

2015 ANTI-DOPING POLICY – SUMMARY OF ARTICLES

This document is a **summary** of the articles contained in the 2015 anti-doping policy of your sport. We strongly recommend that you read your sports anti-doping policy to understand your full obligations.

WARNING TO ATHLETES AND ATHLETE SUPPORT PERSONNEL

- You are responsible for knowing what the anti-doping rule violations are.
- You must find out which substances and methods are prohibited.
- Ignorance is no excuse.
- You must be aware of the rules in this Anti-Doping Policy.
- This Anti-Doping Policy adopts the strict liability principle.
- *Athletes* are responsible for anything found in their system.
- You must be aware of the sanctions that could be applied to you in this Anti-Doping Policy.
- The World Anti-Doping Code can currently be found at <https://www.wada-ama.org/en/resources/the-code/2015-world-anti-doping-code#.VGPhHfmUfec>
- The Prohibited List can currently be found at <https://www.wada-ama.org/en/resources/science-medicine/prohibited-list#.VGPhYPmUfec>
- Information on “Checking Your Substance” can currently be found at <https://checksubstances.asada.gov.au/>
- Information on ASADA can currently be found at <http://www.asada.gov.au/>
- Information on how to apply for Therapeutic Use Exemptions can currently be found at <http://www.asdmac.gov.au/>
- Access to ASADA’s online education tool can currently be found at <http://elearning.asada.gov.au/>

INTRODUCTION

Fundamental rationale for the Code and the sporting administration body's anti-doping policy

Anti-doping programmes seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as 'the spirit of sport'.

ASADA's purpose is to protect Australia's sporting integrity and the health of Australian *Athletes*. They place considerable focus on deterrence strategies. They seek to prevent the use of prohibited substances and methods in sport, and protect clean *Athletes* and the reputation of sports by conducting education, communications and awareness programs and initiatives.

Their aim is to create equality in sport so that Australian *Athletes* can participate on a level playing field at home and overseas. ASADA seeks to engage *Athletes*, *Athlete Support Personnel* and the broader community in the fight against doping in sport.

The sporting administration body objectives

Your sporting organisation has the following objectives under its Anti-Doping Policy:

- (1) comply with *the Code*, ASADA Act, ASADA Regulations (including the *NAD scheme*) as amended from time to time
- (2) promote the integrity of our sport by deterring doping in our sport.

ARTICLE 1 APPLICATION OF ANTI-DOPING POLICY

Article 1 sets out who is covered under an anti-doping policy. The policy applies to your sport and you if you are an athlete (someone who competes in sport) or an athlete support person (someone who assists in helping an athlete prepare to compete).

Anybody who is considered an *International-Level Athletes* or *National-Level Athletes* needs to know about it as you may have extra responsibilities under the anti-doping policy of your sport. Please talk to your sport if you are unsure or your classification.

Compete is an important term as it covers all activities that lead up to game day including training and pre-season.

ARTICLE 2 DEFINITION OF DOPING - ANTI-DOPING RULE VIOLATIONS

One of your key responsibilities is for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the *Prohibited List*.

The following constitute anti-doping rule violations:

- 2.1 Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample*
- 2.2 *Use* or *Attempted Use* by an *Athlete* of a *Prohibited Substance* or a *Prohibited Method*
- 2.3 Evading, refusing or failing to submit to *Sample Collection*
- 2.4 Whereabouts failures
- 2.5 *Tampering* or *Attempted Tampering* with any part of *Doping Control*
- 2.6 *Possession* of a *Prohibited Substance* or a *Prohibited Method*
- 2.7 *Trafficking* or *Attempted Trafficking* in any *Prohibited Substance* or *Prohibited Method*
- 2.8 *Administration* or *Attempted Administration* to any *Athlete In-Competition* of any *Prohibited Substance* or *Prohibited Method*, or *Administration* or *Attempted Administration* to any *Athlete Out-of-Competition* of any *Prohibited Substance* or any *Prohibited Method* that is prohibited *Out-of-Competition*
- 2.9 Complicity
- 2.10 Prohibited Association

ASADA has a number of mechanisms to detect doping and possible anti-doping rule violations:

- ASADA can conduct testing in-competition and out-of-competition. Athletes may be tested anywhere, anytime.
- The Athlete Biological Passport (ABP) is a method where Anti-Doping Organisations monitor selected variables (in blood or urine) which over time can indirectly reveal the effects of doping.
- The Athlete Whereabouts program allows anti-doping agencies like ASADA to perform out-of-competition testing.
- ASADA can store samples in its long term storage facility, called the Tank, for up to ten years, and retrospectively analyse the samples to detect prohibited substances and methods, and enforce sanctions against athletes.

- ASADA carries out investigation and intelligence operations to determine if any ADRVs have occurred.

ARTICLE 3 PROOF OF DOPING

This article establishes that ASADA will need to prove that an anti-doping rule violation has occurred.

ARTICLE 4 THE PROHIBITED LIST

The Prohibited List identifies those Prohibited Substances and Prohibited Methods which are prohibited as doping at all times because of their potential to enhance performance.

However, Athletes may at times need to use a prohibited medication to treat a legitimate medical condition.

A Therapeutic Use Exemption (TUE) is an exemption that allows an athlete to use, for therapeutic purposes only, an otherwise prohibited substance or method (of administering a substance) which may be present during competition. The TUE committee for Australia is the Australian Sports Drug Medical Advisory Committee (ASDMAC).

ARTICLE 5 TESTING AND INVESTIGATIONS

ASADA and your sport have the ability to conduct blood and urine *Testing* programmes and investigations **only** for anti-doping purposes. There are a lot of rules around how these investigations are conducted, and your rights are protected. However, athletes have got to comply with any request for *Testing* (athlete support persons don't need to be tested).

ASADA carries out highly specialised testing to detect doping which include the following two categories:

- In-competition testing is when an athlete is selected for testing in connection with a specific competition, such as (but not limited to) National Championships, World Championships and Olympic Games.
- Out-of-competition testing is when an athlete is tested outside of an event and can take place at any time and at any place, with no advance notice to the athlete. This means that athletes may be tested at their home, training locations, work place or anywhere else they can be found.

If you are an international or national level athlete, you may need to provide ASADA with details of your whereabouts (ie where you are) for a period every day so that you may be tested.

ARTICLE 6 ANALYSIS OF SAMPLES

If you do get asked to take a test, you will provide a sample. There are strict regulations around how this sample is to be taken, how it is transported, and how it is assessed.

ARTICLE 6A NON-ANALYTICAL INVESTIGATION PROCESS

If you become aware of information that relates to a possible anti-doping rule violation, you must immediately pass such information to ASADA.

You must assist, cooperate, and liaise with ASADA in relation to any investigation into a potential anti-doping rule violation (or with your sport where it has approval by ASADA to conduct its own investigation or be involved in an ASADA investigation). This may include doing the following where appropriate:

- (a) attending an interview to fully and truthfully answer questions;
- (b) giving information; and
- (c) producing documents or things.

ARTICLE 7 RESULTS MANAGEMENT

ASADA will take responsibility for the process known as results management. This basically entails managing the process after you may have committed a possible anti-doping rule violation.

ARTICLE 8 RIGHT TO A FAIR HEARING

If you are accused of committing a possible anti-doping rule violation, you may be eligible have your case heard in through a hearing process.

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

Where it is proved that you have committed an anti-doping rule violation that was committed during competition, this will lead to *Disqualification* of the result obtained and you will lose any medals, points and prizes.

ARTICLE 10 SANCTIONS ON INDIVIDUALS

There are a range of different sanctions applicable directly to your sporting activities if you breach the anti-doping rules.

The sanction will depend on:

- the type of violation
- the circumstance of the case
- which substance the athlete took
- whether this was a first time or repeat violation.

ARTICLE 11 CONSEQUENCES TO TEAMS

If more than two members of a team in a team sport are found to have committed an anti-doping rule violation during an event period, the ruling body of the event shall impose an appropriate sanction on the team in addition to any consequences imposed on the individual athletes committing the anti-doping rule violation. Team sanctions could include loss of points, disqualification from a competition or event, or other sanctions).

ARTICLE 12 SANCTIONS AGAINST SPORTING BODIES

Where it is found that you have committed a possible anti-doping rule violation, there may be implications for your sport.

ARTICLE 13 APPEALS

This section confirms that there are a number of times during this process where you can appeal a decision made.

ARTICLE 14 CONFIDENTIALITY AND REPORTING

ASADA and your sport need to follow strict regulations about the information that we may obtain about you during this process, and with who we can pass it on to.

ARTICLE 15 APPLICATION AND RECOGNITION OF DECISIONS

Any decision made under this policy regarding an anti-doping rule violation is recognised worldwide.

ARTICLE 16 INCORPORATION OF THIS ANTI-DOPING POLICY AND OBLIGATIONS OF THE SPORTING ADMINISTRATION BODY

This article outlines how close the relationship between your sport and ASADA is.

ARTICLE 17 STATUTE OF LIMITATIONS

ASADA has 10 years to start proceedings on a potential anti-doping rule violation. This often assists in allowing testing technology to catch-up with the doping activities that may have occurred up to a decade earlier.

ARTICLE 18 COMPLIANCE REPORTS TO WADA

What ASADA needs to do to be compliant with the World Anti-Doping Organisation.

ARTICLE 19 EDUCATION

This article outlines how ASADA will work with your sport to develop educational activities.

ARTICLE 20 AMENDMENT AND INTERPRETATION OF ANTI- DOPING POLICY

Outlines that this policy is in force at all times.

ARTICLE 21 INTERPRETATION OF THE CODE

Legal section that describes how the policy should be read.

ARTICLE 22 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES AND OTHER PERSONS

22.1 Roles and responsibilities of *Athletes*

- 22.1.1** To be knowledgeable of and comply with the Anti-Doping Policy of your sport.

- 22.1.2 To be available for *Sample* collection at all times¹.
- 22.1.3 To take responsibility, in the context of anti-doping, for what they ingest and *Use*.
- 22.1.4 To inform medical personnel of their obligation not to *Use Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate this Anti-Doping Policy.
- 22.1.5 To disclose to the international federation and to ASADA any decision by a non-*Signatory* finding that the *Athlete* committed an anti-doping rule violation within the previous ten years.
- 22.1.6 To cooperate with *Anti-Doping Organisations* investigating anti-doping rule violations.

22.2 Roles and responsibilities of *Athlete Support Personnel*

- 22.2.1 To be knowledgeable of and comply with this Anti-Doping Policy.
- 22.2.2 To cooperate with the *Athlete Testing* program.
- 22.2.3 To use his or her influence on *Athlete* values and behaviour to foster anti-doping attitudes.
- 22.2.4 To disclose to the international federation and to ASADA any decision by a non-*Signatory* finding that he or she committed an anti-doping rule violation within the previous ten years.
- 22.2.5 To cooperate with *Anti-Doping Organisations* investigating anti-doping rule violations.
- 22.2.6 *Athlete Support Personnel* shall not *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.

NOTE: Coaches and other *Athlete Support Personnel* are often role models for *Athletes*. They should not be engaging in personal conduct which conflicts with their responsibility to encourage their *Athletes* not to dope. *Use* or *Possession* of a *Prohibited Substance* or *Prohibited Method* by an *Athlete Support Person* without valid justification is not an anti-doping rule violation under the *Code*, but it is a breach under the sporting administration body *Code of Conduct*.

¹ Comment to Article 22.1.2: With due regard to an *Athlete's* human rights and privacy, legitimate anti-doping considerations sometimes require *Sample* collection late at night or early in the morning. For example, it is known that some *Athletes* use low doses of EPO during these hours so that it will be undetectable in the morning.