# Part 99 template for drug and alcohol management plan

About this template

This document provides a template for a drug and alcohol management plan (a DAMP).

It is for any organisation that is a DAMP operator under Civil Aviation Rule Part 99 (Part 99) and the Civil Aviation Act 2023 (the Act). DAMP operators can choose to use this template but are not required to.

A DAMP may be linked to the organisation’s wider drug and alcohol management programme and its Safety Management System (SMS). But the DAMP should be a clearly identifiable document, so it is easy to show how the requirements of the Act are being met.

Using the template:

* Where there is the text **[** Organisation ABC **]**, or similar, the organisation using the template would insert its own name and delete the brackets.
* Other text in square brackets **[ ]** shows matters that depend on the circumstances of the organisation. Sometimes there is a range of options to consider.
* **X**’s signal a place for numbers (whole or percentages). The AC provides advice.

This page doesn’t form part of the DAMP and can be deleted.

**Section 114 Civil Aviation Act 2023**

**Drug and Alcohol Management Plan (DAMP)**

**Introduction**

This document meets the requirement of [section 114](https://www.legislation.govt.nz/act/public/2023/0010/latest/DLM7095227.html?search=qs_act%40bill%40regulation%40deemedreg_civil+aviation+_resel_25_h&p=1) of the Civil Aviation Act 2023 (the Act) to develop a drug and alcohol management plan (a DAMP).

***Implementation date***

This DAMP has effect from **[**05 April 2027**].**

**Contents of the DAMP**

As required by the Act, this DAMP:

* identifies the safety-sensitive activities [Organisation ABC] does
* provides for random testing of safety-sensitive workers by—
  + specifying the drugs to be tested and standards for permissible levels
  + specifying permissible levels of alcohol
  + setting out procedures for testing, and
  + **[**any other matters**]**
* describes **[**Organisation ABC’s**]** response plan following a non-negative test result, a worker refusing to consent to be tested, or suspected tampering, and
* sets out relevant administrative matters including the keeping of records.

**[Organisation ABC’s]’s Chief Executive is accountable for this DAMP and its application**

As required by rule 99.13 **[**Organisation ABC’s**]**’s Chief Executive is responsible for this DAMP and its application.

**Terms and Acronyms used in this DAMP**

|  |  |
| --- | --- |
| **Term** | **Meaning** |
| **alcohol** | **[**any product that contains ethyl alcohol (ethanol). This includes, but is not limited to beer, wine, pre-mix spirits, other distilled spirits and alcohol found in food and medicinal products. **]**  Although alcohol and drugs are considered separately in this document, to match the language used in the legislation, [Organisation ABC] recognises that alcohol is a type of drug. |
| **DAMP** | this document – [Organisation ABC]’s drug and alcohol management plan prepared as required under section 114 of the Act. |
| **drug**  **(definition based on psychoactive substances in ICAO manual)** | any substance that may impair a person’s ability to undertake safety-critical activities. Such substances include alcohol (although use of alcohol is dealt with separately in this DAMP), opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents. Coffee and tobacco are excluded.  This definition also includes over the counter and prescription medication that has the potential to impair an individual’s ability to perform safety critical activities. |
| **holder of a medical certificate** | means a person who (a) holds an aviation document or is permitted under the rules to operate an aircraft solo as a pilot; and (b) holds, or is required under the rules to hold, a medical certificate. This is the same as the definition of ‘licence holder’ in Clause 1 of Schedule 2 of the Act. |
| **MRO** | Medical Review Officer |
| **negative result** | in relation to a drug or alcohol test, when the test reveals that:   1. a testable drug or alcohol is not present in the bodily sample, or 2. if the DAMP specifies a level of a testable drug or alcohol in relation to a test, that a testable drug or alcohol (or both) is not present in the body at or above the specified level.   The ‘specified level’ referred to in b) above is just below any ‘permissible level’ set out in the DAMP – i.e. a test result at a permissible level is a negative result. |
| **non-negative test** | a test that is not a ‘negative result’ as defined in [section 113](https://www.legislation.govt.nz/act/public/2023/0010/latest/DLM7095202.html?search=qs_act%40bill%40regulation%40deemedreg_civil+aviation+_resel_25_h&p=1) of the Act. Whether a test is ‘negative’ depends on if the DAMP specifies a permitted level. If there is no permitted level, a negative result is no alcohol or testable drug present. |
| **permissible level** | when set, this is the amount of permitted testable drugs or alcohol in relation to testing for drugs or alcohol under this DAMP. |
| **random testing** | drug or alcohol testing of a safety-sensitive worker under [section 115](https://www.legislation.govt.nz/act/public/2023/0010/latest/link.aspx?search=qs_act%40bill%40regulation%40deemedreg_civil+aviation+_resel_25_h&p=1&id=DLM7095229#DLM7095229) of the Act, where the worker:   1. is selected for testing in a way that is non-discriminatory, and 2. is not given advance notification of the testing |
| **response plan** | the part of this DAMP that sets out actions **[**Organisation ABC**]** will take when a safety-sensitive worker refuses to consent to a drug or alcohol test, returns a result other than a negative result, or is suspected of tampering. |
| **safety-sensitive activity** | an activity as defined in section 113 of the Act, and specifically, the activities identified in this DAMP. |
| **safety-sensitive worker** | has the same meaning as in section 113 of the Act and means an individual employed or engaged by **[**Organisation ABC**]** in a role that involves the individual performing a safety-sensitive activity**.** |
| **tampering** | a suspicion on reasonable grounds that a person being tested has consumed, administered, or supplied any substance with intent to dilute, contaminate, or otherwise alter any sample (or otherwise tampered with the testing). |
| **testable drug** | a drug that **[**Organisation ABC**]** will test for, which includes any drugs specified in the rules as a testable drug. |

# 1. Safety-Sensitive Activities conducted

**[**Organisation ABC’s**]** operation involves safety-sensitive activities (as defined by section 113 of the Act).

**[**Organisation ABC**]** conducts the following safety-sensitive activities:

1. **[**activities directly affecting conduct of an aircraft during flight:
   * piloting an aircraft
   * acting as a tandem master
   * crewing on an aircraft (including someone being trained)
   * providing air traffic control or air traffic services
   * flight following
2. responsibility for, or affecting, preparing an aircraft for flight:
   * installing of safety important components
   * maintaining or assembling aircraft or component parts
   * installing any aircraft parts
   * fuelling or related checks
   * calculating and making decisions on loading
   * working in any airside security area or security enhanced area of a certified aerodrome
   * undertaking security or aviation searching[[1]](#footnote-1) duties at a certified aerodrome
3. other activities:
   * design sign-off of safety important componentry for use on an aircraft.**]**

The workers that are subject to the random testing set out in this DAMP are those individuals in a role where they perform any of the safety-sensitive activities listed above while employed by, or engaged by, **[**Organisation ABC**]**.

# 2. Drugs that will be tested for (testable drugs)

**[**Organisation ABC’s**]** policy is that the drugs that may be tested for include licit, i.e. prescription and over-the-counter medicines, and restricted or illicit drugs.

Such drugs could impair a worker undertaking a safety-sensitive activity.

The drugs that are tested for, as part of the random drug testing of **[**Organisation ABC’s**]** workers, will be informed by the recognised *Standards for urine and oral fluid testing* (AS/NZS 4308:2023 and AS/NZS 4760:2019 respectively) and any successor updates to those Standards.

**[** Drugs to be tested for include:

* AAA
* BBB **]**

***Permissible level of drugs***

The permissible level of a drug is the level at which it is not detected when testing meets or exceeds the Australia/New Zealand Standards AS/NZS 4308:2023 or AS/NZS 4760:2019 (or successor Standards).

# 3. Alcohol

**[**Organisation ABC’s**]** policy is that it has zero tolerance for alcohol for its safety-sensitive workers.

A zero blood alcohol level is **[** 20mg of alcohol per 100ml of blood (0.02%), or equivalent breath alcohol of 100µg/L **]** .

The permissible level of alcohol is a level at or below **[** 20mg of alcohol per 100ml of blood (0.02%)**]**. A test result below the permissible level is a negative result.

# 4. How random testing will be done

**[**Organisation ABC**]** will perform random testing as required under the Act. This means testing will benon-discriminatory and workers will not have any advance warning. The process **[**Organisation ABC**]** will use to do random testing is:

* **[ [**Organisation ABC **]** will contract to **[**organisation YYY / an approved provider of drug testing facilities**]** and require that they arrive without warning with the intention of approaching **[** all / a proportion of **]**, the safety-sensitive workers on site for the purpose of random drug and alcohol testing.

***Or – other formulas might be…***

* Every worker identified as performing safety-sensitive activities, as listed under ‘1. Safety-Sensitive Workers’ above, will be allocated a number and a randomiser will be used to identify a person for the purpose of random testing.
* The **[**corporate/medical section of Organisation ABC**]** has responsibility for identifying workers from a cross section of the organisation for random testing and working with management to ensure that timing of testing is appropriate for the business.
* **[**Organisation ABC **]** will use a system that identifies: all persons occupying a specified work team, a specified work group and/or a work location; or all persons passing through a security checkpoint that may be established from time to time. **]**

***[Scope of drugs tested for***

[Organisation ABC management] [the testing agency] will determinewhether a random drug test will be for the full range of potential drugs or a partial list. This will be decided prior to the workers being selected for testing.

The worker will not be informed of the scope of the drugs tested for prior to testing.**]**

***Regularity of testing***

Random testing will be conducted on average **[X** time(s) per 12-month period**]** involving **[X** safety-sensitive workers**]** being approached each time.

***Or – another formula might be (and also see section 7.5 of the AC)…***

Random testing will occur so that the number of tests equates to, or exceeds, **[ X** % of the organisation total head count **] [ X**% of safety-sensitive workers **]** in any 12-month period.

The random nature of testing means an individual may be randomly selected multiple times.

***Procedures to be followed***

Drug testing will be conducted by **[**Organisation ABC’s trained personnel**] [**an approved third party**]** and carried out in accordance with this procedure and any requirements prescribed by the rules.

Once a worker has been randomly selected, they will be provided with a written statement setting out:

* the statutory powers that allow for testing; and
* how testing will be conducted and how samples will be analysed; and
* that they will be informed of the test results (and provided timeframes for receiving results); and
* that the worker has a right to refuse consent to testing; and
* any consequences of refusing consent or returning a non-negative test.

Before testing, the tester will take reasonable steps to establish the identity of the worker. The tester will explain the worker’s right to refuse consent and any consequences if consent is refused or a non-negative test is returned.

The worker must provide their informed consent before the testing process can commence.

The process will involve collecting and testing **[**either a urine sample or oral fluid, i.e. saliva**]** and will follow, or exceed, the procedures set out in relevant Australia/New Zealand Standards below (or their successors).

AS/NZS 4308:2023 *Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine*. Drugs covered by the Standard are: Amphetamine-type substances, Benzodiazepines, Cannabis metabolites, Cocaine metabolites and opiates. This list does not, however, preclude the addition of other drugs to be tested.

AS/NZS 4760:2019 *Procedure for specimen collection and the detection and quantification of drugs in oral fluid*

**Alcohol will be tested** using breath testing devices that meet or exceed the Australian Standard AS 3547:2019or successor Standardsby **[**Organisation ABC*’s* trained personnel**][**an approved third party**]**.

**[Or** NMI R 126, Pattern Approval Specifications for Evidential Breath Analysers.**]**

# 5. Response Plan

This is **[**Organisation ABC**]**’s response plan which sets out what will happen if a worker:

* returns a non-negative drug test result
* returns a non-negative alcohol test result
* refuses to consent to a random test (for drugs or alcohol), and/or
* is suspected of tampering.

***What will happen if a worker returns a*** ***non-negative drug test result***

The time between sample collection and receiving the test results is generally **[ X** minutes/hours/days **]**.

1. A worker who returns a non-negative drug test will be stood down from safety-sensitive activities immediately, unless the circumstances in [b below] exist, in which case it may be considered safe for the worker to continue safety-sensitive activities in part or in full.
2. **[**If a worker identified for random testing is known to be taking prescription or other legitimate drugs that could reasonably be the cause of a non-negative test result then an assessment of impairment can be done by a **[**medical officer/Medical Review Officer**]**. [Management of Organisation ABC] will use the result of that assessment and any recommendations to determine the extent to which safety-sensitive activities can be continued. The [medical officer / Medical Review Officer] may also determine that the non-negative test result is due to some other innocuous source[[2]](#footnote-2). **]**
3. **[**A worker who has a non-negative drug test result may, subject to agreement with **[**Organisation ABC management**]**, be permitted to recommence work after having completed any rehabilitation that is a condition of their return to work and returned a negative test result.

The worker may be required to undergo follow-up testing after their return to work to confirm that they retain their negative test status. In most cases testing will be to the cutoff levels in the relevant Australia/New Zealand Standards.[[3]](#footnote-3)   
  
In some circumstances testing may be to detection levels below the normal standard cut offs. This may occur where a safety-sensitive worker has been diagnosed with a use disorder and one of the conditions for return to work is abstinence from use of a drug. In these cases, testing may be undertaken to detect potential use of a specific drug. This testing may include testing for the presence of drugs at levels below the Australia/New Zealand Standard’s cut-off levels, as a means of ensuring lack of impairment. **]**

1. **[**The decision on the return to work of any crew member or air traffic controller who is a holder of a medical certificate, who has a non-negative drug test result, is managed by CAA. **]**
2. **[**A medical/MRO assessment and /or disciplinary procedure may be initiated at the discretion of management. **]**
3. CAA will be informed of the non-negative test result as required by section 117 (3) of the Act and rule 99.15.

***What will happen if a worker returns a non-negative alcohol test result***

In most instances a breath alcohol test will give an immediate result.

1. A worker who returns a test other than a negative result will be stood-down from safety-sensitive activities immediately.
2. **[**If the test is not negative (i.e. the test shows an alcohol level above **[**0.02%**]**) then a second breath alcohol test will take place **[** 15 minutes after the first test **]** .

If the second test returns a negative result the worker may return to work unless management consider that a review of the worker’s fitness is required.**]**

1. **[**Following a second non-negative test result, the worker will be sent home or asked to leave the site/premises as appropriate. Management will ensure that this is done safely. **]**
2. **[**A medical assessment, and/or disciplinary procedure, may be initiated at the discretion of management. **]**
3. **[**If the reason for the non-negative test result is accepted and there are no other grounds to believe that there is a risk to safety of the worker returning to work, the worker can return to work after a suitable time gap.**[**However, the decision on the return to work of any crew member or air traffic controller who is a holder of a medical certificate, who has a non-negative alcohol test result, is made by CAA. **] ]**
4. CAA will be informed of the non-negative test result as required by section 117(3)[[4]](#footnote-4) of the Act and rule 99.15.

***What will happen if a worker refuses*** ***to consent to a random test (for drugs or alcohol)***

Refusal to consent to testing is treated the same as a non-negative result.

1. A worker who refuses to consent will be stood-down from safety-sensitive activities immediately.
2. **[**The worker will be given an opportunity to explain their position and grounds for refusing to consent.**]**
3. **[**If the reason for refusing to consent is accepted as reasonable and there are no other grounds to believe that there is a risk to safety of the worker returning to work, the worker may be able to return to work.**]**
4. **[**A disciplinary procedure may be initiated at the discretion of management. **]**
5. **[**Note that any regulatory or medical certification consequences, for any crew member or air traffic controller who is a holder of a current medical certificate, who refuses to consent to a random drug or alcohol test, are managed by CAA.**]**
6. CAA will be informed of the refusal to consent to testing as associated circumstances as required by section 117 (3) of the Act and rule 99.15.

***What will happen if tampering is suspected***

Tampering is treated the same as a non-negative result.

1. A worker who is suspected on reasonable grounds of tampering with the testing will be stood-down from safety-sensitive activities immediately.
2. **[**A disciplinary procedure may be initiated at the discretion of management.**]**
3. **[**Note that the regulatory and medical certification consequences, for any crew member or air traffic controller who is a holder of a medical certificate, who is suspected of tampering with a test result, are managed by CAA.**]**
4. CAA is informed of the suspected tampering as required by sections 118(2) and 117(3) of the Act and rule 99.15.

# 6. Administrative Matters

***Record keeping***

**[**OrganisationABC**] [**third party organisation engaged to conduct random testing**]** will retain records of random drug and alcohol testing **[**consistent with rule 99.17**]** :

* keeping all such records in a secure location, and
* holding records for five years from the date of testing.

***Updates and amendments to this DAMP***

This DAMP will be updated and amended as enabled by the rules.

This DAMP is part of the material that will be provided to CAA as part of renewal of aviation documents compliant with rule 99.9(b) (e.g. an exposition)**.**

***Reporting for trend analysis***

Drug and alcohol random testing will be reported to **[**data base / organisation reporting system**]** and CAA as the regulator for trend analysis. Personal details of workers will not be included in any such reporting.

Requirements for when, and what, to report are in the transport instrument associated with rule 99.19**.**

**END - Any signoff / version / date**

1. Including screening [↑](#footnote-ref-1)
2. Note: Australian regulations for drug and alcohol management refer to ‘other innocuous source’ [99.065 (1)(c)(ii)]. A known example would be consumption of a lot of poppy seeds. [↑](#footnote-ref-2)
3. Standards for urine testing AS/NZS 4308:2008 and oral fluid testing AS/NZS 4760:2019, and successor updates. [↑](#footnote-ref-3)
4. Section 117 (3) states ‘If a worker refuses to consent to random testing or is tested and returns a result other than a negative result, the DAMP operator must, in accordance with any requirements of the rules, notify the Director [of CAA] of that fact as soon as practicable.’ [↑](#footnote-ref-4)