

IMPROPER USE OF DRUGS AND MEDICINES POLICY

PREAMBLE

The Office for Recreation, Sport and Racing (ORSR) is an agency of the Government of South Australia. The South Australian Sports Institute (SASI) is a Division of ORSR.

Whilst all SASI staff are bound by all of ORSR's policies, this policy relates only to the operations of SASI and must be complied with by all SASI staff in addition to ORSR policies. SASI's contracted service providers and ORSR staff must carefully check whether they are captured by this policy at the section headed 'Scope'.

PURPOSE

There is an increasing concern about the improper use of drugs and medicine in sport. Illegal drugs represent a widespread community problem and can pose a serious health issue for individuals. The use of illegal drugs also has a significant impact on the culture of sporting environments and the performance of individuals; such use also has the potential to bring participants and SASI into disrepute.

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

- Address and deter any unlawful distribution and use of illegal drugs in connection with SASI;
- Reduce the potential harm caused by illegal drugs to relevant persons;
- Ensure that appropriately qualified personnel are appointed to provide science and medicine services to athletes within SASI; and
- Ensure that injections are only administered to athletes within SASI as part of appropriate medical treatment.

This Policy is intended to meet part of SASI's commitments under the National Integrity Framework.

SCOPE

This Policy applies to:

- Relevant persons; and

- SASI as an organisation; and
- Where agreed in a Partnership Agreement (or other formal agreement) to Relevant partners.

POLICY PRINCIPLES

SASI is committed to the following principles:

- Safeguarding the health, safety and wellbeing of relevant persons;
- Providing a safe and clean environment for relevant athletes;
- Providing a positive example for members of the community that may view SASI athletes as role models

OBLIGATIONS

Illegal Drugs

In common with all persons more generally by Australian law, you must not use, possess or traffic illegal drugs.

Relevant persons must not use, possess or traffic illegal drugs regardless of the jurisdiction in which they are operating at the relevant time - you must respect the laws of the jurisdiction in which you are operating and the WADA Code whether in Australia or internationally.

Sport Science and Sport Medicine Personnel

SASI must, in the sports science and sports medicine fields:

- Only employ, or engage in a voluntary capacity, those individuals who:
 - Comply with the AIS' *Sports Science Sports Medicine Practitioner Minimum Standards*; or
 - Are a chiropractor, nurse, osteopath or paramedic who is registered with the Australian Health Practitioners Regulation Agency

to work with relevant athletes.

- 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



- Ensure that educational or vocational qualifications, or applicable professional registrations, of all such individuals are verified, checked and recorded at least annually.

Where SASI utilises the services of sports science and sports medicine fields personnel from other organisations (eg partner organisations) for relevant athletes, SASI must, before utilising that individual person's services, be satisfied that the organisation has met the above criteria with respect to those individual personnel.

Medication

- For medications requiring a prescription, a relevant person must only use medication prescribed to them personally and in the manner directed by a medical practitioner.
- Relevant persons should determine whether medications (prescription or nonprescription) are:
 - Permitted for use in sport;
 - Have conditions associated with their use in sport; or
 - Prohibited for use in sport.

Relevant persons may refer to the [Global DRO website](#) or the Sport Integrity Australia App to assist them to make this determination.

- Medications with conditions or which are prohibited may be able to be taken if a Therapeutic Use Exemption (TUE) is sought and granted.
 - SASI requires all relevant persons to determine if they need an in-advance or retroactive TUE by referring to Sport Integrity Australia's [TUE page](#) on their website.
 - Check for those requiring an **in-advance** TUE [here](#).
 - Check for those requiring a **retroactive** TUE [here](#).
 - Once determined, the relevant person should comply with the relevant requirements.
- Relevant athletes should notify the Medical Director when medications have been provided by a medical practitioner not appointed by SASI.
- Relevant athletes must not use expired medication.



Injections

Possession of Injection Equipment

- Relevant persons:
 - With a documented medical condition requiring the possession of injection equipment must notify the Medical Director (or their delegate) of their condition and subsequently be listed on the *SASI Self-Injection Register*.
 - Must not be in possession of any hypodermic needles or other injection equipment, unless:
 - The individual's possession has been authorised by the Medical Director (or their delegate) and is listed on the *SASI Self-Injection Register*; or
 - The individual is a medical practitioner.

Administration of Injections

- Relevant athletes (and relevant personnel whilst undertaking work duties) must not self-inject any substance unless authorised to do so by the Medical Director (or their delegate) for the treatment of a documented medical condition.
- No other person may administer an injection to a relevant athlete (or relevant personnel whilst undertaking work duties) unless they are an authorised injection provider.
 - Relevant athletes (and relevant personnel whilst undertaking work duties) must not permit the administration of an injection to them other than by an authorised injection provider.
- Authorised injection providers are
 - The Medical Director (or their delegate); or
 - Another medical practitioner; or
 - An authorised nominated person under this Policy, listed in the *SASI Self-Injection Register*.

Authorised Nominated Persons

- In circumstances where a relevant athlete or a relevant personnel (who is performing work duties at the relevant time) is unable to self-inject an authorised injection [Refer 'Administration of Injections' above], a nominated person may be authorised to be an authorised injection provider (on that persons behalf).



- Such circumstances may include (but not be limited to):
 - Age, impairment or incapacity of the relevant athlete; or
 - Incapacity of the relevant personnel – eg. broken arm.
- Authorisation of a nominated person requires:
 - The prior written consent of the affected person (ie the relevant athlete (or their parent/guardian where required by law or policy) or the relevant personnel)
 - The written approval of the Medical Director or their delegate
 - The subsequent inclusion of the authorised nominated person in the *SASI Self-Injection Register*.

Authorised Injection Purpose

- Authorised injection providers must not perform any injections, except where medically required for:
 - In the case of medical practitioners, for vaccination purposes or for the treatment or investigation of a documented medical condition; and
 - In the case of authorised nominated persons, except as prescribed for the relevant person by a medical practitioner.

SASI Self Injection Register

- Alterations to the *SASI Self-Injections Register* must only occur following approval by the Medical Director (or their delegate).

Supplements

- SASI recognises that dietary supplements may be taken by relevant athletes and may carry risks:
 - For the person's safety; and
 - That supplements contain substances included on the Prohibited List.
- SASI uses the AIS' *Sport Supplement Framework*, which classifies supplements into four categories according to their effectiveness, safety and current status on the Prohibited List.
- SASI has established the SASI Supplements Procedure to guide the use of supplements with a focus on safety and evidence-based use.

- SASI acknowledges the value of accredited third-party auditing programs to reduce the risk of supplements containing substances included on the Prohibited List.
 - SASI 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.
- Supplements may only be used by relevant athletes in accordance with this Policy and the SASI Supplements Procedure, as adopted from time to time.
- Relevant personnel must not supply or provide non-compliant supplements to a relevant athlete.

PROHIBITED CONDUCT

Prohibited Conduct of Relevant Persons & Relevant Partners

A relevant person commits a breach of this Policy when they:

- Are convicted of any breach of a relevant law relating to, or involving, an illegal drug (regardless of the jurisdiction in which that conviction occurs); or
- Facilitate a breach of any:
 - Relevant law relating to, or involving, an illegal drug where a conviction occurs (regardless of the jurisdiction in which that conviction occurs); or
 - Prohibited conduct by a relevant athlete or relevant personnel.

A relevant person or relevant partner commits a breach of this Policy when they:

- Fail to make any report of criminal activity or prohibited conduct required under this Policy.

Prohibited Conduct of Relevant Athletes

A relevant athlete commits a breach of this Policy when they:

- Use prescription or over-the-counter medication in an unlawful manner;
- Unless authorised under the Injections Section of this Policy:
 - Are in possession of any hypodermic needles or other injection equipment; or
 - Self-inject, or permit a non-authorised person to inject their person, with any substance without authorisation.



Prohibited Conduct of Relevant Personnel

A relevant personnel commits a breach of this Policy when they:

- Perform an injection on a relevant athlete without:
 - Appropriate authorisation and listing on the *SASI Self-Injection Register*; or
 - Being an authorised medical practitioner performing the injection for vaccination purposes or for the treatment or investigation of a documented medical condition.
- Supply or provide non-compliant supplements to a relevant athlete or facilitate the supply.

Prohibited Conduct of SASI as an Organisation

SASI commits a breach of this Policy when it:

- Fails to report any criminal activity or conduct that may amount to Prohibited Conduct under this Policy; or
- Facilitates a breach of Prohibited Conduct clauses for relevant athletes or relevant personnel.

PUBLICATION

Relevant persons and SASI must not publish or transmit (or cause the publication or transmittance) of any content (e.g. a video showing illegal drugs being used) that advocates, condones, or encourages the involvement in or the use of illegal drugs.

OTHER MATTERS

Legitimate Therapeutic Purpose

If an illegal drug has been lawfully and properly prescribed by a medical practitioner for a legitimate therapeutic purpose and evidence can be provided to that effect, then neither the act of prescribing the illegal drug by the medical practitioner nor the use or possession of the illegal drug by a relevant person in accordance with that prescription will constitute a breach of this Policy.

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.



Support

SASI may refer a relevant person for medical assessment and education where there are reasonable grounds for doing so and may determine, and grant, any associated financial support to a relevant person, if any.

TRAINING AND AWARENESS

SASI will provide training or awareness of this Policy's requirements for:

- All relevant athletes;
- All relevant personnel; and
- The parents or guardians of any relevant athlete who would be considered by law or policy unable to provide lawful consent.

Such training or awareness activities will occur at induction and at least 2 yearly thereafter whilst they remain a relevant person.

This Policy must be made available on the SASI website to all relevant personnel and relevant athletes (or their parents / guardians where the relevant athlete is considered by law or policy unable to provide lawful consent.

RECORDS MANAGEMENT

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 Australian Health Practitioner Regulation Authority.

MONITORING AND REPORTING

The Director SASI must report any criminal activity or conduct that may amount to Prohibited Conduct under this Policy to:

- The Chief Executive ORSR;

Where appropriate in the relevant circumstances, the Chief Executive may require reporting to:

- Sport Integrity Australia; and / or;
- Any other entity required by law.



BREACHES OF POLICY

Any person suspecting a breach of this Policy should report the alleged breach at:

Email: ORSR.Enquiries@sa.gov.au

[Online Feedback Form](#)

Postal: 145B Railway Terrace, Mile End SA 5031

The ORSR Feedback Management Policy applies to any alleged Prohibited Conduct, including breaches of this Policy.

DEFINITIONS

Authorised Injection Providers	Means the <ul style="list-style-type: none"> • Medical Director (or their delegate); or • Another medical practitioner; or • An authorised nominated person under this Policy listed in the <i>SASI Self-Injection Register</i>.
Constructive Possession	Means 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 had stored 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.
Dietary Supplement	Means any supplement which is ingested and is compliant with the Australia New Zealand Food Standards Code or the Therapeutic Goods Act.
Facilitate	Means, for the purposes of this Policy, to facilitate, administer, assist, aide, abet, encourage, induce, cover up or be in any way complicit.
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 of the Criminal Code Regulations 2019 (CT), as well as those substances howsoever proscribed under relevant state or territory legislation, as amended from time to time.
Medical Director	Means the Medical Practitioner appointed by SASI to advise and lead medical services.



	It also includes any delegates authorised by the SASI Director, from time to time, subject to that person also meeting the definition of a “medical practitioner” under this Policy.
Medical Practitioner	Means a person registered in the medical doctor category by the Australian Health Practitioner Regulation Agency with no restrictions on practice.
Medications	<p>Means 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.</p> <p>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.</p>
National Anti-Doping (NAD) Scheme	Refers to a national scheme to assist sports to meet their anti-doping obligations. The NAD Scheme is authorised by the <i>Sport Integrity Australia Act 2020</i> and is contained in Schedule 1 of the <i>Sport Integrity Australia Regulations 2020</i> .
Non-Compliant Supplement	Means any supplement which is not a compliant medicine or food. Foods which are compliant with the Australia New Zealand Food Standards Code are excluded. Medicines which are compliant with the Therapeutic Goods Act are excluded.
Possession	Means the actual, physical possession, or the constructive possession of an illegal drug.
Prohibited Conduct	Means conduct proscribed within this Policy.
Relevant Athlete	Means any athlete bound by a SASI: <ul style="list-style-type: none"> • Athlete Agreement; or • Training Agreement.
Relevant Partner	<p>Means the employees or agents of any organisation with whom SASI has a Partnership Agreement (or other formal agreement) which results in them working with relevant athletes on SASI’s request or agreement.</p> <p><i>For example, the employees or agents of an NSO or other National body (eg AOC/PA) providing services to relevant athletes for SASI.</i></p>
Relevant Personnel	Means: <ul style="list-style-type: none"> • Employees of SASI • Contracted Service Providers of SASI engaged by way of a formal Goods and Services Contract; which may include (but is not limited to) medical practitioners, physiotherapists, dietitians, psychologists, podiatrists. • Interns, work placements and tertiary students whilst providing services (or being present) within SASI. • Any other person who has agreed to be bound by this Policy (other than a relevant athlete or relevant partner).

Relevant Persons	Means relevant athletes and relevant personnel.
Sport Integrity Australia (SIA)	Means the Australian government agency responsible for advice and assistance to counter the: <ul style="list-style-type: none"> • use of prohibited substances and methods in sport • abuse of children and other persons in a sporting environment • manipulation of sporting competitions • failure to protect members of sporting organisations and other persons in a sporting environment from bullying, intimidation, discrimination or harassment.
Supplement	Means any synthetic or natural chemical in the form of a formulated food, a tablet, capsule, gummy, liquid, tincture, or powder that is ingested, infused, inhaled, injected, inserted or absorbed by the human body for the intended purpose of enhancing health and function, including athletic performance. This includes Dietary Supplements and Non-Compliant Supplements.
Traffic/Trafficking	Means selling, giving, transporting, sending, delivering or distributing (or possessing for any such purpose) an illegal drug (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 an illegal drug used for genuine and legal therapeutic purposes or other acceptable justification.
Therapeutic Use Exemption (TUE)	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.
Work Duties	Means, for the purposes of this Policy when undertaking work for SASI (including any periods that may be a break eg lunch break) and in the case of travelling for SASI work includes the whole period of travel assignment for SASI

RELATED LEGISLATION AND DOCUMENTS

Legislation

- World Anti-Doping Agency
 - [World Anti-Doping Code](#) including 3 of the 8 mandatory international standards:
 - [Prohibited List](#)
 - [Therapeutic Use Exemptions \(TUEs\)](#)
 - [Testing and Investigations](#)
- [UNESCO International Convention against Doping in Sport 2005](#) (ratified by Australia 17 January 2006).
- *Australia New Zealand Food Standards Code* (under the *Legislation Act 2003* [Cth])
- *Sport Integrity Australia Act 2020* [Cth]



- *Therapeutic Goods Act 1989* [Cth]
- *Standard for the Uniform Scheduling of Medicines and Poisons* (under the *Legislation Act 2003* [Cth])
- *Criminal Code Regulations 2019* [Cth] – Schedule 1 – Controlled Drugs
- *Controlled Substances Act 1984* [SA]

Policies, Procedures, Forms, Templates

- SASI Self-Injection Register
- SASI Supplements Procedure

Other Documents

- AIS' Sports Science Sports Medicine Practitioner Minimum Standards
- Global DRO website: <https://www.globaldro.com/AU/search>

REVIEW

At least once in every three (3) years.

POLICY APPROVAL AND HISTORY DETAILS

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