA, and either:
 - a. for the period that suitable test conditions exist for conducting AOD tests on the employee – a test has not been conducted; or
 - b. if tests have been conducted – MAC has not been notified of the test results.

3. If a SSAA employee has been required to cease performing, or being available to perform, his or her SSAA duties because of an incident related to AOD – to not permit that SSAA employee to again perform or be available to perform SSAA until all mandatory pre-conditions have been met.

1.7.2 Responsibilities of SSAA employees of MAC

SSAA employees of MAC:

- must not perform, or be available to perform, a SSAA if adversely affected by AOD, until they are no longer adversely affected
- are subject to AOD testing under this DAMP while performing, or being available to perform, a SSAA for MAC
- will be required to provide a body sample if they are to be tested for AOD by MAC or by CASA for the purposes of conducting such tests
- must immediately cease performing, or being available to perform, a SSAA if he or she:
 - returns a positive result for an AOD test
 - fails to comply with a request by an approved tester to provide a body sample for CASA AOD testing
 - fails to comply with a request to provide a body sample for MAC's AOD testing under this DAMP; or
 - interferes with a body sample they provide for AOD testing by CASA or MAC.
- if required to cease performing, or being available to perform, SSAAs because of an incident related to AOD use – must not again perform or be available to perform SSAA until all mandatory pre-conditions have been met; and
- are encouraged to disclose to MAC if they have consumed a level of alcohol, or have taken any drug, that may adversely affect their ability to carry out a SSAA.

1.7.3 Responsibilities of DAMP supervisors

DAMP supervisors have been trained on how to form an opinion as to whether an organisation's employee may be adversely affected by AOD and are authorised by MAC to form such an opinion in appropriate cases.

2. DRUG AND ALCOHOL EDUCATION PROGRAM

2.1. OVERVIEW

MAC will ensure that:

- all SSAA employees complete MAC's drug and alcohol education program when they first join the organisation and before they perform, or are available to perform, a SSAA
- all DAMP supervisors complete DAMP supervisor training before performing this duty.

MAC will also provide refresher drug and alcohol education to all SSAA employees and DAMP supervisors at an interval of no longer than 30 months since completion of the prior drug and alcohol education program.

2.2. MANDATORY COMPONENTS OF THE EDUCATION PROGRAM

MAC's drug and alcohol education program contains the following components:

- For SSAA employees — awareness of:
 - the organisation's policy on AOD use
 - AOD testing in the workplace
 - support and assistance services for people who engage in problematic AOD use
 - information about the potential risks to aviation safety from problematic AOD use.
- Additionally for DAMP supervisors – education and training to identify and manage employees who engage in problematic AOD use.

2.3. MAC'S DRUG AND ALCOHOL EDUCATION PROGRAM

2.3.1 Content and Delivery

MAC's drug and alcohol education program includes the components listed in Section 2.2 above. MAC utilises a two-phased approach to training SSAA employees:

CASA AOD e-learning modules (www.casa.gov.au):

- Alcohol and other drugs - managing the risk for SSAA employees
- Alcohol and other drugs - DAMP supervisors.

All SSAA employees undertake this training at a minimum of once every 30 months.

In addition, MAC presents DAMP refresher training annually to all SSAA employees. DAMP refresher training presentations will be stored on the MAC internal filing system.

2.3.2 Procedures for Identifying SSAA Employees

SSAA employees at MAC include all Airport Reporting Officers and applicable contractors and their sub-contractors.

Before commencing work in a SSAA, employees are required to undertake DAMP training. Representatives from both the MAC Administration office and from the Grounds Services Officer teams have been nominated as DAMP Supervisors.

Records of drug and alcohol training are maintained at on the MAC Training Matrix located on MAC internal filing system.

3. DRUG AND ALCOHOL TESTING PROGRAM

3.1. SUBSTANCES THAT WILL BE INCLUDED IN TESTING

MAC will test for the following substances:

1. Alcohol
2. Opiates
3. Cannabinoids
4. Cocaine
5. Amphetamines

3.2. HOW WILL TESTING BE CONDUCTED?

AOD testing under this DAMP will be conducted as follows:

- breath testing for alcohol — using a device that meets either of the following standards:
 - Standard AS 3547, breath alcohol testing devices for personal use
 - Standard NMI R 126, Pattern Approval Specifications for Evidential Breath Analysers
- oral fluid testing for drugs — in accordance with standard AS 4760 – ‘Procedures for specimen collection and the detection and quantitation of drugs in oral fluid’.
- for urine testing for drugs — in accordance with standard AS/NZS 4308– ‘Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine’.

3.3. WHEN WILL TESTING BE CONDUCTED?

AOD testing of all SSAA employees under this DAMP will be conducted in the four following circumstances.

3.3.1 When first joining MAC

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An employee will be AOD tested when they first join MAC, if they will be working as a 'regular SSAA employee' (see Attachment A for definition), or when the role of an existing employee is to change to that of a 'regular SSAA employee', unless:

- the employee has been AOD tested less than 90 days before the employee is required to begin performing or being available to perform a SSAA; and
- the test results were not positive.

3.3.2 After an accident or serious injury

A SSAA employee will be tested after an 'accident' or 'serious incident' that occurs whilst they are performing, or available to perform, a SSAA, provided that 'suitable test conditions' exist.

Suitable test conditions exist where, after an accident or serious incident, testing can be conducted:

- within 32 hours of the accident or incident for drug testing
- within 8 hours of the accident or incident for alcohol testing; and
- it is practicable to conduct a test.

3.3.3 DAMP Supervisor – reasonable grounds

A SSAA employee will be tested if a DAMP supervisor has 'reasonable grounds' to believe the SSAA employee may be adversely affected by AOD while performing, or being available to perform, a SSAA.

3.3.4 On return to work following a suspension event

A SSAA employee will be tested if they are returning to work after a period during which that employee was not permitted to perform, or be available to perform a SSAA, because:

- the employee has recorded a positive result for a confirmatory drug test or a confirmatory alcohol test conducted under MAC's DAMP or as a result of CASA testing and a DAMP MRO has not determined that the result could be the result of legitimate therapeutic treatment or some other innocuous source.
- If the organisation is aware that a SSAA employee, after having been required to take a drug or alcohol test:
 - refused to take the test; or
 - interfered with the integrity of the test.

Note: in addition to the AOD testing conducted by or on behalf of MAC under this program, SSAA employees may also be subject to random AOD testing by CASA under CASR Part 99C.

3.4. WHO WILL CONDUCT THE TESTING?

JK ProCare Systems are NATA accredited and conduct drug and alcohol testing under MAC's testing program. JK ProCare's details are below:

JK ProCare Systems
 PO Box 1168 Carlton VIC 3053
 Freecall: 1800 708 339
 Phone: 03 9328 1985
 Email: info@jkprocaresystems.com.au

3.5. REQUIREMENTS RELATING TO DAMP MEDICAL REVIEW OFFICER

MAC must consult a DAMP MRO in any of the following three circumstances:

1. If a drug test conducted under the DAMP returns a confirmatory drug test result for a SSAA employee of the organisation that is a positive result – to determine if the presence and level of a testable drug detected by the test could be a result of legitimate therapeutic treatment or some other innocuous source (e.g. pain relief medication containing codeine).
2. To review medical information concerning a person's failure to give a body sample for drug or alcohol testing because of a medical condition.
3. To determine if the employee is fit to resume performing or being able to perform a SSAA.

4. DRUG AND ALCOHOL RESPONSE PROGRAM

4.1. CIRCUMSTANCES WHEN AN EMPLOYEE MUST CEASE SSAA

MAC will not permit a SSAA employee to perform, or be available to perform, a SSAA in any of the following circumstances:

1. Where MAC is aware that a positive result from an initial AOD test has been recorded and the employee has not, in respect of that test result, recorded a negative test result for a confirmatory drug test.
2. Where MAC is aware that:
 - a positive result for a confirmatory drug test has been recorded for the employee; and
 - a DAMP MRO has not determined that the result recorded could be because of legitimate therapeutic treatment or some other innocuous source; and
 - mandatory preconditions for return to work have not been met.
3. Where MAC is aware that:

- a positive result for a confirmatory drug test has been recorded for the employee; and
 - a CASA MRO has not determined that the result recorded could be as a result of legitimate therapeutic treatment or some other innocuous source; and
 - mandatory preconditions for return to work have not been met.
4. Where MAC is aware that:
- the SSAA employee subject to AOD testing has refused to take the test; or
 - the SSAA employee subject to AOD testing has interfered with the integrity of the test.
5. If a DAMP supervisor suspects the SSAA employee's faculties may be impaired due to that person being under the influence of AOD.
6. If an accident or serious incident has occurred involving the SSAA employee while he or she is performing, or being available to perform, a SSAA and either:
- for the period that suitable test conditions exist for conducting AOD tests on the employee — a test has not been conducted; or
 - if tests have been conducted under suitable test conditions — MAC has not been notified of the test results.

4.2. RETURNING TO SAFETY SENSITIVE AVIATION ACTIVITIES

Where MAC has not permitted a SSAA employee to perform, or be available to perform, an SSAA as a result of an AOD related suspension event, MAC will only permit the employee to again begin performing or being available to perform a SSAA in the following circumstances:

1. The employee has undergone a comprehensive assessment for AOD use; and
2. If the comprehensive assessment recommended that the employee commence an AOD intervention program — the employee has begun participating in the nominated program; and
3. The employee is considered fit to resume performing, or being available to perform, a SSAA by:
 - a DAMP MRO; and
 - the employee's treating clinician (if any).
4. If the suspension event related to a drug test — at the time the employee was considered fit to resume performing SSAA activities, the employee receives a confirmatory drug test and records, for the test, a result that:
 - was not a positive result; and
 - a DAMP MRO is satisfied the test indicates the absence of testable drug use.

Time off to attend a nominated intervention program

MAC will permit a SSAA employee time to attend a nominated AOD intervention program, if:

1. a DAMP MRO has advised MAC that the employee should attend the program; and
2. the employee is returning to work after a period during which the employee was not permitted to perform or be available to perform a SSAA because of a positive AOD test result.

5. PROCEDURAL REVIEWS

To initiate a grievance, MAC and Goodman employees should advise their immediate manager or HR. If the individual is not comfortable raising the matter with their manager, it can be raised with the Group General Counsel or HR. Where a manager receives a formal (ie in writing) grievance the respective HR function must be advised immediately.

The subject of the complaint or allegation has a right to be informed to allow adequate preparation. An investigation will be conducted by an impartial employee and will include discussions with the complainant, the subject of complaint and any witnesses involved. Upon consideration of all the facts of the alleged complaint, a determination will be made whether the allegation is substantiated.

If an investigation establishes that serious misconduct or a violation of a workplace policy (such as the Code of Conduct) has occurred then appropriate disciplinary action up to and including termination of employment may result. Victimisation of an individual who makes a complaint is a serious breach of the Code of Conduct and will result in disciplinary action which may include termination of employment.

6. PRIVACY

The Privacy Act 1988 may apply to information gathered under this DAMP and information held in relation to the outcomes of AOD testing, whether conducted under MAC or by CASA.

MAC's DAMP is consistent with the requirements of the Privacy Act 1988 and MAC information collected under the DAMP.

7. DAMP REVIEW, AUDIT AND COMPLIANCE

MAC will review this DAMP at regular intervals of at least once every 5 years, or as directed by CASA, in order to ensure its continued compliance with the requirements of CASR Part 99B.

To ensure the appropriate development, implementation and enforcement of MAC's DAMP, CASA may audit MAC and require it to provide relevant documentation.

8. DAMP REPORTING AND RECORD KEEPING

Under [CASA EX 39/15](#), an exemption released in February 2015, DAMP organisations are no longer required to report information to CASA twice a year. See record keeping below for conditions of the exemption.

However, MAC will notify CASA of the details of the current DAMP contact officer.

Additionally, where requested to do so MAC will supply information about the identity of a SSAA employee to a CASA approved tester within one hour of such a request being made.

Record Keeping

MAC is required to keep the records of the information detailed in 99.100 as if it had provided the information to CASA. The information to be recorded relates to:

- drug and alcohol testing
- drug and alcohol education
- drug and alcohol response
- the number and type of SSAA employees engaged

MAC will keep all records pertaining to this DAMP for a period of 5 years.

This information will be kept in a secure location:

- dates of testing will be kept on the MAC database
- test results will be sent securely to Goodman Human Resources (HR), who are responsible for HR matters related to MAC staff, and stored securely.

Within 6 months of the expiry of the 5-year record keeping period, MAC will ensure such records are destroyed or deleted.

9. VARIATIONS

CASA may require MAC to make specific changes to this DAMP, or to prepare a new DAMP at any time to ensure ongoing compliance with CASR Part 99B.

MAC may implement variations or amendments to this DAMP from time to time and, where relevant, will provide written notice to its employees setting out these changes.

MAC may implement variations or amendments to this DAMP at any time. If these changes have not been directed by CASA, 3 month's written notice will be given to employees to that effect.

Unless otherwise determined, such variations or amendments shall have the same force and effect as if included in this DAMP, from the time at which the 3 months' notice expires.

10. DOCUMENTS AND RECORDS

MAC's Training Matrix which is a record of who has completed DAMP education is located on the Moorabbin Airport internal filing system.

Drug and alcohol testing results are held by JK ProCare who can be contacted at:

JK ProCare Systems

PO Box 1168 Carlton VIC 3053

Freecall: 1800 708 339

Phone: 03 9328 1985

Email: info@jkprocaresystems.com.au

11. ATTACHMENT A - DEFINITIONS

Part 99 of the *Civil Aviation Safety Regulations 1998* sets out legal definitions for various terms used in that Part ([see reg. 99.010](#)). The definitions of key terms relevant to in this DAMP are reproduced below.

"accident" means an occurrence that arises out of a person performing or being available to perform an applicable SSAA if either or both of the following applies:

- (a) the occurrence results in the death of, or serious harm to, a person;
 - (b) the occurrence results in serious damage to an aircraft or property.
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"aerodrome testing area" means:

(a) any surface in a certified aerodrome or a registered aerodrome over which an aircraft is able to be moved while in contact with the surface of the aerodrome, including any parking areas; and

(b) any part of the surface of a certified aerodrome or registered aerodrome:

- (i) that is not covered by paragraph (a); and
- (ii) that does not have a building on it; and

(iii) from which access to a surface mentioned in paragraph (a) may be had;

and

(c) a building located on a certified aerodrome or registered aerodrome that is used:

- (i) for maintenance of an aircraft or an aeronautical product; or
- (ii) for the manufacture of aircraft or aeronautical products; or
- (iii) by an air traffic service provider to control air traffic; or
- (iv) by the holder of an AOC for flying training; and

(d) any part of an aircraft, aerobridge or other moveable structure in a certified aerodrome or a registered aerodrome.

"appropriately qualified alcohol and other drug professional" means a person who:

and (a) materially works as a provider of clinical drug and alcohol treatment services;

and (b) holds a bachelor degree, or postgraduate degree, in at least 1 of the following fields:

- (i) health sciences;
- (ii) medical science;
- (iii) social sciences;
- (iv) behavioural sciences.

"approved breathalyser" means a breathalyser approved by CASA under paragraph 99.130 (a) for alcohol testing. Note: definition is related to Part 99 Subpart C only

"approved drug testing device" means a device approved by CASA under paragraph 99.130 (b) for testing for testable drugs. Note: definition is related to Part 99 Subpart C only

"approved laboratory" means a person authorised under subregulation 99.450 (3) to conduct confirmatory drug tests for Subpart 99.C. Note: definition is related to Part 99 Subpart C only

"approved person" , in relation to an approved laboratory, means a person who is authorised under the laboratory's National Association of Testing Authorities accreditation to declare the results of drug tests conducted by that laboratory. Note: definition is related to Part 99 Subpart C only

"approved tester" means a person who is authorised to:

and (a) take body samples for drug or alcohol tests under subregulation 99.450 (1);

(b) conduct initial drug tests or alcohol tests under subregulation 99.450 (2).

Note: definition is related to Part 99 Subpart C only

"CASA medical review officer" means a medical practitioner who for drug and alcohol testing under Subpart 99.C, and for Subparts 99.E and 99.H has:

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(a) been appointed by CASA under subregulation 99.390 (1) for the purposes of Subpart 99.C; and

(b) training and competence in the field of interpreting drug and alcohol test results; and

(c) knowledge of substance use disorders; and

(d) knowledge of the contents of this Part.

"comprehensive assessment", in relation to a person's drug or alcohol use, means an examination of the person's physiological and psychosocial indicators carried out:

(a) by a psychiatrist; or

(b) by a medical practitioner who is a Fellow of the Australasian Chapter of Addiction Medicine; or

(c) jointly by:

(i) a person entitled to practice as a medical practitioner under a law of a State or Territory; and

(ii) an appropriately qualified drug and alcohol professional.

"confirmatory alcohol test" means an alcohol test given in respect of an initial alcohol test to determine the presence and level of alcohol in a body sample.

Note: See paragraph (b) of the definition of drug or alcohol test in subsection 33 (1) of the Act.

"confirmatory drug test" means a drug test given in respect of an initial drug test to determine the presence and level of a testable drug in a body sample.

Note: See paragraph (b) of the definition of drug or alcohol test in subsection 33 (1) of the Act.

"DAMP or drug and alcohol management plan" means a drug and alcohol management plan that complies, or purports to comply, with the requirements of regulation 99.045.

"DAMP contact officer", in relation to a DAMP organisation, means a person appointed by the DAMP organisation to liaise with CASA in relation to the organisation's responsibilities under this Part.

"DAMP contractor" means a person, or the employee of a person, who is:

- (a) a party to an ongoing written or ongoing oral contract with a DAMP organisation; or
- (b) a DAMP subcontractor to an ongoing written or ongoing oral contract with a DAMP organisation.

"DAMP medical review officer" means a medical practitioner who for drug or alcohol testing under a DAMP has:

- (a) competence in the field of interpreting drug and alcohol test results; and
- (b) knowledge of substance use disorders; and
- (c) knowledge of the contents of this Part.

"DAMP organisation" means a person that is required to have a DAMP under subregulation 99.030 (1).

"DAMP reporting period", for a DAMP organisation, means the period of 6 months immediately before each:

- (a) 1 March; and
- (b) 1 September.

"DAMP subcontractor", means a person who is a party to:

- (a) an ongoing written or oral contract with a DAMP contractor within the meaning of paragraph (a) of the definition of **DAMP contractor**; or
- (b) an ongoing written or oral contract with another DAMP subcontractor (under a previous application of this definition).

"DAMP supervisor", in relation to a DAMP organisation, means a person who:

- (a) has had relevant training to form an opinion as to whether a person may be adversely affected by a testable drug or under the influence of alcohol; and

(b) is authorised by the organisation to do so for the purposes of paragraph 99.050 (2)(c).

"donor" means a person who is asked to give, or has given, a body sample to an approved tester.

"drug and alcohol education program", for a DAMP organisation, means a program that includes the following components:

- (a) for SSAA employees--awareness of:
 - (i) the organisation's policy on drug and alcohol use; and
 - (ii) drug and alcohol testing in the workplace; and
 - (iii) support and assistance services for people who engage in problematic use of drugs and alcohol; and
 - (iv) information about the potential risks to aviation safety from problematic use of drugs and alcohol;
 - (b) for DAMP supervisors--education and training to manage people who engage in problematic use of drugs or alcohol.
-

"drug or alcohol intervention program", in relation to a person who has a drug or alcohol problem, means a program that includes any of the following measures for that problem:

- (a) assessment;
 - (b) treatment, including any of the following:
 - (i) education;
 - (ii) counselling;
 - (iii) consultation with health care professionals;
 - (iv) pharmacotherapy;
 - (v) residential or non-residential treatment programs;
 - (c) monitoring and follow-up action.
-

"employee" , in relation to a DAMP organisation, includes a DAMP contractor of the DAMP organisation.

"foreign operator" means:

- (a) the holder of a foreign aircraft AOC; or
 - (b) the operator of an aircraft operating in Australia in accordance with a permission granted by CASA under section 26 of the Act; or
 - (c) the operator of an aircraft operating under a permission granted under section 27A of the Act; or
 - (d) the holder of a New Zealand AOC with ANZA privileges; or
 - (e) the operator of an aircraft that is operating in Australia in accordance with section 14 of the *Air Navigation Act 1920* .
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"initial alcohol test" means an alcohol test to determine the presence of alcohol in a body sample.

Note: See paragraph (a) of the definition of drug or alcohol test in subsection 33 (1) of the Act.

"initial drug test" means a drug test to determine the presence of a testable drug in a body sample.

Note: See paragraph (a) of the definition of drug or alcohol test in subsection 33 (1) of the Act.

"nominated drug or alcohol intervention program" , in relation to a person who has undergone a comprehensive assessment, " means a drug or alcohol intervention program considered suitable for the person by:

- (a) if the person is an employee of a DAMP organisation--a DAMP medical review officer; or
 - (b) in any other case--a CASA medical review officer.
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"passenger," in relation to an aircraft, means a person:

- (a) who:

(i) intends to travel on a particular flight on the aircraft that has not as yet boarded; or

(ii) is on board the aircraft for a flight; or

(iii) has disembarked from the aircraft following a flight; and

(b) who is not a member of the crew of the aircraft.

"passport" means an Australian passport within the meaning of the *Australian Passports Act 2005*, or a passport issued by the Government of a country other than Australia.

"permitted level" means:

(a) for a testable drug--a level of the drug specified in subregulation (2A) for the purposes of this paragraph; and

(b) for alcohol--a level of alcohol of less than 0.02 grams of alcohol in 210 litres of breath.

"positive result" means the following:

(a) for an initial drug test--a test result within the meaning of paragraph (a) of the definition of positive test result in subsection 33 (1) of the Act;

(b) for a confirmatory drug test--a test result within the meaning of paragraph (b) of the definition of positive test result in subsection 33 (1) of the Act;

(c) for an initial alcohol test--a test result within the meaning of paragraph (a) of the definition of positive test result in subsection 33 (1) of the Act;

(d) for a confirmatory alcohol test--a test result within the meaning of paragraph (b) of the definition of positive test result in subsection 33 (1) of the Act.

"regular SSAA employee" means a SSAA employee who is reasonably likely to perform an applicable SSAA at least 2 or more times every 90 days.

"relevant Standard" means:

(a) AS 3547, *Breath alcohol testing devices for personal use*; and

(b) NMI R 126, *Pattern Approval Specifications for Evidential Breath Analysers*;

and

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(c) AS 4760, *Procedures for specimen collection and the detection and quantitation of drugs in oral fluid*; and

(d) AS/NZS 4308, *Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine*.

"sample identifier" means a number allocated to a body sample using the method specified in a legislative instrument made by CASA under regulation 99.150.

"screening officer" has the meaning given in the *Aviation Transport Security Act 2004*.

"serious incident" means an occurrence that arises out of a person performing or being available to perform an applicable SSAA if either or both of the following applies:

- (a) the occurrence gives rise to a danger of death or serious harm to a person;
- (b) the occurrence gives rise to a danger of serious damage to an aircraft or property.

"SSAA" means a safety-sensitive aviation activity.

The specified SSAAs are (*extract from CASR 1998, Part 99.015*)

- (a) any activity undertaken by a person, other than as a passenger, in an aerodrome testing area; and
- (b) calculation of the position of freight, baggage, passengers and fuel on aircraft; and
- (c) the manufacture or maintenance of any of the following:
 - (i) aircraft;
 - (ii) aeronautical products;
 - (iii) aviation radionavigation products;
 - (iv) aviation telecommunication products; and
- (d) the certification of maintenance of a kind mentioned in paragraph (c); and
 - (da) the issuing of a certificate of release to service for an aircraft or aeronautical product in relation to maintenance carried out on the aircraft or aeronautical product; and
- (e) the fuelling and maintenance of vehicles that will be used to fuel aircraft on aerodrome testing areas; and
- (f) activities undertaken by an airport security guard or a screening officer in the course of the person's duties as a guard or officer; and
- (g) activities undertaken by a member of the crew of an aircraft in the course of the person's duties as a crew member; and
- (h) the loading and unloading of trolleys containing baggage for loading onto aircraft and the driving of such trolleys; and
- (i) activities undertaken by a holder of an air traffic controller licence in the course of the person's duties as a controller; and
- (j) activities undertaken by the supervisor of a holder of an air traffic controller licence in the course of the person's duties as such a supervisor; and
- (k) providing flight information and search and rescue alert services:
 - (i) to a pilot or operator of an aircraft immediately before the flight of the aircraft; or
 - (ii) to a pilot or operator of an aircraft, during the flight of the aircraft; or

- (iii) as an intermediary for communications between a pilot or operator of the aircraft, and an air traffic controller; and
 - (l) providing aviation fire fighting services.
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"SSAA employee", in relation to a DAMP organisation, means an employee of the DAMP organisation who performs or is available to perform an applicable SSAA.

"substantial compliance", in relation to a drug or alcohol test, has the meaning given in subregulation 99.020 (2).

"suitable test conditions" has the meaning given by subregulation (3).

(3) **Suitable test conditions** means conditions that exist after an accident or serious incident if:

- (a) testing can be conducted within:
 - (i) for drug testing--32 hours after the accident or incident occurred; and
 - (ii) for alcohol testing--8 hours after the accident or incident occurred; and
 - (b) it is practicable to conduct a test.
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