



# Australian Government

---

## Civil Aviation Safety Authority

Instrument number CASA EX92/23

I, DANIEL BERNARD O'HAGAN, Manager, Legislative Drafting, a delegate of CASA, make this instrument under regulations 11.160 and 11.205 of the *Civil Aviation Safety Regulations 1998*.

**[Signed D.B. O'Hagan]**

Danny O'Hagan  
Manager, Legislative Drafting

26 September 2023

---

### CASA EX92/23 — DAMP Implementation (Information) Exemption 2023

---

#### 1 Name

This instrument is *CASA EX92/23 — DAMP Implementation (Information) Exemption 2023*.

#### 2 Duration

This instrument:

- (a) commences on 1 October 2023; and
- (b) is repealed at the end of 30 September 2026.

#### 3 Definitions

In this instrument:

**DAMP** has the meaning given by subregulation 99.010(1) of CASR.

**DAMP organisation** has the meaning given by subregulation 99.010(1) of CASR.

**DAMP reporting period** has the meaning given by subregulation 99.010(1) of CASR.

**SSAA employee** has the meaning given by subregulation 99.010(1) of CASR.

#### 4 Exemption

- (1) A DAMP organisation, which has implemented a DAMP, is exempt from compliance with subregulations 99.100(1) and (2) of CASR.
- (2) The exemption is subject to the conditions stated in section 5.

#### 5 Conditions

- (1) The DAMP organisation must:
  - (a) subject to subsection (2), create records of the information mentioned in paragraphs 99.100(1)(a) to (l) of CASR in relation to each DAMP reporting

- period or part of a DAMP reporting period, for the organisation, during which the DAMP was implemented; and
- (b) subject to subsection (2), if requested in writing by CASA, create records of information, not mentioned in paragraph (a), relating to the organisation's implementation of the DAMP, or a drug or alcohol test undergone by an SSAA employee of the organisation under Part 99 of CASR, in relation to each DAMP reporting period or part of a DAMP reporting period, for the organisation, during which the DAMP was implemented; and
  - (c) ensure each record states the date the record was created; and
  - (d) keep each record in a secure location for 5 years (the ***5-year period***) after the last day of the DAMP reporting period or the part of a DAMP reporting period; and
  - (e) within 6 months after the end of the 5-year period, destroy or delete the parts of the records that relate to the results of drug, or alcohol, testing of an SSAA employee of the organisation.
- (2) The records mentioned in paragraph (1)(a) or (b) must not include any information in relation to an SSAA employee of the organisation that might identify the employee.
-