



Drugs In Sport Policy

Policy No: TWA3
Date Approved: 1 May 2004
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1. Purpose

To ensure that participation in the sport of Taekwondo at all levels is free of performance enhancing drugs and methods.

2. Scope

- 2.1 This policy applies to all members, officials, instructors, students, coaches, trainers and athletes of Taekwondo Western Australia.

3. Definitions and Interpretation

- 3.1 The following definitions apply to this policy:

“**ACGA**” means the Australian Commonwealth Games Association.

“**AOC**” means Australian Olympic Committee.

“**ASC**” means the Australian Sports Commission established by the Australian Sports Commission Act 1989.

“**ASDA**” means the Australian Sports Drug Agency established by the Australian Sports Drug Agency Act 1990.

“**CAS**” means the Court of Arbitration for Sport (Oceania Registry).

“**Doping Practice**” means:

- (1) 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;
- (2) refusal to provide a sample for testing requested by a drug testing authority recognised by the State Government; or
- (3) aiding, abetting, counselling or procuring or being knowingly involved in an activity referred to in (1) or (2) above.

“**DSR**” means the Western Australian Department of Sport and Recreation.

“**International Sporting Organisations**” means all organisations recognised by the ASC as International Sports Federations and peak Sports Organisations.

“**IOC**” means International Olympic Committee.

“**IOC procedures**” refers to the testing procedures specified in the Olympic Movement Anti-Doping Code (OMADC).

“Member” means any person who is a member of Taekwondo Western Australia (Inc);

“National Sporting Organisation” or **“NSO”** means a sporting association recognised by the ASC as that sport’s peak body in Australia.

“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.

“Procedural fairness” means natural justice.

“Register” means the Register of Notifiable Events established and maintained by ASDA.

“Sample” means human biological fluid or tissue.

“State Competitor” means any person who:

- (1) 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
- (2) 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
- (3) 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
- (4) 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
- (5) purports to represent Western Australia in an open age sporting competition.

“State Government” means the Western Australian State Government and its sports and related agencies.

“TWA” means Taekwondo Western Australia (Inc).

“Testing” means the requesting, collecting and analysis of samples.

“WAIS” means Western Australian Institute of Sport.

“Western Australian Legislation” means that State legislation complementary to the ASDA Act.

3.2 Words in the singular include the plural and vice versa.

4. Objective

4.1 The objective of TWA is to ensure that participation at all levels in Taekwondo by Western Australians is free of performance enhancing drugs and methods.

5. Position Statement

5.1 TWA 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.

5.2 No competitor, coach or official receiving financial support or other assistance from TWA shall engage, aid or be knowingly involved in a doping practice.

5.3 TWA will adopt such measures as are necessary to combat sports doping. Emphasis will be on educational approaches, however, TWA will comply with any legislation that 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.

5.4 Anti-doping measures taken by TWA will be consistent with principles of procedural fairness and will respect competitors' right to privacy.

5.5 TWA supports national and international initiatives to control the supply of performance enhancing substances.

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

5.7 TWA 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.

6. Recognition of ASDA by TWA

6.1 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.

- 6.2 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.

7. Sports Drug Education

- 7.1 TWA recognises the importance of education and information initiatives as measures to counter sports doping practices.
- 7.2 TWA recognises the information and education initiatives of ASDA and will participate in any State-based Drugs in Sport education programs for the sporting community in cooperation with Sporting Organisations, ASDA, or other suitable agency or agencies.
- 7.3 TWA acknowledges the role of the IOC, Commonwealth Government and ASDA in the development of international initiatives to eliminate doping in sport.

8. TWA's Commitment to Anti-Doping Measures

- 8.1 TWA is committed to the following anti-doping measures, to:
- (1) support and abide by the State Government's Drugs in Sport Policy;
 - (2) support and adopt the doping policy, hearings and sanctions procedures of their relevant NSO and/or the ASC and ASDA;
 - (3) support the information and education initiatives of the State Government in cooperation with ASDA;
 - (4) provide DSR with a copy of this anti-doping policy;
 - (5) 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;
 - (6) develop and implement, in consultation with relevant agencies, drugs in sport education and intervention programs for its members.

9. Testing for Doping Practices

- 9.1 TWA 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.

- 9.2 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.
- 9.3 Any testing program initiated by TWA will be subject to a written agreement between ASDA and the TWA which identifies and quantifies the testing population and responsibility for costs.
- 9.4 Testing of competitors for doping practices will be in accordance with principles of procedural fairness.

10. Testing of Children

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

11. Eligibility for Testing

- 11.1 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:
- (1) 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
 - (2) 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
 - (3) competes in an open 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
 - (4) 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
 - (5) purports to represent Western Australia in an open age sporting competition.

12. TWA's Obligations

- 12.1 TWA agrees to:

- (1) 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;
- (2) 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;
- (3) 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;
- (4) 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;
- (5) 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;
- (6) provide DSR with a copy of this anti-doping policy;
- (7) upon initiating a testing program, contract ASDA to conduct the tests;
- (8) notify DSR of sanctions to be applied to their State competitors;
- (9) monitor the implementation of sanctions and report to DSR as required; and
- (10) notify DSR and WAIS immediately of any positive test results recorded by any of their State competitors.

13. Advice to The WA Institute of Sport from ASDA

13.1 TWA acknowledges that 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.

14. Advice to The State Government from TWA

14.1 TWA will notify the Director-General of DSR of:

- (1) any material breach of this Policy by any of its competitors, coaches, trainers or officials; and
- (2) any sanction applied to any of its competitors, coaches, trainers or officials within ten days of the decision to impose it or within ten days of being notified of any sanction.

15. Sanctions

15.1 TWA endorses the nature and type of sanctions contained in the ASC National Anti-Doping Policy.

15.2 The following sanctions will be applied by TWA to its competitors, coaches, trainers or officials found to have participated in a doping practice. The competitor, coach, trainer or official will for the period of suspension:

- (1) not be eligible to be selected to represent Western Australia in any national competition;
- (2) be banned from competing in any events and competition conducted by or under the auspices of TWA;
- (3) have awards, placings and records won from the date of the doping practice withdrawn;
- (4) have funding assistance from TWA withdrawn;
- (5) remain on ASDA's Register for out of competition testing;
- (6) not be able to hold office on TWA's Executive Committee or any of its sub-committees; and
- (7) be ineligible for any assistance from WAIS.

16. Therapeutic Use of Banned Substances

16.1 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:

- (1) 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;

- (2) the level of the banned substance in the sample is consistent with the approved therapeutic use; and
- (3) the therapeutic use of the banned substance is not inconsistent with rules of the relevant International Sports Federation.

17. Health and Safety of Competitors

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

18. Appeal Mechanisms

18.1 TWA recognises a competitor's right to apply for a review to the Commonwealth Administrative Appeals Tribunal in regard to the collection and testing of samples.

19. Review of Sanctions

19.1 TWA recognises that 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.

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

20 Policy Review and Approval

20.1 The TWA Executive Council approved this policy on 1 May 2004.

20.2 The Councillor responsible for this policy will ensure a review of this policy is conducted periodically.