

HrdKAW Strength and Weightlifting Club

ANTI-DOPING POLICY



1. PURPOSE

World anti-doping code

This policy is adopted and implemented as a result of HrdKAW Strength and HrdKAW Weightlifting Club's commitment to the purposes of the World Anti-Doping Programme of WADA and the Code and the Australian anti-doping framework including the *Sport Integrity Australia Act 2020* (Cth); (Sport Integrity Act) and the *Sport Integrity Australia Regulations 2020* (Cth (Sport Integrity Regulations) including Schedule 1 which comprises the National Anti-Doping scheme (NAD scheme). It is in conformance with HrdKAW Strength and HrdKAW Weightlifting Club's responsibilities under the Code and in the furtherance of HrdKAW Strength and HrdKAW Weightlifting Club's continuing efforts to eradicate doping in Australia.

Fundamental Rationale for the Code and HrdKAW Strength and HrdKAW Weightlifting Club's Anti-Doping Policy

Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as the "spirit of sport". It is the essence of Olympism, the pursuit of human excellence through the dedicated perfection of each person's natural talents. It is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is reflected in values we find in and through sport, including:

- Ethics, fair play and honesty
- Health
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other participants

- Courage
- Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

2. RESPONSIBILITIES

HrdKAW Strength and HrdKAW Weightlifting Club agrees and accepts that it will perform the following functions, roles and responsibilities:

1. To ensure that its anti-doping policies and rules conform with the *Code*.
2. To respect the autonomy of the *National Anti-Doping Organisation* in its country namely, *Sport Integrity Australia* and not to interfere in its operational decisions and *Sport Integrity Australia* activities.
3. To require that persons participating in services offered by HrdKAW Strength and HrdKAW Weightlifting Club adhere to applicable anti-doping policies and rules which are in compliance with the applicable provisions of the *Code*.
4. To use its best endeavours to require persons participating in services offered by HrdKAW Strength and HrdKAW Weightlifting Club to report any information suggesting or relating to an *anti-doping rule violation* to *Sport Integrity Australia* and to cooperate with investigations conducted by any *Anti-Doping Organisation* with authority to conduct the investigation.
5. To fully cooperate with and assist *Sport integrity Australia* to vigorously pursue all potential *anti-doping rule violations*, including fully cooperating with any investigation *Sport Integrity Australia* is conducting into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping.
6. To promote anti-doping education, including to conduct anti-doping education in accordance with *Sport Integrity Australia*.
7. To cooperate with relevant national organisations and agencies and other *Anti-Doping Organisations*.
8. To the fullest extent permitted by law, to have disciplinary rules in place to prevent *Athlete Support Personnel* who are *Using Prohibited Substances* or *Prohibited Methods* without valid justification from providing support to *Athletes* within HrdKAW Strength and HrdKAW Weightlifting Club's authority.

3. APPLICATION

This policy applies to:

1. Co-owners, coaches, staff and volunteers of HrdKAW Strength and HrdKAW Weightlifting Club;
2. *Athletes*;
3. *Athlete Support Personnel*; and
4. *Any Person* involved in HrdKAW Strength and HrdKAW Weightlifting Club

Sanctions are applicable in the event of any *anti-doping rule violation* or other breach of this Policy.

4. OBLIGATIONS

4.1 All *Athletes* bound by this Policy must:

1. Be knowledgeable of and comply with all applicable anti-doping policies and rules that apply to the *Athlete*, namely the *Code*, the *International Standards*, this Policy and the policies and rules of *Sport Integrity Australia* and the relevant *National Federation* and *International Federation* (together the Athlete Applicable Anti-Doping Rules);
2. Cooperate with and assist *Sport Integrity Australia*, including by:
 - a. Attending an interview to fully and truthfully answer questions;
 - b. Giving information; and
 - c. Producing documents,in an investigation being conducted by *Sport Integrity Australia* in accordance with the Sport Integrity Act, Sport Integrity Regulations, NAD scheme and Athlete Applicable Anti-Doping Rules, even if to do so might tend to incriminate them or expose them to a penalty, sanction or other disciplinary measure;
3. Be available for *Sample* of *Specimen* collection conducted in accordance with Athlete Applicable Anti-Doping Rules at all times;
4. Take responsibility, in the context of anti-doping, for what they ingest and *Use*;

5. Inform a doctor of their obligation not to *Use Prohibited Substances and Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate the Athlete Applicable Anti-Doping Rules;
6. Disclose to HrdKAW Strength and HrdKAW Weightlifting Club, *Sport Integrity Australia* and their *National Federation* and *International Federation* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten years; and
7. Cooperate with *Anti-Doping Organisations* investigating *Anti-Doping Rule Violations*.

4.2 All *Athlete Support Personnel* bound by this Policy must:

1. Be knowledgeable of and comply with all applicable anti-doping policies and rules that apply to the *Athlete Support Personnel*, namely the *Code*, the *International Standards*, this Policy and the policies and rules of *Sport Integrity Australia* and the relevant *National Federation* and *International Federation* applicable to them or to the *Athletes* whom they support (together the Support Personnel Applicable Anti-Doping Rules);
2. Cooperate with the *Athlete Testing* programme;
3. Use his or her influence on the *Athlete* values and behaviour to foster anti-doping attitudes;
4. Disclose to HrdKAW Strength and HrdKAW Weightlifting Club, *Sport Integrity Australia* and their *National Federation* and *International Federation* any decision by a non-*Signatory* finding that they committed an *anti-doping rule violation* within the previous ten years;
5. Cooperate with *Anti-Doping Organisations* investigating *Anti-Doping Rule Violations*.
6. Not *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification; and
7. Cooperate with and assist *Sport Integrity Australia*, including by:
 - a. Attending an interview to fully and truthfully answer questions;
 - b. Giving information; and
 - c. Producing documents,
 in an investigation being conducted by *Sport Integrity Australia* in accordance with the Sport Integrity Act, Sport Integrity Regulations, NAD scheme and Support Personnel Applicable Anti-Doping Rules, even if to do so might tend to incriminate them or expose them to a penalty, sanction or other disciplinary measure.

5. TESTING

- 5.1 HrdKAW Strength and HrdKAW Weightlifting Club will recognise the results of accredited laboratory analysis of *Testing* conducted by *Anti-Doping Organisations* (including *Sport Integrity Australia*) conducted in accordance with the *Code*.
- 5.2 HrdKAW Strength and HrdKAW Weightlifting Club may request any *Anti-Doping Organisation* to conduct *Testing* and analysis of *Samples of Athletes* in accordance with the *Code*.
- 5.3 Where HrdKAW Strength and HrdKAW Weightlifting Club requests the conduct of *Testing* and analysis of *Samples of Athletes* by *Sport Integrity Australia*, whether by itself or, in the case of *Athletes* not within *Sport Integrity Australia*'s jurisdiction, by another *National Anti-Doping Organisation* under Articles 20.5.3 and 20.5.4 of the *Code*, then *Sport Integrity Australia* will either by itself or the other *National Anti-Doping Organisation* which conducts the *Testing* ensure that there is timely initial review pursuant to Article 7.1 of the *Code* and a follow-up review and investigation of any *Adverse Analytical Finding* or *Atypical Finding* required pursuant to Articles 7.3 and 7.4 of the *Code*, and advise HrdKAW Strength and HrdKAW Weightlifting Club, and the *Athlete's National Federation* and *International Federation* of the results thereof.

6. BREACHES OF THIS POLICY

- 6.1 Without limiting any other term of this Policy, the commission of an *anti-doping rule violation* is a breach of this policy.
- 6.2 Without limitation, articles 1, 2, 3, 4, 5, 6, 7, 17, 24, 25 and Appendix 1 of the *Code* apply to determine whether any *anti-doping rule violation* has been committed.
- 6.2 It is an infraction of this Policy for an *Athlete*, *Athlete Support Personnel* or *other Person* to breach any of their obligations to HrdKAW Strength and HrdKAW Weightlifting Club derived from this Policy.

7. MUTUAL RECOGNITION OF ANTI-DOPING RULE VIOLATIONS

- 7.1 HrdKAW Strength and HrdKAW Weightlifting Club will recognise *Testing*, hearing results or other final adjudications or Determinations (a determination) by any *Signatory* and *National Federation* that a *Person* has committed an *anti-doping rule violation* provided the finding is consistent with the *Code* and within that *Signatory's* or *National Federation's* authority.
- 7.2 HrdKAW Strength and HrdKAW Weightlifting Club will recognise the same *Sport Integrity Australia* Actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code* provided that HrdKAW Strength and HrdKAW Weightlifting Club is satisfied after due enquiry that the obligations of procedural fairness afforded to a person bound by the *Code* have been duly met and discharged.
- 7.3 Upon being advised of a determination under clause 7.1 or 7.2 and provided that HrdKAW Strength and HrdKAW Weightlifting Club can lawfully do so in the circumstances, HrdKAW Strength and HrdKAW Weightlifting Club will give the *Person* concerned notice in writing of:
1. The recognition by HrdKAW Strength and HrdKAW Weightlifting Club of such determination; and
 2. The automatic imposition of the applicable sanction under clause 9 for the period determined by the *Anti-Doping Organisation*, the *CAS*, or other sporting tribunal to apply to the *anti-doping rule violation* in question.
- 7.4 Except as provided in the *Code* or otherwise provided for by law, no *Person* may appeal against or challenge any recognition by HrdKAW Strength and HrdKAW Weightlifting Club under this clause 7 of an *anti-doping rule violation* by that *Person* unless that *Person* has first exhausted all his or her rights of appeal and other legal rights (if any) in respect of the hearing and finding of the *Signatory* or *National Federation* concerned (before any tribunal as provided for in the anti-doping policy of the *Signatory* or *National Federation* concerned). In the event that a *Person* challenges or appeals the hearing, finding or determination of the *Signatory* or *National Federation* concerned, HrdKAW Strength and HrdKAW Weightlifting Club will defer recognition of the *anti-doping rule violation* pending the conclusion of the challenge or appeal and will abide by the decision of the tribunal concerned.

8. NON-RECOGNISED ANTI-DOPING RULE VIOLATIONS

8.1 Where:

1. There is evidence of an *anti-doping rule violation* by any *Person* including *Athlete Support Personnel* and HrdKAW Strength and HrdKAW Weightlifting Club believes (in consultation with *Sport Integrity Australia*) that it is inappropriate in the circumstances of the particular case to refer the matter to a *National Federation* for prosecution as a breach of its anti-doping policy; or
2. HrdKAW Strength and HrdKAW Weightlifting Club believes that a *Person* holding a position within HrdKAW Strength and HrdKAW Weightlifting Club, or other *Person* including *Athlete Support Personnel* may have committed an *anti-doping rule violation* and is not subject to the anti-doping policy of any *National Federation* in respect of that alleged *anti-doping rule violation*;

HrdKAW Strength and HrdKAW Weightlifting Club will issue an infraction notice under clause 8.2 provided that it is lawful to do so.

8.2 The infraction notice referred to in the preceding clause will:

1. Be in writing and be given to the *Person* by:
 - a. Personal service; or
 - b. Delivered to the *Person's* last known address or to the *Person's* last known email address or as otherwise advised by the *National Federation* or *Sport Integrity Australia* to HrdKAW Strength and HrdKAW Weightlifting Club; or
 - c. Any other means permitted by the terms of any contract entered into between HrdKAW Strength and HrdKAW Weightlifting Club and that *Person*.
2. Set out the nature and particulars of the alleged *anti-doping rule violation*; and
3. Set out the sanction that may be imposed under this Policy in respect of the *anti-doping rule violation*.

9. HRDKAW STRENGTH AND HRDKAW WEIGHTLIFTING CLUB IMPOSED SANCTIONS FOR ANTI-DOPING RULE VIOLATIONS

9.1 Subject to any exemption by HrdKAW Strength and HrdKAW Weightlifting Club, any *Person*

who is found to have committed an *anti-doping rule violation* as an *Athlete* or *Athlete Support Personnel* will be ineligible to participate in any services or activities provided by HrdKAW Strength and HrdKAW Weightlifting Club, utilise HrdKAW Strength and HrdKAW Weightlifting Club facilities or hold any position within HrdKAW Strength and HrdKAW Weightlifting Club for the period or periods specified in the *Code* as applicable to the *anti-doping rule violation* in question.

- 9.2 For the purposes of clause 9.1, the period or periods of any sanction will be determined according to Articles 9, 10, 11 and Appendix 1 of the *Code*.
- 9.3 The above sanctions may be applied to a *Person* independently of any sanction or penalty, its duration or timing or whether current or past, imposed by any *Signatory* or *National Federation* provided that HrdKAW Strength and HrdKAW Weightlifting Club will recognise previous sanctions imposed by any *Signatory* or *National Federation* to determine whether the breach is a first, second or third offence.
- 9.4 Any period of sanction in respect of an *anti-doping rule violation* may be reduced or otherwise varied by CAS in accordance with the provisions of the *Code*.

10. OTHER BREACHES OF THIS POLICY

- 10.1 The sanctions set out in this clause 10 do not apply in respect of the commitment of an *anti-doping rule violation* by the relevant *Person*.
- 10.2 Without limiting clause 10.2, any *Person* who, in the sole and absolute discretion of HrdKAW Strength and HrdKAW Weightlifting Club, fails to comply with the obligations set out in clauses 4.1(2) and (7) or 4.2(5) and (7) may be ineligible to participate in any services or activities provided by HrdKAW Strength and HrdKAW Weightlifting Club, utilise HrdKAW Strength and HrdKAW Weightlifting Club facilities or hold any position within HrdKAW Strength and HrdKAW Weightlifting Club for such period as HrdKAW Strength and HrdKAW Weightlifting Club determine in their sole and absolute discretion.
- 10.3 Any sanctions imposed under this clause 10 are non-exclusive and the *Person* may be subject to additional sanctions in accordance with any other terms applicable to that *Person's* relationship with HrdKAW Strength and HrdKAW Weightlifting Club, including any terms of employment.

11. NOTIFICATION

11.1 Upon the imposition of a sanction under this Policy, HrdKAW Strength and HrdKAW Weightlifting Club will subject to any constraints imposed by applicable law, send details of the sanction imposed to:

1. Those *Persons* entitled to notification under Article 14.1 of the *Code*
2. The *National Federation* of the *Person* concerned;
3. *Sport Integrity Australia*;
4. *WADA*; and
5. Any other *Person* or organisation HrdKAW Strength and HrdKAW Weightlifting Club believes should be informed in this respect.

12. REVIEW OF ANTI-DOPING RULE VIOLATION

12.1 If a *Person* recorded as having committed an *anti-doping rule violation* is subsequently found not to have committed that *anti-doping rule violation* or is otherwise cleared or pardoned of any relevant wrongdoing by *CAS* or *Sport Integrity Australia* in conformity with the *Code*, HrdKAW Strength and HrdKAW Weightlifting Club will overturn the *anti-doping rule violation* and any sanction which had been imposed as a result of that *anti-doping rule violation* and will report the decision to all those *Persons* notified of the initial imposition of the sanction pursuant to clause 11.

13. REVIEW OF HRDKAW STRENGTH AND HRDKAW WEIGHTLIFTING CLUB IMPOSED SANCTION

13.1 Where a *Person* to whom a sanction has been applied under this Policy or any preceding HrdKAW Strength and HrdKAW Weightlifting Club anti-doping policy in respect of an *anti-doping rule violation* has new and relevant information concerning the subject *anti-doping rule violation*, he or she may make a written application to HrdKAW Strength and HrdKAW Weightlifting Club setting out the grounds for a possible review of that HrdKAW Strength and HrdKAW Weightlifting Club imposed sanction.

13.2 HrdKAW Strength and HrdKAW Weightlifting Club will consider the application and

determine in their sole absolute discretion whether to review any sanction imposed under this Policy or any preceding HrdKAW Strength and HrdKAW Weightlifting Club anti-doping policy and may alter a sanction imposed previously including a reduction or withdrawal of that HrdKAW Strength and HrdKAW Weightlifting Club imposed sanction.

13.3 HrdKAW Strength and HrdKAW Weightlifting Club will not alter any sanction under clause 13.2 without first consulting with any other sports organisation(s) which they know has a current sanction over the *Person*.

13.4 In the event of any alteration to a sanction by HrdKAW Strength and HrdKAW Weightlifting Club pursuant to this clause 13, HrdKAW Strength and HrdKAW Weightlifting Club will promptly notify the *Person* concerned as well as those *Persons* who received notification from HrdKAW Strength and HrdKAW Weightlifting Club of that sanction.

14. INTERPRETATION

In this policy, the following words have the following respective meanings:

“Adverse Analytical Finding” means a report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the International Standard for Laboratories and related Technical Documents, identifies in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use* of a *Prohibited Method*.

“Anti-Doping Organisation” means a *Signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process. This includes but is not limited to, the International Olympic Committee, other Major Event Organisations that conduct *Testing* at their events, WADA, *International Federations*, and *National Anti-Doping Organisations* (which for Australia is *Sport Integrity Australia*).

“Anti-Doping Rule Violation” means the *anti-doping rule violations* described in Article 2 of the *Code*.

“Athlete” means:

- a. Any *Person* who competes or participates in sport at the international level or the national level (as defined by *Sport Integrity Australia*);
- b. Any *Person* who is neither an International-Level Athlete nor a National-Level Athlete to whom *Sport Integrity Australia* applies its anti-doping rules;
- c. For purposes of Articles 2.8 and 2.9 of the *Code* and for the purposes of anti-doping information and education, any *Person* who competes or participates in sport under the authority of any *Signatory*, government or other sports organisation accepting the *Code*;
- d. Any *Person* who competes or participates in sport under the authority of a member of a *National Federation*; or
- e. Any *Person* who is registered as an *Athlete* or competitor or *Participant* (however described) with a *National Federation* or with a member of a *National Federation* or a club recognised by a *National Federation*.

“Athlete Support Personnel” means any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other *Person* working with, treating or assisting an *Athlete* participating in or preparing for sports *Competition*.

“Atypical Finding” means a report from a WADA-accredited laboratory or other WADA-approved laboratory that requires further investigation as provided by the International Standard for Laboratories or related Technical Documents prior to the determination of an *Adverse Analytical Finding*.

“CAS” means the Court of Arbitration for Sport.

“Code” means the Court of Arbitration for Sport.

“Competition” means the World Anti-Doping Code as in force from time to time.

“Doping” means the occurrence of one or more of the *anti-doping rule violations* set forth in Article 2.1 through to Article 2.10 of the *Code*.

“Doping Control” means all steps and processes from test distribution planning

through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, *Sample* collection and handling, laboratory analysis, *TUEs*, results management and hearings.

“International Federation” means an *International Federation* being an organisation controlling a branch of sport.

“International Standard” means a standard adopted by *WADA* in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly.

“National Anti-Doping Organisation” means the entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country’s National Olympic Committee or its designee.

“National Federation” means a National or regional entity which is a member of or is recognised by an *International Federation* as the entity governing the *Internal Federation’s* sport in that nation or region.

“Person” means a natural *Person* or an organisation or another entity.

“Prohibited List” means the List identifying the *Prohibited Substances* and *Prohibited Methods*.

“Prohibited Substance” means any substance, or class of substances, so described on the *Prohibited List*.

“Sample or Specimen” means any biological material collected for the purposes of *Doping Control*.

“Signatory” an entity signing the *Code* and agreeing to comply with the *Code*, as provided in Article 23 of the *Code*.

“Sports Integrity Australia” the Australian anti-doping organisation that possess the

primary authority and responsibility for adopting and implementing anti-doping rules, the initiation, implementation and enforcement of any part of the *Doping Control* process, the collection of *Samples*, the management of test results, and the conduct of hearings at the national level.

“Testing” means the part of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

“TUE” means Therapeutic Use Exemption as described in Article 4.4 of the *Code*.

“Use” means the utilisation, application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance* or *Prohibited Method*.

“WADA” means the World Anti-Doping Agency.

All the words used in this Policy shall have the same meaning as that ascribed to them in the *Code* and the *International Standards*.

The *Code* and the *International Standards* shall be considered as part of this Policy, apply automatically and prevail in case of conflict.

Words not defined in this Policy have the meaning ascribed to them in the *Code* and the *International Standards* unless a contrary meaning appears from the context.

In the interpretation of this Policy, should there be any inconsistency or conflict between this Policy and the *Code* and the *International Standards*, then the provisions of the *Code* and the *International Standards* will prevail.

Reference to:

- a. The singular includes the plural and the plural includes the singular; and
- b. A *Person* includes a body corporate.

If a *Person* or *National Federation* to whom this Policy applies consists of more than one *Person*, then this Policy binds them jointly and severally.

Headings are for convenience only and do not form part of this Policy or affect its interpretation.

“Including” and similar words are not words of limitation.

Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.