

WEST AUSTRALIAN PISTOL ASSOCIATION (INC.)
DRUGS IN SPORT POLICY

The West Australian Pistol Association (WAPA) condemns the use of banned performance enhancing substances and other doping and drug taking practices in sport that are dangerous to the health of competitors or contrary to the ethics of sport. WAPA recognises the need to take strong and positive action to eliminate sports doping.

No competitor, coach or official shall engage, aid or be knowingly involved in doping practices of any illegal type with any unlawful substance either personally or with another person.

The West Australian Pistol Association:-

Supports the doping policy, hearings and sanction procedures of Pistol Australia (PA), and/or the Australian Sports Commission (ASC) and the Australian Sports Drug Agency (ASDA).

Agrees to abide by the provisions of the Western Australian Department of Sports and Recreation (DSR) Drugs in Sports Policy (Attached at Committee Meeting 28/07/06).

Encourages the development and implementation of a drugs in sport education and intervention program for its members.

Will permit and assist in carrying out testing and the provision of documentation as requested by ASDA, ASC, PA or DSR.

The testing of persons under the age of 18 years will not occur without the consent of their parent or guardian.

All competitors entering WAPA approved Open or State Championships will be eligible for in competition drug testing.

A condition of entry to the state team training squad is to accept eligibility for both in and out of competition drug testing.

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DEFINITIONS

1. a. "ACGA" means the Australian Commonwealth Games Association.
- b. "AOC" means Australian Olympic Committee.
- c. "ASC" means the Australian Sports Commission established by the Australian Sports Commission Act 1989.
- d. "ASDA" means the Australian Sports Drug Agency established by the Australian Sports Drug Agency Act 1990.
- e. "CAS" means the Court of Arbitration for Sport (Oceania Registry).
- f. "Doping Practice" means:
 - i. the taking or use of drugs or participation in other methods prohibited by the Olympic Movement Anti-Doping Code (OMADC) and/or defined by ASDA;
 - ii. refusal to provide a sample for testing requested by a drug testing authority recognised by the State Government; or
 - iii. aiding, abetting, counselling or procuring or being knowingly involved in an activity referred to in (i) or (ii) above.
- g. "DSR" means the Western Australian Department of Sport and Recreation.
- h. "International Sporting Organisations" means all organisations recognised by the ASC as International Sports Federations and peak Sports Organisations.
- i. "IOC" means International Olympic Committee.
- j. "IOC procedures" refers to the testing procedures specified in the Olympic Movement Anti-Doping Code (OMADC).
- k. "Member" means any person or body which is a member of a sporting association and includes persons or bodies which are members of them.

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- l. "National Sporting Organisation" and "NSO" means a sporting association recognised by the ASC as that sport's peak body in Australia.
- m. "Open Age Sporting Competition" means a sporting competition that is open to persons of any age who are competing either as individuals at the top level for a sport or as members of the top team for a sport.
- n. "Procedural fairness" means natural justice.
- o. "Register" means the Register of Notifiable Events established and maintained by ASDA.
- p. "Sample" means human biological fluid or tissue.
- q. "Sporting Organisation" means all sporting organisations (including State Sporting Associations) in Western Australia receiving financial or other assistance from the State Government.
- r. "State Competitor" means any person who:
 - i. competes or has been selected to compete, as a representative of Western Australia, in an open age sporting competition either as an individual competitor or as a member of a team; or
 - ii. is included in a group formed for the purposes of selection as an individual or member of an open age team to represent Western Australia; or
 - iii. competes in an open age sporting competition, or trains to compete in an open age sporting competition, and is receiving support from the State Government or is a party to an arrangement under which he or she will receive support from the State Government; or
 - iv. is entered on a national Register and as a result of having his or her name entered on the register, is ineligible to take part in an open age sporting competition as a representative of Western Australia; or
 - v. purports to represent Western Australia in an open age sporting competition.

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s. "State Government" means the Western Australian State Government and its sports and related agencies.

t. "State Sporting Association" and "SSA" means a sporting association recognised by the State Government as that sport's peak body in Western Australia.

u. "Testing" means the requesting, collecting and analysis of samples.

v. "WAIS" means Western Australian Institute of Sport.

w. "Western Australian Legislation" means that State legislation complementary to the ASDA Act.

Words in the singular include the plural and vice versa.

OBJECTIVE

2. The objective of the State Government is to ensure that participation at all levels in sport and recreation by Western Australians is free of performance enhancing drugs and methods.

POSITION STATEMENT

3. The State Government condemns the use of banned performance enhancing substances and other doping and drug taking practices in sport as both dangerous to the health of competitors and contrary to the ethics of sport. It recognises the need to take strong and positive action to eliminate sports doping and other drug taking practices.

4. No competitor, coach, official or Sport Organisation receiving financial support or other assistance from the State Government, or its agencies, shall engage, aid or be knowingly involved in a doping practice.

5. It is expected that all Sporting Organisations, in receipt of Government support, will develop and/or adopt anti-doping policies and practices in accordance with this policy by 30 June 2002.

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6. The State Government will adopt such measures as are necessary to combat sports doping. Emphasis will be on educational approaches, however, enabling legislation has been enacted which will allow the testing of State competitors for evidence of doping practices to be undertaken where appropriate by ASDA or other testing authority approved by the State Government for the purposes of this policy.

7. Anti-doping measures taken by the State Government will be consistent with principles of procedural fairness and will respect competitors' right to privacy.

8. The State Government supports national and international initiatives to control the supply of performance enhancing substances.

9. The only legitimate use of drugs in sport is in accordance with IOC and/or ASC policies.

10. The State Government recognises International Sporting Organisations who can conduct sampling and testing in accordance with IOC procedures and use IOC accredited laboratories for the testing of samples for the detection of performance enhancing substances and other sports doping practices.

RECOGNITION OF ASDA

11. ASDA is recognised as a key national agency working with sport to develop education programs about the use of performance enhancing substances and other sports doping practices.

12. ASDA is recognised as the national drug testing authority responsible for the collection of samples and arranging the testing of those samples for the detection of performance enhancing substances and other doping practices.

SPORTS DRUG EDUCATION

13. The State Government recognises the importance of education and information initiatives as measures to counter sports doping practices.

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14. The State Government will recognise the information and education initiatives of ASDA and may develop and implement State-based Drugs in Sport education programs for the sporting community in cooperation with Sporting Organisations, ASDA, or other suitable agency or agencies.

15. The State Government acknowledges the role of the IOC, Commonwealth Government and ASDA in the development of international initiatives to eliminate doping in sport.

COMMITMENT OF SPORTING ORGANISATIONS

16. All Sporting Organisations will be expected to undertake the following anti-doping commitment:

a. support and abide by this Drugs in Sport Policy;

b. support and adopt the doping policy, hearings and sanctions procedures of their relevant NSO and/or the ASC and ASDA;

c. support the information and education initiatives of the State Government in cooperation with ASDA.

17. In addition, SSAs in receipt of, or seeking, financial assistance from the State Government will

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be required to:

- a. provide DSR with a copy of their current doping policy;
- b. agree to abide by the provisions of this Drugs in Sport Policy, to be eligible to receive financial assistance from DSR or any other State Government agency;
- c. develop and implement, in consultation with relevant agencies, drugs in sport education and intervention programs for their members.

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TESTING FOR DOPING PRACTICES

18. The State Government recognises that testing for the detection of banned substances is a useful deterrent to doping practices and that pursuant to legislation of the Commonwealth and/or Western Australia, ASDA may request a competitor as defined in the legislation to provide a sample for the purposes of testing for evidence of doping practices.

19. Any testing program initiated in Western Australia will be subject to a written agreement between ASDA and the State Government which identifies and quantifies the testing population and responsibility for costs. The viewpoints of the sporting community will be taken into account in the development of a Western Australian testing program.

20. Any testing program initiated by Sporting Organisations will be subject to a written agreement between ASDA and the Sporting Organisation which identifies and quantifies the testing population and responsibility for costs.

21. Testing of competitors for doping practices will be in accordance with principles of procedural fairness.

TESTING OF CHILDREN

22. The testing of persons under the age of 18 years under Western Australian legislation will not occur without the written consent of the child's parent or guardian. A refusal by the child's parent or guardian will not constitute grounds for an entry in ASDA's Register.

ELIGIBILITY FOR TESTING

23. In addition to those competitors eligible for testing under provisions of the Australian Sports Drug Agency Act 1990, and/or pursuant to Western Australian legislation ASDA may test for evidence of doping practices in sport any competitor who:

- a. competes or has been selected to compete, as a representative of Western Australia, in an open age sporting competition either as an individual competitor or as a member of a team; or

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- b. is included in a group formed for the purposes of selection as an individual or member of an open age team to represent Western Australia; or
- c. competes in an open age sporting competition, or trains to compete in an open age sporting competition, and is receiving support from the State Government or is a party to an arrangement under which he or she will receive support from the State Government; or
- d. is entered on a national Register and as a result of having his or her name entered on the register, is ineligible to take part in an open age sporting competition as a representative of Western Australia; or
- e. purports to represent Western Australia in an open age sporting competition.

OBLIGATIONS OF STATE SPORTING ASSOCIATIONS

24. All SSAs receiving financial or other assistance from the State Government shall:

- a. provide the names and other details of their State competitors on request from DSR and/or ASDA for the purpose of selection for testing if required;
- b. permit and assist ASDA to attend competitions conducted by them or under their auspices in order to obtain samples for testing to detect the use of banned performance enhancing substances and other doping practices;
- c. permit and assist ASDA to obtain samples for testing from their members out of competition to detect the use of banned performance enhancing substances and other doping practices;
- d. notify their State competitors that they are liable for selection to provide samples for testing to detect the use of banned performance enhancing substances and other doping practices;
- e. arrange for completion and return of any documentation required for the purposes of ASDA at the request of ASDA, the ASC, AOC, ACGA or NSO;

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- f. provide DSR with a copy of their doping policy. This policy should conform with the doping policy of their NSO and this Drugs in Sport Policy;
- g. upon initiating a testing program, contract ASDA to conduct the tests;
- h. notify DSR of sanctions to be applied to their State competitors;

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- i. monitor the implementation of sanctions and report to DSR as required; and
- j. notify DSR and WAIS immediately of any positive test results recorded by any of their State competitors.

ADVICE TO THE WA INSTITUTE OF SPORT FROM ASDA

25. ASDA will maintain a Register to record the names of competitors who have returned positive test results or who fail to provide a sample for testing. For those competitors assisted directly by WAIS or through Sporting Organisations receiving financial or other assistance from WAIS, ASDA in the first instance will notify nominated Senior Officers of DSR being the Director-General or the Director of Sport. The DSR Senior Officer will advise the Chairman or Director of WAIS of the competitor's name and test details. The DSR Senior Officer and the Chairman or Director will not make the name or other means of identification available to other officers of DSR or WAIS.

ADVICE TO THE STATE GOVERNMENT FROM STATE SPORTING ASSOCIATIONS

26. SSAs will notify the Director-General of DSR of:

- a. any breach of this Policy as reported by the NSO to the State Sporting Association; and
- b. any sanction applied to a member by the State Sporting Association within ten days of the decision to impose it or within ten days of being notified of any sanction.

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SANCTIONS

27. The State Government endorses the nature and type of sanctions contained in the ASC National Anti-Doping Policy.

28. The State Government expects that the following sanctions determined by the relevant NSO will be applied by the relevant SSA to their members found to have participated in a doping practice. The competitor will for the period of suspension:

- a. not be eligible to be selected to represent Western Australia in any national competition;
- b. be banned from competing in any events and competition conducted by or under the auspices of any SSA;
- c. have awards, placings and records won from the date of the doping practice withdrawn;
- d. have funding assistance from the relevant SSA withdrawn;
- e. remain on ASDA's Register for out of competition testing;
- f. not be able to hold office in any SSA; and
- g. be ineligible for any assistance from WAIS.

29. The State Government will withdraw, and revoke eligibility for, financial or other assistance (for example use of facilities) to any competitor, coach, official or other person receiving financial or other assistance from the State Government who it determines has committed a breach of this Drugs in Sport Policy, for the sanctioned period.

30. Financial or other assistance to a Sporting Organisation may be withdrawn and eligibility for financial or other assistance from the State Government revoked where the State Government determines a Sporting Organisation has committed a breach of this Policy.

31. A breach of this Policy referred to in paragraph 30 may result in the immediate withdrawal in whole or part of State Government financial and other assistance to a Sporting Organisation for the remainder of the current financial year and for the succeeding financial year. Sanctions are cumulative, and each breach of the Policy may invalidate eligibility for assistance for each succeeding financial year in which the Sporting Organisation is eligible for funding.

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THERAPEUTIC USE OF BANNED SUBSTANCES

32. The needs of some competitors (for example, competitors with disabilities) for therapeutic use of banned performance enhancing substances is recognised. A person may use a banned substance for a therapeutic purpose if:

- a. the person had written approval prior to testing from the Australian Sports Drug Medical Advisory Committee (ASDMAC) or other recognised medical authority for the therapeutic use of the substance;
- b. the level of the banned substance in the sample is consistent with the approved therapeutic use; and
- c. the therapeutic use of the banned substance is not inconsistent with rules of the relevant International Sports Federation.

HEALTH AND SAFETY OF COMPETITORS

33. The State Government and/or ASDA may determine a schedule of drugs which might be included in any drug testing program.

APPEAL MECHANISMS

34. The State Government recognises a competitor's right to apply for a review to the

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Commonwealth Administrative Appeals Tribunal in regard to the collection and testing of samples.

REVIEW OF SANCTIONS

35. The State Government will not act as an appeal agency for the purposes of a review of an individual's sanctions imposed by the NSO.

36. Appeals against sanctions may be challenged by lodging objection with the CAS.

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OTHER CONTACTS

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