

# BASKETBALL WA HEALTH POLICY

## 2011

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### Revision History

Version	Date Approved	Amendments
V01	13/05/2009	New policy approved by the Board

# BASKETBALL WA HEALTH POLICY

## 1 BASKETBALL WA DRUG FREE POLICY

- 1.1 Basketball WA will actively seek to promote, encourage and support strategies to minimise harm from drug use for all participants at all levels (local, regional, State and National).
- 1.2 Safe Drug Use Practices. Where possible Basketball WA, its affiliated associations, clubs and members will:
  - (a) Ensure that medications are used only when needed and according to directions;
  - (b) Adopt and be guided by the Sports Medicine Australia Policy on the Administration of medications by Non-Medical Personnel;
  - (c) Discourage the use of medications in respect of injury/recovery that would enable a participant to compete where they would not otherwise have been able; and
  - (d) Educate participants through the delivery of drugs in sport information at courses conducted by Basketball WA.
- 1.3 Moderate Alcohol Consumption and Smoke Free Environment. In the interest of health and safety, Basketball WA will actively seek to promote, encourage and support strategies to minimise harm from alcohol and other drug use by basketball participants and patrons. Where possible, Basketball WA will:
  - (a) ensure that alcohol is served and consumed in accordance with the requirements set out in the Liquor Licensing Act 1998, including:
    - (i) Not selling or supplying alcohol to an intoxicated (drunk) person;
    - (ii) Not serving to intoxication;
    - (iii) Ensuring the quiet or good order of a neighbourhood is not frequently disturbed by activity occurring at the licensed premises or by patrons in the vicinity of the premises; and
    - (iv) Not allowing the sale or supply of alcohol to people under the age of 18 years.
  - (b) Ensure that alcohol is served in a responsible manner;
  - (c) Discourage excessive or rapid consumption of alcohol; and
  - (d) Ensure that water is readily available and free of charge.

- 1.4 Basketball WA recognises that smoke free environments protect non-smokers from the harmful effects of environmental tobacco smoke (ETS) and contribute to reducing tobacco consumption levels.
- (a) All indoor environments, functions and events under the control of Basketball WA are, and will remain 100% smoke free.
  - (b) Tobacco products will not be sold by Basketball WA or on any premises under the control of Basketball WA.
  - (c) Affiliated clubs are required to promote their venues and activities as 100% smoke free. BWA and affiliated association will be responsible for providing signage to make patrons aware of the smokefree environment.
  - (d) Any person, either employed by or representing Basketball WA in any capacity will refrain from smoking whilst acting in an official capacity.
- 15 Misuse of Drugs or Substances. Basketball WA will:
- (a) Adopt and abide by Basketball Australia's Anti-Doping Policy. A copy of this policy is attached as Appendix A
  - (b) Provide appropriate education for participants as to the potential harm of using prohibited substances;
  - (c) ban the use of illegal drugs at all Basketball WA activities; and
  - (d) When aware, not allow participants under the influence of alcohol and/or illegal drugs to participate in training or matches in order to prevent harm to themselves and other participants.
- 1.6 Supporting Elite Athletes. Basketball WA will:
- (a) Provide drug education to all elite athletes and coaching/administrative staff of State, and Go for 2&5 Perth Lynx teams;
  - (b) ensure that Go for 2&5 Perth Lynx and State Representative athletes with conditions requiring the therapeutic use of drugs that are banned or restricted have provided adequate and correct notification to Basketball Australia; and
  - (c) Encourage elite athletes to behave as appropriate role models for junior participants.

## **2 BASKETBALL WA SPORTSAFE POLICY**

- 21 Basketball WA is committed to improving the health of its players and coaches through safe participation in sport and physical activity.
- (a) Mouthguards are mandatory for all players under the age of 18 years competing in the Western Australian Basketball League and all State team representatives.
  - (b) Warm up, stretch and cool down routines are conducted at all training and competition sessions.
  - (c) Members, coaches and officiating personnel are given the opportunity to attend Sports Medicine Australia training and accreditation courses in sports injury prevention and treatment.
  - (d) An appropriately qualified first aid person will be in attendance at all competitions and at training sessions.
  - (e) Appropriate first aid equipment will be available at all competition and training sessions.
  - (f) Basketball WA adopts and abides by Basketball Australia's Blood policy. A copy of the policy is attached as Appendix B.
  - (g) Basketball WA refers to and is guided by the Sports Medicine Australia Infectious Diseases Policy.
  - (h) Correct fluid replacement practices are encouraged at all training and competition sessions. Sharing of water bottles is strongly discouraged and players are encouraged to provide their own water bottles.
  - (i) Players will be encouraged to use suitable clothing and footwear at all times during training and competition. Consideration will be given to environmental conditions with the use of outdoor courts, such as temperature and playing surface conditions.

## **3 BASKETBALL WA FOOD AND CATERING POLICY**

- 31 Basketball WA understands and recognises the importance of good nutrition and the role it plays in maintaining and improving health.
- (a) To reflect this position, Basketball WA will continue to ensure that healthy alternatives are available at any function or venue under its control at which food is offered. Basketball WA will encourage the adoption of the same approach by all clubs. Such healthy alternatives include the provision of foods low in fat, high in fibre and with a substantial fruit and vegetable content.
  - (b) Staff and Volunteers involved in food management will be given appropriate training for preparation of food.

#### **4 BASKETBALL WA SUN PROTECTION POLICY**

- 4.1 Basketball WA recognises that exposure to ultraviolet radiation (UVR) has negative health effects and will therefore provide practical measures to minimise exposure. To reflect this position, Basketball WA:
- (a) Strongly recommends and supports sun safe practices for all activities including scheduling outdoor activities outside the hours of 1000hrs and 1500hrs when UVR is at it's peak;
  - (b) Will encourage the use of shade (both natural and man-made) to protect participants and spectators to the fullest extent possible;
  - (c) Will ensure staff members representing the organisation act as positive role models by adopting sun protection behaviours including wearing long sleeved shirts, wide brimmed hats, sunglasses and sunscreen during outdoor activities where appropriate; and
  - (d) Will provide sunscreen (SPF 30+, broad spectrum water resistant) for use by all participants and spectators.

#### **5 MENTAL HEALTH POLICY**

- 5.1 Promoting positive mental health promotion involves any action taken to maximise well being in individuals and communities. It includes fostering a sense of belonging through improving social, physical and economic environments as well as enhancing the coping capacity of individuals and communities.

Basketball WA will proactively support positive mental health promotion in individuals and the community through supportive strategies which:

- (a) provide opportunities for individuals to be mentally, physically and socially active **(ACT)**
- (b) encourage individuals to join and actively participate in Basketball WA activities and those of partner organisations **(BELONG)**
- (c) encourage individuals to become a volunteer with Basketball WA, to set personal goals for achievement in the activities of the organisation, and to be more broadly involved in other community events and environments **(COMMIT)**
- (d) reduce or remove economic or social barriers to participation in Basketball WA activities
- (e) Encourage participants, volunteers and organisers to treat all groups in the organisation and in the community in general with respect, equality and openness.

#### **6 PREGNANCY GUIDELINES**

Basketball WA will adopt and abide by Basketball Australia's "Pregnancy and Basketball Participation Guidelines". A copy of these guidelines is attached as Appendix C.

## **7 OTHER**

7.1 Basketball WA will:

- (a) Ensure elite athletes, club and association officials and staff members act as appropriate role models to the broader basketball community and particularly to junior participants
- (b) Review this Health Policy on an annual basis
- (c) Maintain a copy of this policy and the policies it refers to on the Basketball WA website: <http://www.basketballwa.asn.au>
- (c) Ensure breaches of this Policy are addressed through Basketball WA Management.

## **8 HEALTH POLICY CONCERNS**

By contacting Basketball WA you can:

- (a) Complain to us if you believe that any provision of Basketball WA's health policy has been breached.
- (b) Obtain more information regarding Basketball WA's health policy and guidelines.

## **9 CONTACT DETAILS**

Postal: Basketball WA  
PO Box 185  
FLOREAT WA 6014

Telephone: (08) 9284 0555

Facsimile: (08) 9285 0550

E-mail: [admin@basketballwa.asn.au](mailto:admin@basketballwa.asn.au)

Website: <http://www.basketballwa.asn.au>

# **APPENDIX A**

## **ANTI-DOPING POLICY**

***BASKETBALL AUSTRALIA ANTI-DOPING POLICY***

<b>Date approved by ASADA</b>	<b>20 October 2008</b>
<b>Date adopted by BA Board</b>	<b>8 November 2008</b>
<b>Date Anti-Doping Policy Effective</b>	<b>1 January 2009</b>



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## Background

1. Under a referral dated 26 July 2006 *Basketball Australia (BA)* referred the following anti-doping functions, powers and responsibilities (“anti-doping functions”) to the Australian Sports Anti-Doping Authority (*ASADA*):
  - investigating possible anti-doping rule violations within the sport of Basketball;
  - issuing infraction notices or other matters under the determined results management process;
  - convening hearings before the *Court of Arbitration for Sport (CAS)*. There is no other hearing body for anti-doping matters in Basketball;
  - presenting allegations of anti-doping rule violations and all relevant, incidental matters in hearings before *CAS*; and
  - notifying the results of investigations and hearings and all relevant, incidental matters to relevant bodies including *BA* and the *FIBA*. Any notification will be subject to the *Australian Sports Anti-Doping Authority Act 2006* (*ASADA Act*) and privacy legislation.
2. *BA* and *ASADA* acknowledge and agree that under the *ASADA Act*, *ASADA* has the function of supporting and encouraging the development and implementation of comprehensive programs and education initiatives about sports drug and safety matters. *BA* will assist *ASADA* with such matters and will provide education and information regarding anti-doping rules and matters to persons within the sport of Basketball within the framework established by *ASADA*.
3. *ASADA* will perform and conduct the anti-doping functions in accordance with this referral and the *ASADA Act*. *ASADA* will use its best endeavours to ensure the *FIBA* anti-doping regulations are recognised.
4. *BA* refers the above anti-doping functions to *ASADA* on the basis that:
  - *ASADA* will as soon as practicable, subject to the *ASADA Act* and privacy legislation, provide to *BA* (and if necessary *FIBA*) copies of relevant documents including but not only test results, infraction notices and hearing documents;
  - *BA* retains the right to appear in anti-doping hearings before *CAS* as an interested party. *BA* will determine whether it wishes to exercise this right upon notification of a hearing by *ASADA*. If *BA* wishes to appear at any anti-doping hearing before *CAS* it will pay its own costs of such appearance;
  - all costs of any investigation and hearing (including but not only *CAS* application costs and any legal costs associated with any investigation and/or hearing) undertaken by *ASADA* will be paid by *ASADA*;

- *BA* will immediately advise *ASADA* of any alleged anti-doping rule violation in Basketball and will provide assistance to *ASADA* in any investigation that *ASADA* might reasonably request; and
  - *ASADA* will, subject to the *ASADA* Act and privacy legislation, provide such reports to *BA* on *ASADA*'s conduct of the above anti-doping functions as may be agreed between *ASADA* and *BA*.
5. *BA* will recognise and enforce any sanction determined by *CAS* in respect of an anti-doping rule violation in the sport of Basketball and in any other sport.
  6. *BA* will use its best endeavours to ensure its *Members, Athletes* and *Athlete Support Personnel* are aware of this referral of the anti-doping functions to *ASADA* and assist and co-operate with *ASADA* in the conduct of the anti-doping functions. *BA* otherwise recognises *ASADA*'s powers and functions under the *ASADA* Act.
  7. *BA* has amended its anti-doping policy (ADP) to reflect the roles and responsibilities under the referral. The ADP adopts and reflects the *World Anti- Doping Code (Code)* which is annexed to and forms part of this ADP.
  8. Where an *Athlete* or *Athlete Support Personnel* is bound by *FIBA*'s anti-doping regulations as well as this ADP, that *Person* shall be bound to, and have obligations in respect of, both policies.

## 1 DEFINITIONS

Athlete means:

- (a) any *Person* who participates in sport at the international level (as defined by each *International Federation*), the national level (as defined by each *National Anti-Doping Organisation*, including but not limited to those *Persons* in its *Registered Testing Pool*), and any other competitor in sport who is otherwise subject to the jurisdiction of any *Signatory* or other sports organisation accepting the *Code*. All provisions of the *Code*, including, for example, *Testing* and *TUEs*, must be applied to international and national-level competitors. For the purposes of this ADP *Athlete* includes any participant in sporting activity who is a *Member* of *BA*, or a *Member* organisation of *BA*, and meets the definition of *Athlete* under the *Code* and/or the *NAD Scheme* as in force from time to time; and
- (b) any *Person* who:
  - (i) is registered with *BA* or one of its *Members*; or
  - (ii) participates, or has in the previous eight years participated, in any sporting activity conducted, authorised, recognised or controlled, either directly or indirectly, by *BA* or a body affiliated with *BA*; or
  - (iii) has otherwise agreed to be bound by this ADP.

Basketball Australia (BA) means the national entity which is a member of or is recognised by *FIBA* as the entity governing Basketball in Australia.

*Code* means the World Anti-Doping Code adopted by *WADA* on 17 November 2007 at Madrid; or if the *Code* has been amended, the *Code* as so amended.

Federation Internationale de Basketball (FIBA) is the international federation recognised by the International Olympic Committee or the General Assembly of International Sports Federations as the entity responsible for governing Basketball internationally.

International Federation (IF) means an international federation recognised by the International Olympic Committee or the General Assembly of International Sports Federations as the entity responsible for governing that sport internationally.

Member means a *Person* who, or a body which, is a member of *BA*; a *Person* who, or a body which, is affiliated with *BA*; or a *Person* who is a member of a body which is a member of or affiliated with *BA*.

National Anti-Doping (NAD) Scheme means the *NAD Scheme* as defined under the *ASADA Act 2006* as amended from time to time.

*Prohibited List* means the List identifying the *Prohibited Substances* and *Prohibited Methods* which is published and revised by WADA as described in Article 4.1 of the *Code* as updated from time to time.

*Specified Substance* has the meaning assigned to it in Article 4.2.2 of the *Code*.

*Sporting Administration Body* has the same meaning as in the *ASADA Act 2006*.

## 2 WHAT IS *BAS* POSITION ON DOPING?

*BA* condemns doping as fundamentally contrary to the spirit of sport. The purpose of this ADP is to protect *Athletes'* fundamental right to participate in doping-free sport and to ensure harmonised, coordinated and effective anti-doping programs at the international and national level with regard to detection, deterrence and prevention of doping.

## 3 WHO DOES THIS ADP APPLY TO?

This ADP applies to *Athletes* and *Athlete Support Personnel* as defined under the *Code*. It also applies to *Members*, employees and contractors of *BA* and any other *Person* who has agreed to be bound by it.

## 4 OBLIGATIONS

The persons identified in **Article 3** are bound by this ADP as a condition of their membership, participation and/or involvement in Basketball. *Athletes* and/or *Athlete Support Personnel* must comply with this ADP and the anti-doping rules as prescribed in the NAD scheme under the *ASADA Act*. In particular:

### 4.1 *Athletes* must:

- 4.1.1 know and comply with all anti-doping policies and rules applicable to them. These include, but may not be limited to this ADP, the *FIBA* anti-doping regulations and the *NAD Scheme*;
- 4.1.2 be aware of whether they are in *FIBA's* and/or *ASADA's Registered Testing Pools* and comply with the requirements of any such membership;
- 4.1.3 read and understand the *Prohibited List* as it relates to them;
- 4.1.4 be available for *Sample* collection and provide accurate and up-to-date whereabouts information for this purpose when identified for inclusion in a *Registered Testing Pool*;
- 4.1.5 take full responsibility, in the context of anti-doping, for what they ingest, *Use* and *Possess*;
- 4.1.6 inform medical personnel of their obligations not to *Use* or *Possess Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate anti-doping policies and rules applicable to them;

- 4.1.7 immediately refer information about possible anti-doping rule violations to *ASADA*;
  - 4.1.8 assist, cooperate and liaise with *ASADA* and other *Anti-Doping Organisations* in relation to the conduct of any investigation or hearing into an alleged anti-doping rule violation;
  - 4.1.9 act in a discreet and confidential manner in discharging their obligations under this ADP;
  - 4.1.10 be available for *Sample* collection and provide accurate and up-to-date whereabouts information on a regular basis, even if not a regular *Member of BA*, if required by the conditions of eligibility established by any applicable *Anti-Doping Organisation*;
  - 4.1.11 attend anti-doping education as directed by *BA* and/or as appropriate. Failure to attend an anti doping education session shall be no excuse for an alleged anti-doping rule violation, nor shall it mitigate culpability of the *Athlete* in determining sanction; and
  - 4.1.12 accept that ignorance of this ADP, the *Code* or the *Prohibited List* is not an excuse from an alleged anti-doping rule violation, and shall not mitigate culpability in sanction.
- 4.2 *Athlete Support Personnel* must:
- 4.2.1 know and comply with all anti-doping policies and rules applicable to them or the *Athletes* whom they support. These include, but may not be limited to this ADP; the *FIBA* anti-doping regulations and the *NAD Scheme*;
  - 4.2.2 support and assist *Anti-Doping Organisations*, including *ASADA* to conduct *Doping Control*;
  - 4.2.3 use their influence on *Athletes'* values and behaviour to foster anti-doping attitudes;
  - 4.2.4 immediately refer information about possible anti-doping rule violations to *ASADA*;
  - 4.2.5 assist, cooperate and liaise with *ASADA* and other *Anti-Doping Organisations* in relation to the conduct of any investigation or hearing into an alleged anti-doping rule violation; and
  - 4.2.6 act in a discreet and confidential manner in discharging their obligations under this ADP.

## 5 DEFINITION OF DOPING

*Doping* is defined as the occurrence of one or more of the anti-doping rule violations set out in Article 2 of the *Code*<sup>1</sup>.

## 6 PROOF OF DOPING

Article 3 of the *Code* applies.

## 7 ANTI-DOPING RULE VIOLATIONS

7.1 Article 2 of the *Code* applies.

## 8 THE PROHIBITED LIST

8.1 This ADP incorporates the *Prohibited List* and otherwise applies Article 4 of the *Code*.

## 9 THERAPEUTIC USE

9.1 *Athletes* with a documented medical condition requiring the *Use of a Prohibited Substance* or a *Prohibited Method* must first obtain a *Therapeutic Use Exemption (TUE)* in accordance with the *Code*, the *International Standard for TUEs* and this ADP.<sup>2</sup>

9.2 *Athletes* who have been identified as included in *FIBA's Registered Testing Pool* may only obtain *TUEs* in accordance with the rules of *FIBA*.<sup>3</sup>

9.3 *Athletes* who are not in *FIBA's Registered Testing Pool* but are in *ASADA's Registered Testing Pool* or *Domestic Testing Pool* with documented medical conditions requiring the *Use of a Prohibited Substance* or a *Prohibited Method* must request a *TUE* from *ASDMAC*.

9.4 *Athletes* who are not in *FIBA's* or *ASADA's Registered Testing Pool*, *Domestic Testing Pool* or have not otherwise been notified by *ASADA*, in accordance with the *NAD Scheme*, that they require *TUEs* prior to *Use of a Prohibited Substance* or a *Prohibited Method*, may submit applications to *ASDMAC* for approval of a *TUE* in accordance with the procedures of *ASDMAC*.

9.5 *Athletes* should submit applications for *TUEs* no less than 21 days before they require the approval (eg prior to a *National Event*), except for retroactive *TUEs* under **Article 9.6**.

<sup>1</sup> The full text of the *Code* can be found at ([www.wada-ama.org](http://www.wada-ama.org)).

<sup>2</sup> *International-Level Athletes* or *Athletes* entering an *International Event* should seek guidance on the process for seeking a *TUE* from the *WADA* website at <http://www.wada-ama.org> or *FIBA's* website at <http://www.fiba.com>. *National level Athletes* should seek guidance from the *ASDMAC* website at <http://www.asdmac.org.au>.

<sup>3</sup> Unless provided otherwise by the rules of *FIBA* or an agreement with an *FIBA*, *ASDMAC* does not have the authority under the *Code* to grant *TUEs* to *International-Level Athletes* or for *International Events*.

- 9.6 An application for a *TUE* will not be considered for retroactive approval except in cases where:
- (a) emergency treatment or treatment of an acute medical condition was necessary; or
  - (b) due to exceptional circumstances, there was insufficient time or opportunity for an *Athlete* to submit, or a *TUE* committee to consider, an application prior to *Doping Control*; or
  - (c) *ASDMAC* procedures, in accordance with the *Code* and the *International Standard for TUEs*, provide for retroactive approval.
- 9.7 An *Athlete* may not apply to more than one body for a *TUE* at the same time. Applications must be in accordance with the *International Standard for TUEs* and the procedures of *FIBA* or *ASDMAC* as appropriate.
- 9.8 The granting of a *TUE* by *ASDMAC* for an *Athlete* in *ASADA's Registered Testing Pool* shall be promptly reported to *WADA*.
- 99 *WADA*, on its own initiative, may review at any time the granting of a *TUE* to any *International Level Athlete* in *FIBA's Registered Testing Pool* or national-level *Athlete* who is included in *ASADA's Registered Testing Pool*. Further, upon the request of any such *Athlete* who has been denied a *TUE*, *WADA* may review such denial. If *WADA* determines that such granting or denial of a *TUE* did not comply with the *International Standard for TUEs*, *WADA* may reverse the decision.
- 9.10 An *Athlete* who is denied a *TUE* by *ASDMAC* must seek review by *WADA* of the decision before any appeal may be commenced under Article 13.4 of the *Code*. If, contrary to the requirements of the *Code*, *FIBA* does not have a process in place where *Athletes* may request *TUEs*, an *International-Level Athlete* may request *WADA* to review the application as if it had been denied.

## 10 TESTING

- 10.1 All *Athletes* subject to *Doping Control* agree to submit to *In-Competition Testing* and *Out-of-Competition Testing* (at any time or place, with or without advance notice) by an *Anti-Doping Organisation*. *ASADA* may test any *Athlete*, any time, anywhere.
- 10.2 All *Testing* shall be conducted in conformity with the *International Standard for Testing* in force at the time of *Testing*.
- 10.3 *Athletes* must comply with their obligations under the *ASADA Act* (including but not only the *NAD Scheme*), the *FIBA* anti-doping regulations, this ADP and under the *Code* and any *International Standards* in respect to providing accurate whereabouts information to *ASADA* and/or *FIBA*. Whereabouts information may be released in accordance with the *NAD Scheme*.



## 11 RETIREMENT AND RETURN TO COMPETITION

### International-Level Athletes

- 11.1 An *Athlete* who has been identified by *FIBA* for inclusion in its *Registered Testing Pool* shall be subject to *FIBA*'s retirement and return to *Competition* requirements, to the exclusion of **Article 11.3**.
- 11.2 *Athletes* wishing to retire should contact *BA* to determine if they are in *FIBA*'s *Registered Testing Pool* and therefore are required to follow *FIBA*'s procedures. *BA* shall immediately notify *ASADA* of the retirement or reinstatement of any *Athlete* in *FIBA*'s *Registered Testing Pool* and provide copies of the correspondence from *FIBA* confirming this retirement/reinstatement.

### National-Level Athletes

- 11.3 *Athletes* in *ASADA*'s *Registered Testing Pool* or *Domestic Testing Pool* shall be subject to the following requirements:
- (a) An *Athlete* who wants to retire from *Competition* must do so by notifying *ASADA* by fully completing and forwarding to *ASADA* the *ASADA* "RETIREMENT NOTIFICATION FORM" (retirement notification)<sup>4</sup>. Retirement notifications that are not fully completed will not be accepted and will be returned to the *Athlete*. An *Athlete*'s retirement date will be the date *ASADA* receives the fully completed retirement notification.
  - (b) Upon receipt of a notification under **Article 11.3(a)**, *ASADA* will, as soon as reasonably practicable, provide the *Athlete* and *BA* with written confirmation of the *Athlete*'s retirement.
  - (c) Retirement does not:
    - (i) excuse the *Athlete* from giving a *Sample* requested on or before their retirement date, or a *Sample* required as part of an investigation commenced prior to their retirement date;
    - (ii) excuse the *Athlete* from assisting, cooperating and liaising with *ASADA* and other *Anti-Doping Organisations* in relation to the conduct of any investigation or hearing into an alleged anti-doping rule violation;
    - (iii) prevent the analysis of a *Sample* given by the *Athlete* on or before their retirement date;
    - (iv) affect the results of *Testing* under (i) or (iii) above;
    - (v) exempt the *Athlete* from this ADP in relation to an anti-doping rule violation committed on or before their retirement date;

or

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<sup>4</sup> In May 2008, the *ASADA* RETIREMENT NOTIFICATION FORM was accessible on the internet through the website of the *Australian Sports Anti-Doping Authority* ([www.asada.gov.au](http://www.asada.gov.au)).

- (vi) affect ASADA's power to conduct results management (see **Article 15**).

- 11.4 An *Athlete* who has retired in accordance with **Article 11.3(a)**, and who wishes to return to *Competition*, can only do so by notifying ASADA by fully completing and forwarding, the ASADA "REQUEST FOR REINSTATEMENT FORM" (reinstatement request)<sup>5</sup>. Reinstatement requests that are not fully completed will not be accepted and will be returned to the *Athlete*. The *Athlete's* reinstatement request date will be the date ASADA receives the fully completed reinstatement request. Reinstatement will be at the discretion of BA in consultation with ASADA.
- 11.5 Upon receipt of notification under **Article 11.4**, ASADA will, as soon as reasonably practicable:
- (a) provide the *Athlete* with written confirmation of the outcome of the *Athlete's* reinstatement request; and
  - (b) if the reinstatement request is approved, provide BA with written confirmation of the *Athlete's* reinstatement.
- 11.6 If reinstatement is granted then this ADP will apply to the *Athlete* from the date of their reinstatement request. An *Athlete* who is reinstated under **Article 11.4** may not compete in *Competitions* and *Events* conducted by or under the auspices of BA or FIBA for a period of 6 months from the date of the reinstatement request.
- 11.7 An *Athlete* must be available for unannounced *Out-of-Competition Testing* in accordance with this ADP from the date of their reinstatement request. Being available for *Out-of-Competition Testing* means that an *Athlete* has provided current and accurate and up-to-date whereabouts information as required under the reinstatement request and **Article 10.3** and has complied with any request by an *Anti-Doping Organisation* to provide a *Sample*.
- 11.8 A decision regarding reinstatement of an *Athlete* may be appealed to CAS by BA, the *Athlete* or ASADA.

## 12 NEW MEMBERS

Any new *Member* of BA who is an *Athlete* subject to *Doping Control* in accordance with the *NAD Scheme* (including any *Athlete* in ASADA's *Registered Testing Pool*) must also be available for unannounced *Out-of-Competition Testing* in accordance with this ADP for a period of 6 months from the date of their membership request prior to competing in national or international *Competitions* and *Events*.

## 13 ANALYSIS OF SAMPLES

*Samples* collected under this ADP must be analysed by WADA-accredited laboratories or as otherwise approved by WADA. Laboratories shall analyse

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<sup>5</sup> In May 2008, the ASADA REQUEST FOR REINSTATEMENT FORM was accessible on the internet through the website of the Australian Sports Anti-Doping Authority ([www.asada.gov.au](http://www.asada.gov.au)).

*Samples* and report results in accordance with the relevant *International Standards*.

## **14 INVESTIGATIONS**

- 14.1 *ASADA* may conduct an investigation to determine whether an anti-doping rule violation may have occurred under this ADP. *ASADA* will conduct investigations in accordance with the *Code*, the *ASADA Act* and the *NAD Scheme* as published from time to time. *BA* may, with the prior agreement of *ASADA*, conduct its own investigation to determine whether an anti-doping rule violation may have occurred under this ADP, provided that *BA* does so in coordination with any investigation being undertaken by *ASADA*.
- 14.2 All persons bound by this ADP and *BA* must assist, co-operate and liaise with *ASADA* in relation to any investigation into an alleged anti-doping rule violation.

## **15 RESULTS MANAGEMENT**

- 15.1 Results shall be managed in accordance with Article 7 of the *Code*, the *ASADA Act 2006* and the *NAD Scheme*.
- 15.2 *ASADA* will conduct any follow up investigation in accordance with the *Code*, the *ASADA Act 2006* and the *NAD Scheme*.
- 15.3 *ASADA* shall be responsible for notification of an alleged anti-doping rule violation and all matters incidental thereto in accordance with the *ASADA Act 2006* and the *NAD Scheme*.
- 15.4 *ASADA* will issue an infraction notice. *ASADA* will advise *BA* and any other relevant parties that *ASADA* is issuing an infraction notice prior to issuing the infraction notice.
- 15.5 The infraction notice shall:
- (a) notify the *Person* of the anti-doping rule/s which appear/s to have been violated and the basis for the violation;
  - (b) enclose a copy of this ADP and the *Code* or the web site addresses where these documents may be found;
  - (c) state that *ASADA* will refer the matter to a hearing within 14 days (or other period determined by *ASADA* in accordance with the *Code*, the *NAD Scheme* and the *ASADA Act*), unless the *Person* gives a written waiver under **Article 15.7**; and
  - (d) state that if the *Person* does not respond within 14 days (or other period in accordance with the *Code*, the *NAD Scheme* and the *ASADA Act*) a hearing can be held in absentia or sanction can be applied in accordance with **Article 17**.

- 15.6 Any relevant party will only disclose or use information about a *Person* who is alleged to have, or has committed an anti-doping rule violation as permitted under the *ASADA Act 2006* and the *NAD Scheme*.
- 15.7 *ASADA* will refer the matter to hearing in accordance with **Article 16**. *ASADA* may decide not to refer the matter to hearing if the *Person* in writing:
- (a) acknowledges they have admitted the anti-doping rule violation; and
  - (b) waives the right to a hearing in relation to:
    - (i) whether they have committed an anti-doping rule violation; and
    - (ii) what sanction will apply.
- 15.8 If the *Person* does not respond within 14 days (or other period determined by *ASADA* in accordance with the *Code*, the *NAD Scheme* and the *ASADA Act*) a hearing can be held in absentia or sanction can be applied in accordance with **Article 17**.
- 15.9 If an *Athlete* or other *Person* retires while a results management process is underway, *ASADA* retains jurisdiction to complete its results management process. If an *Athlete* or other *Person* retires before any results management process has begun, so long as *ASADA* would have had results management jurisdiction over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, *ASADA* will have jurisdiction to conduct results management.
- 15.10 *BA* must, after consultation with *ASADA*, impose a *Provisional Suspension* on any *Person* whose *A Sample* is the subject of an *Adverse Analytical Finding* of a *Prohibited Substance* other than a *Specified Substance*.
- 15.11 *BA* may, after consultation with *ASADA*, impose a *Provisional Suspension* on any *Person* whose *A Sample* is the subject of an *Adverse Analytical Finding* of a *Specified Substance* or who is issued with an infraction notice or who is subject to an investigation.
- 15.12 *BA* may, after consultation with *ASADA*, impose the following *Provisional Suspension*. *BA* may suspend:
- (a) financial or other assistance to the *Person*;
  - (b) the *Person* from *Competition* in *Events* and *Competitions* conducted by or under the auspices of *BA*; and
  - (c) the *Person's* licence or participation permit (if relevant).

15.13 *BA* may, after consultation with *ASADA*, apply the *Provisional Suspension*:

- (a) from the date of the infraction notice;
- (b) following the 14 day submission period; or
- (c) as deemed appropriate by *BA* or *FIBA*;

until the determination of the hearing or a determination by *ASADA* not to refer the matter to hearing.

15.14 If a *Provisional Suspension* is imposed, the hearing under **Article 16** shall be advanced to a date that avoids substantial prejudice to the *Athlete*.

15.15 *ASADA* will convene any *Provisional Hearing* and will present the case at any *Provisional Hearing* unless otherwise agreed.

15.16 As a general rule, the *Provisional Suspension* of a *Person* will not be publicly disclosed. A *Provisional Suspension* may however be publicly disclosed so long as such disclosure will not be unfairly prejudicial to the interests of the *Person*. *ASADA* must be consulted prior to any such disclosure.

## **16 HEARING**

16.1 Article 8 of the *Code* applies.

16.2 *ASADA* will wait 14 days (or other period determined by *ASADA* in accordance with the *Code*, the NAD Scheme and the *ASADA* Act or a period less than 14 days as agreed between *ASADA* and the *Person*) after sending an Infraction Notice above and then will convene *CAS* to conduct the hearing. *ASADA* will prosecute the alleged anti-doping rule violation.

16.3 *CAS* will determine:

- (a) if the *Person* has committed a violation of this ADP;
- (b) if so, what sanction will apply;
- (c) how long the sanction will apply; and
- (d) any other issues properly brought before it for determination.

16.4 *CAS* will give to the *Athlete*, *ASADA* and *BA* a written statement of:

- (a) the findings of the hearing and brief reasons for the findings;
- (b) what sanction (if any) will apply;
- (c) for how long the sanction (if any) will apply; and
- (d) any other issues determined by it.

16.5 Sanctions will be applied under **Article 17**.

- 16.6 ASADA will report the outcome of all anti-doping rule violations in accordance with the *Code*, the ASADA Act 2006 and the *NAD Scheme*.
- 16.7 Hearings under this Article shall be completed expeditiously as reasonably practicable.
- 16.8 Australian Sports Commission (*ASC*), *BA*, *FIBA* and *WADA* and any other relevant body (for example, Australian Olympic Committee, Australian Paralympic Committee or Australian Commonwealth Games Association) shall have the right to attend hearings as an observer or affected party.
- 16.9 Decisions by *CAS* under this Article may be appealed as provided in **Article 19**.
- 16.10 Decisions by *CAS* under this Article shall not be subject to further administrative review at the national level except as required by applicable national law.
- 16.11 If, during a hearing, a party to the hearing process implicates a third party to an anti-doping rule violation, ASADA may use any information that arises as a result of the *CAS* process without having to first seek the permission of the parties. This clause expressly ousts Rule 43 of the *CAS Code of Sports-related Arbitration*.

## **17 SANCTIONS**

- 17.1 Articles 9 and 10 of the *Code* apply.
- 17.2 *CAS* or another relevant body may require the *Athlete* or other *Person* to repay all funding and grants received by the *Athlete* from that body subsequent to the occurrence of the anti-doping rule violation. However, no financial sanction may be considered a basis for reducing the period of *Ineligibility* or other sanction which would otherwise be applicable under this ADP. Repayment of funding and grants may be made a condition of reinstatement.
- 17.3 *CAS* may also determine, in addition to applying the sanctions under the *Code*, that a *Person* who has committed an anti-doping rule violation, is required to go to counselling for a specified period.
- 17.4 Where *CAS* determines that an employee or contractor of *BA* has committed an anti-doping rule violation, *BA* will take disciplinary action against the employee or contractor.
- 17.5 Once the period of a *Person's Ineligibility* has expired and the *Person* has fulfilled the conditions for reinstatement, then provided that the *Person* has paid all forfeiture penalties in full and has satisfied in full any award of costs made against the *Person* by *CAS* and any other requirements determined by *CAS*, the *Person* will become automatically re-eligible and no application for reinstatement will be necessary. If, however, further forfeited amounts become due after the *Person's* period of *Ineligibility* has expired then any failure by the *Person* to pay all outstanding amounts on or before their respective due dates shall entitle *BA* to deny the *Person's* access to further *Competitions* and *Events* or any other *BA*

activity until the amounts due are paid in full unless otherwise agreed by both parties.

## 18 CONSEQUENCES TO TEAMS

Article 11 of the *Code* applies.

## 19 APPEALS

19.1 Decisions made under **Article 16** of this ADP may be appealed to the CAS Appeals Division in accordance with this ADP, Article 13 of the *Code* and the CAS Code of Sports Related Arbitration. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorised in the *NAD Scheme* or **Article 16.9** must be exhausted. The following persons shall have the right to appeal:

- the *Athlete* or other *Person* who is the subject of the decision being appealed;
- the other party to the case in which the decision was rendered;
- *ASADA*;
- any other affected parties including *BA*;
- *FIBA* and any other *Anti-Doping Organisation* under whose rules a sanction could have been imposed;
- the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and
- *WADA*.

19.2 The outcome of all appeals must be reported to all parties, *ASC*, *BA*, *FIBA* and *WADA* within 14 days of the conclusion of the appeal. *ASADA* may inform other *Persons* or organisations as it considers appropriate.

19.3 The time to file an appeal to *CAS* shall be within 21 days of the release of the written decision of the initial hearing.

## 20 MANAGEMENT OF ALLEGED ANTI-DOPING RULE VIOLATIONS NOT COVERED BY AN ANTI-DOPING POLICY

In the case of a *Person* who has committed an anti-doping rule violation or has committed conduct which would have amounted to an anti-doping rule violation if the *Person* was bound by a *Code* compliant anti-doping policy and the *Person* has not been sanctioned by *CAS* or any other hearing body because the *Person* was not bound by a *Code* compliant anti-doping policy, *BA* will:

- (a) prevent that *Person* from competing in *BA Competitions, Events* and activities if the *Person* is an *Athlete*;
- (b) prevent that *Person* (so far as reasonably possible) from having any involvement in *BA Competitions, Events* and activities; and
- (c) not employ, engage or register that *Person*;

unless and until that *Person* agrees to be retrospectively bound by this ADP from the occurrence of the anti-doping rule violation.

## **21 CONFIDENTIALITY AND REPORTING**

- 21.1 The identity of any *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation may only be *Publicly Disclosed* by ASADA, or *BA* after consultation with ASADA, in accordance with the *Code*, the ASADA Act, the *NAD Scheme* and the terms of the Confidentiality Undertaking signed between ASADA and *BA*.
- 21.2 ASADA or *BA*, or any official of either, will not publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Athlete*, other *Person* or their representatives.
- 21.3 No later than 20 days after it has been determined in a hearing in accordance with Article 16 that an anti-doping rule violation has occurred and the time to appeal such decision has expired, or such hearing has been waived and the time to appeal the decision has expired, or the assertion of an anti-doping rule violation has not been challenged in a timely fashion, ASADA must *Publicly Disclose* at least: the disposition of the anti-doping matter including the sport, the anti-doping rule violated, the name of the *Athlete* or other *Person* committing the violation, the *Prohibited Substance* or *Prohibited Method* involved and the *Consequences* imposed. ASADA must also *Publicly Disclose* within 20 days appeal decisions concerning anti-doping rule violations. ASADA will also, within the time period for publication, send all hearing and appeal decisions to [WADA](#). *BA* may also elect to make a public statement in relation to the matter, following consultation with ASADA.
- 21.4 In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the decision may be *Publicly Disclosed* only with the consent of the *Athlete* or other *Person* who is the subject of the decision. ASADA will use reasonable efforts to obtain such consent, and if consent is obtained, will *Publicly Disclose* the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.
- 21.5 Any decision of an *Anti-Doping Organisation* regarding a violation of this ADP shall be recognised by all *Sporting Administration Bodies*, which shall take all necessary action to render such results effective.
- 21.6 Subject to the right to appeal provided in **Article 19**, the *Testing, TUE* and hearing results or other final adjudications of any organisation recognised by ASADA or any *Sporting Administration Body* which are consistent with the *Code*



and are within the organisation's authority, shall be recognised and respected by *BA*. *BA* may recognise the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*, the *NAD Scheme* and/or *ASADA's* position.

## **22 INTERPRETATION OF THE CODE**

22.1 Article 24 of the *Code* applies.

## **23 MISCELLANEOUS**

23.1 Statute of Limitations – Article 17 of the *Code* applies.

23.2 Doping Control for animals competing in Sport – Article 16 of the *Code* applies (if relevant).

23.3 Words not defined in this ADP have the meaning ascribed to them in the *Code* unless a contrary meaning appears from the context.

23.4 This ADP may be amended by *BA* subject to prior consultation with *ASADA* and ongoing compliance with the *Code* and *ASADA Act*.

23.5 Where this ADP adopts and applies an article of the *Code* that article and the terms in it shall be considered and applied in the context of this policy

## **APPENDIX B**

### **BLOOD POLICY**

## BLOOD POLICY

Referees will need to be aware of, and implement, the following policy in relation to the safety of the basketball court and the risk of viral transmission.

As a practical guide the following interpretation of court safety is to be followed.

- During the game the official shall order any player who is bleeding or has an open wound, to leave the playing court and cause this player to be substituted.
- Before the player is allowed back into the game the wound should be treated (no further bleeding) and the affected area completely and securely covered.
- A bleeding player who has received treatment, and the affected area covered, may remain in the game at the expense of a team time-out.( as for an injured player.)
- If there is blood on the uniform the player should change the uniform immediately. (It will be necessary to carry a spare number uniform for this purpose.) Under no circumstances should a player with wet or dry blood stains on their uniform be allowed on the court.
- Prohibit a player returning to the court with a blood stained uniform, unless the uniform has **been soaked in the recommended solution for at least five minutes** and thoroughly rinsed off with water.
- Destroy the HIV with a solution of **0.5% bleach and 2% detergent mixed with water and applied for five minutes.** (Normal machine washing would kill the virus on pieces of clothing.)
- Blood on the ball - replace the ball.
- Blood spilt on the floor or benches should be wiped thoroughly with the bleach and detergent solution.
- A "Blood Kit" should be situated at the Scoretable during competition games. The Kit should be used only for the purpose of dealing with spilt blood on the floor or benches.

### **Suggested Contents of Blood Kit:**

- 1 Packet of paper hand towels.
- 1 Packet of disposable latex surgical gloves.
- 1 Packet of medium size resealable plastic bags.
- 1 1500 ml Spray Bottle with **0.5% bleach and 2% detergent mixed with water.** (Bleach is the key ingredient. Standard household bleach is acceptable, but it must not be used past its use by date.)  
Solutions should only be used if they have been mixed (prepared) that day.

All scoretable officials should be aware of these guidelines; item 4 is of particular importance.

When a uniform is changed draw one line through the old number, place the new number beside it, with an asterisk beside the numbers with an explanation at the bottom of the scoresheet.

Where scoretable officials observe substantial bleeding or blood on a playing uniform, and the referees have not become aware of the problem, the chairperson is to wait until the next dead ball period before advising the referees.

### **Persons Tending to Bleeding Players and Blood on Surfaces should;**

Take precautions so as not to come into contact with body fluids, particularly blood, or with soiled objects, even if the risk is low.

- Take care to avoid blood from the wounded person coming into contact with skin punctures or cuts, particularly on the fingers, or reaching the eyes or the mucous membranes of the nose or mouth.
- Spray the bleach and detergent solution directly onto the spilt surface, then wipe the surface with paper towels.
- Always wear latex, disposable surgical gloves in anticipation of contact with body fluids, particularly blood from the nose, mouth or a wound when touching nasal mucous membranes or broken skin (abrasions, dermatitis) or when handling soiled objects. The gloves must be discarded after use.
- Place soiled linen, and uniforms into sealed plastic bags, to then be washed in a normal machine-wash process.
- After placing soiled paper towels, surgical gloves, compresses, dressings and bandages into a sealed bag. Destroy or dispose of the bags in garbage disposal bins.
- Thoroughly wash hands with a bleach and detergent solution before and particularly immediately after contact with the person being treated, even if gloves have been worn. Wash all areas that have come into contact with body fluids.
- Do not use sponges, especially not to clean several wounded persons in succession.

### **Information on the Prevention of AIDS:**

(Taken from a circular from Dr. Jacques Huguët, President of FIBA Medical Council)

- Some sports carry a greater risk of contamination than others in so far as there is a greater possibility of blood contact.
- Contact can occur through open and bleeding wounds as well as through abrasive or inflammatory injuries to the skin.
- Basketball is classified in the medium risk category.
- In the field of sports one should know that the AIDS virus cannot be transmitted by saliva, sweat, urine, skin contact, handshakes, bath water, swimming pools, showers or toilets.
- Light washing with detergent or water does not necessarily kill the HIV.
- HIV can survive in dried blood for up to seven days.
- The risk of blood on clothing being transmitted to another player is extremely small, but real.

# **APPENDIX C**

## **PREGNANCY GUIDELINES**

**GUIDELINES**

- These guidelines have been developed to provide associations and clubs with some assistance in dealing with pregnancy and basketball. The WNBL has a more detailed pregnancy and basketball policy. A copy of the policy may be obtained from Basketball Australia upon request.
- The Basketball Australia pregnancy guidelines have been developed following consideration of current medical and legal advice.
- These guidelines outline some of the issues which should be considered by the pregnant player, the association, the coaches and the referees.
- The pregnant player should:
  1. Obtain expert medical advice. (Understand the advice and assess the risks)
  2. Discuss the issues and implications of competing with other people in the basketball environment (Coaches, team members, managers).
  3. Use common sense and do not take unnecessary risks.
  4. Take into account their changed physical condition.
  5. Do not attempt to increase the level of training or playing during pregnancy.

***\* The ultimate decision to play will always be the players.***

- Associations and Clubs should:
  1. Be aware of the discrimination legislation which applies to them.
  2. Review their rules and regulations in light of the discrimination legislation.
  3. Seek professional advice where there is uncertainty as to appropriate steps.
  4. Provide relevant information for all players in relation to pregnancy and playing.
  5. Develop general policies to minimise the risk of injury.
  6. Consider obtaining appropriate releases and indemnities from players.
- Coaches should:
  1. Ensure players are aware of the medical implications of participating.
  2. Develop open communication.
  3. Not pressure the player.
  4. Remember the individual player comes first.
  5. Seek professional advice where necessary.
- Referees should:
  1. Apply the rules equitably at all times.
  2. Place the safety and welfare of all players above all else.
  3. Be courteous and respectful.

***\* In summary, it is up to the individual player to weigh up the benefits of exercising during pregnancy against the perceived risk of injury to herself or her unborn child.***

**For further advice please contact:**

Basketball Australia: Michael Haynes - General Manager, Community Basketball  
Ph: 02-9764 3482 Fax: 02-8746 0582 [email: haynesm@basketball.net.au](mailto:haynesm@basketball.net.au)

Australian Sports Commission: Ph: 02-6214 1111

Department of Sport and Recreation in your State.

The information contained in these guidelines is in the nature of general comment only, and neither purports, nor is intended, to be advice on pregnancy and basketball participation. No responsibility or liability whatsoever can be accepted by Basketball Australia for any loss, damage or injury that may arise from any person acting on any statement or information contained in these guidelines and all such liabilities are expressly disclaimed.