



DLRA Policy ILLCIT DRUGS IN SPORT (SAFETY TESTING) POLICY

Part 1 – Position Statement

A The DLRA believes that the use of Banned Drugs in motor sport is unsafe and sets a poor example for other members of the community who view Relevant Persons as role models. This Policy outlines The DLRA rights to test for Banned Drugs, as well as outlining the consequences if they are detected in a Relevant Person.

B Any Relevant Person whose Screen reading shows the potential presence of a Banned Drug is likely to be prevented from participating in one or more Meetings until further Laboratory Testing is performed. Further penalties may also apply following the results of a Laboratory Test.

C The DLRA has adopted and implemented rules which conform to the World Anti-Doping Agency (WADA) Code. This Policy and the associated Safety Testing do not replace or in any way amend or affect the DLRA Anti-Doping Policy or any of WADA's requirements under that policy.



DLRA Policy

ILLCIT DRUGS IN SPORT (SAFETY TESTING) POLICY

Part 2 – Key Terms

1. Interpretations and definitions

1.1 Interpretation

The rules for interpretation stated in the rulebook will apply to this Policy unless stated otherwise.

1.2 Definitions

In this Policy and unless stated otherwise:

- (a) **ASADA** means the Australian Sports Anti-Doping Authority or its successor or replacement.
- (b) **Banned Drug** means any drug on the Banned Drug List.
- (c) **Banned Drug List** means the list of Banned Drugs which is made available on the DLRA website and as amended from time to time.
- (d) **The DLRA** means the Dry Lakes Racers Australia Inc.
- (e) **The DLRA Safety Testing Procedure** means the procedure for Safety Testing published by the DLRA and as may be amended from time to time.
- (f) **Drug Screen** means the collection and Screen of a Relevant Person's Sample at a Meeting, or another time specified by the DLRA.
- (g) **Drug Testing Representative** means the individual or entity appointed by the DLRA to conduct Safety Testing at a Meeting, or another time specified by the DLRA.
- (h) **FIA** means the Federation Internationale de l'Automobile.
- (i) **Laboratory Test** means an analysis conducted on a Sample in a suitable laboratory to confirm or deny the presence of a Banned Drug in a Sample.
- (j) **Medical Exemption** means an exemption granted by the DLRA for the legitimate use of a medication which contains a Banned Drug.
- (k) **Meeting** has the meaning given to that term in the NCRs.
- (l) **NCR** means the 'National Competition Rules' as published by the DLRA and as amended from time to time.
- (m) **Negative** means that a Banned Drug has not been detected in a Relevant Person's Sample.
- (n) **Non-Negative** means that the likely presence of a Banned Drug has been detected in a Screen.
- (o) **Official** means officials at a Meeting which includes without limitation stewards of meetings, race directors, technical commissioners and any other official licensed by the DLRA.



DLRA Policy

ILLCIT DRUGS IN SPORT (SAFETY TESTING) POLICY

- (p) **Participant** means anyone who participates in a Meeting.
- (q) **Policy** means this 'The DLRA Illicit Drugs in Sport (Safety Testing) Policy' as amended from time to time.
- (r) **Policy Officer** means any the DLRA-appointed person that is responsible for the supervision and administration of this Policy.
- (s) **Positive** means that a Banned Drug has been reported, by a suitable laboratory, as being present in a Relevant Person's Sample following a Laboratory Test.
- (t) **Relevant Person** means any of the following:
- (i) The DLRA-licensed drivers, co-drivers, entrants and navigators;
 - (ii) The DLRA-licensed officials; and
 - (iii) any individual who has agreed to be bound by this Policy.
- (u) **Safety Test** means a test authorised by the DLRA to detect the presence of a Banned Drug in a Relevant Person's body. For the avoidance of doubt, a Safety Test includes but is not limited to the obtaining of a Sample.
- (v) **Sample** means a bodily substance collected for the purposes of Safety Testing. A substance may include but not be limited to urine, saliva, blood or hair.
- (w) **Screen** means a type of analysis which is intended to detect the potential presence of a Banned Drug in a Sample.
- (x) **Target Testing** means the selection of Relevant Persons for Safety Testing where Relevant Persons are selected on a non-random basis.

2. Application

2.1 Application of Policy

- (a) This Policy is made by the DLRA and is binding on all Participants. It may be amended from time to time by the DLRA.
- (b) The DLRA may, in its sole discretion, delegate any or all of its powers under this Policy, including but not limited to the power to adopt, apply and monitor this Policy.
- (c) By virtue of their ongoing membership, holding of a the DLRA licence, participating in a Meeting, employment or other contractual relationship with the DLRA, Participants are automatically bound by this Policy and required to comply with all of its provisions.

3. Obligations

- (a) All Participants must:



DLRA Policy

ILLCIT DRUGS IN SPORT (SAFETY TESTING) POLICY

- (i) be knowledgeable of and comply with all rules applicable to them under this Policy;
 - (ii) read and understand the Banned Drug List as applicable to them and keep up to date with any amendments made to that list from time to time; and
 - (iii) immediately refer all known instances of possible breaches of this Policy to the Policy Officer.
- (b) All Relevant Persons must:
- (i) submit to Safety Testing in accordance with clause 4 for the presence of Banned Drugs;
 - (ii) comply with all reasonable requests and directions of a Drug Testing Representative or the Policy Officer;
 - (iii) not take steps to intentionally avoid participating in a Safety Test or to comply with this Policy;
 - (iv) not participate in a Meeting with the presence of a Banned Drug in their body; and
 - (v) not consume or have any Banned Drug in their body when a Safety Test is conducted.
- (c) The DLRA will:
- (i) make reasonable efforts to make this Policy available to all Participants, including via the DLRA website;
 - (ii) appoint a suitable individual (such as an employee, consultant, volunteer or office bearer) to the position of Policy Officer (or other appropriately named position); and
 - (iii) take reasonable steps to develop and implement appropriate education and prevention programs and initiatives for motor sport consistent with the Illicit Drugs in Sport – National Education and Action Plan.

4. Safety Testing

4.1 Authority to test

- (a) A Relevant Person may volunteer to undergo a Safety Test, however, the granting of such a request is subject to the DLRA and/or the Drug Testing Representative's resourcing capabilities.
- (b) Without limiting this clause 4.1, all Relevant Persons also agree to submit to Target Testing as determined by the DLRA or a Drug Testing Representative.
- (c) If a Relevant Person has been notified for doping control by ASADA or another anti-doping organisation to occur at the same time as proposed Safety Testing, the anti-doping organisation's requirements take precedence.
- (d) Safety Testing will be conducted in accordance with the DLRA Safety Testing Procedure as amended from time to time. Minor irregularities in the application of this Policy or the DLRA Safety



DLRA Policy

ILLCIT DRUGS IN SPORT (SAFETY TESTING) POLICY

Testing Procedure and testing of a Sample will not affect any findings of Positive or Non-Negative which may be reached in relation to a Sample.

4.2 Drug Screen

(a) In the event that a Drug Screen returns a Negative reading, the Drug Testing Representative shall complete the remaining collection process.

(b) In the event that a Drug Screen, returns a Non-Negative reading:

(i) the Relevant Person will, as directed by the Drug Testing Representative, provide an additional Sample which is to be transported to a suitable laboratory for a Laboratory Test; and

(ii) the Relevant Person will be excluded from participating in any Meeting unless the Policy Officer is, in its absolute and unfettered discretion and without any obligation to consult with the Relevant Person, satisfied beyond all reasonable doubt that it is safe for a Relevant Person to continue to participate at any Meeting. The decision of the Policy Officer under this clause 4.2 is final and binding.

(c) The Relevant Person must remain in the Sample collection area until advised by the Drug Testing Representative that the Sample collection process is complete.

(d) Any appeal or challenge made by a Relevant Person, arising from a decision made by a Policy Officer pursuant to this clause 4.2 will not entitle the Relevant Person to participate in a Meeting if they have been excluded.

4.3 Laboratory Test

(a) A suitable laboratory will conduct a Laboratory Test on the Sample to confirm the apparent presence and concentration level of a Banned Drug.

(b) In the event that a laboratory reports the presence and concentration level of a Banned Drug that is consistent with use for a legitimate medical purpose, such as the use of 'over the counter' medications, the DLRA may choose to not issue the Relevant Person with a breach notice.

(c) In the event that the result of the Laboratory Test is Negative, the Relevant Person may continue to participate in Meetings.

5. Breach of this Policy

5.1 First, second and third Positive result

Subject to clause 6.1, on the:

(a) first occasion that a Relevant Person tests Positive for a Banned Drug, that Relevant Person will not be permitted to participate at any further Meetings until successfully completing a recognised drug counselling program as specified by the DLRA at the Relevant Person's cost;



DLRA Policy

ILLCIT DRUGS IN SPORT (SAFETY TESTING) POLICY

(b) second occasion a Relevant Person tests Positive for a Banned Drug, that Relevant Person will:

(i) be excluded from participating at any further Meeting for a period of six (6) months;

(ii) not be permitted to participate at any further Meeting until successfully completing a recognised drug counselling program as specified by the DLRA at the Relevant Person's cost; and

(iii) be fined an amount of \$250.00, with that amount being payable before being permitted to participate in any further Meeting;

(c) third occasion a Relevant Person tests Positive for a Banned Drug, that Relevant Person will:

(i) be excluded from participating at any further Meeting for a period of two (2) years;

(ii) not be permitted to participate at any further Meeting until successfully completing a recognised drug counselling program as specified by the DLRA at the Relevant Person's cost; and

(iii) be fined an amount of \$1,000.00, with that amount being payable before being permitted to participate in any further Meeting.

5.2 Penalties under the NCRs

In addition to the penalties described in clause 5.1:

(a) one or more penalties may be imposed upon any Participant who has, or is deemed to have, breached this Policy in accordance with the NCRs; and

(b) The DLRA may inform the FIA, ASADA or any other relevant entities of the details of a breach of this Policy. Such disclosure may lead to further consequences enforced by those entities.

(c) The DLRA may in its absolute discretion publish the details of a breach of this Policy by a Participant.

5.3 Target Testing

Following a breach of this Policy, a Relevant Person may be subject to Target Testing at future Meetings or another suitable time as specified by the DLRA.

5.4 Liability of the DLRA

The DLRA and its related entities is not liable for any claim for loss or damage by a Relevant Person as a result of any action or inaction of the DLRA under this Policy, including but not limited to where a Relevant Person is prevented by this Policy from being able to participate in any motor sport activity.

6. Medical Exemption

6.1 Medical Exemptions and Banned Drug thresholds



DLRA Policy

ILLCIT DRUGS IN SPORT (SAFETY TESTING) POLICY

For the purposes of this Policy, a Relevant Person will not be in breach of this Policy where a laboratory reports that the Relevant Person's Sample contains a Banned Drug and the presence and concentration level of that Banned Drug is, in the DLRA's sole opinion, present as the likely result of the Relevant Person taking a medication which is:

- (a) the subject of a current Medical Exemption which has been approved by the DLRA; or
- (b) consistent with an 'over the counter' medication which is reported to the Drug Testing Representative prior to a Sample being provided.

6.2 Obtaining a Medical Exemption

- (a) Any Relevant Person with a medical condition requiring the use of a Banned Drug, or another medication (such as an 'over the counter' medication) which contains a Banned Drug, may request a Medical Exemption using the request form available on the DLRA website.
- (b) The DLRA may approve or reject an application for a Medical Exemption. The Policy Officer will advise the Relevant Person, in writing, of the outcome of the request.
- (c) A Medical Exemption will not be required where the Relevant Person holds a current Therapeutic Use Exemption in accordance with the DLRA Anti-Doping Policy. In any such instance, the Relevant Person must provide the Drug Testing Representative and/or the Policy Officer with evidence of the claimed Therapeutic Use Exemption upon request.
- (d) Relevant Persons must carry any approved Medical Exemption with them at each Meeting they participate in.

6.3 Further assistance

Where a Relevant Person suspects that a prescribed or 'over the counter' medication they are using contains a Banned Drug, that Relevant Person should provide a copy of the Banned Drug List to their medical professional for clarification.

7. Results management

7.1 Responsibility of results management

- (a) The DLRA will coordinate the results management process under this Policy.
- (b) The DLRA may, from time to time, amend the delegation of the results management process.

8. Amendment and interpretation

- (a) This Policy may be amended from time to time by the DLRA, subject to approval from the DLRA Board.



DLRA Policy

ILLCIT DRUGS IN SPORT (SAFETY TESTING) POLICY

- (b) The headings used for the various parts and clauses of this Policy are for convenience only and shall not be deemed to be part of the substance of this Policy or to affect in any way the interpretation of this Policy.
- (c) The definitions in clause 1.2 of this Policy shall be considered an integral part of this Policy. Another grammatical form of a defined term has a corresponding meaning.
- (d) Words in the singular include the plural and vice versa.
- (e) References to 'including' and similar words are not words of limitation.
- (f) A 'person' includes a body corporate.
- (g) This Policy shall apply from its specified effective date.