Australian Government
Sport Integrity Australia

SPORT INTEGRITY AUSTRALIA

NATIONAL INTEGRITY FRAMEWORK

Improper Use of Drugs and Medicine Policy

MOTORCYCLING AUSTRALIA LIMITED

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1. Policy Intent

The National Integrity Framework (**NIF**) seeks to ensure that everyone involved in Motorcycle sport is aware of their rights and responsibilities and sets out the standards of behaviour expected of those involved in Motorcycle sport and the behaviours that are not acceptable (**Prohibited Conduct**).

There is an increasing concern about the improper use of drugs and medicine in sport. Motorcycling Australia (**MA**) is committed to the health and wellbeing of Relevant Persons and to providing a clean environment for Participants in Motorcycle sport, including by ensuring that science and medicine services are provided to Athletes by appropriately qualified and supervised staff that are subject to the NIF.

Illegal Drugs represent a widespread community problem and can pose a serious health issue for individuals. MA is aware of the availability and the prevalence of the Use of Illegal Drugs and seeks to deter Relevant Persons from the Use, Possession or Trafficking of drugs or psychoactive substances and from any behaviour that advocates, condones, or encourages the involvement in or the Use of Illegal Drugs.

The Use of Illegal Drugs has a significant impact on the culture of sporting environments and the performance of individuals. Such Use also brings Relevant Persons, MA and Motorcycle sport into disrepute and does not provide a positive example for members of the community that may view our Athletes as role models.

The purpose of this Policy is to provide a framework to:

- ensure appropriately qualified personnel are appointed to provide science and medicine services to Athletes within Motorcycle sport;
- ensure injections are only administered to Athletes within Motorcycle sport as part of appropriate medical treatment;
- ensure Medications are used lawfully and appropriately;
- ensure Motorcycle sport establishes a best practice approach and documented procedure for the use of Supplements, with a focus on evidence-based use, given the risk that Supplements may contain substances included on the Prohibited List;
- address and deter any unlawful distribution and Use of Illegal Drugs in connection with Motorcycle sport;
- aim to reduce the harm caused by Illegal Drugs to Relevant Persons and the broader community.

2. Definitions

In this Policy the following words have the corresponding meaning:

Activity means a sporting contest, match, competition, event, or activity (including training), whether on a one-off basis or as part of a series, league, or competition, sanctioned or organised by a Relevant Organisation.

Athlete means a person who is registered with or entitled to participate in an Activity.

AIS Sports Science Sports Medicine Practitioner Minimum Standards mean the mandatory minimum standards for sports science and sports medicine staff and Contractors engaged to deliver services in those disciplines as published and amended by the Australian Institute of Sport (**AIS**) from time to time.

Chief Medical Officer (CMO) is the Medical Practitioner appointed by MA to advise and lead medical services for Motorcycle sport.[1]

Club means any club that enters a Team to participate in an Activity.

[1] This Policy does not require MA to appoint a Chief Medical Officer, however MA will be responsible for some of the corresponding duties of a Chief Medical Officer as specifically detailed in this Policy if one is not appointed.

Complaints, Disputes and Discipline Policy means the policy adopted by MA for the handling and resolution of allegations regarding Prohibited Conduct.

Contractor means any person or organisation engaged to provide services for, or on behalf of, a Relevant Organisation. This includes agents, advisers and subcontractors of a Relevant Organisation and Employees, officers, Volunteers, and agents of the Contractor or subcontractor.

Employee means a person employed by a Relevant Organisation.

Health Professional means a person who is listed as a health professional with the Australian Health Practitioner Regulatory Agency (**AHPRA**).

Health Professional authorised to administer injections means a Health Professional who is permitted under their registration and scope of practice to perform an injection. This may include Medical Practitioners, pharmacists, dentists, nurses and paramedics currently registered with the relevant professional board in that field.

Illegal Drug means any substance listed under Schedule 9 and 10 of the current Commonwealth Poisons Standard, as well as any substance listed in Schedule 1 to the Criminal Code Regulations 2019 (Cth), as well as those substances howsoever proscribed under relevant state or territory legislation, as amended from time to time.

Medical Practitioner means a person registered in the medical doctor category by the AHPRA.

Medications include substances that are classified by the Therapeutic Goods Administration (**TGA**) as a therapeutic good (listed under Schedules 1-8 of the current Commonwealth Poisons Standard, which are ingested, infused, inhaled, injected, inserted or absorbed by the human body. They may take the form of pills, tablets, capsules, liquids, creams, gels, injectable liquids, sprays, adhesive patches, infusions, inhaled powders, vapours or liquids, pessaries, or suppositories.

Member means a member of or a Relevant Organisation, including:

i. state, territory, and Club Member; and

ii. affiliate that is a member of a state or territory Member.

(a) **Individual Members**, which means individuals who are individuals registered with a Relavant Organisation.

Motorcycle sport means the sport of motorcycling, as governed by MA and FIM from time to time

National Integrity Framework or NIF means the NIF as developed by Sport Integrity Australia (**SIA**) and consisting of the following five policies:

(a) Safeguarding Children and Young People Policy;

(b) Competition Manipulation and Sport Gambling Policy;

(c) Improper Use of Drugs and Medicine Policy;

(d) Member Protection Policy; and

(e) Complaints, Disputes and Discipline Policy.

Participant means:

(a) Athletes;

(b) coaches appointed to train an Athlete or Team in a Relevant Organisation Activity;

(c) administrators who have a role in the administration or operation or Activity of a Relevant Organisation including owners, directors, committee members or other persons;

(d) officials including referees, umpires, technical officials, or other officials appointed by a Relevant Organisation, or any league, competition, series, Club or Team sanctioned by a Relevant Organisation;

(e) support personnel who are appointed in a professional or voluntary capacity by a Relevant Organisation, or any league, competition, series, Club or Team sanctioned by a Relevant Organisation including sports science sports medicine personnel, team managers, agents, selectors, and Team staff members.

Permitted Purpose has the meaning given under clause 4.5.

Policy means this Improper Use of Drugs and Medicine Policy and any appendices.

Possession means the actual, physical Possession, or the constructive Possession of a drug or psychoactive substance[2].

Prohibited Conduct means conduct proscribed at clause 4 of this Policy.

Prohibited List means the 'World Anti-Doping Code International Standard Prohibited List' as amended from time to time.

Prohibited Supplement includes a Category D Supplement within the AIS Sport Supplement Framework.

Relevant Athlete means:

(a) International-Level Athletes – which means Athletes who compete in sport at the international level, as determined by each International Federation, consistent with the International Standard for Testing and Investigations;

(b) National-Level Athletes – which means:

i. an Athlete in the SIA Chief Executive Officer's Registered Testing Pool, National Testing Pool or Domestic Testing Pool; or

ii. an Athlete who participates in, or prepares for, a sporting event or sporting competition declared under clause 1.05A of the National Anti-Doping scheme and published on the SIA website.

Relevant Organisation means any of the following organisations:

(a) MA;

(b) Member Organisations; or

(c) Any other organisation that has agreed to be bound by the NIF and/or the Relevant Policies.

Relevant Person means any of the following persons:

(a) Individual Member;

(b) Participant;

(c) Employee;

(d) Contractor;

(e) Volunteer; or

(f) any other individual who has agreed to be bound by the NIF and/or the Relevant Policies.

Relevant Personnel means an individual who directly works with Relevant Athletes in the following capacities:

(a) Coaches;

(b) Employees;

(c) Medical Practitioners;

(d) Officials;

(e) Sports science sports medicine personnel;

(f) Support personnel; and

(g) any other person who has agreed to be bound by this Policy (other than an Athlete).

[2] Constructive possession refers to a situation where a Relevant Person has no hands-on custody of Illegal Drugs but has knowledge of the location of Illegal Drugs and the ability to exercise control/or a degree of control over them. For example, if the Relevant Person has drugs stored in a safety deposit box. Whilst the Relevant Person does not have actual physical custody of the Illegal Drugs, they have knowledge of the location of the Illegal Drugs and the ability to exercise control over them. Thus, under the legal doctrine of constructive possession, the Relevant Person is still considered in possession of the contents of their safety deposit box.

Serious Drug Offence means an offence under a Commonwealth, state or territory law that prohibits the Possession or Trafficking in a drug or psychoactive substance.

Supplement includes single or multi-ingredient product in powder, limited volume liquid, pill or capsule form providing nutrients or other dietary components to achieve a specific health and/or performance benefit.

Team means a collection or squad of Athletes, registered with or entitled to participate in an Activity.

Traffic/Trafficking means selling, giving, transporting, sending, delivering or distributing (or Possessing for any such purpose) a drug or psychoactive substance (either physically or by any electronic or other means) by a Relevant Person to any third party; provided, however, this definition shall not include the actions of a "bona fide" Medical Practitioner involving a drug or psychoactive substance used for genuine and legal therapeutic purposes or other acceptable justification.

TUE or **Therapeutic Use Exemption** means an exemption that allows an Athlete to use, for therapeutic purposes only, an otherwise prohibited substance or method (of administering a substance).

Use means the utilisation, ingestion, injection, or consumption by any means whatsoever of any Illegal Drug.

Volunteer means any person engaged by a Relevant Organisation in any capacity who is not otherwise an Employee or Contractor, including directors and office holders, coaches, officials, administrators and team and Relevant Personnel.

Any capitalised term not defined in this Policy has the meaning given to it in the Complaints, Disputes and Discipline Policy.

3. Jurisdiction

This Policy applies to:

(a) Relevant Persons (including Relevant Athletes and Relevant Personnel); and

(b) Relevant Organisations.

4. Prohibited Conduct

4.1 Prohibited Conduct of Relevant Persons

A Relevant Person commits a breach of this Policy when they:

(a) are convicted of a Serious Drug Offence; or

(b) facilitate, administer, assist, aide, abet, encourage, induce, cover up or are in any way complicit in a breach of subclauses 4.1, 4.2 or 4.3; or

(c) without reasonable cause, fail to promptly report any conviction of a Serious Drug Offence or other conduct that is reasonably likely to be Prohibited Conduct under this Policy to MA and to any other entity as required by law; or

(d) provide a Relevant Athlete with prescription Medication or over the counter Medication in an unlawful manner.

4.2 Prohibited Conduct of Relevant Athletes

A Relevant Athlete commits a breach of this Policy when they:

(a) use, possess or distribute prescription or over the counter Medication in an unlawful manner; or

(b) possess hypodermic needles or other injection equipment, unless the individual's possession has been authorised by the Chief Medical Officer or other Medical Practitioner; or

(c) self-inject any substance unless authorised to do so by the Chief Medical Officer or other Medical Practitioner for a Permitted Purpose under this Policy; or

(d) allow any person, other than a Health Professional authorised to administer injections or authorised carer[3], to administer an injection to them, for a purpose other than a Permitted Purpose under this Policy.

4.3 Prohibited Conduct of Relevant Personnel

A Relevant Personnel commits a breach of this Policy when they:

(a) possess any hypodermic needles or other injection equipment[4], unless the individual is a Health Professional authorised to administer injections or authorised carer for the Relevant Athlete; or

(b) administer an injection to a Relevant Athlete unless the individual is a Health Professional authorised to administer injections or an authorised carer for the Relevant Athlete; or

(c) administer an injection to a Relevant Athlete for a purpose other than a Permitted Purpose under this Policy; or

(d) supply or provide a Prohibited Supplement to a Relevant Athlete.

4.4 Prohibited Conduct of Relevant Organisations

A Relevant Organisation commits a breach of this Policy when they:

(a) without reasonable cause, fail to promptly report any conviction of a Serious Drug Offence or other conduct that is reasonably likely to be Prohibited Conduct under this Policy to MA and to any other entity as required by law; or

(b) facilitate, assist, aide, abet, encourage, cover up or are in any way complicit in a breach of this clause.

4.5 Permitted Purpose

(a) A Permitted Purpose under this Policy is only where an injection is medically required for:

i. vaccination purposes; or

ii. treatment of a documented medical condition; or

iii. investigation of a suspected medical condition.

(b) The possession and use of needles for the purpose of acupuncture, dry needling and management of blisters and splinters are not considered injections. They are permitted under this policy and would not constitute a breach.

5. Reporting and Complaints

(a) Allegations of Prohibited Conduct under this Policy should be submitted to MA.

(b) Allegations of Prohibited Conduct under this Policy will be managed in accordance with the MA Complaints, Disputes and Discipline Policy.

6. Other Matters

6.1 Education

(a) To prevent breaches of this policy, build positive behaviours in sport and protect participants from the threat posed by the improper use of drugs and medicines, MA is responsible for developing and implementing an education plan addressing the content and subject matter of this Policy.

[3] Carers who are not the Relevant Athlete's parent or guardian must still obtain prior consent from a parent or guardian where required to do so by law or policy, including under the Safeguarding Children and Young People Policy.

[4] The possession and use of needles for the purpose of acupuncture, dry needling and management of blisters and splinters are not considered injection equipment. They are permitted under this Policy and would not constitute a breach.

(b) MA should engage SIA to assist in the design, implementation, and maintenance of the education plan and to determine priority education groups and appropriate interventions.

(c) The Relevant Organisation may, from time to time, direct certain Participants to undertake education, which will be relevant and proportionate to their level of participation in Motorcycle sport and the associated integrity risks.

(d) SIA has developed a range of education resources and training material to support the NIF which can be found here. MA has no responsibility for these resources.

6.2 Information sharing

Subject to the *Privacy Act 1988 (Cth)*, Relevant Organisations may share information they receive relating to the improper use of drugs and medicines with SIA to enable SIA to effectively perform its functions, including its anti-doping functions.

6.3 Interaction with anti-doping

(a) The Australian National Anti-Doping Policy (**ANADP**) or an applicable World Anti-Doping Code compliant anti-doping policy (**ADP**) will prevail to the extent of any inconsistency with this Policy in all instances. Any allegation relating to a breach or possible breach of the ANADP or other ADP will be dealt with under that policy.

(b) There is a risk that the lawful prescription, administration and use of drugs, medications and supplements may amount to a contravention of the ANADP or other ADP.

6.4 Patient confidentiality

For the avoidance of doubt, nothing in this Policy shall operate to override the patient confidentiality requirements of professional ethics for health practitioners registered with the AHPRA.

6.5 Lifesaving medical treatment

For the avoidance of doubt, lifesaving medical treatment should not be withheld. Provision of lifesaving medical treatment will not constitute a breach of this Policy.

Appendix A: Best Practice Principles

1. Sport science and sport medicine personnel

Relevant Organisations should, in the sports science and sports medicine fields:

(a) where an individual will be working with Relevant Athletes in the sports science and medicine fields, only employ or engage) individuals who:

i. comply with the AIS Sports Science Sports Medicine Practitioner Minimum Standards; or

ii. are registered with the AHPRA (for example as a Chiropractor, Nurse, Osteopath or Paramedic),

and do not have current restrictions in place on their practice;

(b) employ or engage such individuals under a written document, which must incorporate compliance with the AIS Sports Science Sports Medicine Practitioner Minimum Standards as an obligation imposed on the relevant individual; and

(c) ensure that educational or vocational qualifications, or applicable professional registrations, of all such individuals are verified, checked and recorded on commencement and at the expiry/renewal of a specific requirement.

2. Medication

(a) Relevant Athletes should refer to the Global DRO website or the SIA App to assist them to determine whether Medications (prescription and non-prescription) are permitted for use in sport, have conditions associated with their use in sport or are prohibited. Medications with conditions or which are prohibited may be able to be taken if a TUE is sought and granted.

(b) The Relevant Organisation should direct all Relevant Athletes to determine if they need an in-advance or retroactive TUE by referring to the Sport Integrity Australia website or App. Once determined, the Relevant Athlete should comply with the relevant requirements.

(c) Relevant Athletes should notify the Chief Medical Officer or person nominated by the Relevant Organisation when Medications have been provided/prescribed by a Medical Practitioner not appointed by the Relevant Organisation.

(d) Relevant Athletes should not use expired Medication.

3. Injections

(a) Relevant Organisations should maintain a self-injection register.

(b) Relevant Personnel or Relevant Athletes with a documented medical condition requiring the possession of injection equipment should notify the Chief Medical Officer or nominated person of their medical authority to inject, and subsequently be listed on the Relevant Organisation self-injection register.

(c) If a self-injection register is maintained, in exceptional circumstances (such as insufficient time or opportunity), retrospective approval of possession of injection equipment and self-injection may be granted at the discretion of the Relevant Organisation.

4. Supplements

(a) No supplement is free from anti-doping risk. In particular, Prohibited Supplements present a risk to athlete health and integrity and may also lead to a breach of a relevant anti-doping policy.

(b) MA recognises that Dietary Supplements may be taken by Relevant Athletes and is committed to establishing a best practice approach and documented procedure for the use of Supplements, with a focus on evidence-based use, given the risk that Supplements may contain substances included on the Prohibited List.

(c) MA acknowledges the value of accredited third-party auditing programs to reduce the risk of Supplements containing substances included on the Prohibited List. MA warns that there is no guarantee that any Supplement is free from prohibited substances, despite any claims made by Supplement manufacturers or clearance by third party auditing companies.

(d) MA adopts the AIS Sport Supplement Framework, which classifies Supplements into four categories according to their effectiveness and current status on the Prohibited List.

(e) Supplements should only be used by Relevant Athletes in accordance with:

i. this Policy; and

ii. any documented requirements for the use of Supplements, as adopted by the Relevant Organisation from time to time.

5. Illegal Drugs

Relevant Persons should refrain from any behaviour that advocates, condones, or encourages the involvement in or the Use, Possession or Trafficking of Illegal Drugs, including publishing or transmitting any content (e.g. a video showing Illegal Drugs being used).