

## Civil Aviation Safety Reg 1998-Drug/Alcohol Testing Staff involved in Safety Sensitive Aviation

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**Functional Sub group** Corporate Administration - Governance  
Clinical/ Patient Services - Incident management  
Personnel/Workforce - Occupational Health & Safety  
Personnel/Workforce - Conditions of employment

**Summary** Outlines the key provisions of the Regulations as they relate to drug and alcohol testing of NSW Health staff.

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**Applies to** Area Health Services/Chief Executive Governed Statutory Health Corporation, Board Governed Statutory Health Corporations, Affiliated Health Organisations - Non Declared, Affiliated Health Organisations - Declared, Public Health System Support Division, Community Health Centres, Dental Schools and Clinics, NSW Ambulance Service, Public Hospitals

**Audience** Staff and managers involved in aeromedical & retrieval activities, patient transport

**Distributed to** Public Health System, Community Health Centres, Dental Schools and Clinics, Health Associations Unions, Health Professional Associations and Related Organisations, NSW Ambulance Service, NSW Department of Health, Public Health Units, Public Hospitals, Tertiary Education Institutes

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## CIVIL AVIATION SAFETY REGULATIONS 1998 – DRUG AND ALCOHOL TESTING OF STAFF INVOLVED IN SAFETY-SENSITIVE AVIATION ACTIVITY

The *Civil Aviation Safety Regulations 1998* (the Regulations) were amended with effect on 23 September 2008. The amendment introduced a new Part 99 'Drug and Alcohol Management Plans and Testing'. The Regulations provide for the drug and alcohol testing of personnel involved in safety-sensitive aviation activities (SSAAs).

SSAAs have been specified in regulation 99.015(2) of the Regulations and include:

- Activities undertaken by a member of the crew of an aircraft in the course of the person's duties as a crew member
- The loading and unloading of trolleys containing baggage for loading onto aircraft and the driving of such trolleys
- Providing flight information and search and rescue alert services
  - To a pilot or operator of an aircraft immediately before the flight of the aircraft or
  - To a pilot or operator of an aircraft, during the flight of the aircraft or
  - As an intermediary for communications between a pilot or operator of the aircraft and an air traffic controller.

This definition covers staff working in the NSW public health system who are involved in aeromedical and retrieval activities, both helicopter and fixed wing services, patient transport and airside activities and aeromedical operations centre activities.

Under the Regulations drug and alcohol testing of staff performing, or available to perform, SSAAs can be conducted randomly by the Civil Aviation Safety Authority (CASA) approved testers (see Subpart 99.C of the Regulations).

Staff involved in SSAAs would be required, when requested, to:

- Provide body samples including breath samples to CASA approved testers (regulation 99.125 (2c)) for testing
- Produce identification that contains a photograph of the sample donor and name, date of birth and address, or a valid passport. Identification must be of a kind issued by a Commonwealth, State, Territory or local government body (regulation 99.125 (3)).

Failure to provide a body sample or carry the appropriate identification when undertaking SSAAs is an offence under the Regulations (Division 99.E.2).

The Regulations outline the process for initial testing, further confirmatory testing and providing information to CASA.

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**Title: *Civil Aviation Safety Regulations 1998 – Drug and Alcohol Testing of Staff Involved in Safety-Sensitive Aviation Activity***

Where an initial test sample is positive, it is an offence for that staff member to perform, or make themselves available to perform, SSAAs until the results of confirmatory drug or alcohol tests have been returned to the person.

The complete *Civil Aviation Safety Regulations 1998*, including these provisions is available at <http://www.comlaw.gov.au>.

Chief Executives are required to ensure that this information is communicated to staff undertaking SSAAs in the NSW public health system.

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**Director-General**