



**Australian Jet Sports  
Boating Association**



# Drug and Alcohol Policy



# **Australian Jet Sports Boating Association**

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## 1. DEFINITIONS

### 1.1 In this Policy:

**“rider”** refers to any person who holds a current ‘AJSBA riders licence’ and who are present at an event and actively participating in the capacity as a rider (includes riders who have nominated for the event whether or not actively participating for the entire event).

**“drug testing authority”** means:

- (a) the independent drug program administrator (‘IDPA’), or
- (b) an agency appointed by the IDPA, or AJSBA or a national drug testing authority which:
  - (i) operates under its own statute, rules and regulations.
  - (ii) an agency which conducts testing on competitors for the detection of prohibited substances where:
  - (iii) the methods of testing substantially accord with IDPA or AJSBA procedures, and

**“IDPA”** means the independent drug program administrator chosen by AJSBA to administer prohibited substance testing.

**“AJSBA”** refers to the Australian Jet Sports Boating Association inc.

**“AJSBA Executive”** means the persons who permanently hold position in the AJSBA Office, or a person nominated in writing by the AJSBA Executive for the purpose of administering this policy.

**“Official”** means a person who administers, manages, provides a contracted service, assists or is otherwise involved in an event under the auspices of AJSBA, involved in contributing to an AJSBA event, other than as a competitor, or medical or analogous health practitioner, includes photographers.

**“official capacity”** means that a responsible person subject to this policy must be present at an event in an official capacity not merely attending in their own time.

**“policy”** means the AJSBA Drug and Alcohol Policy as amended from time to time.

**“positive test result”** means a result of a test by a drug testing authority which shows the presence of a prohibited substance in a sample.

**“prohibited substance”** refer to Appendix B for a list of prohibited substances in the AJSBA..

**“member of AJSBA”** means:

- (a) a person who, or body which, is a member of AJSBA or holds a AJSBA licence or membership, or
- (b) a person who, or body which, is affiliated with AJSBA or
- (c) a person who is a member of a body which is a member of or affiliated with AJSBA, and;

includes a person taking part in, or involved in or associated with (eg as a rider, entrant, competitor, team manager or crew member, official, medical or allied health practitioner) any sporting activity conducted, authorised or recognised by AJSBA.

**“restricted area”** refers to those areas where access is restricted (ie to members of the public) unless appropriate PLI has been obtained, or express permission given by a person approved to grant such access.

**“sample”** means human biological fluid, expired air or tissue.

**“testing”** means the requesting, collecting and analysis of a sample.

12 Words in the singular include the plural and vice versa.

1.3 A person includes a body corporate.



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## **2 PURPOSE**

In the interest of enhancing the safety and integrity of watercraft use in Australia, the AJSBA has established this Drug and Alcohol Policy. The AJSBA Drug and Alcohol Policy applies to all events and activities held under the sanction of an AJSBA permit and/or permission granted by the AJSBA to hold an activity covered by AJSBA Public Liability Insurance Policy.

The testing procedures outlined and approved by the AJSBA Executive and the Independent Drug Program Administrator (IDPA) are the only authorised testing methodologies to be used in accordance with this policy.

## **3 RESPONSIBLE PARTIES**

Responsible parties under this Policy applies to:

- (a) Members of AJSBA, and
- (b) Riders, Crews, Officials; who are involved in an official capacity at an event.

## **4 OBJECTIVES OF THE AJSBA DRUG AND ALCOHOL POLICY**

AJSBA aims to:

- (a) Provide a safe environment which is free from the hazards associated with inappropriate use of drugs and/or alcohol.
- (b) Be clear on their position in relation to the abuse of drugs and alcohol to ensure that everybody is aware of what is expected of them.
- (c) Utilise this policy as a deterrent to responsible parties considering alcohol or drug use within the sport.
- (d) Provide assistance through educational and rehabilitative measures to overcome alcohol and/or drug problems.
- (e) Ensure that people who are detected as breaching this policy are dealt with in a fair and constructive manner.
- (f) Ensure that AJSBA fulfils its duty of care to participants within the sport and the general public to conduct events in the safest possible way.

## **5 AJSBA'S POSITION ON DRUGS AND ALCOHOL**

AJSBA condemns the use of illegal drugs and alcohol in sport, their use is contrary to the ethics of sport and potentially harmful to participants and others. AJSBA has zero tolerance regarding the use of drugs and alcohol in the sport.

The only legitimate use of drugs in Australian watercraft use is under the supervision of a physician for a clinically justified purpose. (See Appendix B for Request for Approval for Therapeutic Use of a Prohibited Substance).

Any individual applying for a AJSBA licence or participating in AJSBA sanctioned events shall be deemed to have consented to any tests for alcohol and prohibited substances (see Appendix A) required by AJSBA or its designated administrator.

As a condition of continued participation and/or the retention of a AJSBA Licence/membership, all responsible parties must comply with the AJSBA Drug and Alcohol Policy and submit to such test procedures as may be conducted from time to time at the sole discretion of the AJSBA Executive or assigned Independent Drug Program Administrator (IDPA).



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- 5.1 AJSBA aims to stop the use of drugs and alcohol in watercraft use by:
- (a) Educating and informing persons about drugs and alcohol in sport,
  - (b) Supporting drug and alcohol testing programs and education initiatives, and
  - (c) Imposing effective sanctions on persons who commit violations of the Drug and Alcohol Policy.
- 5.2 AJSBA will supply:
- (a) The chosen IDPA with timely and accurate member contact information, and
  - (b) Support and assist the chosen IDPA to conduct substance abuse testing, and
  - (c) Make this Policy available but not limited too, competitors, AJSBA members, Officials, and medical and health practitioners.
- 5.3 Responsible parties may be subject to investigation and disciplined under this Policy.
- 5.4 AJSBA will not disclose or use information about a person who is alleged to have, or has committed a violation of the Drug and Alcohol Policy (for a purpose under this Policy) to:
- (a) Another person until after:
    - (i) Final laboratory results have been confirmed, and
    - (ii) The AJSBA Executive has advised the member in writing of the results, appropriate penalty and right of appeal.
- 5.5 The AJSBA Executive may release information to other parties that there is a matter pending regarding a breach of the AJSBA Drug and Alcohol Policy, whilst withholding any personal details. Information pertaining to the amount of tests conducted and number of positive and negative results may also be given with regard to certain events or time frames. Names of persons having been tested and returning a negative result will not be disclosed.
- 5.6 All other persons present at any test conducted under this policy shall also have regard for strict confidentiality, and be aware that they may be called upon as a witness to the procedure.

## 6 OFFENCES

- 6.1 **A responsible party commits a violation of the Drug and Alcohol Policy if:**
- (a) A prohibited substance (see Appendix A) is present within the participant's body fluids or expired air, unless:
    - (i) The competitor uses the prohibited substance for a therapeutic purpose (see clause 7.5 Procedure for Drug Testing), or
    - (ii) There are exceptional circumstances (see clause 7.6 Procedure for Drug Testing).
  - (b) A responsible party refuses to provide a sample for testing when requested by the assigned testing authority. In refusing, the competitor will be subjected to the maximum penalty.



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## **7. PROCEDURE FOR DRUG TESTING**

### **7.1 Selection of Testing Dates.**

- 7.1.1 The AJSBA Executive or affiliated organisations may randomly select events for testing. These dates will remain confidential and only known to the IDPA, AJSBA Executive and the official of affiliated organisation.
- 7.1.2 The AJSBA Executive may request the IDPA to test specific meetings if there are reasonable grounds or the meeting is a major event.
- 7.1.3 The IDPA will make arrangements to attend the meetings that have been selected, with confirmation of attendance no later than 7 days before the selected event with the AJSBA Executive (in case of cancellation or postponement of the selected event).

### **7.2 Selection of Responsible Parties**

- 7.2.1 The IDPA will attend the nominated track on the selected date at a time that precedes commencement of meeting program.
- 7.2.2 On arrival at the track the IDPA will make their presence known to the Chief Steward.
- 7.2.3 The Race Director will supply the IDPA with a list of all nominated riders and officials for that event.
- 7.2.4 The IDPA will choose responsible parties at random for testing.
- 7.2.5 The Race Director or a designated liaison official will assist the IDPA with locating the selected people for testing. The person being tested must present either their AJSBA membership or alternate photo identification to the IDPA.
- 7.2.6 Suitable facilities will be made available, by the relevant Track representative, to the IDPA for the purpose of testing the selected people.

### **7.3 Drug testing procedure**

- 7.3.1 Testing for prohibited substances will be conducted utilising saliva based drug-screening equipment.. The advantages of this system are that it is fast and non-intrusive.
- 7.3.2 Those persons chosen for testing will be able to participate in the event until such time tests are completed but will be expected to cooperate with IDPA in the scheduling of the tests.
- 7.3.3 Failure to produce a suitable sample (as a result of a deliberate act) for testing will be deemed as a positive result.
- 7.3.4 Riders and responsible parties who test positive will be required to present their AJSBA licence to the Race Director immediately. They will be unable to participate any further in the event and will not be able to enter any restricted areas for the duration of that event. Their licence will then be forwarded to the AJSBA Executive.

### **7.4 Testing Follow up**

- 7.4.1 Confirmation tests of the positive result from the venue will be conducted by a nationally accredited testing authority, usually a NATA Laboratory.
- 7.4.2 Confirmation of results will be forwarded to the AJSBA Executive who will then advise the person who has been tested.





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## **7.5 Therapeutic Purpose**

A person uses a prohibited substance (see Appendix A) for a therapeutic purpose if:

- (a) The person had submitted an Approval for Therapeutic Use of a Prohibited Substance signed by a Medical Practitioner and approved by the AJSBA National Medical Officer. (See Appendix B), and
  - (i) The level of the prohibited substance in the sample is consistent with the approved therapeutic use, and
  - (ii) The prohibited substance in the opinion of a reasonable Medical Practitioner has beneficial effects for an actual diagnosed medical condition.

## **7.6 Exceptional Circumstances**

Exceptional circumstances exist if the presence of the prohibited substance is beyond the person's control. For example:

- (a) The person was administered the prohibited substance in hospital without their knowledge.

Exceptional circumstances do not exist merely because the person:

- (a) Took the prohibited substance inadvertently, or
- (b) Did not know that the substance was prohibited.

The onus of proof is on the person who claims that:

- (a) They used a prohibited substance for a therapeutic purpose, or
- (b) There are exceptional circumstances.

## **8. CHAIN OF CUSTODY – 'POSITIVE' DRUG TEST SAMPLES**

In the event of a positive result a chain of custody procedure will immediately take place.

A secondary sample is obtained. In the case of the Cozart Rapiscan system the sample is bagged and sent for analysis. In the case of the Cozart DDS System a secondary sample is taken and split into A and B samples, bagged and the A and B samples sent to the laboratory for confirmation tests.

The person's personal details, time and date shall be endorsed on the sample. The samples are sealed in a chain of custody bag.

## **9. PENALTIES – PROHIBITED SUBSTANCES**

Any responsible party testing positive for prohibited substances will take no further part in that event and will not be permitted to enter restricted areas.

### **9.1 First Positive Test result – Prohibited Substance**

- (a) Any responsible party testing positive for a prohibited substance, will surrender their licence immediately to the Race Director for forwarding to the AJSBA Executive. The Race Director will issue an Infringement Notice requiring the person to appear before a Race Control Tribunal where they will be directed, confidentially, to participate in counseling and/or treatment from a substance abuse by



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a professional, or legally qualified medical practitioner approved by AJSBA.

Should the responsible party refuse to participate in the directed treatment or fail to successfully adhere to the program requirements, the test results will be deemed a reported violation, and the AJSBA will be advised as such. Once such refusal or failure is reported to AJSBA, test results and all other details pertaining to the violation may be subject to the penalties of a second offence.

- (b) Upon completion of a AJSBA approved counseling / treatment program, the responsible party will be required to submit appropriate evidence of the completion to the AJSBA Executive. Once the AJSBA Executive is satisfied the requirements are met, the responsible party may return to active participation in AJSBA events

## **9.2 Second and Subsequent Positive Test Result – Prohibited Substance**

Where AJSBA is advised that a responsible party has violated the Drug and Alcohol Policy for a second and subsequent time by the:

- (a) Detection of use of a prohibited substance, or
- (b) A refusal to provide a sample, or
- (c) Non-compliance with participation in counseling and/or treatment from a substance abuse professional or legally qualified medical practitioner, as directed by the AJSBA.

the responsible party will be subjected to the following penalties:

- (a) A minimum of one year suspension and \$2000 fine for the second offence,
- (b) Five years suspension and a \$5,000 fine for the third prohibited substance offence, and
- (c) Ten years suspension and a \$20,000 fine for a fourth offence.

9.2.1 For the purpose of a second and subsequent offence it will be deemed that the first offence occurred within five years.

## **10. PROCEDURE FOR ALCOHOL TESTING**

Testing should be carried out prior to any event, but may be undertaken at anytime during the event.

Testing will be carried out by a person authorised by the AJSBA Executive.

Testing of responsible parties to determine the presence of alcohol in their body by analysis of their expired air, is appropriate and necessary for the safety of everyone involved in speedway events.

An initial test will be undertaken. Should this test return a positive reading, a second test will be undertaken within 20 minutes under controlled conditions to confirm that positive result. No substances may be consumed by mouth during this period.

Should the subsequent (second) test be negative, then no further action will be taken against the competitor or official.





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The IDPA or AJSBA Executive reserves the right however to ask the same person to undertake a further test during the meeting.

If the second test again results in a positive test a saliva sample may be taken by the IDPA and confirmation tests will be conducted by a nationally accredited testing authority, usually a NATA Laboratory.

Results on confirmation tests will be forwarded to the AJSBA Executive who will then advise the person who has been tested.

Any responsible party detected with a blood alcohol content above 0.0 milligrams per 210 litres of air will be declared unfit to further participate in any capacity at the event where the tests were conducted by the person authorised by the AJSBA Executive.

## **10.1 Requirements of Participants, Competitors or Officials**

Responsible parties being tested will be asked not to consume any substances by mouth for a period of five minutes prior to any breath analysis test being carried out.

Should there be a refusal to conduct the test, it will be considered that the person has returned a positive result. In these circumstances the person will be declared unfit to further participate in the day's event. The competitor will also be subjected to the appropriate penalty as outlined in Section 11.

## **10.2 Alcohol Testing**

A positive alcohol test is a breach of the AJSBA Drug and Alcohol Policy and the appropriate penalties will apply as described in Section 11.

A negative result on any second test shall not be recorded against the person.

## **11. PENALTIES - ALCOHOL**

### **11.1 First Positive Test Result – Alcohol**

Any responsible party testing positive for alcohol will be excluded from taking any further part in that event by the Race Director. The responsible parties personal particulars will be forwarded to the AJSBA Executive for recording purposes.

### **11.2 Second Positive Test Result – Alcohol**

- (a) Any responsible party testing positive for alcohol for the second time, will surrender their licence and membership immediately to the Race Director for forwarding to the AJSBA Executive. The Race Director will issue an Infringement Notice requiring the person to appear before a Race Control Tribunal where they will be directed, confidentially, to participate in counseling and/or treatment by a substance abuse professional, or legally qualified medical practitioner approved by AJSBA.



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Should the responsible party refuse to participate in the directed treatment or fail to successfully adhere to the program requirements, the test results will be deemed a reported violation, and the AJSBA will be advised as such. Once such refusal or failure is reported to AJSBA, test results and all other details pertaining to the violation may be subject to tribunal action as a third offence.

- (b) Upon completion of an approved counseling / treatment program, the responsible party will be required to submit appropriate evidence of the completion to the AJSBA Executive. Once the AJSBA Executive is satisfied the requirements are met, the responsible party may return to active participation in AJSBA events.

## **11.3 Third and subsequent Positive Test Result – Alcohol**

11.3.1 Where the AJSBA is advised, that a responsible party has violated the Drug and Alcohol Policy for a third time by the:

- (a) Detection of alcohol, or
- (b) A refusal to provide a sample, or
- (c) Non-compliance with participation in counseling and/or treatment from a substance abuse professional or legally qualified medical practitioner

the responsible party will be subjected to the following penalties:

- (a) A minimum of one year suspension and a \$2000 fine for the third offence,
- (b) Five years suspension and a \$5,000 fine for the fourth prohibited substance offence, and;
- (c) Life suspension and a \$20,000 fine for a fifth offence.

11.3.2 For the purpose of a third and subsequent offence it will be deemed that the first offence occurred within five years



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## **12. TESTING**

### **Random-selection Testing**

- 12.1 (a) Competitors, AJSBA members and Officials may be required to submit to a procedure for the purpose of testing for prohibited substances. Unannounced random testing of competitors, participants, AJSBA members and Officials for prohibited substances, during any event or race meeting will be conducted from time to time at the discretion of the AJSBA Executive and Affiliated Clubs. Individuals who are not selected for random testing, but wish to voluntarily participate in testing, shall be subject to the same testing requirements and subsequent penalties of selected parties.
- (b) Competitors, AJSBA members and Officials selection shall be made at random, with all parties having equal chance of selection.

### **Critical Incident Testing**

- 12.2 Competitors, AJSBA Members and Officials may be required to submit to a procedure for the purpose of testing for prohibited substances following any incident or accident involving injury or death, or a potential for either has occurred or where there is an accident or damage to property.

### **Cause Testing**

- 12.3 Competitors, AJSBA Members and Officials may be required to submit to a procedure for the purpose of testing for prohibited substances where there has been no Critical Incident but where there is a concern that a responsible person is suspected of having recently ingested drugs or alcohol and may be in breach of the AJSBA zero tolerance policy.



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## APPENDIX A

### PROHIBITED SUBSTANCES IN AJSBA SANCTIONED EVENTS USE

AJSBA reserves the right to change the list of prohibited substances. Advanced notice of such changes shall be published no less than ninety (90) days prior to such change.

#### BROAD CLASSES OF SUBSTANCES PROHIBITED IN WATERCRAFT EVENTS INCLUDE:

- 1      **THC** (Marijuana, Hashish etc)
- 2      **AMPHETAMINES.**
- 3      **METHAMPHETAMINE**
- 4      **COCAINE.**
- 5      **BENZODIAZEPINES**
- 6      **OPIATES** (ie opium, heroin, codeine, morphine)

Most of the psychiatric medications are liable to cause some degree of drowsiness or diminished concentration or motor performance. These drugs are also used to treat many conditions which are themselves a contraindication to participation in motor sport. However the individual response to these drugs is very difficult to predict and the drugs may be taken for many different conditions and in greatly varying dosages.

For further information please refer to the AJSBA or phone the **Drugs in Sport Hotline - 1800 020 506.**

## APPENDIX B

### REQUEST FOR APPROVAL FOR THERAPEUTIC USE OF A PROHIBITED SUBSTANCE

Under the AJSBA Drug and Alcohol Policy, AJSBA members are required to have prior written approval for the use of a prohibited substance for a therapeutic purpose. All requests will be forwarded to the AJSBA Medical Officer for assessment before approval will be granted.

Please attach all relevant medical information that will assist in the consideration of this request.

#### Part A – Applicants Details

Surname:.....Given Names:.....Female /Male  
Address:.....

State:..... Postcode:.....Date of Birth:.....

Tel: Home (    )..... Mobile:.....

Membership Number: .....



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I seek the approval of the AJSBA for the therapeutic use of a prohibited medication. I authorise the release of medical information concerning myself to the AJSBA for the reasonable processing of this application.

Signature: ..... Date: .....  
(to be signed by parent/guardian if applicant is under 18 years of age).

## Part B – Medical Practitioner

Name, qualifications: .....

Address:.....

Email address:.....

Tel: Work ( )..... Mobile: .....

Diagnosis:.....

.....

.....

## Part C – Medication Details

<b>Prohibited medication:</b>	
<b>Dose and method of administration:</b>	
<b>Anticipated duration of treatment:</b>	

## Part D – Medical Practitioner's Declaration

I \_\_\_\_\_ declare the abovementioned medication/s for the abovenamed has been / are to be administered as the correct treatment for the abovenamed medical condition.

Signature of Medical Practitioner: \_\_\_\_\_ Date: \_\_\_\_\_



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Evidence confirming the diagnosis should be attached to this application.  
Details concerning all medications or treatments that have been tried.

**Additional Information:**

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**Part E – AJSBA Decision** (*office use only*)

Approved:            Not Approved:

Name of AJSBA Medical Assessor:

.....

Signature: ..... Date:.....