



South Australian Sports Institute

ANTI DOPING POLICY

ARTICLE 1 - WHAT IS THE SASI' POSITION ON DOPING?

The SASI condemns the Use of Prohibited Substances and Methods in sport. The Use of Prohibited Substances and Methods is contrary to the ethics of sport and potentially harmful to the health of Athletes.

The only legitimate Use of Prohibited Substances and Methods is under a Therapeutic Use Exemption (TUE) issued in accordance with the WADA International TUE Standard.

The SASI aims to stop Doping practices in sport by:

- (a) educating and informing Persons about drugs in sport issues;
- (b) supporting the drug testing programs and education initiatives of the Australian Sports Drug Agency (ASDA), Australian Sports Commission (ASC), National Sporting Organisations (NSOs) and other Anti-Doping Organisations; and
- (c) recognising effective sanctions on Persons who commit Anti-Doping Rule Violations (ADRV).

ARTICLE 2 - OPERATION OF THIS POLICY

The SASI recognises and adopts as relevant in this Policy the anti-doping policies of ASC and relevant NSOs. SASI recognises that these anti-doping policies are World Anti-Doping Code (Code) compliant. SASI Persons bound under those anti-doping policies are also bound by this Policy. For example, an Athlete who holds a scholarship with SASI and who also holds a scholarship with the Australian Institute of Sport (AIS) will be bound by this Policy and the ASC anti-doping policy. The Athlete will also be bound by the anti-doping policy of their NSO. Similarly an Athlete Support Personnel who holds positions with SASI, AIS, an NSO or an International Federation (IF) will be bound by all four anti-doping policies. SASI employees and Persons who are not bound by the anti-doping policies of ASC and/or an NSO will be bound by this Policy as set out below.

This Policy reflects and adopts the anti-doping policies of ASC and NSOs and their interpretation, operation and application unless expressed otherwise below.

The SASI Athletes, Athlete Support Personnel, employees and Persons who are bound by the anti-doping policies of ASC and/or their NSOs are considered by SASI to have read and understood those anti-doping policies which apply to them. SASI considers such Persons to be aware of their obligations under these anti-doping policies. The relevant anti-doping policies are available on the ASC and relevant NSOs' websites.

ARTICLE 3 - SASI OBLIGATIONS

3.1 The policies and minimum standards set out in the Code and implemented through this Policy represent the consensus of a broad spectrum of stakeholders with an interest in fair sport. The persons identified in Article 2 are bound by this Policy as a condition of their participation and/or involvement with the SASI.

3.2 The SASI will:

3.2.1 use its best efforts to assist SASI Athletes to fulfil their anti-doping responsibilities, including providing accurate Athlete contact information;

3.2.2 support and assist Anti-Doping Organisations, including ASDA, ASC and NSOs to conduct Doping Control;

3.2.3 make reasonable efforts to make this Policy available to Athletes, Athlete Support Personnel and Persons;

3.2.4 develop and implement, in consultation with ASDA, drug education and information programs for Athletes and Athlete Support Personnel;

3.2.5 support the initiatives of the ASC, ASDA, Australian Olympic Committee (AOC) and Australian Paralympic Committee (APC) to stop Doping in sport;

3.2.6 withdraw funding and support to Persons who are sanctioned for any Anti-Doping Rule Violation whether under this Policy or under the anti-doping policy of ASC or an NSO;

3.2.7 recognise to the extent possible anti-doping policies and rules which conform with the Code;

3.2.8 cooperate with the ASC, NSOs and other Anti-Doping Organisations in relation to the conduct of any investigation or hearing into an alleged Anti-Doping Rule Violation (ADRV);

3.2.9 ensure that all relevant SASI policies, rules and programs conform to the extent possible with the Code;

3.2.10 require all Athletes and Athlete Support Personnel within its jurisdiction to recognise and be bound by anti-doping policies which conform with the Code and this Policy;

3.2.11 require Athletes to be available for Sample collection and provide accurate and up-to-date whereabouts information if required by the conditions for eligibility established by an Athlete's NSO or IF, AOC, APC or any Major Event Organisation; and

- 3.2.12** not disclose or use any information about a person who is alleged to have, or has committed an Anti-Doping Rule Violation until after the conclusion of the hearing, except (for a purpose under this Policy) to ASC, ASDA, the Athlete's NSO and relevant Anti-Doping Organisations.

ARTICLE 4 - RESULTS MANAGEMENT

- 4.1** The SASI will recognise the results of laboratory analysis of Testing by Anti-Doping Organisations including ASDA conducted in accordance with the WADA International Standard for Testing.
- 4.2** The SASI should be:
 - 4.2.1** notified by ASC, ASDA or an NSO about a Person who is alleged to have or has committed an Anti-Doping Rule Violation under an anti-doping policy;
 - 4.2.2** advised by the relevant body of all results of all Anti-Doping Rule Violations within 14 days of the conclusion of the results management process; and
 - 4.2.3** consulted by the ASC or an NSO about SASI's participation in any investigation, hearing and appeal. SASI shall have the right to attend hearings or appeals as an observer or interested party.

ARTICLE 5 - CONFIDENTIALITY AND REPORTING

- 5.1** The SASI must not publicly disclose the identity of a Person who is suspected of an Anti-Doping Rule Violation until it has been determined in a hearing that an Anti-Doping Rule Violation has occurred, or such hearing has been waived, or the assertion of an Anti-Doping Rule Violation has not been timely challenged, and no appeal has been lodged against any determination made.
- 5.2** No later than twenty (20) days after an anti-doping matter has been finally determined, the SASI must publicly report the result and sanction imposed.

ARTICLE 6 - RECOGNITION OF DECISIONS

The SASI will recognise and enforce Testing, TUEs and hearing results or other final adjudications properly imposed on a Person who has committed an Anti-Doping Rule Violation under an anti-doping policy.

ARTICLE 7 - SASI EMPLOYEES AND ADDITIONAL SANCTIONS

- 7.1** The SASI may also require any Person who has committed an Anti-Doping Rule Violation and who is bound by this Policy to:
- 7.1.1** repay all funding and grants received from SASI subsequent to the occurrence of the Anti-Doping Rule Violation; or
 - 7.1.2** return all awards or other recognition received from SASI.
- 7.2** In addition the SASI may require any Person including SASI employees who has committed an Anti-Doping Rule Violation and who is bound by this Policy to undertake counselling for a specified period.
- 7.3** Where an employee or contractor of the SASI has committed an Anti-Doping Rule Violation, the SASI will take disciplinary action against the employee or contractor in accordance with the **SASI Code of Conduct** and Procedures.
- 7.4** The SASI may impose a Provisional Suspension suspending financial or other assistance to a Person bound by this Policy whose Sample is the subject of an Adverse Analytical Finding or who is issued with an infraction notice or who is subject to an investigation.

ARTICLE 8 - AMENDMENT AND INTERPRETATION OF ANTI-DOPING POLICY

- 8.1** This Policy may be amended from time to time by the SASI.
- 8.2** Except as provided in Articles 2 and 7.4, this Policy shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- 8.3** The headings used for the various Parts and Articles of this Policy are for convenience only and shall not be deemed part of the substance of this Policy or to affect in any way the language of the provisions to which they refer.
- 8.4** This Policy has been adopted under the applicable provisions of the Code and shall be interpreted in a manner that is consistent with applicable provisions of the Code. The comments annotating various provisions of the Code may, where applicable, assist in the understanding and interpretation of this Policy.
- 8.5** This Policy shall not apply retrospectively to matters pending before the date this Policy came into effect.
- 8.6** Words in the singular include the plural and vice versa.
- 8.7** A Person includes a body corporate.
- 8.8** Words used in this Policy have the meaning ascribed to them in the relevant anti-doping policy. Words not defined in this Policy have the meaning ascribed to them in the Code unless a contrary meaning appears from the context or is expressly provided by SASI.
- 8.9** Reference to “including” and similar words are not words of limitation.

ARTICLE 9 – PROCEDURE FOR INVESTIGATION INTO NOTIFIED OR ALLEGED ADRV OR DRUG OFFENCE

- 9.1 A person commits a drug offence if
- 9.1.1 a person is convicted of an unlawful offence under the Controlled Substances Act 1984 as amended;
 - 9.1.2 a person admits to having used illegal drugs or been involved in any related practices including the cultivation, production, administration, distribution or trafficking of drugs as outlined under the Controlled Substances Act 1984 as amended.

9.2 DIRECT NOTIFICATION

- 9.2.1 Where SASI or another SA government agency is notified of an entry directly by ASDA, the ASC, an NSO or SSO or by the athlete concerned, and where the entry relates to an athlete receiving support from SASI, the Director (or nominated representative) will:
- 9.2.1.1 Advise the athlete in writing of the notification, and provide a copy of this “Procedure Statement” to the athlete. The written advice to the athlete will contain a statement to the effect that the athlete has seven days from the date of the advice to respond in writing as to why SASI should not proceed with the further stages of the “Procedure Statement”;
 - 9.2.1.2 Advise the SASI Joint Management Committee (JMC) representatives of the relevant NSO and SSO in writing of the notification, and provide a copy of this “Procedure Statement” to the Organisation;
 - 9.2.1.3 If after seven days of advising the athlete of notification of an entry, and if the athlete has not provided sufficient reason in writing to not proceed further, SASI will suspend the athlete’s scholarship agreement until the outcome of hearings by CAS, ASC, NSO or SSO is provided to SASI;
 - 9.2.1.4 Advise the athlete in writing that the athlete’s scholarship has been suspended and that if subsequent hearings or appeals result in the athlete not being suspended by the ASC, the athletes NSO or SSO, that SASI services may be restored to the level prior to the notification;
 - 9.2.1.5 Ensure that the provision of SASI assistance remains suspended irrespective of the time taken by CAS, the ASC, the relevant NSO or SSO to conduct a hearing and formulate a response to the entry on the Register;
 - 9.2.1.6 In the case of subsequent suspension of an athlete by the ASC, an NSO or SSO, terminate the athletes’ scholarship agreement, for the period for which the athlete has been suspended by the NSO or SSO;
 - 9.2.1.7 Advise the athlete that the SASI Scholarship Agreement has ceased, and membership of, or admission to, any SASI programs has been cancelled;
 - 9.2.1.8 Ensure that the athlete will be required to return any direct financial assistance which may have been previously granted to the athlete for the period for which the termination is in force (SASI may apply pro-rata calculations in this instance);

- 9.2.1.9 Ensure that the athlete will be required to return to SASI any items of clothing, equipment or other materials which are the property of SASI;
- 9.2.1.10 Advise an athlete who has been suspended that the athlete must reapply in writing before being readmitted to any SASI programs following the period of suspension; and
- 9.2.1.11 Advise an athlete who has had their scholarship terminated as a result of a second or further entry in the ASDA Register of Notifiable Events that the athlete is ineligible to be readmitted to SASI programs.

9.3 INDIRECT NOTIFICATION

- 9.3.1 Where the Director (or nominated representative) is indirectly made aware of allegations that a person in receipt of SASI assistance has returned a positive test result or has refused to undergo a legitimate drug sampling request, the Director (or nominated representative) will:
 - 9.3.1.1 Attempt to substantiate (or otherwise) the allegation through direct communication with the ASDA;
 - 9.3.1.2 If the allegation is substantiated, put into place the procedures for Direct Notification as outlined above;
 - 9.3.1.3 If the allegation is not substantiated, advise in writing the athlete concerned of the allegation, and seek the athletes comment;
 - 9.3.1.4 If the athlete admits to SASI that a banned drug or doping method has been used, put into place the procedures for Direct Notification as outlined above; and
 - 9.3.1.5 If the athlete denies the allegation, and no direct notification is forthcoming, advise in writing the athlete concerned that the allegation has not been substantiated, and that in this instance, no further action will be taken.

9.4 NOTIFICATION OF OVERSEAS TESTING RESULTS

- 9.4.1 Where, as a result of overseas drug testing procedures, the Director (or nominated representative) receives notification of a positive test result from the IOC, an IF, NSO, SSO or an agency recognised for the purpose of sports drug sampling and/or testing by the Australian Sports Commission, the Director (or nominated representative) will put into place relevant procedures for direct or indirect notification as outlined in 9.2 and 9.3 above.