



WINTON AERODROME DRUG AND ALCOHOL MANAGEMENT PLAN

This DAMP has been developed to meet the requirements of
Civil Aviation Safety Regulations 1998 (CASR) Part 99B
and
Winton Shire Council's Drug and Alcohol Policy

Winton Shire Council

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DAMP Amendment Record

Amendment No.	Date	Amendment Details	Approved by
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Distribution List

Copy No.	Holder/Location
01	Airport Manager
02	Reporting Officer
03	Chief Executive Officer
04	Airport Caretaker
05	QAS
06	QFES
07	QPS
08	CASA
09	DAMP Supervisor

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

Part 99 Definitions

Part 99 of the *Civil Aviation Safety Regulations 1998* contains legal definitions for certain terms used in Part 99. These definitions are reproduced in [Attachment A](#) of this document.

Authorisation

This Drug and Alcohol Management Plan (DAMP) is issued with the authority of the Chief Executive Officer, Winton Shire Council. It is implemented by the Airport Manager, pursuant to the Civil Aviation Safety Regulation, Part 99.010.

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Ricki Bruhn
Chief Executive Officer
Winton Shire Council

1 GENERAL

1.1 Introduction

Winton Shire Council 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 *Winton Shire Council* implements its DAMP. It is an important document that all employees should be familiar with.

Note: SSAA is defined in section 33 (1) of the *Civil Aviation Act 1988* as 'activities that impact directly or indirectly on the safety of civil air operations in Australian territory; or the operation of Australian aircraft outside Australian territory'.

The specific categories of Winton Shire Council employees to which this DAMP applies are set out in section 1.5 – 'Application' – below.

1.2 Winton Shire Council Policy on AOD Use

Refer to the Winton Shire Council Drug and Alcohol Policy available at <http://www.winton.qld.gov.au/documents/41236933/41476977/2019-2020%20Drug%20and%20Alcohol%20Policy.pdf>

1.3 Disciplinary Action following a Positive Test Result

Refer to the Winton Shire Council Drug and Alcohol Policy available at <http://www.winton.qld.gov.au/documents/41236933/41476977/2019-2020%20Drug%20and%20Alcohol%20Policy.pdf>

1.4 Key Contacts

1.4.1 DAMP contact officer

Winton Shire Council has appointed the following DAMP contact officer. They will be the primary liaison point for CASA in relation to the responsibilities of Winton Shire Council

Phil Krisanski
Airport Manager

Phone: 07 46572666
Mobile: 0417 036 370
Email: dow@winton.qld.gov.au

1.4.2 DAMP Supervisor

Winton Shire Council has appointed the following key personnel as DAMP supervisor. DAMP supervisors have 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.

Chris Wickham
Workplace Health and Safety Officer

Phone: 07 46572666
Mobile: 0428 203 341
Email: chrisw@winton.qld.gov.au

1.4.3 DAMP Medical Review Officer

If a Medical Review Officer is required, they will be sourced from the Australasian Medical Review Officers Association (AMROA)

1.5 Application

Who is covered by this DAMP?

This DAMP applies to all Winton Shire Council employees who perform, or are available to perform, a SSAA.

These employees include:

- individuals employed directly by Winton Shire Council
- contractors engaged by Winton Shire Council
- subcontractors engaged by contractors of Winton Shire Council
- individuals employed by those contractors and subcontractors
- volunteers of Winton Shire Council.

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

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

- Aviation Security Identification Card holders
- Volunteers of Winton Aerodrome
- Persons employed directly by Winton Shire Council to undertake work at Winton Aerodrome
- Contractors engaged by Winton Shire Council
- Subcontractors engaged by contractors of Winton Aerodrome
- Persons employed by those contractors and subcontractors

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 Winton Shire Council

Winton Shire Council 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 – *Winton Shire Council* 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 Winton Shire Council

SSAA employees of Winton Shire Council:

- 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 Winton Shire Council
- will be required to provide a body sample if they are to be tested for AOD by Winton Shire Council 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 Winton Shire Council AOD testing under this DAMP; or

- interferes with a body sample they provide for AOD testing by CASA or Winton Shire Council.
- if required to cease performing, or being available to perform, SSAs 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 Winton Shire Council 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 Winton Shire Council to form such an opinion in appropriate cases.

2 Drug and alcohol education program

2.1 Overview

Winton Shire Council will ensure that:

- all SSAA employees complete Winton Shire Council'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.

Winton Shire Council 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

Winton Shire Council'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 Winton Shire Council Drug and Alcohol Education Program

SSAA employees are primarily educated through the Winton Shire Council induction program. Topics covered in the induction training include:

- Winton Aerodrome policy on drugs and alcohol use
- Drug and alcohol testing in the workplace
- Support and assistance services for people who engage in problematic use of drugs and alcohol
- Information about the potential risks to aviation safety from problematic use of drugs and alcohol
- How to access the Winton Aerodrome Drug and Alcohol Management Plan

Further training on drug and alcohol management, including e-Learning modules, can be found on the CASA website, www.casa.gov.au.

3 Drug and Alcohol Testing Program

3.1 Substances That Will be Included in Testing

Winton Shire Council will test for the following substances:

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

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
- Standard NMI R 126, Pattern Approval Specifications for Evidential Breath Analysers
- oral fluid testing for drugs — in accordance with standard AS/NZS 4760 – ‘Procedures for specimen collection and the detection and quantitation of drugs in oral fluid’.

Any devices used in drug or alcohol testing under this DAMP must be used in a way that is not inconsistent with the instructions of the manufacturer of those devices.

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 Winton Shire Council

An employee will be AOD tested when they first join Winton Shire Council, 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 Incident

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.

Note: the terms 'accident' and 'serious incident' are given legal definitions in CASR Part 99B. These definitions are reproduced in Attachment A.

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 Winton Shire Council'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 Winton Shire Council 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?

The AOD testing will be conducted by the following persons

Chris Wickham
Workplace Health and Safety Officer

Phone: 07 46572666
Mobile: 0428 203 341
Email: chrisw@winton.qld.gov.au

3.5 Requirements Relating to DAMP Medical Review Officer

Winton Shire Council 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

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

1. Where Winton Shire Council 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 Winton Shire Council 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 Winton Shire Council 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 Winton Shire Council 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 — Winton Shire Council has not been notified of the test results.

4.2 Returning to Safety Sensitive Aviation Activities

Where Winton Shire Council has not permitted a SSAA employee to perform, or be available to perform, an SSAA as a result of an AOD related suspension event, Winton Shire Council 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

Winton Shire Council will permit a SSAA employee time to attend a nominated AOD intervention program, if:

1. A DAMP MRO has advised Winton Shire Council 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.

This time off will be agreed with the SSAA employee's Director and managed in consultation with the Human Resources Officer.

5 Procedural Reviews

In the event that an employee is in dispute, or has a grievance, either with the procedures that have been undertaken, or from any disciplinary action arising from the drug and alcohol program, a review will ordinarily be undertaken. This review will follow Winton Shire Council internal grievance process or any agreed dispute resolution policy.

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 the Winton Shire Council or by CASA.

The Winton Shire Council's DAMP is consistent with the requirements of the *Privacy Act 1988* and Winton Shire Council information collected under the DAMP.

7 Damp Review, Audit and Compliance

Winton Shire Council 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 Winton Shire Council's DAMP, CASA may audit Winton Shire Council and require it to provide relevant documentation.

8 Damp Reporting and Record Keeping

Under exemption [CASA EX 143/17](#), DAMP organisations are no longer required to report information to CASA twice a year. See record keeping below for conditions of the exemption.

However, Winton Shire Council will notify CASA of the details of the current DAMP contact officer.

Additionally, where requested to do so Winton Shire Council 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

Winton Shire Council *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

Winton Shire Council will keep all records pertaining to this DAMP for a period of 5 years.

This information will be kept in a secure location.

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

9 Variations

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

Winton Shire Council 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.

Winton Shire Council 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.

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.

"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:

- a. materially works as a provider of clinical drug and alcohol treatment services; and
- b. holds a bachelor's 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 sub regulation 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:

- a. take body samples for drug or alcohol tests under sub regulation 99.450 (1); and
- b. conduct initial drug tests or alcohol tests under sub regulation 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:

- a. been appointed by CASA under sub regulation 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 sub regulation 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*.

"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.

"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 sub regulation (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*; and
- b. NMI R 126, *Pattern Approval Specifications for Evidential Breath Analysers*; and
- c. AS/NZS 4760, *Procedures for specimen collection and the detection and quantitation of drugs in oral fluid*

"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.

"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 sub regulation 99.020 (2).

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

(3) **Suitable test conditions** mean 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.