



Sports Anti-Doping Act 2003

Reprinted as in force on 25 October 2007

Reprint No. 1A*

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* Minor differences in presentation between this reprint and another reprint with the same number are due to the conversion to new styles. The content has not changed.

Information about this reprint

This Act is reprinted as at 25 October 2007. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprint.**

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Sports Anti-Doping Act 2003

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Sports Anti-Doping Act 2003

[as amended by all amendments that commenced on or before 25 October 2007]

An Act to provide for the testing of State athletes for the use of drugs and doping methods, and for related purposes

Part 1 Preliminary

1 Short title

This Act may be cited as the *Sports Anti-Doping Act 2003*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

3 Objects of Act

- (1) The objects of this Act are—
 - (a) to protect the health and safety of State athletes by discouraging the use of drugs and doping methods; and
 - (b) to protect the State's outstanding sporting reputation; and
 - (c) to protect the State's financial investment in sport; and
 - (d) to recognise community expectations that athletes representing the State or receiving State support compete fairly without the use of drugs or doping methods.
- (2) The objects are to be achieved mainly by providing for the State to enter into an agreement with the Commonwealth

[s 4]

under which anti-doping testing services, and educational services about doping in sport, are provided for State athletes.

Part 2 Interpretation

4 Definitions

The dictionary in the schedule defines particular words used in this Act.

5 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 the expression has in the Commonwealth Act.

Part 3 Agreement about matters relating to State athletes

6 Agreement between State and Commonwealth

- (1) The State may enter into an agreement with the Commonwealth to provide for any of the following—
 - (a) anti-doping testing services for State athletes;
 - (b) educational services for State athletes about doping in sport;
 - (c) other matters related to achieving the objects of this Act.
- (2) The agreement must support the achievement of the objects of this Act, including, for example, by ensuring that State athletes are tested for the use of drugs or doping methods under the NAD scheme.

Part 4 Miscellaneous provisions

7 **State athletes under 18 years**

- (1) This section applies if—
- (a) ASADA carries out testing of State athletes under the NAD scheme; and
 - (b) before asking a State athlete who is under 18 years to supply a sample, or before taking a sample from the State athlete, ASADA seeks the consent of the athlete's parent or guardian to the sample being supplied or taken.
- (2) The consent may be given either generally or in relation to a particular request.

Example, for subsection (2), of consent given generally—

Consent given—

- (a) at the time the State athlete becomes a member of a State sporting organisation; or
- (b) at the time the State athlete registers with a sporting organisation to compete in an open age sporting competition.

8 **Regulation-making power**

The Governor in Council may make regulations under this Act.

Schedule Dictionary

section 4

ASADA means the body corporate continued in existence under section 20 of the Commonwealth Act under the name Australian Sports Anti-Doping Authority.

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

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

NAD scheme means the NAD scheme under the Commonwealth Act.

open age sporting competition means a sporting competition that is open—

- (a) to persons of any age who are competing at the top level for a sport; or
- (b) only to persons up to a stated age, that is over the age of 18, who are competing at the top level for a sport.

Example for paragraph (b)—

An ‘under 23’ cycling race.

receiving State support—

A person is *receiving State support* if the person, for taking part or training to take part in sporting activities—

- (a) receives funding from the State; or
- (b) uses facilities provided by the State, or operated or maintained with funding from the State; or
- (c) is a member of, or is associated with, a State sporting organisation that—
 - (i) receives funding from the State; or
 - (ii) uses facilities provided by the State, or operated or maintained with funding from the State; or

(iii) receives advice or other services from the State.

State athlete means a person who—

- (a) competes, or has been selected to compete, as a representative of the State in an open age sporting competition; or
- (b) is included in a group of persons from which persons are to be selected to compete, as representatives of the State, in an open age sporting competition; or
- (c) competes in an open age sporting competition or participates in training for competition in an open age sporting competition, and is receiving State support; or
- (d) has been prevented from participating, or has become ineligible to participate, in open age sporting competitions as a representative of the State because the person's name is entered in a register.

State sporting organisation means a sporting organisation recognised by the agency responsible for the administration of sport in the State as the sporting organisation for a sport in the State.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 25 October 2007. Future amendments of the Sports Anti-Doping Act 2003 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 July 2003	
1A	2007 Act No. 51	25 October 2007	

5 List of legislation

Sports Anti-Doping Act 2003 No. 21 (prev Sports Drug Testing Act 2003)

date of assent 9 May 2003

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2003 (2003 SL No. 113)

amending legislation—

Sports Drug Testing Amendment Act 2007 No. 51

date of assent 25 October 2007

commenced on date of assent

6 List of annotations

Title amd 2007 No. 51 s 3

Short title

s 1 amd 2007 No. 51 s 4

Objects of Act

s 3 amd 2007 No. 51 s 5

PART 3—AGREEMENT ABOUT MATTERS RELATING TO STATE ATHLETES

pt hdg sub 2007 No. 51 s 7

Agreement between State and Commonwealth

s 6 prev s 6 om 2007 No. 51 s 6

pres s 6 ins 2007 No. 51 s 7

State athletes under 18 years

prov hdg amd 2007 No. 51 s 8(1)

s 7 prev s 7 om 2007 No. 51 s 7

pres s 7 (prev s 11) renum 2007 No. 51 s 8(4)

amd 2007 No. 51 s 8(2)–(3)

Regulation-making power

- s 8** prev s 8 om 2007 No. 51 s 7
 pres s 8 (prev s 12) renum 2007 No. 51 s 9

Agreement between Minister and ASDA

- s 9** om 2007 No. 51 s 7

Federal Court and Administrative Appeals Tribunal

- s 10** om 2007 No. 51 s 7

SCHEDULE—DICTIONARY

- def “**Administrative Appeals Tribunal**” om 2007 No. 51 s 10(1)
def “**ASADA**” ins 2007 No. 51 s 10(2)
def “**ASDA**” om 2007 No. 51 s 10(1)
def “**Commonwealth Act**” sub 2007 No. 51 s 10(1)–(2)
def “**Commonwealth competitor**” om 2007 No. 51 s 10(1)
def “**NAD scheme**” ins 2007 No. 51 s 10(2)
def “**receiving State support**” ins 2007 No. 51 s 10(2)
def “**State athlete**” amd 2007 No. 51 s 10(3)
def “**State sporting organisation**” sub 2007 No. 51 s 10(1)–(2)
def “**State support**” om 2007 No. 51 s 10(1)

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