



# Cabinet

## Minute of Decision


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### Reducing the Risks of Alcohol and Drug Impairment in Aviation, Maritime and Rail

Portfolio                      Transport

On 2 February 2016, Cabinet:

#### Requirement for commercial operators to develop drug and alcohol plans

- 1        **agreed** that all commercial operators in the aviation and maritime sectors are to have drug and alcohol management plans to reduce the risks of drug and alcohol impairment;
- 2        **agreed** that the drug and alcohol management plans referred to above are to require random testing for alcohol and drugs;
- 3        **agreed** that the Directors of Civil Aviation and Maritime New Zealand to be provided with powers to undertake non-notified testing in accordance with the details set out in paragraph 4 below;
- 4        **agreed** that:
  - 4.1      the changes to primary legislation required to give effect to the above proposals be progressed in the Maritime Transport Amendment Bill and the Civil Aviation Amendment Bill;
  - 4.2      the Bills will require all aviation and maritime commercial operators to have drug and alcohol management plans that include randomly testing staff in safety sensitive activities for the presence of alcohol or drugs, or both;
- 5        
- 6        **agreed** that subordinate legislation will set out the procedural requirements for random testing, and for drug and alcohol plans;
- 7        **invited** the Associate Minister of Transport to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above proposals;
- 8        **authorised** the Associate Minister of Transport to make decisions that are consistent with the overall policy proposals, on any issues that may arise during the drafting process;

Withheld to maintain the constitutional conventions which protect the confidentiality of advice tendered by Ministers of the Crown and officials.

**Recreational sector and commercial rail**

- 9 **noted** that the recreational sectors and the commercial rail sector have sufficient mechanisms in place, and do not require additional regulation;

**Further work**

- 10 **noted** that:
- 10.1 officials will undertake further policy work to consider enabling the Transport Accident Investigation Commission to require drug and alcohol testing for survivors who have a material causality on an accident or incident, to determine the cause of the accident;
  - 10.2 the Associate Minister of Transport will report back to the Cabinet Economic Growth and Infrastructure Committee on the outcome of this work in September 2016, if changes are required.

Michael Webster  
Secretary of the Cabinet

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