



Queensland

Sports Drug Testing Amendment Act 2007

Act No. 51 of 2007



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Sports Drug Testing Amendment Act 2007

Act No. 51 of 2007

An Act to amend the *Sports Drug Testing Act 2003*

[Assented to 25 October 2007]

The Parliament of Queensland enacts—**1 Short title**

This Act may be cited as the *Sports Drug Testing Amendment Act 2007*.

2 Act amended

This Act amends the *Sports Drug Testing Act 2003*.

3 Amendment of long title

Long title, ‘enable the Australian Sports Drug Agency to test State competitors’—

omit, insert—

‘provide for the testing of State athletes’.

4 Amendment of s 1 (Short title)

Section 1, ‘*Drug Testing*’—

omit, insert—

‘*Anti-Doping*’.

5 Amendment of s 3 (Objects of Act)

(1) Section 3(1)(a), ‘of State competitors’—

omit, insert—

‘and safety of State athletes’.

(2) Section 3(2)—

omit, insert—

‘(2) The objects are to be achieved mainly by providing for the State to enter into an agreement with the Commonwealth under which anti-doping testing services, and educational

services about doping in sport, are provided for State athletes.’.

6 Omission of s 6 (References in Commonwealth Act)

Section 6—

omit.

7 Replacement of pt 3 (Functions and powers)

Part 3—

omit, insert—

‘Part 3 Agreement about matters relating to State athletes

‘6 Agreement between State and Commonwealth

‘(1) The State may enter into an agreement with the Commonwealth to provide for any of the following—

- (a) anti-doping testing services for State athletes;
- (b) educational services for State athletes about doping in sport;
- (c) other matters related to achieving the objects of this Act.

‘(2) The agreement must support the achievement of the objects of this Act, including, for example, by ensuring that State athletes are tested for the use of drugs or doping methods under the NAD scheme.’.

8 Amendment of s 11 (State competitors under 18 years)

(1) Section 11, heading, ‘competitors’—

omit, insert—

‘athletes’.

(2) Section 11(1)—

omit, insert—

‘(1) This section applies if—

- (a) ASADA carries out testing of State athletes under the NAD scheme; and
- (b) before asking a State athlete who is under 18 years to supply a sample, or before taking a sample from the State athlete, ASADA seeks the consent of the athlete’s parent or guardian to the sample being supplied or taken.’.

(3) Section 11(2), example—

omit, insert—

‘Example, for subsection (2), of consent given generally—

Consent given—

- (a) at the time the State athlete becomes a member of a State sporting organisation; or
- (b) at the time the State athlete registers with a sporting organisation to compete in an open age sporting competition.’.

(4) Section 11, as amended—

renumber as section 7.

9 Renumbering of s 12 (Regulation-making power)

Section 12—

renumber as section 8.

10 Amendment of schedule (Dictionary)

(1) Schedule, definitions *Administrative Appeals Tribunal, ASDA, Commonwealth Act, Commonwealth competitor, State sporting organisation* and *State support*—

omit.

(2) Schedule—

insert—

‘**ASADA** means the body corporate continued in existence under section 20 of the Commonwealth Act under the name Australian Sports Anti-Doping Authority.

Commonwealth Act means the *Australian Sports Anti-Doping Authority Act 2006* (Cwlth).

NAD scheme means the NAD scheme under the Commonwealth Act.

receiving State support—

A person is *receiving State support* if the person, for taking part or training to take part in sporting activities—

- (a) receives funding from the State; or
- (b) uses facilities provided by the State, or operated or maintained with funding from the State; or
- (c) is a member of, or is associated with, a State sporting organisation that—
 - (i) receives funding from the State; or
 - (ii) uses facilities provided by the State, or operated or maintained with funding from the State; or
 - (iii) receives advice or other services from the State.

State sporting organisation means a sporting organisation recognised by the agency responsible for the administration of sport in the State as the sporting organisation for a sport in the State.’.

- (3) Schedule, definition *State competitor*, ‘*competitor*’—
omit, insert—
‘*athlete*’.