



Basketball Australia
Illicit Drugs in Sport Policy

Date adopted by *BA Board*

18 May 2010

Date *Illicit Drugs in Sport Policy* Effective

1 June 2010

This by-law complies with the Department of Health and Ageing's *Illicit Drugs in Sport Policy Template -Version 1*

PREFACE

Basketball Australia (BA) is committed to the health, safety and well-being of all its members and participants and is dedicated to providing a safe environment for participating in the sport of basketball throughout Australia.

The positive virtues of involvement in the sport of basketball are well heralded and evidenced by the thousands of young Australians participating in basketball activities and competition across the country each week. The value to an individual's personal health and fitness of regular exercise gained through basketball should not be underestimated, nor the role that social interaction provided through the basketball association environment can play in developing a young person's self esteem and involvement in their local community.

The use of illicit drugs is harmful to athletes as well as to their families and the broader community and, in particular, the use of illicit drugs by athletes or officials can bring the sport into disrepute and sets a poor example for other members of the community. The importance of our elite athletes and officials as role models cannot be overstated and Basketball Australia is committed to ensuring that they are appropriate role models.

The adoption of BA's Illicit Drugs in Sport policy again reflects its commitment to protecting members and participants throughout all levels of the sport and is another important step in affording our members and participants the protection they deserve. The successful implementation and enforcement of this policy requires the cooperation and commitment of BA members and participants at all levels.

Basketball is truly "*Everyone's Game*" and this policy conveys a strong message to all basketball members and participants, and prospective members and participants, that as a sport, we are committed to ensuring the safety of our most valuable asset well into the future.

Larry Sengstock

Chief Executive Officer

Basketball Australia

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SECTION 1 – ABOUT THE POLICY

1. Jurisdiction

- 1.1 This policy is made by *BA* as a by-law under clause 21 of the *BA* Constitution.
- 1.2 This policy may be amended from time to time, subject to approval by *DoHA*. A copy of the policy as amended from time to time must be provided to *DoHA*.
- 1.3 This policy shall apply from the 1 June 2010.

2. Reading this policy

- 2.1 Words that appear in italicised text in this policy have the meaning given to them in **clause 14**. The definitions shall be considered an integral part of this policy.
- 2.2 This policy shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- 2.3 Headings used in this policy are for convenience only and shall not be deemed part of the substance of this policy or to affect in any way the language of the provisions to which they refer.
- 2.4 Words in the singular include the plural and vice versa.
- 2.5 Reference to “including” and similar words are not words of limitation.

SECTION 2 – KEY ELEMENTS

3. Position Statement

- 3.1 The use of illicit drugs is harmful to *athletes* and *officials* and *BA* seeks to educate *athletes*, *officials* and members to prevent the use of illicit drugs in the sport of basketball. Further, the use of illicit drugs by *athletes* and *officials* can bring the sport of basketball into disrepute and sets a poor example for other members of the community who view *athletes* and *officials* as role models.
- 3.2 *BA* wishes to prevent the use of illicit drugs in sport through increased education for *athletes*, *officials* and *members* in relation to the potential harms of the use of illicit drugs.
- 3.3 This policy is designed to help prevent the uptake of illicit drug use and reduce the drug-related harm to individuals, families and stakeholders of *BA* and the broader community.
- 3.4 *BA* will adopt a management approach which focuses on education and counselling in addressing the use of illicit drugs.
- 3.5 Some substances pharmacologically related to illicit drugs may be legitimately used under the supervision of a physician for clinically justified purpose. The possession and use of illicit drugs is subject to Commonwealth, State and Territory laws.

3.6 *BA* has adopted and implemented an anti-doping policy and rules which conform to the World Anti-Doping Code. The World Anti-Doping Code Prohibited List includes illicit drugs which are prohibited in competition. This illicit drugs in sport policy differs from *BA's* anti-doping policy in that it addresses the use of illicit drugs, concentrating primarily on education, awareness and prevention initiatives.

4. Objectives

4.1 *BA* is committed to deterring the use of illicit drugs in sport through:

- a) tailored education and prevention programs, including the use of positive role models; and
- b) effective education, counselling and rehabilitation for *athletes* and *officials* identified as using illicit drugs.

5. Who this policy applies to?

5.1 This policy applies to the following people, whether they are in a paid or unpaid/voluntary capacity:

- a) *athletes*;
- c) *athlete support personnel*;
- d) *officials*;
- e) *members*;
- f) *BA* Board Members and members of *BA* Commissions;
- g) employees and contractors of *BA*; and
- h) any other *person* who has agreed to be bound by this policy.

5.2 This policy also applies to the following organisations:

- a) *Constituent Associations*;
- b) *New NBL Club Members*; and
- c) *Associate Members*.

5.3 *Constituent Associations*, *New NBL Club Members* and *Associate Members* are required to adopt and implement this policy and to provide proof to *BA* of the approval and/or adoption of the policy.

5.4 *Constituent Associations*, *New NBL Club Members* and *Associate Members* will to the full extent they can, specifically provide that all *athletes*, *athlete support personnel* and other *persons* under their jurisdiction shall be bound by this policy.

SECTION 3 – SPECIFIC RESPONSIBILITIES

6. Condition of Participation

- 6.1 The people identified in **clause 5** as being bound by this policy are bound as a condition of their participation and/or involvement in the sport of basketball.

7. Roles and responsibilities – Athletes

7.1 *Athletes* must:

- 7.1.1 be knowledgeable and comply with all rules applicable to them under this policy;
- 7.1.2 use their influence on other *athletes* to reinforce the education messages regarding illicit drugs;
- 7.1.3 read and understand the *List of Prohibited Illicit Drugs* as it relates to them and keep up to date with any changes to the list; and
- 7.1.4 act in a discreet and confidential manner in discharging their obligations under this policy.

8. Roles and responsibilities – Officials

8.1 *Officials* must:

- 8.1.1 be knowledgeable and comply with all rules applicable to them under this policy;
- 8.1.2 use their influence on other *officials* to reinforce the education messages regarding illicit drugs;
- 8.1.3 read and understand the *List of Prohibited Illicit Drugs* as it relates to them and keep up to date with any changes to the list; and
- 8.1.4 act in a discreet and confidential manner in discharging their obligations under this policy.

9. Roles and responsibilities – Athlete Support Personnel, Employees and Contractors

9.1 *Athlete Support Personnel*, employees and contractors must:

- 9.1.1 be knowledgeable and comply with all rules applicable to them or *athletes* whom they support, under this policy;
- 9.1.2 use their influence on *athletes* to reinforce the education messages regarding illicit drugs;

9.1.3 read and understand the *List of Prohibited Illicit Drugs* as it relates to them or *athletes* whom they support and keep up to date with any changes to the list; and

9.1.4 act in a discreet and confidential manner in discharging their obligations under this policy.

9.2 It is recognised that *Athlete Support Personnel* in certain professions may be subject to legal obligations with respect to confidentiality and disclosure. Nothing in this policy overrides such legal obligations.

10. Roles and responsibilities – BA

10.1 BA will:

10.1.1 adopt, implement and comply with this policy;

10.1.2 develop and implement appropriate education and prevention programs and initiatives for the sport;

10.1.3. use its best efforts to assist all those to whom this policy applies to fulfil their responsibilities under this policy;

10.1.4 adopt privacy principles consistent with the *Privacy Act* and *Results Management Standards*;

10.1.5 make reasonable efforts to make this policy available to all people that are bound by this policy under **clause 5.1**;

10.1.6 ensure that at all times it has the authority to enforce this policy;

10.1.7 ensure all employees, staff and contractors act in a discreet and confidential manner in discharging their obligations under this policy;

10.1.8 provide information and education to all staff regarding their responsibilities in relation to the *Privacy Act* and *Results Management Standards*; and

10.1.9 obtain *DoHA* approval for any amendments to this policy.

SECTION 4 – EDUCATION PROGRAM

11. Integrity Officer

11.1 BA shall appoint an Integrity Officer who shall:

- a) be responsible for the supervision and administration of this policy and the associated education programs and dissemination of this policy to all people who are bound by this policy; and

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- b) act in a discreet and confidential manner in discharging their obligations under this policy, applying privacy practices consistent with the *Privacy Act* and *Results Management Standards*.

12. Education Program

- 12.1 BA will develop and implement appropriate education and prevention programs and initiatives for the sport of basketball consistent with the *Australian Government's Action Plan*.
- 12.2 The education and prevention programs will promote the key messages of the *Australian Government's Action Plan* to identified target groups and will be delivered through a medium suitable to the target audience. These programs and initiatives will reflect key messages such as:
 - a) Illicit drug use is harmful;
 - b) Illicit drug use can affect your sporting performance – in or out of competition, during the off-season or on the weekend;
 - c) Illicit drug use can affect your reputation and sporting career;
 - d) Illicit drug use can affect your sports team;
 - e) Illicit drug use can impact on the community who support you; and
 - f) Participating in sport supports a healthy lifestyle.
- 12.3 BA will incorporate information relating to this policy, including the *List of Prohibited Illicit Drugs* into the education programs.
- 12.4 BA will provide information about, and referrals to, counselling and support programs in relation to illicit drugs in the education programs. These programs may be face to face or an on-line service as appropriate.

SECTION 5 – PROHIBITED ILLICIT DRUGS

13. List of Prohibited Illicit Drugs

- 13.1 The drugs prohibited under this policy are set out in the *List of Prohibited Illicit Drugs*.
- 13.2 Any modifications to the *List of Prohibited Illicit Drugs* will be approved by the BA board and modifications will come into effect three (3) months after adoption by the BA board.
- 13.3 BA will make reasonable efforts to inform any *person* who is bound by this policy of any changes to the *List of Prohibited Illicit Drugs*.

SECTION 6 – DEFINITIONS

14. Definitions

14.1 For the purposes of this policy, words that appear in italicised text have the following meanings:

Athlete means a *Person* who participates in a competition or team conducted under the auspices of *BA*;

Athlete Support Personnel means any coach, trainer, manager, agent, team staff member, scientist, medical or para-medical or other personnel working with, treating or assisting an athlete preparing or participating for sporting activities;

Australian Government's Action Plan means the Australian Government's Illicit Drugs in Sport National Education Plan;

Associate Member means an Associate Member of BA Limited admitted under clause 5.6 of the BA constitution;

BA means BA Limited (ACN 072 484 992), trading as Basketball Australia, which is recognised by the Australian Sports Commission as a National Sporting Organisation administering basketball at a national level;

Constituent Association Member means a Constituent Association Member of BA Limited under clause 5.3 of the BA constitution;

DoHA means the Department of Health and Ageing;

List of Prohibited Illicit Drugs means the list of illicit drugs published by *DoHA* as adopted by *BA* from time to time;

Member means a *person* or body corporate which is a member of *BA* or affiliated with *BA* or a member of a body which is a member of or affiliated with *BA*;

Official means a technical official appointed by *BA* or officiating in a competition or game auspiced by *BA*;

Person means a natural person or an incorporated body, including but not limited to an *athlete*, *athlete support personnel*, *official* and *member*;

Privacy Act means the *Privacy Act 1988* (Cth) as amended from time to time;

Results Management Standards means the Australian Government's Illicit Drugs in Sport – National Education & Action Plan – Results Management Standards, as published by *DoHA* from time to time;

New NBL Club Member means a *New NBL Club Member* of *BA* under clause 5.4 of the BA constitution;