



Sports Anti-Doping Act 2003

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Queensland

Sports Anti-Doping Act 2003

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Sports Anti-Doping Act 2003

An Act to provide for the testing of State athletes for the use of drugs and doping methods, and for related purposes

Part 1 Preliminary

1 Short title

This Act may be cited as the *Sports Anti-Doping Act 2003*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

3 Objects of Act

- (1) The objects of this Act are—
 - (a) to protect the health and safety of State athletes by discouraging the use of drugs and doping methods; and
 - (b) to protect the State's outstanding sporting reputation; and
 - (c) to protect the State's financial investment in sport; and
 - (d) to recognise community expectations that athletes representing the State or receiving State support compete fairly without the use of drugs or doping methods.
- (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.

Part 2 Interpretation

4 Definitions

The dictionary in the schedule defines particular words used in this Act.

5 Expressions used in the Commonwealth Act

An expression used in this Act that is also used in the Commonwealth Act has the same meaning in this Act as the expression has in the Commonwealth Act.

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.

Part 4 Miscellaneous provisions

7 **State athletes under 18 years**

- (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.
- (2) The consent may be given either generally or in relation to a particular request.

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.

8 **Regulation-making power**

The Governor in Council may make regulations under this Act.

Schedule Dictionary

section 4

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).

compete means compete as an individual or as a member of a team.

NAD scheme means the NAD scheme under the Commonwealth Act.

open age sporting competition means a sporting competition that is open—

- (a) to persons of any age who are competing at the top level for a sport; or
- (b) only to persons up to a stated age, that is over the age of 18, who are competing at the top level for a sport.

Example for paragraph (b)—

An ‘under 23’ cycling race.

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 athlete means a person who—

- (a) competes, or has been selected to compete, as a representative of the State in an open age sporting competition; or
- (b) is included in a group of persons from which persons are to be selected to compete, as representatives of the State, in an open age sporting competition; or
- (c) competes in an open age sporting competition or participates in training for competition in an open age sporting competition, and is receiving State support; or
- (d) has been prevented from participating, or has become ineligible to participate, in open age sporting competitions as a representative of the State because the person's name is entered in a register.

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.