



Australian Capital Territory

Drugs in Sport Act 1999

A1999-84

Republication No 4

Effective: 12 April 2007 – 20 September 2011

Republication date: 12 April 2007

Last amendment made by A2007-3

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Drugs in Sport Act 1999* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 12 April 2007. It also includes any amendment, repeal or expiry affecting the republished law to 12 April 2007.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

Drugs in Sport Act 1999

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R4
12/04/07

Drugs in Sport Act 1999
Effective: 12/04/07-20/09/11

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Australian Capital Territory

Drugs in Sport Act 1999

An Act to give functions to the Australian Sports Drug Agency in relation to the use of drugs and doping methods in sport and for other purposes

1 Name of Act

This Act is the *Drugs in Sport Act 1999*.

2 Dictionary

The dictionary at the end of this Act is part of this Act.

Note 1 The dictionary at the end of this Act defines certain terms used in this Act.

Note 2 A definition in the dictionary applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

3 Notes

A note in the text of this Act is explanatory and is not part of the Act.

Note See *Legislation Act 2001*, s 127 (1), (4) and (5) for the legal status of notes.

4 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 it has in the Commonwealth Act.

6 Giving of functions to ASADA

- (1) ASADA has, under this Act in relation to an ACT competitor, the same functions as it has under the Commonwealth Act in relation to a Commonwealth competitor.
- (2) The Federal Court, the Administrative Appeals Tribunal, and members and officers of that court or tribunal have the same jurisdiction and functions under this Act in relation to an ACT competitor as they have under the Commonwealth Act in relation to a Commonwealth competitor.

- (3) For subsections (1) and (2), the Commonwealth Act applies in relation to an ACT competitor as if—
- (a) a reference in that Act to a competitor were a reference to an ACT competitor; and
 - (b) a reference in that Act to an international sporting competition were a reference to a national sporting competition; and
 - (c) a reference in that Act to a relevant sporting organisation or a relevant national sporting organisation were a reference to a relevant sporting organisation as defined in this Act; and
 - (d) a reference in that Act to a representative of Australia were a reference to a representative of the ACT; and
 - (e) all other necessary changes, and any changes prescribed under the regulations, were made.
- (4) This section is subject to the following sections:
- (a) section 7 (Taking samples from an ACT competitor under 18 years old);
 - (b) section 8 (Agreement with ASADA about exercise of functions under Act).

7 Taking samples from an ACT competitor under 18 years old

- (1) ASADA may request an ACT competitor who is under 18 years old to provide a sample, or may obtain a sample from an ACT competitor who is under 18 years old, only if the competitor and his or her parent or guardian have given written consent to the taking of the sample.
- (2) A consent may be given either generally or in relation to a particular request for a sample.

8 Agreement with ASADA about exercise of functions under Act

- (1) The Minister may enter into an agreement with ASADA about the exercise of its functions under this Act.
- (2) The agreement may provide that ASADA must exercise its functions under this Act as provided under the agreement.

9 Regulation-making power

The Executive may make regulations for this Act.

Note Regulations must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

Dictionary

(see s 2)

Note 1 The Legislation Act contains definitions and other provisions relevant to this Act.

Note 2 For example, the Legislation Act, dict, pt 1, defines the following terms:

- ACT
- Commonwealth
- Executive
- exercise
- Federal Court
- function.

ACT competitor means a person—

- (a) who competes, or has been selected to compete, as a representative of the ACT in an open age sporting competition; or
- (b) who is included in a squad formed for the purpose of the selection of persons to compete as representatives of the ACT in an open age sporting competition; or
- (c) who competes in an open age sporting competition, or trains to compete in an open age sporting competition, and is receiving support from the ACT or is a party to an arrangement under which he or she will receive support from the ACT; or
- (d) whose name is entered on a national register and, as a result of having his or her name entered on the register, is ineligible to take part in an open age sporting competition as a representative of the ACT; or
- (e) who purports to represent the ACT in an open age sporting competition.

Note The Commonwealth Act, s 3 defines people who are receiving support from a government, including the ACT.

ASADA means the Australian Sports Anti-Doping Authority established under the Commonwealth Act.

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

Note A reference to a Commonwealth Act includes a reference to the statutory instruments made or in force under the Act, including regulations (see Legislation Act, s 104).

Commonwealth competitor means a competitor as defined in the Commonwealth Act.

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

national register means a register under the Commonwealth Act.

Note **Register** is defined in the Commonwealth Act, s 2 (1) to mean a Register of Notifiable Events established under a drug testing scheme.

open age sporting competition means a sporting competition that is open to persons of any age who are competing either as individuals at the top level for a sport or as members of the top team for a sport.

Note **Sporting competition** is defined in the Commonwealth Act, s 2 (1) to mean a sporting event or a series of sporting events, and **sporting event** is defined to include any sporting activity.

relevant sporting organisation, for an ACT competitor, means a sporting organisation (whether a national sporting organisation or a sporting organisation recognised by the ACT government as the peak body in the ACT for a sport)—

- (a) of which the competitor is, in that capacity, a member; or
- (b) with which the competitor is, in that capacity, associated in any way.

Note **Sporting organisation** is defined in the Commonwealth Act, s 2 (1).

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

Drugs in Sport Act 1999 No 84

notified 23 December 1999 (Gaz 1999 No S65)
commenced 23 December 1999 (s 2)

as amended by

Legislation (Consequential Amendments) Act 2001 No 44 pt 112

notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
pt 112 commenced 12 September 2001 (s 2 and see Gaz 2001
No S65)

Statute Law Amendment Act 2003 (No 2) A2003-56 sch 3 pt 3.8

notified LR 5 December 2003
s 1, s 2 commenced 5 December 2003 (LA s 75 (1))
sch 3 pt 3.8 commenced 19 December 2003 (s 2)

Statute Law Amendment Act 2007 A2007-3 sch 3 pt 3.32

notified LR 22 March 2007
s 1, s 2 taken to have commenced 1 July 2006 (LA s 75 (2))
sch 3 pt 3.32 commenced 12 April 2007 (s 2 (1))

4 Amendment history

Title

title am A2003-56 amdt 3.130

Dictionary

s 2 om 2001 No 44 amdt 1.1183
ins A2003-56 amdt 3.132

Notes

s 3 (orig s 3) defs reloc to dict A2003-56 amdt 3.131
om A2003-56 amdt 3.132
(prev s 5) reloc and renum as s 3 A2007-3 amdt 3.172

Notes

s 5 reloc and renum as s 3

Giving of functions to ASADA

s 6 hdg sub A2003-56 amdt 3.133
am A2007-3 amdt 3.173
s 6 am A2003-56 amdts 3.134-3.136; A2007-3 amdt 3.173

Taking samples from an ACT competitor under 18 years old

s 7 am A2007-3 amdt 3.173

Agreement with ASADA about exercise of functions under Act

s 8 hdg am A2007-3 amdt 3.173

s 8 sub A2003-56 amdt 3.137

am A2007-3 amdt 3.173

Regulation-making power

s 9 sub 2001 No 44 amdt 1.1186

Dictionary

dict

ins A2003-56 amdt 3.138

def **ACT competitor** reloc from s 3 A2003-56 amdt 3.131def **ASADA** ins A2007-3 amdt 3.174def **ASDA** reloc from s 3 A2003-56 amdt 3.131

om A2007-3 amdt 3.174

def **Commonwealth Act** am 2001 No 44 amdt 1.1184,
amdt 1.1185

reloc from s 3 A2003-56 amdt 3.131

sub A2007-3 amdt 3.174

def **Commonwealth competitor** reloc from s 3 A2003-56
amdt 3.131def **compete** reloc from s 3 A2003-56 amdt 3.131def **national register** reloc from s 3 A2003-56 amdt 3.131def **open age sporting competition** reloc from s 3 A2003-56
amdt 3.131def **relevant sporting organisation** reloc from s 3 A2003-56
amdt 3.131**5 Earlier republications**

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	not amended	24 May 2001
2	A2001-44	12 September 2001
3	A2003-56	19 December 2003

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