



SUBSTANCE ABUSE POLICY

1. POLICY

In the interest of enhancing the safety and integrity of Speedway Racing in Western Australia, the Western Australian Speedway Commission (WASC) has established this Substance Abuse Policy. The only legitimate use of drugs in Speedway Racing is under the supervision of a physician for a clinically justified purpose.

Any individual applying for a WASC licence or participating in WASC events shall be deemed to have consented to any tests for prohibited substances required by the WASC or its designated administrator. As a condition of continued participation and/or the retention of a WASC Licence, all participants and officials must comply with the Substance Abuse Policy and submit to such test procedures as may be conducted from time to time at the sole discretion of the WASC or an assigned independent drug program administrator (IDPA).

- 1.1 The WASC aims to stop the use of prohibited substances in Speedway Racing by:
 - (a) educating and informing persons about drugs in Speedway Racing issues, and
 - (b) supporting the drug testing programs and education initiatives of an assigned independent drug program administrator (IDPA).
 - (c) imposing effective sanctions on persons who commit violations of the Substance Abuse Policy.
- 1.2 The WASC will:
 - (a) give the chosen IDPA timely and accurate member contact information,
 - (b) support and assist the chosen IDPA to conduct substance abuse testing,
 - (c) make this Policy available to competitors, WASC members, officials, and medical and health practitioners,
 - (d) support the initiatives of the Western Australian State Government and Department of Sport and Recreation and stop prohibited substance offences in speedway racing.
- 1.3 Competitors and other persons may be subject to investigation and disciplined under this Policy.

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- 1.4 The WASC will not disclose or use information about a person who is alleged to have or has committed a violation of the Substance Abuse Policy (for a purpose under this Policy) to:
- (a) the Department of Sport & Recreation
 - (b) another person until after:
 - i. the WASC Tribunal has made a determination, or
 - ii. the WASC Board of Commissioners has decided not to refer the matter to a Tribunal.

2. RESPONSIBLE PARTIES

- 2.1 This Policy applies to:
- (a) affiliates/members of the WASC,
 - (b) competitors, officials and
 - (c) employees and contractors of any WASC sanctioned event.

3. OFFENCES

- 3.1 A competitor violates the Substance Abuse Policy if:
- (a) a prohibited substance (see Attachment 1) is present within the competitor's body tissue, fluids, or expired air, unless:
 - i. the competitor uses the prohibited substance for a therapeutic purpose (see clause 3.4), or
 - ii. there are exceptional circumstances (see clause 3.5)
 - (b) the competitor refuses to provide a sample for testing when requested by the assigned drug testing authority.
- 3.2 A person (including a competitor) violates the Substance Abuse Policy if:
- (a) the person is knowingly involved in trafficking, or
 - (b) the person knowingly assists or is knowingly involved in the commission of a violation of the Substance Abuse Policy by another person.
- 3.3 A violation of the Substance Abuse Policy is proved if a person admits to having committed a violation of the Substance Abuse Policy.

Therapeutic Purpose

- 3.4 A person uses a prohibited substance for a therapeutic purpose if:
- (a) the person had written approval before testing from a recognised Medical Assessor for the therapeutic use of the prohibited substance,
 - (b) the level of the prohibited substance in the sample is consistent with the approved therapeutic use, and
 - (c) the prohibited substance in the opinion of a reasonable Medical Practitioner has beneficial effects for an actual diagnosed medical condition.

Exceptional Circumstances

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

- the person is administered the prohibited substance in a 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.

3.6 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.

4. TESTING

Random-selection Testing

4.1 Testing will be conducted according to Australian Standards AS4308.

Competitors, WASC members, and officials may be required to submit to a urine, blood, breath, and/or saliva testing. Unannounced random testing of competitors, WASC members, and Officials for prohibited substances and alcohol, before the end of qualifying at a WASC event, will be conducted from time to time at the sole discretion of the Independent Drug Program Administrator (IDPA). Individuals who are not selected for random testing, but wish to voluntarily participate in testing, shall be subject to the same testing requirements as selected parties, although voluntary parties will be allowed the opportunity of withdrawing from that event if found to test positive for prohibited substances and/or alcohol, and no further action will be taken.

- (a) Competitors, WASC members, and Officials selection shall be made at random, with all parties having an equal chance of selection.

4.2 Reasonable Suspicion Testing

- (a) Competitors, WASC Members, and Officials may be required to submit to a urine, blood, breath, and/or saliva testing if there exists reasonable suspicion that a person may be under the influence of a prohibited substance and/or alcohol during a WASC sanctioned event.
- (b) Competitors, WASC Members, and Officials may be required to submit to a urine, blood, breath, and/or saliva testing following any incident or accident involving injury or property damage.

5. PENALTIES / TRIBUNAL ACTION

Any competitor, WASC member, or official testing positive for prohibited substances and/or alcohol will take no further part in the competition, for that event. The Competitor's licence must be surrendered to the Senior WASC Official at the event for forwarding to the WASC Board of Commissioners. The licence will be returned upon compliance with the penalties as described in Attachment 2. Any parties testing positive will not be permitted to enter restricted areas.

5.1 First Positive Test result

Any competitor, WASC member, or official testing positive for prohibited substances and/or alcohol, for the first time, will be directed, confidentially, by the IDPA representative to participate in counselling and/or treatment from a substance abuse professional approved by WASC or the IDPA. Should the offender 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 WASC will be advised as such. Once such refusal or failure is reported to WASC, test results and all other details about the violation may be subject to Tribunal Action as a second offence.

- (a) Any competitor, WASC member, or official that tests positive for a prohibited substance and/or alcohol for the first time upon completion of an approved counselling/treatment program, will be required to submit appropriate evidence of the completion to the WASC Board of Commissioners. Once the WASC Board of Commissioners is satisfied the requirements are met, the Competitor, WASC member, or official may return to active participation in WASC sanctioned events.

5.2 Second Positive Test Result

Where WASC is advised by the IDPA, that a competitor, WASC member, or official has violated the Substance Abuse Policy for a second time by the:

- (a) detected use of a prohibited substance and/or alcohol, or
- (b) a refusal to provide a sample, or
- (c) trafficking.
- (d) Non-compliance with participation in counselling and/or treatment from a substance abuse professional, as directed by the IDPA.

5.3 The competitor, WASC member, or official will be subjected to Tribunal Action, and if found guilty, the following penalties are applicable:

- (a) a minimum of one year for the second prohibited substance offence, and
- (b) five years for the third prohibited substance offence.

5.4 In all other cases, the Competitor, WASC member, or Official will be subjected to Tribunal Action, and if found guilty, the following penalties will apply:

- (a) the WASC Tribunal applies a suspension period for the prohibited substance offence:
 - i. three months for the second reported prohibited substance offence (minimum),
 - ii. two years for a third prohibited substance offence (minimum), and
 - iii. life for any further prohibited substance offence.

5.5 The WASC Tribunal may consult the MAP for assistance in interpreting a positive test result.

6. DEFINITIONS

6.1 In this Policy:

“WASC” means the Western Australian Speedway Commission Inc.

“ASC” means the Australian Sports Commission established by the Australian Sports Commission Act 1989.

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

“competitor” means a person who:

- (a) participates (whether in competition or out-of-competition) in a motor racing activity conducted by or under the auspices of WASC.

“CAS” means the Court of Arbitration for Sport

The drug testing authority means:

- (a) the independent drug program administrator, or
- (b) an agency appointed by IDPA, WASC, or a national drug testing authority which:
 - i. operates under its own statute, rules, and regulations, and
 - ii. has samples analysed by an IDPA-approved or an accredited laboratory, or
- (c) an agency that conducts testing on competitors for the detection of prohibited substances where:
 - i. the methods of testing substantially accord with IDPA procedures, and
 - ii. the sample is analysed by a WASC-approved or accredited laboratory.

“MAP” means the Medical Advisory Panel which is a committee of medical experts and where appropriate other experts appointed by the ASC operating under rules and procedures approved by the ASC.

“Senior WASC Official” is the WASC Chief Steward for that event.

“Meeting Director” is either the club president or promoter for the event.

“member” means:

- (a) a person who, or body which, is a member of WASC or holds a WASC licence or membership, or
- (b) a person who, or body which, is affiliated with WASC or
- (c) a person who is a member of a body that is a member of or affiliated with WASC.

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

“official” means a person who administers, manages, provides a contracted service, assists, or is otherwise involved in motorsport under the auspices of WASC, involved in contributing to a WASC event, other than as a competitor, or medical or analogous health practitioner.

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

“prohibited substance” means a substance prohibited under the Substance Abuse Policy of WASC (see Attachment 1)

“recognised medical authority” means:

- (a) the MAP, or
- (b) an authority recognised by the MAP which may authorise the use of a prohibited substance.

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

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

“trafficking” means:

- (a) manufacturing, extracting, transforming, preparing, storing, expediting, transporting, importing, transiting, offering (whether subject to payment or free of charge), distributing, selling, exchanging, brokering, obtaining in any form, prescribing, commercialising, making over, accepting, possessing, holding, buying or acquiring in any manner a prohibited substance, or
- (b) financing or serving as an intermediary for the finance of any of the activities in paragraph (a), or
- (c) provoking in any way the consumption or use of a prohibited substance, or
- (d) being knowingly concerned or involved in a prohibited method other than for personal use and/or for therapeutic purposes in the course of the legal exercise of professional medical, pharmaceutical or analogous activities.

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

6.3 A person includes a body corporate.

PROHIBITED SUBSTANCES IN WASC SPEEDWAY RACING
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WASC 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 MOTORSPORT INCLUDE:

1 ILLICIT AND ILLEGAL DRUGS

Caffeine is permitted provided the concentration in the urine does not exceed 12 micrograms/mL.

If a person has been taking any of these drugs on a regular basis, a period of at least two weeks should elapse before they can be assessed for fitness to participate in motorsport.

The drugs which may be permitted after individual assessment include:

- maintenance treatment with SSRI or RIMA antidepressants
- maintenance treatment with "mood stabilisers" (e.g., lithium, carbamazepine or sodium valproate)

For further information please refer to the WASC Office or phone the

Drugs in Sport Hotline - 1800 020 506.

PROHIBITED SUBSTANCES TESTING PROCEDURE
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1. Selection of Testing Dates

- 1.1. The WASC Board of Commissioners will provide the IDPA, at the beginning of each season, a list of all meeting dates for each Division.
- 1.2. The IDPA will nominate at random, a number of WASC Speedway Racing event dates for testing, with at least one date in each division. These dates will remain confidential and only known to the IDPA and the WASC Board of Commissioners.
- 1.3. The WASC Board of Commissioners may request the IDPA to test certain meetings if there are reasonable grounds or if the meeting is a major event.
- 1.4. The IDPA or their appointed representative or approved authority 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 WASC Board of Commissioners (in case of cancellation or postponement of the selected event).

2. Selection of Competitors

- 2.1. The IDPA or their appointed representative or approved authority will attend the nominated track on the selected date at a time that coincides with the commencement of the drivers briefing.
- 2.2. On arrival at the track the IDPA or their appointed representative or approved authority will make their presence known to the Meeting Director and the Senior WASC Official.
- 2.3. The Meeting Director will supply the IDPA or their appointed representative or approved authority with a list of all competitors and crew competing for the day and a list of all track personnel on duty at the event.
- 2.4. The Senior WASC Official will provide a list of all WASC personnel on duty at the event.
- 2.5. The IDPA or their appointed representative or approved authority will choose nominees at random for testing:
 - 2.5.1. X competitors and/or crew
 - 2.5.2. X Track Officials/Personnel
 - 2.5.3. X WASC Official
- 2.6. The Meeting Director and Senior WASC Official will assist IDPA or their appointed representative or approved authority with the locating of nominated persons.
- 2.7. Suitable facilities will be made available, by the relevant Track representative, to the IDPA or their appointed representative or approved authority for the purpose of testing the selected people.

3. Testing procedure

- 3.1. On-site site testing will be carried out in accordance with AS 4308.
- 3.2. Those persons chosen for testing will not be able to participate in the event until such time as a test result is formulated.
- 3.3. Failure to produce a suitable sample for testing will be deemed to be a positive result.
- 3.4. Persons who test positive at the event will be excluded from any further participation in that event.

- 3.5. Competitors who test positive will be required to present their WASC competition license to the Senior WASC Official. The Senior WASC Official will forward the license to the WASC Technical Officer. Officials, Pit crew, and WASC members who test positive will not be permitted to continue participation in the event and will not be able to enter any of the “Hot Areas” for the duration of that event.
- 3.6. Their samples will be sent to a WASC/IDPA-approved testing facility for confirmation as per AS 4308 and the chain of custody requirements.

Testing Follow up

- 3.7. Confirmation of the “at track result” will be done at WASC/IDPA-approved testing facilities.
- 3.8. Confirmation of results will be forwarded to the person who has tested positive and the WASC Board of Commissioners.

4. First Offence

- 4.1. Persons who have tested positive for the first time will be required to attend a WASC/IDPA-approved substance abuse counselling program.
- 4.2. The offender will not be allowed to participate in any WASC speedway racing events until they have successfully completed all requirements of the WASC/IDPA-approved program.
- 4.3. The onus is on the offender to provide evidence to the WASC Board of Commissioners that the counselling requirements have been met.
- 4.4. Once the WASC Board of Commissioners is satisfied that requirements are met the person may commence participation at WASC speedway racing events.
- 4.5. In the case of a license holder their license will be returned.
- 4.6. The WASC Board of Commissioners will keep a confidential record of all persons who test positive.
- 4.7. Any person who is under first offence conditions and is found to be participating in a WASC speedway racing event prior to satisfying the above conditions may be subject to Tribunal Action as a second offence.

5. Second and Third Offence

- 5.1. Any Competitor, WASC member, or Official who is found to have tested positive for a second time or third under the Substance Abuse Policy will be subject to Tribunal action as directed under the Substance Abuse Policy.
- 5.2. The Tribunal will be conducted in the offender's home Division.
- 5.3. If necessary, the WASC Board of Commissioners will be in attendance with the IDPA or their appointed representative or approved authority to provide evidence as required.
- 5.4. If the competitor, WASC member, or Official is found guilty they will be subjected to the suspension periods as outlined in the Substance Abuse Policy as a minimum penalty.
- 5.5. The Tribunal reserves the right to increase the suspension as required.
- 5.6. At the completion of any suspension period the Competitor, WASC member, or Official must re-apply to the WASC Board of Commissioners for reinstatement.
- 5.7. Competitors may be subjected to license testing before resuming competition.