

# Legal Shots

Aviation: supervision of performance of duties under the influence of alcohol, narcotics or psychotropic substances

The recent legal regime governing the control and supervision of personnel critical to civil aviation safety, carrying out their duties under the influence of alcohol, narcotics or psychotropic substances, came into force on 5th September.

The aim of this new regime, which also introduces changes to the Criminal Code, is to provide greater legal certainty in this area and allow for standardised action that can be consistently monitored, defining, among others:

- what should be considered 'critical personnel';
- legal limits and prohibitions on performing duties under the influence of:
  - alcohol (above BAC 0.2 g/l);
  - drugs or psychotropic substances.
- agents and methods of inspection;
- counter-evidence;
- duration of the impediment to exercise functions and access to the airside of aerodromes;
- air operators' specific reporting duty.

These changes may require companies in the sector to adapt their internal policies.

Additionally, the sanctions for administrative and criminal offences, as well as precautionary measures are also reviewed. ANAC will have the authority to impose an accessory sanction of temporary prohibition of the exercise of the activity for a maximum period of two years.

Meet our Team:

