

# **REVIEW BY THE DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES AND THE CIVIL AVIATION SAFETY AUTHORITY OF THE SAFETY BENEFITS OF INTRODUCING DRUG AND ALCOHOL TESTING FOR SAFETY-SENSITIVE PERSONNEL IN THE AVIATION INDUSTRY**

## **TERMS OF REFERENCE**

On 18 March 2004, the Australian Transport Safety Bureau (ATSB) released its accident investigation report relating to a fatal accident on Hamilton Island in September 2002. A finding of the report was that the possible adverse effects on pilot performance of fatigue, recent cannabis use, and post-alcohol impairment could not be discounted. In the report, the ATSB made a number of recommendations, with recommendations 20040039 and 20040040 relating to the Department of Transport and Regional Services (the Department) and the Civil Aviation Safety Authority (CASA) and jointly establishing the safety benefits of the introduction of a drug and alcohol testing program to the Australian aviation industry for safety-sensitive personnel. It was stated that where possible, this programme should harmonise with existing and evolving national and international regulations.

On 18 March 2004, the Deputy Prime Minister and Minister for Transport and Regional Services, the Hon John Anderson MP (the Minister), subsequently released a Media Release announcing that he supported the ATSB recommendations and that he had asked the Department and CASA to jointly develop terms of reference for a review of this issue.

### **Objectives**

The aim of the review is to comprehensively examine the safety benefits of introducing a drug and alcohol testing programme for the Australian aviation industry. There is a clear case for carefully considering the best way to address the impacts of alcohol and drug use on aviation safety.

### **Membership**

The review team will be drawn from the Department and CASA and will report regularly to a Steering Committee comprising the Department's Assistant Secretary, Aviation Operations, and the CASA's Executive Manager, Corporate Affairs.

### **Methodology**

The review team will undertake an extensive review by way of formal research and consultation prior to preparing a report to the Minister by 30 September 2004.

### ***Undertake Preliminary Analysis***

In conducting the review, CASA and the Department will draw on information from the following sources:

- the ATSB's Aviation Safety Investigation Report - 200204328, (Hamilton Island Aerodrome);
- previous analysis undertaken by CASA;
- information from other industries such as the petrochemical and food industries; and
- international and Australian experiences in developing testing regimes.

### ***Identify Issues and options***

Issues that will need to be considered as part of the review will include but not be limited to the following:

- whether testing would be on a random basis or a regular basis;
- who would administer the testing process (CASA or industry);
- whether testing should be part of a company's safety management system;
- the need to define safety-sensitive personnel;
- alternative and/or supplementary programs that are used for alcohol and drug management (eg mentoring, and differentiating between a regime for alcohol management which might need to be different to other drug management)
- the costs involved with establishing programs (including education campaigns) and the ongoing testing regimes.

### ***Preparation of report***

The review team will prepare a report at the conclusion on its evaluation of issues relating to drug and alcohol testing within the Australian aviation industry, and identifying any safety benefits of introducing a testing programme.

### **Consultation**

It is proposed that the Australian aviation industry (particularly commercial operators), the Australian Passenger Safety Association, the Unions and other government agencies will be consulted to seek their views on this issue. Submissions will be called via a mail-out to major stakeholders and advertisements. In addition, these Terms of Reference will be posted on the Department's and CASA's websites so as to enable other interested parties to lodge submissions. Each submission received by the review team will be individually acknowledged.

Subject to their written consent, the contact details of persons/organisations who make submissions will be posted on the Department's and CASA's websites to enable interested parties to obtain a copy of a particular submission directly from the author of the submission.

### **Report**

A report will be produced at the conclusion of this review and submitted to the Minister. Individuals and organisations consulted in its preparation will be noted in an Appendix to the Report, unless requested otherwise.

The report itself is expected to be freely available from the Department's and CASA's websites. Should the report lead to subsequent action to develop appropriate regulatory mechanisms, such action will be subject to extensive and well established consultative procedures, through CASA's Standards Consultative Committee (refer <http://rrp.casa.gov.au/scc>).

### **Timing**

Submissions will be called for by 1 May 2004 with a closing date of 30 June 2004.

The scheduled completion date for the review, including preparation of the report to the Minister, is 30 September 2004.

*19 April 2004*