

AIR SPORT AUSTRALIA CONFEDERATION INC



ALCOHOL AND SMOKING POLICY

Version 1



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Version/Amendment	Prepared	Approved	Date
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## 1 Intent

This Policy seeks to ensure that everyone involved in Air Sport is aware of their rights and responsibilities in relation to the responsible use of alcohol and smoking in and around the Air Sport environment. This Policy sets out the standards of behaviour expected of those involved in the Air Sports and the behaviours that are not acceptable ('Prohibited Conduct').

Air Sports rely on the combined efforts of a vast integrated network of skilled people to ensure the safety of our participants, volunteers and spectators.

In aviation, to operate safely, risks must be managed. Air Sports are not required to have a Drug and Alcohol Management Plan under the Regulations (CASR Part 99) but should implement measures under their Safety Management System (SMS) to ensure people who perform, or are available to perform, any of the specified 'safety sensitive aviation activities' (SSAAs) are alcohol free.

## 2 Definitions

Defined terms not otherwise defined in this Alcohol and Smoking Policy have been defined and have the meaning given to them in the Air Sport Australia Confederation Constitution and Air Sports Integrity Framework Policies.

In this Policy, the following words have the corresponding meaning:

**Activity** means a sporting contest, competition, event or activity, whether on a one-off basis or as part of a series, or competition, which is sanctioned or organised by a Relevant Organisation.

**Aerodrome Testing Area** means:

- a. any surface in a certified 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:
  - 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 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; or
  - v. by a part 141 operator conducting flying training in an aircraft; and
- d. any part of an aircraft, aerobridge or other moveable structure in a certified aerodrome.

**Athlete** means a person who is registered with or entitled to participate in an Activity (i.e., Pilot, Air Sports Member).

**CASA** is the Civil Aviation Safety Authority (government body) that regulates Australian aviation safety.

**Club** means any club that accepts a Relevant Person to participate in an activity.

**Complaints, Disputes and Discipline Policy** means the policy adopted by Air Sport Australia Confederation for the handling and resolution of allegations regarding Prohibited Conduct.

**Contractor** means any person or organisation engaged to provide services for, or on behalf of, a Relevant Organisation. This includes agents, advisers, and subcontractors of a Relevant Organisation and Employees, officers, Volunteers, and agents of the Contractor or subcontractor.

**Employee** means a person employed by a Relevant Organisation.

**Member** means a member of a Relevant Organisation, including:

- a. A natural person and includes all forms of membership of the association;
- b. Regional Associations and Clubs; and
- c. Organisations affiliated to Air Sport Australia Confederation (ASAC)

**Participant** means:

- a. Athletes (i.e., Pilots, Air Sports Member);
- b. Trainers and/or coaches appointed to train a Pilot or a team in an Activity;
- c. Administrators who have a role in the administration or operation of an Activity of a Relevant Organisation including owners, directors, committee members or other persons;
- d. Officials including technical officials, or other officials appointed by a Relevant Organisation, or any competition series, club or team sanctioned by a Relevant Organisation.
- e. Support personnel who are appointed in a professional or voluntary capacity by ASAC, by a Relevant Organisation, or any competition, series, club or team sanctioned by a Relevant Organisation including airworthiness, sports science/sports medicine personnel, team managers, agents, selectors, and team staff members.

**Policy** means Alcohol and Smoking Policy and any appendices.

**Prohibited Conduct** means conduct proscribed in clause 4 of this Policy.

**Relevant Athlete** means:

- a. International Level Pilot/Air Sports Member- which means Pilots/Air Sports Member who compete in sport at the international level as determined by the International Air Sport Federation, consistent with the International Standard for Testing and Investigations;
- b. National Level Pilot/Air Sports Member – which means Pilots/Air Sports Member who compete in sport at the national level as determined by the Air Sport Federation;
- c. complying with CASA random airfield testing in accordance with the Civil Aviation Safety Regulations 1998

**Relevant Person** means:

- a. Individual Member;
- b. Participant;
- c. Employee;
- d. Contractor;
- e. Volunteer; or
- f. any other person who has agreed to be bound by the ASAC Integrity Policy and/or the Relevant policies.

**Relevant Personnel** means an individual who directly works with Relevant Persons in the following capacities:

- a. Trainers;
- b. Employees;

- c. Medical Practitioners;
- d. Officials;
- e. Sports science sports medicine personnel;
- f. Support personnel; and
- g. any other person who has agreed to be bound by this Policy (other than an Athlete).

**Safety Sensitive Aviation Activities (SSAA)** are those activities that have a direct or indirect impact on the safe operation of an aircraft. For example:

- a. Any activity conducted on an airfield, or area accessible to an airfield, including buildings, workshops and facilities;
- b. the loading of freight, fuel and passengers;
- c. manufacturer or maintenance of aircraft parts and products;
- d. the conduct or certification of aircraft maintenance;
- e. activities undertaken by airfield security, aircrew, Air Traffic Control, fire fighters or other aviation related service providers; and
- f. parachute operations

The regulations provide a full list in CASR Part 99.015.

NOTE: While the legislation excludes passengers, ASAC considers a person who occupies a seat with functioning controls to be involved in a SSAA.

**Team** means a collection or squad of Athletes, registered with or entitled to participate in an Activity.

**Use** means the utilisation, ingestion, injection, or consumption by any means whatsoever of any Illegal Drug.

**Volunteer** means any person engaged by a relevant Organisation in any capacity who is not otherwise an Employee or Contractor, including directors and office holders, trainers, officials, administrators, and team and support personnel.

### 3 Jurisdiction

This Policy applies to:

- a. Relevant Persons (including Relevant Athletes and Relevant Personnel); and
- b. Relevant Organisations
- c. Persons conducting a SSAA:
  - i. Must not perform or be available to perform SSAA if they are aware that they are adversely affected by drugs or alcohol.
  - ii. Should disclose if they have consumed alcohol or are taking a drug that may affect their ability to carry out their duties.
  - iii. Should seek support and assistance services if drug and alcohol use has become problematic.

Club Accountable Managers and Club Safety Managers have obligations to ensure member awareness of Safety Sensitive Aviation Activities and limitations on alcohol consumption in those club environments.

## 4 Prohibited Conduct

### 4.1 Prohibited Conduct of Relevant Athletes

A Relevant Athlete commits a breach of this Policy when they:

- a. use, possess or distribute Alcohol or participates in Smoking in Aerodrome Testing Areas in an unlawful manner; or
- b. alcohol may have effects the following day after significant levels of alcohol have been consumed the prior evening or day. CASA may, at any time, conduct an alcohol/drug test for pilots at any airfield.
- c. are smoking in the vicinity of powered aircraft and powered sailplanes, and operators.

Any person found guilty of being under the effects of alcohol on the airfield or in flying operations will be subject to disciplinary action and could have their flying rights removed.

### 4.2 Prohibited Conduct of Relevant Personnel

A Relevant Personnel commits a breach of this Policy when they:

- a. undertake trainer duties under the influence of alcohol substances;
- b. undertake airworthiness duties under the influence of alcohol substances;
- c. undertake any operational duties under the influence of alcohol substances;
- d. participates in any inappropriate behaviour as a result of alcohol substances; or
- e. smoking in the vicinity of powered aircraft and powered sailplanes, and operators.

### 4.3 Prohibited Conduct of Relevant Organisations

A Relevant Organisation commits a breach of this Policy when they:

- a. without reasonable cause, fail to properly report any inappropriate use of alcohol or other conduct that is reasonably likely to be Prohibited Conduct under this Policy to ASAC and/or Relevant Organisation and to any other entity as required by law; or
- b. facilitate, assist, aide, abet, encourage, cover up or are in any way complicit in a breach of this clause.
- c. failing to enforce no smoking in the vicinity of powered aircraft and powered sailplanes, and operators. It is recommended that smoking appropriate areas be clearly identified if required.

## 5 CASA Alcohol and Drug Testing

CASA may, at any time, conduct an alcohol/drug test for anyone in an aerodrome testing area without notice, except for passengers. People may be randomly selected based solely on the fact that they are present in an aerodrome testing area. In addition, anyone who is performing (or is available to perform) a 'SSSA', including sailplane repair and maintenance, ground handling of gliders and servicing portable equipment e.g. parachutes, oxygen cylinders, can be tested by CASA, whether or not those activities are conducted in an aerodrome testing area.

### 5.1 How is a CASA Alcohol Test Conducted?

Alcohol tests can only be done by breath testing. The testing device must meet Australian Standard AS3547.

If your first alcohol breath test is positive, the CASA tester will do another test to confirm the result.

If the second test is positive (0.02 grams of alcohol per 210 litres of breath or higher), you must stop doing SSAAs.

If the second test is positive, we will:

- issue you with a notice; and
- ensure you stop doing SSAAs.

If the second test is negative, we treat the whole test as negative.

## 5.2 How is a CASA Drug Test Conducted?

Drug tests can be done using samples of oral fluid.

A CASA approved tester will ask you to give a sample. You must stop doing any SSAAs and stay with the tester during the test.

If your first drug test is positive, our tester will do another test to confirm the result. If the second test is positive, we'll take another sample and send it to an approved laboratory to confirm the result.

You must stop doing, or being available to do SSAAs until we get the result.

## 5.3 What if I test positive to a CASA Random Test?

You must cease all SSAA activities immediately.

The case will be reviewed by the CASA Medical Review Officer (MRO) and if the result is verified as a positive, a comprehensive assessment will be conducted. The assessment may recommend an intervention program such as education, counselling and/or treatment. The MRO must be satisfied that the person is fit to return to work and a negative test result is received at the time.

## 5.4 What if I refused to take a CASA Random Test or interfered with a CASA Random Test?

Any refusal or interference is considered to be a positive test result.

You must immediately cease all SSAA activities.

Before returning to SSAA activities you will need to be taken through CASA's response program.

# 6 Alcohol outside of Aerodrome Testing Area/Non SSAA

If consuming alcohol outside of an Aerodrome Testing Area or not partaking in a SSAA responsible behaviour is expected as defined by the ASAC Code of Ethics Policy.

Relevant Organisations must comply with the state and territory Liquor Licensing laws in relation to the serving of alcohol on their premises.

Additional guidance on alcohol management for Relevant Organisations and Relevant Persons can be found at <https://goodsports.com.au/alcohol-management/>.

# 7 Smoking

For clarity no smoking shall occur at or near any sporting event, social events or competition involving persons under the age of 18. This policy applies to all individuals involved in sporting events, including without limitation coaches, participants, trainers, officials, pilots, and volunteers.

It is an offence under Civil Aviation Regulations to smoke where signs prohibit it. The Regulations also prohibit smoking for take-off, landing, and refuelling operations. This requirement particularly applies to operation of tow planes and powered sailplanes.

Social functions will be smoke free, with smoking permitted at designated outdoor smoking areas only. Relevant Organisations must abide by their state and territory regulations in regard to where smoking is permitted and additional guidance on smoking and sport can be found at <https://goodsports.com.au/smoking/>.

## 8 Reporting and Complaints

- a. Allegations of Prohibited Conduct under this Policy should be submitted to the Relevant Organisations CEO/Secretary General or reported on the Relevant Organisations Reporting System.
- b. Allegations of Prohibited Conduct under this Policy will be managed in accordance with ASAC's (or Part 149 Relevant Organisations) Complaints, Disputes and Discipline Policy.