Australian Sports Anti-Doping Authority Amendment Regulations 2009 (No. 1)[1]

Select Legislative Instrument 2009 No. 367

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Australian Sports Anti-Doping Authority Act 2006*.

Dated 14 December 2009

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

KATE ELLIS
Minister for Sport

1 Name of Regulations

These Regulations are the *Australian Sports Anti-Doping Authority Amendment Regulations 2009 (No. 1)*.

2 Commencement

These Regulations commence on 1 January 2010.

3 Amendment of *Australian Sports Anti-Doping Authority Regulations 2006*

Schedule 1 amends the *Australian Sports Anti-Doping Authority Regulations 2006*.

Schedule 1 Amendments

(regulation 3)

[1] After regulation 1

insert

1A Definition

In these Regulations:

Act means the *Australian Sports Anti-Doping Authority Act 2006*.

Federal Register of Legislative Instruments F2009L04015

[2] After regulation 5

insert

5A Disclosing NAD Scheme personal information

(1) For paragraph 71 (2) (g) of the Act, NAD Scheme personal information may be disclosed if:

(a) the disclosure of the information is required by the World Anti-Doping Code to be disclosed and its disclosure complies with the Code; or

(b) the disclosure of the information is required by an International Standard and its disclosure complies with the International Standard.

Note ***International Standard***, ***NAD Scheme personal information*** and ***World Anti-Doping Code*** are defined in section 4 of the Act.

(2) However, ASADA must not disclose NAD Scheme personal information under subregulation (1) unless ASADA has taken reasonable steps to satisfy itself that the information disclosed will not be used or disclosed:

(a) if the disclosure is required by the World Anti-Doping Code — other than as required by the Code; or

(b) if the disclosure is required by an International Standard — other than as required by the International Standard.

5B Disclosing contract services personal information

(1) For paragraph 72 (2) (h) of the Act, contract services personal information may be disclosed if:

(a) the disclosure of the information is required by the World Anti-Doping Code and its disclosure complies with the Code; or

(b) the disclosure of the information is required by an International Standard and its disclosure complies with the International Standard.

Note ***Contract services personal information***, ***International Standard*** and ***World Anti-Doping Code*** are defined in section 4 of the Act.

Federal Register of Legislative Instruments F2009L04015

(2) However, ASADA must not disclose contract services personal information under subregulation (1) unless ASADA has taken reasonable steps to satisfy itself that the information disclosed will not be used or disclosed:

(a) if the disclosure is required by the World Anti-Doping Code — other than as required by the Code; or

(b) if the disclosure is required by an International Standard — other than as required by the International Standard.

[3] Part 4

substitute

Part 4 Remuneration

13 Remuneration of CEO

(1) For subsection 24D (1) of the Act, the CEO is to be paid the same total remuneration payable to the Chief Executive Officer, Australian Crime Commission, under Remuneration Tribunal Determination 2009/18.

(2) For subsection 24D (2) of the Act, the CEO is to be paid the same allowances payable to the Chief Executive Officer, Australian Crime Commission, under Part 4 of Remuneration Tribunal Determination 2009/18.

(3) However, if a Remuneration Tribunal determination is made that applies to the CEO and is in operation, the CEO is to be paid the allowances that apply to the person under the determination.

14 Remuneration of Advisory Group members

(1) For subsection 30 (1) of the Act, an Advisory Group member is to be paid the remuneration payable to the person under Remuneration Tribunal Determination 2009/14.

Federal Register of Legislative Instruments F2009L04015

(2) For subsection 30 (2) of the Act, an Advisory Group member is to be paid the allowances payable to the person under Remuneration Tribunal Determination 2009/14.

(3) However, if a later Remuneration Tribunal determination applies to an Advisory Group member and is in operation, an Advisory Group member is to be paid the allowances that apply to the person under the later determination.

15 Remuneration of ADRVP members

(1) For subsection 46 (1) of the Act, an ADRVP member is to be paid the remuneration payable to the person under Remuneration Tribunal Determination 2009/14.

(2) For subsection 46 (2) of the Act, an ADRVP member is to be paid the allowances payable to the person under Remuneration Tribunal Determination 2009/14.

(3) However, if a later Remuneration Tribunal determination applies to an ADRVP member and is in operation, an ADRVP member is to be paid the allowances that apply to the person under the later determination.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003.* See http://www.frli.gov.au.

Federal Register of Legislative Instruments F2009L04015