



Australian Capital Territory

Drugs in Sport Act 1999

A1999-84

Republication No 5

Effective: 21 September 2011

Republication date: 21 September 2011

Last amendment made by [A2011-28](#)

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 21 September 2011. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 21 September 2011.

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, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

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 the *Legislation Act 2001*, section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$110 for an individual and \$550 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

Drugs in Sport Act 1999

Contents

	Page
1 Name of Act	2
2 Dictionary	2
3 Notes	2
4 Expressions used in the Commonwealth Act	2
6 Giving of functions to ASADA	2
7 Taking samples from an ACT competitor under 18 years old	3
8 Agreement with ASADA about exercise of functions under Act	4
9 Regulation-making power	4
 Dictionary	 5
 Endnotes	
1 About the endnotes	7
2 Abbreviation key	7

R5
21/09/11

Drugs in Sport Act 1999
Effective: 21/09/11

contents 1

Contents

		Page
3	Legislation history	8
4	Amendment history	9
5	Earlier republications	10



Australian Capital Territory

Drugs in Sport Act 1999

An Act to give functions to the Australian Sports Anti-Doping Authority 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 are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

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

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am = amended	om = omitted/repealed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

Endnotes

3 Legislation history

3 Legislation history

Drugs in Sport Act 1999 A1999-84

notified 23 December 1999 ([Gaz 1999 No S65](#))

commenced 23 December 1999 (s 2)

as amended by

[Legislation \(Consequential Amendments\) Act 2001 A2001-44 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))

[Statute Law Amendment Act 2011 \(No 2\) A2011-28 sch 3 pt 3.10](#)

notified LR 31 August 2011

s 1, s 2 commenced 31 August 2011 (LA s 75 (1))

sch 3 pt 3.10 commenced 21 September 2011 (s 2 (1))

4 Amendment history

Long title

long title am [A2003-56](#) amdt 3.130; [A2011-28](#) amdt 3.59

Dictionary

s 2 om [A2001-44](#) 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 [A2001-44](#) amdt 1.1186

Dictionary

dict ins [A2003-56](#) amdt 3.138
def **ACT competitor** reloc from s 3 [A2003-56](#) amdt 3.131
def **ASADA** ins [A2007-3](#) amdt 3.174
def **ASDA** reloc from s 3 [A2003-56](#) amdt 3.131
om [A2007-3](#) amdt 3.174
def **Commonwealth Act** am [A2001-44](#) 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 3.131
def **compete** reloc from s 3 [A2003-56](#) amdt 3.131
def **national register** reloc from s 3 [A2003-56](#) amdt 3.131
def **open age sporting competition** reloc from s 3 [A2003-56](#)
amdt 3.131
def **relevant sporting organisation** reloc from s 3 [A2003-56](#)
amdt 3.131

Endnotes

5 Earlier republications

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
4	A2007-3	12 April 2007

© Australian Capital Territory 2011