



CIVIL AVIATION DIRECTIVE – 6007

# OPERATOR ALCOHOL AND DRUG TESTING PROGRAMME

CIVIL AVIATION AUTHORITY OF MALAYSIA

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## Introduction

In exercise of the powers conferred by section 24O of the Civil Aviation Act 1969 [Act 3], the Chief Executive Officer makes this Civil Aviation Directive 6007 – Operator Alcohol and Drug Testing Programme (“CAD 6007 – ADTP”), pursuant to Regulation 99 and 204 of the Malaysian Civil Aviation Regulation (MCAR) 2016.

This CAD provides the procedures and requirements pertaining to the Alcohol and Drug Testing Programme adopted CAAM and to be implemented by AOC holders.

This CAD is published by the Chief Executive Officer under section 24O of the Civil Aviation Act 1969 [Act 3] and comes into operation on 1<sup>st</sup> May 2021.

### Non-compliance with this CAD

Any person who contravenes any provision in this CAD commits an offence and shall on conviction be liable to the punishment under section 24O(2) of the Civil Aviation Act 1969 [Act 3] and under Malaysian Civil Aviation Regulation 2016.

**(Captain Chester Voo Chee Soon)**  
Chief Executive Officer  
Civil Aviation Authority of Malaysia

## Civil Aviation Directive components and Editorial practices

This Civil Aviation Directive is made up of the following components and are defined as follows:

**Standards:** Usually preceded by words such as “*shall*” or “*must*”, are any specification for physical characteristics, configuration, performance, personnel or procedure, where uniform application is necessary for the safety or regularity of air navigation and to which Operators must conform. In the event of impossibility of compliance, notification to the CAAM is compulsory.

**Recommended Practices:** Usually preceded by the words such as “*should*” or “*may*”, are any specification for physical characteristics, configuration, performance, personnel or procedure, where the uniform application is desirable in the interest of safety, regularity or efficiency of air navigation, and to which Operators will endeavour to conform.

**Definitions:** Terms used in the Standards and Recommended Practices which are not self-explanatory in that they do not have accepted dictionary meanings. A definition does not have an independent status but is an essential part of each Standard and Recommended Practice in which the term is used, since a change in the meaning of the term would affect the specification.

**Notes:** Included in the text, where appropriate, Notes give factual information or references bearing on the Standards or Recommended Practices in question but not constituting part of the Standards or Recommended Practices;

It is to be noted that some Standards in this Civil Aviation Directive incorporates, by reference, other specifications having the status of Recommended Practices. In such cases, the text of the Recommended Practice becomes part of the Standard.

The units of measurement used in this document are in accordance with the International System of Units (SI) as specified in CAD 5. Where CAD 5 permits the use of non-SI alternative units, these are shown in parentheses following the basic units. Where two sets of units are quoted it must not be assumed that the pairs of values are equal and interchangeable. It may, however, be inferred that an equivalent level of safety is achieved when either set of units is used exclusively.

Any reference to a portion of this document, which is identified by a number and/or title, includes all subdivisions of that portion.

Throughout this Civil Aviation Directive, the use of the male gender should be understood to include male and female persons

## Record of Revisions

Revisions to this CAD shall be made by authorised personnel only. After inserting the revision, enter the required data in the revision sheet below. The '*Initials*' has to be signed off by the personnel responsible for the change.

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## 1 Citation

- 1.1 These Directives are the Civil Aviation Directive 6007 – Operator Alcohol and Drug Testing Programme (CAD 6007 - ADTP), Issue 01/Revision 00, and comes into operation on 1<sup>st</sup> May 2021.
- 1.2 This CAD 6007 – ADTP, Issue 01/Revision 00 will remain current until withdrawn or superseded.

## 2 Applicability

- 2.1 This CAD applies to:
  - a) An AOC holder;
  - b) Any person who is operating a Malaysian registered aircraft, whether in or outside Malaysia; and
  - c) Any person who is operating a foreign registered aircraft in Malaysia.

## 3 Revocation

- 3.1 This CAD, revokes Director General Directives – Alcohol and Drug Testing Requirements dated 03 January 2018.

## 4 Definitions

- 4.1 In this CAD, unless the context otherwise requires:–

**Alcohol** includes any liquid containing any form of ethanol;

**AOC holder** means a holder of an Air Operator Certificate (AOC) granted under Regulation 110 of the Malaysian Civil Aviation Regulations (MCAR) 2016;

**Applicable flight** means a flight involving a relevant aircraft that:

- a) begins from Malaysia; and
- b) is carried out by:
  - 1) AOC holder;
  - 2) any person who is operating a Malaysian registered aircraft, whether in or outside Malaysia; and
  - 3) any person who is operating a foreign registered aircraft in Malaysia.

**Approved tester** means a person appointed as an approved tester as stated in 5.6.

**Breath analysing device** means an instrument or apparatus that is used to ascertain, by analysis of an individual's breath, the presence, or presence and concentration, of ethanol in the individual's breath;

**Drugs** are common drugs of abuse used not under the supervision of a medical doctor or dentist; or not classified as Over The Counter drugs (OTC).

**Notice of unfitness** means a written notice given by an approved tester to a flight crew and cabin crew member containing matters as stated in 5.3.6.

**Problematic consumption of alcohol** means consumption of alcohol to excess, such that:

- a) as a result, the crew member's judgement is impaired;
- b) as a result, the crew member is incapable at times of managing himself or his affairs;
- c) the crew member shows prodromes of becoming so impaired or incapable;

**Relevant aircraft** means:

- a) any aircraft operated by a Malaysian operator;
- b) any Malaysian registered aircraft operated by a person other than a Malaysian operator; or
- c) any foreign registered aircraft in Malaysia that is operated by a person other than a Malaysian operator.

## 5 Breath Tests

### 5.1 Crewmember requirement to undergo breath test

5.1.1 An approved tester may require a crew member to undergo a breath test at a time and place specified by the approved tester, where the approved tester has reasonable cause to believe that the crew member is operating, or is about to operate, a relevant aircraft for an applicable flight.

5.1.2 A crew member who is required to undergo a breath test:

- a) must comply and undergo a breath test; and
- b) must not perform, or purport to be available to perform, any function or duty in the capacity of a crew member of a relevant aircraft, unless the crew member:
  - 1) has completed the breath test; and
  - 2) is not given a notice of unfitness as a result.



## **5.2 Obligations of the crew member**

- 5.2.1 A crew member who is required to undergo a breath test by an approved tester must:
- a) comply with the instructions of the approved tester in relation to the conduct of the breath test, including providing such specimens of the crew member's breath as the approved tester may require in accordance with this CAD; and
  - b) remain in the presence of the approved tester for such period as is reasonable in the circumstances to enable the breath test to be completed.
- 5.2.2 However, the crew member may refuse to comply with any request, demand or order made or given by an approved tester who refuses to produce his identification card on demand being made by the crew member.

## **5.3 Procedure for breath test**

- 5.3.1 A breath test under these Directives consists of:
- a) a preliminary breath test, using a breath analysing device to assess whether ethanol is present in a crew member's breath; and
  - b) if paragraph 5.3.3 applies, a final breath test, using an advanced breath analysing device to assess:
    - 1) whether ethanol is present in the crew member's breath; and
    - 2) if ethanol is present, the concentration of ethanol in the crew member's breath.
- 5.3.2 When the approved tester intends to administer a breath test to a crew member, the approved tester may require the crew member to provide a specimen of the crew member's breath for a preliminary breath test.
- 5.3.3 Where the result of the preliminary breath test relating to the crew member is that ethanol is present in the crew member's breath, the crew member must, as soon as is practicable but not earlier than 15 minutes after the preliminary breath test, provide a further specimen of his breath to the approved tester for a final breath test.
- 5.3.4 The final breath test must be conducted by the approved tester in the presence of a witness, who must be present at all times until the final breath test is completed.
- 5.3.5 If the final breath test relating to the crew member produces a finding that:
- a) ethanol is present in the crew member's breath; and
  - b) the concentration of ethanol in the crew member's breath exceeds the permitted level,

the approved tester must immediately give to the crew member a notice of unfitness.

5.3.6 A notice of unfitness given by an approved tester to a crew member must contain the following information:

- a) the crew member's name, date of birth, gender, residential address and telephone number;
- b) the date and time on, and the place at, which the crew member underwent a breath test under these Directives;
- c) a statement that the crew member is unfit to perform any function or duty in the capacity of a crew member of any relevant aircraft for any applicable flight;
- d) the name and particulars of:
  - 1) the approved tester who conducted the crew member's breath test; and
  - 2) the witness in paragraph 5.3.4
- e) a certification by the approved tester in sub-paragraph (d)(1) that the crew member's breath test was carried out in accordance with these Directives;
- f) the serial number of the breath analysing device used for the final breath test relating to the crew member;
- g) the date on which the notice of unfitness is given to the crew member.

5.3.7 In paragraph 5.3.5 (b), "permitted level" means a Blood Alcohol Content (BAC) of 0.02%.

*Note. – A BAC of 0.02% equates to 0.02 g/dL (grams/decilitre)*

#### **5.4 Unfit foreign pilot cannot perform functions or duties of pilot**

5.4.1 This paragraph applies to a pilot who:

- a) holds a licence granted under the law of a country other than Malaysia authorising him to act as a pilot; and
- b) is given a notice of unfitness.

5.4.2 A pilot in paragraph 5.4.1 must not perform, or purport to be available to perform, any function or duty of a pilot of a relevant aircraft for any applicable flight, unless the pilot produces a report that:

- a) Is issued by the authority that granted the licence held by the pilot when he was given the notice of unfitness; and
- b) States that the authority in 5.4.2 a) is satisfied that the pilot, having undergone an evaluation of his medical fitness, is not engaging in the problematic consumption of alcohol.

## **5.5 Tampering with results of breath test**

- 5.5.1 A person must not interfere with or alter the result of any breath test. Result of breath tests conducted shall only be accessible by authorised personnel.

## **5.6 Approved Testers**

- 5.6.1 CAAM may appoint the following persons as an approved tester:
- a) who is an employee of the CAAM;
  - b) who, in the opinion of the CAAM, has the training, qualifications and experience to conduct breath tests in accordance with these Directives.

## **5.7 Subjective Alcohol Testing (SAT)**

- 5.7.1 In the event of an outbreak of lung related infectious disease such as COVID-19 or Influenza, the Breath Testing may be substituted with the Subjective Alcohol Testing (SAT). This is to minimize the risk of infection transmission through breathing droplets. The Approved Tester need to be trained in the Subjective Alcohol Testing technique.
- 5.7.2 The tester may use the SAT is for the purpose of safety only.
- 5.7.3 The test to be conducted is as follows:
- a) Assess the mood and demeanour of the individual.
  - b) Smell the breath of the individual from one feet away.
  - c) Do the straight-line walking test one foot in front of the other one at a time with an outstretched hands on flat clean surface. (It is advisable for heels to be removed during this test).
- 5.7.4 The individual who shows any of the above symptoms or signs are advised to get medical attention and be removed from flight.
- 5.7.5 Further evaluation will be needed should the case indicates a possibility of alcohol abuse.

# **6 Drug Tests**

## **6.1 Crewmember requirement to undergo drug tests**

- 6.1.1 An approved tester may require a crew member to undergo a drug test at a time and place specified by the approved tester, where the approved tester has reasonable cause to believe that the crew member is operating, or is about to operate, a relevant aircraft for an applicable flight.
- 6.1.2 A crew member who is required to undergo a drug test:

- a) must comply and undergo a drug test; and
- b) must not perform, or purport to be available to perform, any function or duty in the capacity of a crew member of a relevant aircraft, unless the crew member:
  - 1) has completed the drug test; and
  - 2) is not given a notice of unfitness as a result.

## **6.2 Obligations of the crew member**

- 6.2.1 A crew member who is required to undergo a drug test by an approved tester must:
- a) comply with the instructions of the approved tester in relation to the conduct of the drug test, including providing such specimens of the crew member as stated in 6.3.2 as the approved tester may require in accordance with this CAD; and
  - b) remain in the presence of the approved tester for such period as is reasonable in the circumstances to enable the drug test to be completed.
- 6.2.2 However, the crew member may refuse to comply with any request, demand or order made or given by an approved tester who refuses to produce his identification card on demand being made by the crew member.

## **6.3 Procedure for drug test**

- 6.3.1 The requirement of drug testing can be for:
- a) Pre-employment purpose
  - b) Random screening program
  - c) Suspected case
  - d) Return to work
- 6.3.2 Operators are free to use the method of test specimen that is conventionally approved by medical authorities. The specimen can be in the form of hair, saliva, blood or urine. The conventional drug screening specimen is fresh urine.
- 6.3.3 The testing method will be based on the instructions for the method used.
- 6.3.4 Should the crew be tested Non-Negative, he will be temporarily removed from flight duties.
- 6.3.5 A confirmatory test will need to be done to confirm the initial test results.
- 6.3.6 Should the confirmatory test produce a positive results:
- a) The crew member should be removed from flying duties

- b) The crew member should be reported to CAAM

6.3.7 Should the confirmatory test produce a negative results, the crew can immediately return to flying duties.

#### **6.4 Unfit foreign pilot cannot perform functions or duties of pilots**

6.4.1 This paragraph applies to a pilot who:

- a) holds a licence granted under the law of a country other than Malaysia authorising him to act as a pilot; and
- b) is given a notice of unfitness.

6.4.2 A pilot in paragraph 6.4.1 must not perform, or purport to be available to perform, any function or duty of a pilot of a relevant aircraft for any applicable flight, unless the pilot produces a report that:

- a) is issued by the authority that granted the licence held by the pilot when he was given the notice of unfitness; and
- b) states that the authority in 6.4.2 a) is satisfied that the pilot, having undergone an evaluation of his medical fitness, is not engaging in drug abuse.

#### **6.5 Tempering with results of drug test**

6.5.1 A person must not interfere with or alter the result of any drug test. Result of drug tests conducted shall only be accessible by authorised personnel.

#### **6.6 Approved tester**

6.6.1 CAAM may appoint the following persons as an approved tester:

- a) who is an employee of the CAAM;
- b) who, in the opinion of the CAAM, has the training, qualifications and experience to conduct drug tests in accordance with these Directives.

#### **6.7 The common drugs to be tested**

6.7.1 The common drugs to be tested but not limited to are:

- a) Amphetamine;
- b) Ketamine ;
- c) Marijuana;
- d) Methamphetamine;
- e) Opiates; and
- f) any other drugs as listed in the Dangerous Drugs Act 1952.

## **7 Responsibility of the AOC Holder**

### **7.1 AOC Alcohol and Drug Management Programme (AADMP)**

7.1.1 An AOC holder must:

- a) develop an AOC Alcohol and Drug Management Programme (AADMP) for the crew members it employs; and
- b) integrate the AADMP approved by the CAAM into the AOC holder's safety management system and its Operations Manual.

7.1.2 An AADMP must include the following:

- a) processes for the AOC holder to be informed of any crew member it employs who is believed to be engaging in the problematic consumption or use of alcohol and/or drugs;
- b) a risk-based testing programme for the crew members employed by the AOC holder;
- c) a medical intervention and rehabilitation programme for any affected crew member;
- d) a peer support programme for any affected crew member;
- e) a programme for educating all crew members the AOC holder employs on the risks associated with the problematic consumption or use of alcohol and/or drugs.

7.1.3 Crew members should get at least 12 hours of proper rest before flying duties. Should a crew member consume alcohol, the guidance is that it takes one hour to clear every unit of alcohol in the blood. Crew members are also reminded not to consume alcohol and drugs such as prescribed painkillers, muscle relaxants, anti-histamines at the same time as these drugs potentially have additive effects. It is the responsibility of crew to be in a state of physical and mental fitness to perform flying and other safety critical duties in the interest of flight safety.

7.1.4 Units of alcohol and the time taken to clear vary based on

- a) What type of alcoholic beverage was consumed giving the Alcohol Beverage Volume % (ABV%);
- b) What amount was consumed in ml's;
- c) When it was last consumed;
- d) Gender - male/female; body fat; meals taken; other medications taken

## 8 Attachments

### 8.1 Attachment A – Details of the AADMP

#### 8.1.1 Reporting and Testing

8.1.1.1 The following are measures to identify crew members with problematic use of alcohol and/or drugs:

a) Confidential peer and self-reporting system.

- 1) A peer and self-reporting system, based on Just Culture principles, with trained and designated persons to handle and respond to such reports. The protocol, accessibility and confidentiality of this reporting system including the utilisation of this information should be explained to crew members. The AOC holder should also encourage self-reporting by affected crew members and peers.

b) Risk-based testing.

- 1) The testing programme should be based on careful use of procedures that respect the privacy and dignity of the crew member tested, and ensure a high standard of accuracy. The AOC holder should define the test equipment used for the AADMP, as well as the allowable alcohol consumption limit by the AOC holder.
- 2) The AOC holder should also determine the criteria for its risk-based random testing and the factors that could trigger such testing, such as:
  - i) During periods of anticipated increase in alcohol use.
  - ii) At overseas stations that are assessed to have a higher risk of alcohol and/or misuse.
  - iii) If a crew member displays signs of intoxication when reporting for duty.
  - iv) When a whistle-blower report has been received.

The process for managing a crew member found to have exceeded the allowable alcohol consumption limit or found to have used drugs should also be developed and shared with crew members.

#### 8.1.2 Medical intervention and rehabilitation programme.

8.1.2.1 An AOC Holder should formalise an alcohol and drug treatment programme that should be administered by a multidisciplinary team of experts and peer support network. The treatment programme should aim to solve the root problem and prevent recurrent problematic alcohol and/or drug abuse, and should provide the crew member a path back to operational status.

8.1.2.2 The programme should:

- a) explain the treatment and rehabilitation pathway,

- b) identify and recommend the medical institution conducting the assessment and rehabilitation.
- c) determine cost of rehabilitation.
- d) Contain post-rehabilitation requirements, if any.

### 8.1.3 Education and Communication.

8.1.3.1 An AOC Holder should develop an effective training and education package to ensure that its crew members understand the AOC Holder's policy, procedures and rules pertaining to the misuse of alcohol and/or drugs. The training package should also encourage peer and self-referral to the AOC Holder for help. The training and education materials should cover at least:

- a) The AOC Holder's policy on the use and/or misuse of alcohol and drugs.
  - 1) The company's alcohol consumption and drug usage policy, including the professional roles and responsibilities of their crew members pertaining to alcohol consumption and/or drug use while discharging their duty, should be clearly explained.
  - 2) The difference between social alcohol consumption and addiction should be explained.
- b) An overview of alcohol and drug management programme and its operating philosophy.
  - 1) Explain the alcohol and drug management programme of the AOC Holder and its administrative actions.
  - 2) Detailed process and procedure on how the company could identify and subsequently manage crew members identified as having problematic use of alcohol and/or drugs.
- c) Rules on the misuse of alcohol, e.g. allowable alcohol limits.
  - 1) Pre-employment alcohol testing requirement
  - 2) Post-incident alcohol testing requirement
  - 3) Risk-based random alcohol testing
- d) Rules on drug usage.
- e) Responsibilities of a crew member in the organisation.
  - 1) What it means to be an ambassador for safety
  - 2) Branding of the crew member as a professional
- f) Crew member peer support networks within the AOC.
  - 1) The detailed setup of the crew member peer support network.
  - 2) Resources available to crew members.



- 3) Who and how to access the crew member peer support network.
- 4) Confidentiality within the crew member peer support network.
- g) Testing procedure.
  - 1) When would the test be conducted. i.e. both at local and overseas stations.
  - 2) Where and how would the test be conducted.
  - 3) The management of a crew member(s) tested positive during AADMP by the AOC holder.
  - 4) Rehabilitation programme including duration and cost.
  - 5) The path to return a crew member back to operational status.
- h) Peer and self-reporting process and just culture.
  - 1) Explain the Just Culture.
  - 2) Explain and emphasize the benefit of an effective peer and self-reporting process.
  - 3) Build on the trust and encourage the self-reporting system.

## **8.2 Attachment B – Approval of the AADMP**

8.2.1 CAAM's approval must be obtained for each AOC Holder's proposed AADMP. The description of the AADMP in the AOC Holder's safety management system and Operations manual should include:

- a) The AOC Holder's policy on its crew members' use and/or misuse of alcohol and drugs.
- b) Details of the training and education communication package.
- c) Information on the peer and self-reporting system and the means to evaluate its effectiveness.
- d) Details of measures to identify crew members who engage in the problematic use of alcohol and/or drugs.
- e) Test process and procedure including at both local and overseas stations.
- f) Testing rates.
- g) Information and communication plan when a crew member returns a positive result.
- h) Designated treatment facility and programme.
- i) Performance monitoring plan for post return-to-service crew member.

8.2.2 The AOC Holder should maintain details on tested crew members and the results of the tests conducted, and submit de-identified bi-annual AADMP reports to CAAM. This report should include the following information:

- a) The period of the report.
- b) Total number of alcohol tests conducted both at local and overseas stations.
- c) Total number of personnel tested:
  - 1) Number of personnel tested below the stipulated alcohol limit.
  - 2) Number of personnel tested above the stipulated alcohol limit.
  - 3) Number of drug tests on personnel with the number of positive and negative cases.
  - 4) Number of personnel undergoing assessment by addiction specialist.
  - 5) Number of personnel undergoing rehabilitation.
  - 6) Number of personnel successfully rehabilitated.
  - 7) Trend analysis.
  - 8) Follow-up actions, if any.