



# **Drug and Alcohol Policy**

SEPTEMBER 2015

<b>Speedway Australia Policy 09/2015</b>	Revision:	Version 5
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<b>Drug and Alcohol Policy</b>	Author:	R Taylor
	Approved:	S Collins

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## 1. DEFINITIONS

### 1.1. In this Policy:

**“driver”** refers to any person who holds a current ‘SPEEDWAY AUSTRALIA’ driver’s licence’ and who are present at an event and actively competing in the capacity as a driver (includes drivers who have nominated for the event whether or not actively participating for the entire event).

**“drug testing authority”** means:

- (a) the independent drug program administrator (‘IDPA’), or
- (b) an agency appointed by the IDPA, or SPEEDWAY AUSTRALIA or a national drug testing authority which:
  - (i) operates under its own statute, rules and regulations.
  - (ii) an agency which conducts testing on competitors for the detection of prohibited substances where:
  - (iii) the methods of testing substantially accord with IDPA or SPEEDWAY AUSTRALIA procedures, and

**“IDPA”** means the independent drug program administrator chosen by SPEEDWAY AUSTRALIA to administer prohibited substance testing.

**“SPEEDWAY AUSTRALIA”** refers to and is the trading name of the National Association of Speedway Racing Pty Ltd and the National Association of Speedway Racing Inc.

**“Official”** means a person who administers, manages, provides a contracted service, assists or is otherwise involved in speedway under the auspices of SPEEDWAY AUSTRALIA, involved in contributing to an SPEEDWAY AUSTRALIA event, other than as a competitor, or medical or analogous health practitioner, includes photographers.

**“official capacity”** means that a responsible person subject to this policy must be present at an event in an official capacity not merely attending in their own time.

**“policy”** means the SPEEDWAY AUSTRALIA Drug and Alcohol Policy as amended from time to time.

**“positive test result”** means a result of a test by a drug testing authority which shows the presence of a prohibited substance in a sample.

**“prohibited substance”** refer to Appendix B for a list of prohibited substances in speedway racing.

**“licence holder of SPEEDWAY AUSTRALIA”** means:

- (a) a person who, or body which, is a licence holder of SPEEDWAY AUSTRALIA
- (b) a person who, or body which, is affiliated with SPEEDWAY AUSTRALIA
- (c) a person who is a licence holder of a body which is a licence holder of or affiliated with SPEEDWAY AUSTRALIA, and;

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includes a person taking part in, or involved in or associated with (eg as a driver, entrant, competitor, team manager or crew licence holder, official, medical or allied health practitioner) any sporting activity conducted, authorised or recognised by SPEEDWAY AUSTRALIA.

**“restricted area”** refers to those areas where access is restricted (ie to licence holders of the public) unless appropriate personal accident insurance has been obtained, or express permission given by a person approved to grant such access.

**“sample”** means human biological fluid, expired air or tissue.

**“testing”** means the requesting, collecting and analysis of a sample.

**“Australian Racing Rules and Regulations”** refers to the speedway racing rules issued by Speedway Australia.

**1.2.** Words in the singular include the plural and vice versa.

**1.3.** A person includes a body corporate.

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## 2. PURPOSE

In the interest of enhancing the safety and integrity of speedway racing in Australia, SPEEDWAY AUSTRALIA has established this Drug and Alcohol Policy. The SPEEDWAY AUSTRALIA Drug and Alcohol Policy applies to all events and activities held under the sanction of a SPEEDWAY AUSTRALIA permit and/or permission granted by SPEEDWAY AUSTRALIA to hold an activity covered by SPEEDWAY AUSTRALIA Public Liability Insurance Policy.

The testing procedures outlined and approved by SPEEDWAY AUSTRALIA and the Independent Drug Program Administrator (IDPA) are the only authorised testing methodologies to be used in accordance with this policy.

## 3. RESPONSIBLE PARTIES

Responsible parties under this Policy applies to:

- a) Licence holders of SPEEDWAY AUSTRALIA, and
- b) Drivers, Crews, Officials who are involved in an official capacity at an event.

## 4. OBJECTIVES OF THE SPEEDWAY AUSTRALIA DRUG AND ALCOHOL POLICY

SPEEDWAY AUSTRALIA aims to:

- a) Provide a safe environment which is free from the hazards associated with inappropriate use of drugs and/or alcohol.
- b) Be clear on their position in relation to the abuse of drugs and alcohol to ensure that everybody is aware of what is expected of them.
- c) Utilise this policy as a deterrent to responsible parties considering alcohol or drug use within the sport.
- d) Provide assistance through educational and rehabilitative measures to overcome alcohol and/or drug problems.
- e) Ensure that people who are detected as breaching this policy are dealt with in a fair and constructive manner.
- f) Ensure that SPEEDWAY AUSTRALIA fulfils its duty of care to participants within the sport and the general public to conduct events in the safest possible way.

## 5. SPEEDWAY AUSTRALIA'S POSITION ON DRUGS AND ALCOHOL

SPEEDWAY AUSTRALIA condemns the use of illegal drugs and alcohol in sport, their use is contrary to the ethics of sport and potentially harmful to participants and others. SPEEDWAY AUSTRALIA has a zero tolerance regarding the use of drugs and alcohol in the sport.

The only legitimate use of drugs in Australian speedway racing is under the supervision of a physician for a clinically justified purpose. (See Appendix B for Request for Approval for Therapeutic Use of a Prohibited Substance).

Any individual applying for a SPEEDWAY AUSTRALIA licence or participating in SPEEDWAY AUSTRALIA sanctioned events shall be deemed to have consented to any tests for alcohol and prohibited substances (see Appendix A) required by SPEEDWAY AUSTRALIA or its designated administrator.

As a condition of continued participation and/or the retention of a SPEEDWAY AUSTRALIA Licence/licence holder, all responsible parties must comply with the

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SPEEDWAY AUSTRALIA Drug and Alcohol Policy and submit to such test procedures as may be conducted from time to time at the sole discretion of SPEEDWAY AUSTRALIA or assigned Independent Drug Program Administrator (IDPA).

- 5.1 SPEEDWAY AUSTRALIA aims to stop the use of drugs and alcohol in speedway racing by:
  - a) Educating and informing persons about drugs and alcohol in sport,
  - b) Supporting drug and alcohol testing programs and education initiatives, and
  - c) Imposing effective sanctions on persons who commit violations of the Drug and Alcohol Policy.
  
- 5.2 SPEEDWAY AUSTRALIA will supply:
  - a) The chosen IDPA with timely and accurate licence holder contact information, and
  - b) Support and assist the chosen IDPA to conduct substance abuse testing, and
  - c) Make this Policy available but not limited to, competitors, SPEEDWAY AUSTRALIA licence holders, Officials, and medical and health practitioners.
  
- 5.3 Responsible parties may be subject to investigation and disciplined under this Policy.
  
- 5.4 SPEEDWAY AUSTRALIA will not disclose or use information about a person who is alleged to have, or has committed a violation of the Drug and Alcohol Policy (for a purpose under this Policy) to another person until after.
  - a) Final laboratory results have been confirmed, and
  - b) SPEEDWAY AUSTRALIA has advised the licence holder in writing of the results, appropriate penalty and right of appeal.
  
- 5.5 SPEEDWAY AUSTRALIA may release information to other parties that there is a matter pending regarding a breach of the SPEEDWAY AUSTRALIA Drug and Alcohol Policy, whilst withholding any personal details. Information pertaining to the amount of tests conducted and number of positive and negative results may also be given with regard to certain events or time frames. Names of persons having been tested, and returning a negative result will not be disclosed.
  
- 5.6 All other persons present at any test conducted under this policy shall also have regard for strict confidentiality, and be aware that they may be called upon as a witness to the procedure.

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## 6. OFFENCES

- 6.1 A responsible party commits a violation of the Drug and Alcohol Policy if:
- (a) A prohibited substance (see Appendix A) is present within the participant's body fluids or expired air, unless:
    - (i) The competitor uses the prohibited substance for a therapeutic purpose (see clause 7.5 Procedure for Drug Testing), or
    - (ii) There are exceptional circumstances (see clause 7.6 Procedure for Drug Testing).
  - (b) A responsible party refuses to provide a sample for testing when requested by the assigned testing authority. In refusing, the competitor will be subjected to the maximum penalty.

## 7. PROCEDURE FOR DRUG TESTING

### 7.1 Selection of Testing Dates.

- 7.1.1 SPEEDWAY AUSTRALIA or affiliated organisations may randomly select a race meeting for testing. These dates will remain confidential and only known to the IDPA, SPEEDWAY AUSTRALIA and the official of affiliated organisation.
- 7.1.2 SPEEDWAY AUSTRALIA may request the IDPA to test specific meetings if there are reasonable grounds or the meeting is a major event.
- 7.1.3 The IDPA will make arrangements to attend the meetings that have been selected, with confirmation of attendance no later than 7 days before the selected event with SPEEDWAY AUSTRALIA (in case of cancellation or postponement of the selected event).

### 7.2 Selection of Responsible Parties

- 7.2.1 The IDPA will attend the nominated track on the selected date at a time that precedes commencement of meeting program.
- 7.2.2 On arrival at the track the IDPA will make their presence known to the Chief Steward.
- 7.2.3 The Chief Steward will supply the IDPA with a list of all nominated drivers and pit crew, and officials for that event.
- 7.2.4 The IDPA will choose responsible parties at random for testing.
- 7.2.5 The Chief Steward or a designated liaison official will assist the IDPA with locating the selected people for testing. The person being tested must present either their SPEEDWAY AUSTRALIA licence or alternate photo identification to the IDPA.
- 7.2.6 Suitable facilities will be made available, by the relevant Track representative, to the IDPA for the purpose of testing the selected people.

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### **7.3 Drug testing procedure**

- 7.3.1** Testing for prohibited substances will be conducted utilising 'saliva based drug-screening equipment'. The advantages of this system are that it is fast and non-intrusive.
- 7.3.2** Those persons chosen for testing will be able to participate in the event until such time tests are completed but will be expected to cooperate with IDPA in the scheduling of the tests.
- 7.3.3** Failure to produce a suitable sample (as a result of a deliberate act) for testing will be deemed as a positive result.
- 7.3.4** Drivers and responsible parties who test positive will be required to present their SPEEDWAY AUSTRALIA licence to the Chief Steward immediately. They will be unable to participate any further in the event and will not be able to enter any restricted areas for the duration of that event. Their licence will then be forwarded to the SPEEDWAY AUSTRALIA Head Office.

### **7.4 Testing Follow up**

- 7.4.1** Confirmation tests of the positive result from the venue will be conducted by a nationally accredited testing authority, usually a NATA Laboratory.
- 7.4.2** Confirmation of results will be forwarded to SPEEDWAY AUSTRALIA who will then advise the person who has been tested.

### **7.5 Therapeutic Purpose**

- 7.5.1** A person uses a prohibited substance (see Appendix A) for a therapeutic purpose if:
  - (a) The person had submitted an Approval for Therapeutic Use of a Prohibited Substance signed by a Medical Practitioner and approved by the SPEEDWAY AUSTRALIA National Medical Officer. (See Appendix B), *and*
  - (b) The level of the prohibited substance in the sample is consistent with the approved therapeutic use, *and*
  - (c) The prohibited substance in the opinion of a reasonable Medical Practitioner has beneficial effects for an actual diagnosed medical condition.

### **7.6 Exceptional Circumstances**

Exceptional circumstances exist if the presence of the prohibited substance is beyond the person's control. For example:

- (a) The person was administered the prohibited substance in hospital without their knowledge.



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Exceptional circumstances do not exist merely because the person:

- (a) Took the prohibited substance inadvertently, or
- (b) Did not know that the substance was prohibited.

The onus of proof is on the person who claims that:

- (a) They used a prohibited substance for a therapeutic purpose, or
- (b) There are exceptional circumstances.

## 8. CHAIN OF CUSTODY – ‘POSITIVE’ DRUG TEST SAMPLES

In the event of a positive result a chain of custody procedure will immediately take place.

A secondary sample is obtained. In the case of the Cozart Rapiscan system the sample is bagged and sent for analysis. In the case of the Cozart DDS System a secondary sample is taken and split into A and B samples, bagged and the A and B samples sent to the laboratory for confirmation tests.

The persons personal details, time and date shall be endorsed on the sample. The samples are sealed in a chain of custody bag.

## 9. PENALTIES – PROHIBITED SUBSTANCES

- 9.1** Any Licence Holder alleged to be in breach of the Drug & Alcohol Policy will be served with an Infringement Notice by the Chief Steward requiring the Licence Holder to appear before the Disciplinary Tribunal, and the Licence Holder will be immediately removed from the Pits.
- 9.2** If the Disciplinary Tribunal finds a Licence Holder to be in breach of the Drug & Alcohol Policy, they may impose a penalty on the Licence Holder as per below:
  - 9.2.1** for a first offence under this Part 6 within the last ten (10) years, a maximum penalty of \$1000 fine and two (2) years suspension;
  - 9.2.2** for a second offence under this Part 6 within the last ten (10) years, a maximum penalty of \$2500 fine and five (5) year suspension; and
  - 9.2.3** for a third offence under this Part 6 within the last ten (10) years, a maximum penalty of \$5,000 fine and ten (10) year suspension.
- 9.3** If a Licence Holder refuses to provide a sample for testing and commits, the Chief Steward will issue an Infringement Notice and the Licence Holder will be subjected to the maximum penalty of ten (10) year suspension and \$5,000 fine.

**Note:** Penalties for an offence under this policy are listed in the Australian Racing Rules and Regulations in Annexure C - Penalties Guideline, Part 3.

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## 10. PROCEDURE FOR ALCOHOL TESTING

Testing of responsible parties to determine the presence of alcohol in their body by analysis of their expired air, is appropriate and necessary for the safety of everyone involved in speedway events.

- 10.1** The testing for the presence of alcohol in the body is by the analysis of expired air. Testing should be carried out prior to any Race but may be undertaken at any time during the Race Meeting.
- 10.2** An initial test will be undertaken and should this test return a positive reading a second test will be undertaken within twenty minutes under controlled conditions to confirm the initial positive test result.
- 10.3** Any Licence Holder detected with a blood alcohol content above 0.0 milligrams per 210 litres of air will be declared unfit by the Chief Steward for further participation in the Race Meeting.
- 10.4** Any Licence Holder returning a positive breath test result shall be excluded from taking any further part in the Race Meeting by the Chief Steward and, if that Licence Holder is a Driver at the relevant Race Meeting, will be required to attend the Disciplinary Tribunal where they may be subjected to further penalties. Any Licence Holder returning a test result above the required limit will be required by the Chief Steward to leave the Pits or any other restricted area.

Responsible parties being tested will be asked not to consume any substances by mouth for a period of five minutes prior to any breath analysis test being carried out.

Should there be a refusal to conduct the test, it will be considered that the person has returned a positive result. In these circumstances the competitor will be declared unfit to further participate in the day's competition. The competitor will also be subjected to the appropriate penalty as outlined the Australian Racing Rules and Regulations.

A positive alcohol test is a breach of the SPEEDWAY AUSTRALIA Drug and Alcohol Policy and the appropriate penalties will apply as described in Section 6 of the Australian Racing Rules and Regulations.

A negative result on any second test shall not be recorded against the person.

## 11. PENALTIES - ALCOHOL

- 11.1** Any Licence Holder alleged to be in breach of a rule in part 6 of the Australian Speedway Racing Rules & Regulations (other than rule 6.1.7) will be served with an Infringement Notice by the Chief Steward requiring the Licence Holder to appear before the Disciplinary Tribunal, and the Licence Holder will be immediately removed from the Pits.

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**11.2.3** for a third offence under this Part 6 within the last ten (10) years, a maximum penalty of \$5,000 fine and ten (10) year suspension.

**11.3** If a Licence Holder refuses to provide a sample for testing and commits, the Chief Steward will issue an Infringement Notice and the Licence Holder will be subjected to the maximum penalty of ten (10) year suspension and \$5,000 fine.

**Note:** Penalties for an offence of the Drug & Alcohol Policy are listed in Annexure C - Penalties Guideline, Part 3 of the Australian Racing Rules and Regulations.

## **12. TESTING**

**12.1** Unannounced testing of Licence Holders for Prohibited Substances and alcohol during a Race Meeting will be conducted from time to time by an independent drug program administrator (IDPA). These tests can be conducted under the following conditions:

### **Random Selection Testing**

Random selection testing of Licence Holders for Prohibited Substances and/or alcohol, will be conducted from time to time at the discretion of Speedway Australia and the IDPA. Selection of Licence Holders for testing shall be made at random by the IDPA with all Licence Holders having equal chance of selection. Individuals who are not selected for random testing, but wish to voluntarily participate in testing shall be subject to the same testing requirements and subsequent penalties of selected Licence Holders. Speedway Australia or any Affiliated Association can request random selection testing to be conducted.

### **Critical Incident Testing**

Licence Holders may be required to submit to a procedure for the purpose of testing for Prohibited Substances and/or alcohol following any incident or accident involving injury or death, or when the potential for either has occurred or where there is an accident or damage to property (Critical Incident).

### **Cause or Target Testing**

Licence Holders may be required to submit to a procedure for the purpose of testing for Prohibited Substances and/or alcohol where there has been no Critical Incident but where there is a concern that a responsible person is suspected of having recently ingested drugs or alcohol and may be in breach of the Speedway Australia zero tolerance policy.

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## APPENDIX A

### PROHIBITED SUBSTANCES IN SPEEDWAY AUSTRALIA SANCTIONED SPEEDWAY RACING

SPEEDWAY AUSTRALIA reserves the right to change the list of prohibited substances. Advanced notice of such changes shall be published no less than ninety (90) days prior to such change.

#### BROAD CLASSES OF SUBSTANCES PROHIBITED IN SPEEDWAY INCLUDE:

- 1 **THC** (Marijuana, Hashish etc)
- 2 **AMPHETAMINES.**
- 3 **METHAMPHETAMINE**
- 4 **COCAINE.**
- 5 **BENZODIAZEPINES**
- 6 **OPIATES** (ie opium, heroin, codeine, morphine)

Most of the psychiatric medications are liable to cause some degree of drowsiness or diminished concentration or motor performance. These drugs are also used to treat many conditions which are themselves a contraindication to participation in motor sport. However the individual response to these drugs is very difficult to predict and the drugs may be taken for many different conditions and in greatly varying dosages.

For further information please refer to the SPEEDWAY AUSTRALIA Medical Assessor or phone the **Drugs in Sport Hotline - 1800 020 506.**

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**APPENDIX B**

**REQUEST FOR APPROVAL FOR THERAPEUTIC USE OF A PROHIBITED SUBSTANCE**

Under the SPEEDWAY AUSTRALIA Drug and Alcohol Policy, SPEEDWAY AUSTRALIA licence holders are required to have prior written approval for the use of a prohibited substance for a therapeutic purpose. All requests will be forwarded to the SPEEDWAY AUSTRALIA Medical Officer for assessment before approval will be granted.

Please attach all relevant medical information that will assist in the consideration of this request.

**Part A – Applicants Details**

Surname:.....Given Names:.....Female  Male

Address:.....

State:..... Postcode:..... Date of Birth:.....

Tel: Home ( )..... Work: ( ).....

Mobile: .....

Licence holder Number: .....

I seek the approval of SPEEDWAY AUSTRALIA for the therapeutic use of a prohibited medication. I authorise the release of medical information concerning myself to SPEEDWAY AUSTRALIA for the reasonable processing of this application.

Signature: ..... Date: .....  
(to be signed by parent/guardian if applicant is under 18 years of age).

**Part B – Medical Practitioner**

Name, qualifications: .....

Address:.....

Email address:.....

Tel: Home ( )..... Work ( )..... Mobile: .....

Diagnosis:.....

.....

**Part C – Medication Details**

<b>Prohibited medication:</b>	
<b>Dose and method of administration:</b>	
<b>Anticipated duration of treatment:</b>	

