



Australian Sports Anti-Doping Authority Amendment Regulation 2013 (No. 1)

Select Legislative Instrument No. 189, 2013

I, Quentin Bryce AC CVO, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Australian Sports Anti-Doping Authority Act 2006*.

Dated 25 July 2013

Quentin Bryce
Governor-General

By Her Excellency's Command

Don Farrell
Minister for Sport

OPC60198 - B

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1 Name of regulation

This regulation is the *Australian Sports Anti-Doping Authority Amendment Regulation 2013 (No. 1)*.

2 Commencement

This regulation commences on 1 August 2013.

3 Authority

This regulation is made under the *Australian Sports Anti-Doping Authority Act 2006*.

4 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

No. 189, 2013 Australian Sports Anti-Doping Authority Amendment Regulation 2013 1
(No. 1)

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Schedule 1—Amendments

Australian Sports Anti-Doping Authority Regulations 2006

1 Regulation 1A

Insert:

authorised person, in relation to an infringement notice, means:

- (a) the CEO; or
- (b) a person authorised by the CEO under regulation 17.

2 At the end of regulation 5A

Add:

- (3) For paragraph 71(2)(g) of the Act, NAD scheme personal information may be disclosed if it:
 - (a) is disclosed to the Department; and
 - (b) relates to the administration of the NAD scheme.

3 At the end of regulation 5B

Add:

- (3) For paragraph 72(2)(h) of the Act, contract services personal information may be disclosed if it:
 - (a) is disclosed to the Department; and
 - (b) relates to the administration of the NAD scheme.

4 Regulation 13

Repeal the regulation, substitute:

13 Remuneration of CEO—allowances

For subsection 24D (2) of the Act, if a Remuneration Tribunal determination of allowances applies to the CEO and is in operation, the allowances specified in the determination are prescribed.

5 After Part 4

Insert:

Part 5—Infringement notices for civil penalty provisions**Division 1—Outline and operation of Part 5****16 Simplified outline of Part 5**

The following is a simplified outline of this Part:

This Part deals with the use of infringement notices where an authorised person reasonably believes that a civil penalty provision has been contravened. Under section 80 of the Act, the regulations may provide for a person who is alleged to have contravened a civil penalty provision to pay a penalty to the Commonwealth as an alternative to civil proceedings against the person.

A provision of the Act is a civil penalty provision if the provision includes a penalty that is stated to be a civil penalty (see section 73A of the Act).

A person can be given an infringement notice in relation to a contravention of a civil penalty provision.

A person who is given an infringement notice can choose to pay an amount as an alternative to having court proceedings brought against the person for a contravention of the civil penalty provision. If the person does not choose to pay the amount, proceedings can be brought against the person in relation to the contravention.

17 Authorised person

The CEO may, in writing, authorise a person for:

- (a) the purpose of giving an infringement notice under regulation 18; and

- (b) any other purpose relating to an infringement notice or the administration of infringement notices.

Division 2—Infringement notices

18 When an infringement notice may be given

- (1) If an authorised person has reasonable grounds to believe that a person has contravened a civil penalty provision, the authorised person may give to the person an infringement notice for the alleged contravention.

Note: Under section 73B of the Act, as in force when this regulation commenced, the CEO may apply to a relevant court for an order that a person, who is alleged to have contravened a civil penalty provision, pay the Commonwealth a pecuniary penalty. The CEO must make the application within 4 years of the alleged contravention.

- (2) A single infringement notice must relate only to a single contravention of a single provision unless subregulation (3) applies.
- (3) An authorised person may give a person a single infringement notice relating to multiple contraventions of a single provision if:
 - (a) the provision requires the person to do a thing within a particular period or before a particular time; and
 - (b) the person fails or refuses to do that thing within that period or before that time; and
 - (c) the failure or refusal occurs on more than 1 day; and
 - (d) each contravention is constituted by the failure or refusal on one of those days.

Note: For continuing offences, see subsection 4K(2) of the *Crimes Act 1914*.

19 Matters to be included in an infringement notice

- (1) An infringement notice must:
 - (a) be identified by a unique number; and
 - (b) state the day on which it is given; and
 - (c) state the name of the person to whom the notice is given; and

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- (d) state the name and contact details of the person who gave the notice, and that the person is an authorised person for the purposes of issuing the infringement notice; and
 - (e) give brief details of each alleged contravention, including:
 - (i) the civil penalty provision that was allegedly contravened; and
 - (ii) the maximum penalty that a court could impose if the provision were contravened; and
 - (iii) the time (if known) and day of, and the place of, the alleged contravention; and
 - (f) state the amount that is payable under the notice; and
 - (g) give an explanation of how payment of the amount is to be made; and
 - (h) state that, if the person to whom the notice is given pays the amount within 28 days after the day the notice is given, then (unless the notice is withdrawn) the person will not be liable to be prosecuted in a court for an alleged contravention; and
 - (i) state that payment of the amount is not an admission of guilt or liability; and
 - (j) state that the person may apply to the CEO to have the period in which to pay the amount extended; and
 - (k) state that the person may choose not to pay the amount and, if the person does so, the person may be prosecuted in a court for an alleged contravention; and
 - (l) set out how the notice can be withdrawn; and
 - (m) state that if the notice is withdrawn the person may be prosecuted in a court for the alleged contravention; and
 - (n) state that the person may make written representations to the CEO seeking the withdrawal of the notice.

Note: A single infringement notice may relate to multiple contraventions of a single provision: see subregulation 18(3).

- (2) The amount to be stated in the notice for the purposes of paragraph (1)(f) for an alleged contravention of a civil penalty provision by the person must be the lesser of:
 - (a) one-fifth of the maximum penalty that a court could impose on the person for the alleged contravention; and

- (b) 12 penalty units where the person is an individual, or 60 penalty units where the person is a body corporate.

Note: See subsection 80(2) of the Act.

20 Extension of time to pay amount

- (1) A person to whom an infringement notice has been given may apply to the CEO for an extension of the period mentioned in paragraph 19(1)(h).
- (2) If the application is made before the end of that period, the CEO may, in writing, extend that period. The CEO may do so before or after the end of that period.
- (3) If the CEO extends that period, a reference in this Part, or in a notice or other instrument under this Part, to the period mentioned in paragraph 19(1)(h) is taken to be a reference to that period so extended.
- (4) If the CEO does not extend that period, a reference in this Part, or in a notice or other instrument under this Part, to the period mentioned in paragraph 19(1)(h) is taken to be a reference to the period that ends on the later of the following days:
 - (a) the day that is the last day of the period mentioned in paragraph 19(1)(h);
 - (b) the day that is 7 days after the day the person was given notice of the CEO's decision not to extend.
- (5) The CEO may extend the period more than once under subregulation (2).

21 Withdrawal of an infringement notice

Representations seeking withdrawal of notice

- (1) A person to whom an infringement notice has been given may make written representations to the CEO seeking the withdrawal of the notice.

Withdrawal of notice

- (2) The CEO may withdraw an infringement notice given to a person (whether or not the person has made written representations seeking the withdrawal).
- (3) When deciding whether or not to withdraw an infringement notice (the **relevant infringement notice**), the CEO:
 - (a) must take into account any written representations seeking the withdrawal that were given by the person to the CEO; and
 - (b) may take into account the following:
 - (i) whether a court has previously imposed a penalty on the person for a contravention of a civil penalty provision that is subject to an infringement notice under this Part;
 - (ii) the circumstances of the alleged contravention;
 - (iii) whether the person has paid an amount, stated in an earlier infringement notice, for a contravention of a civil penalty provision that is subject to an infringement notice under this Part if the contravention is constituted by conduct that is the same, or substantially the same, as the conduct alleged to constitute the contravention in the relevant infringement notice;
 - (iv) any other matter the CEO considers relevant.

Notice of withdrawal

- (4) If the CEO withdraws an infringement notice given to a person, the CEO must give notice of the withdrawal of the infringement notice to the person. The withdrawal notice must state:
 - (a) the person's name and address; and
 - (b) the identifying number of the infringement notice; and
 - (c) the day the infringement notice was given; and
 - (d) that the infringement notice is withdrawn.
- (5) The withdrawal notice may also state that the person may be prosecuted in a court for the alleged contravention.

Note: The infringement notice may be withdrawn in circumstances in which the person would not be prosecuted in a court for the alleged

contravention (for example, if the notice is given to the wrong person).

Refund of amount if infringement notice withdrawn

- (6) If:
- (a) the CEO withdraws the infringement notice; and
 - (b) the person has already paid the amount stated in the notice;
- the CEO must refund to the person an amount equal to the amount paid.

22 Effect of payment of amount

- (1) If the person to whom an infringement notice for an alleged contravention of a provision is given pays the amount stated in the notice before the end of the period mentioned in paragraph 19(1)(h):
 - (a) any liability of the person for the alleged contravention is discharged; and
 - (b) the person may not be prosecuted in a court for the alleged contravention; and
 - (c) the person is not regarded as having admitted guilt or liability for the alleged contravention; and
 - (d) the person is not regarded as having been convicted of the alleged offence.
- (2) Subregulation (1) does not apply if the notice has been withdrawn.

23 Effect of Part 5

This Part does not:

- (a) require an infringement notice to be given to a person for an alleged contravention of a civil penalty provision enforceable under this Part; or
- (b) affect the liability of a person for an alleged contravention of a civil penalty provision if:
 - (i) the person does not comply with an infringement notice given to the person for the contravention; or
 - (ii) an infringement notice is not given to the person for the contravention; or

- (iii) an infringement notice is given to the person for the contravention and is subsequently withdrawn; or
- (c) prevent the giving of 2 or more infringement notices to a person for an alleged contravention of a civil penalty provision; or
- (d) limit a court's discretion to determine the amount of a penalty to be imposed on a person who is found to have contravened a civil penalty provision.

6 After clause 1.02 of Schedule 1

Insert:

1.02A Further functions of the CEO under the NAD scheme

- (1) Without limiting the functions conferred on the CEO by specific provisions of the Act and any other provision of the NAD scheme, the CEO is authorised to notify athletes, support persons and sporting administration bodies of findings on the register mentioned in subparagraph 13(1)(i) of the Act.

Note: See paragraph 13(1)(j) of the Act.

- (2) The CEO is also authorised to provide recommendations to sporting administration bodies as to the consequences of those findings.

Note: See paragraph 13(1)(ja) of the Act.

- (3) The CEO is also authorised to present:

- (a) those findings; and
- (b) information about the possible consequences of such findings; and
- (c) additional information;

at hearings of the Court of Arbitration for Sport and other sporting tribunals, either:

- (d) at the request of a sporting administration body; or
- (e) on the CEO's own initiative.

Note: See paragraphs 13(1)(g) and (k) of the Act.

7 Paragraph 1.03A(1)(e) of Schedule 1

Repeal the paragraph.

8 Paragraph 2.04(m) of Schedule 1

Omit “made by the ADRVP”, substitute “made by the CEO”.

9 After Division 3.4 of Schedule 1

Insert:

Division 3.4A—Request to attend interview, give information or produce documents

3.26A Request

The CEO is authorised to request a specified person to do one or more of the following within a specified period:

- (a) attend an interview to answer questions;
- (b) give information of a specified kind;
- (c) produce documents or things of a specified kind;

if the CEO reasonably believes that the person has information, documents or things that may be relevant to the administration of the NAD scheme.

Note 1: See paragraph 13(1)(ea) of the Act.

Note 2: Subclause (1) is additional to the CEO’s authority, conferred under paragraph 13(1)(f) of the Act, to investigate possible violations of the anti-doping rules. Under that authority, an investigation may include interviewing persons and requesting information, documents or other things.

Division 3.4B—Requirement to attend interview, give information or produce documents**3.26B Requirement***Authority to give disclosure notice*

- (1) The CEO is authorised to give a person a written notice (a **disclosure notice**) requiring the person to do one or more of the following within the period specified in the notice:
- (a) attend an interview to answer questions;
 - (b) give information of the kind specified in the notice;
 - (c) produce documents or things of the kind specified in the notice.

Note: See subsection 13A(1) of the Act.

- (2) The CEO must not give a disclosure notice to the person unless:
- (a) the CEO declares in writing that the CEO reasonably believes that the person has information, documents or things that may be relevant to the administration of the NAD scheme; and
 - (b) if:
 - (i) the person is a registered medical practitioner; and
 - (ii) the notice is given to the person in his or her capacity as a registered medical practitioner;the CEO declares in writing that the CEO reasonably believes that the person has been involved, in that capacity, in the commission, or attempted commission, of a possible violation of the anti-doping rules; and
 - (c) 3 ADRVP members agree in writing that the belief mentioned in paragraph (a) (and, if applicable, paragraph (b)) is reasonable.

Note: See subsection 13A(1A) of the Act.

- (3) A person who is given a disclosure notice has the right to be notified in writing of the possible consequences of a failure to comply with the notice.

Note: See subsection 13A(3) of the Act.

Administration relating to disclosure notice

- (4) For paragraph 13A(2)(a) of the Act:
- (a) the agreement of an ADRVP member under paragraph (2)(c) may be given in electronic form; and
 - (b) a disclosure notice may be in electronic form; and
 - (c) the CEO may give a disclosure notice by electronic means.

Content of disclosure notice

- (5) For paragraph 13A(2)(a) of the Act, a disclosure notice must include the following:
- (a) the name of the person to whom the notice is given (the **recipient**);
 - (b) a statement that the recipient is required to do one or more of the following:
 - (i) attend an interview to answer questions;
 - (ii) give information of the kind specified in the notice;
 - (iii) produce documents or things of the kind specified in the notice;
 - (c) the possible consequences of a failure to comply with the notice;
 - (d) information about how to contact the ASADA.

Note: ASADA will be able to discuss with the recipient the general purpose of the interview and other administrative arrangements about the interview.

- (6) If the disclosure notice requires the recipient to attend an interview to answer questions, the notice must also include the following:
- (a) the date and time of the interview, which must be:
 - (i) at least 14 days after the date of the notice; or
 - (ii) if exceptional circumstances exist—after the end of a different period specified in the notice;
 - (b) the location of the interview;
 - (c) a statement that:
 - (i) the recipient may contact the CEO, within the period stated in the notice, to offer a different date, time or location of the interview on the ground that the

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- proposed date, time or location would cause undue hardship to the person; and
- (ii) the recipient must give details of the hardship; and
 - (iii) the CEO may agree to another date, time or location, but is not required to do so; and
 - (iv) if the CEO agrees to another date, time or location, the CEO will, as soon as practicable, give the recipient a replacement disclosure notice stating the date, time and location; and
 - (v) if the CEO has not agreed to another date, time or location by the date stated in the notice, the interview will be conducted at the date, time and location stated in the notice;
- (d) a statement that the interview may be conducted over more than one day if it is appropriate;
- (e) a statement that the recipient must attend the interview;
- (f) a statement that the recipient is excused from complying with a requirement to answer a question if the answer to the question might tend to incriminate the recipient or expose the recipient to a penalty;
- (g) a statement that:
- (i) the recipient may be accompanied at the interview; and
 - (ii) if the recipient proposes to be accompanied by a person who is not a qualified legal practitioner representing the recipient, the recipient must notify the CEO, in writing, of the other person's name by the time specified in the notice; and
 - (iii) if the recipient does not notify the CEO, in writing, of the other person's name within that period, the person conducting the interview may decide whether to allow the recipient to be accompanied for the purposes of the interview by another person who is not a qualified legal practitioner representing the recipient;
- (h) a statement that if the recipient is under 18, the recipient may be accompanied for the purposes of the interview by:
- (i) one other person; or

- (b) a statement that if the recipient is an individual, the recipient is excused from complying with a requirement to give the information if the information might tend to incriminate the recipient or expose the recipient to a penalty;

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- (c) a statement that if the recipient:
 - (i) is an individual; and
 - (ii) does not possess information specified in the notice; and
 - (iii) has taken all reasonable steps available to the recipient to obtain the information and has been unable to obtain it;
 the recipient may give the CEO a statutory declaration stating those matters;
 - (d) a statement that if the recipient:
 - (i) is not an individual; and
 - (ii) does not possess information specified in the notice; and
 - (iii) has taken all reasonable steps available to the recipient to obtain the information and has been unable to obtain it;
 an individual acting for the recipient may give the CEO a statutory declaration stating those matters.

Note: Section 13D of the Act relates to protections against self-incrimination.

- (9) If the disclosure notice requires the recipient to produce documents or things, the notice must also include the following information:
 - (a) a statement that the recipient must produce the documents or things to the CEO by the date, or the time and date, specified in the notice;
 - (b) a statement that the recipient is not excused from producing a document or thing specified in the notice on the ground that the document or thing might tend to incriminate the recipient or expose the recipient to a penalty;
 - (c) a statement that if the recipient:
 - (i) does not possess a document or thing specified in the notice; and
 - (ii) has taken all reasonable steps available to the recipient to obtain the document or thing and has been unable to obtain it;
 the recipient may give the CEO a statutory declaration stating those matters;
 - (d) a statement that if the recipient is an individual, none of the following:

- (i) the document or thing produced;
- (ii) the producing of the document or thing;
- (iii) any information, document or thing obtained as a direct or indirect consequence of producing the document or thing;

is admissible in evidence against the recipient in:

- (iv) criminal proceedings, other than proceedings for an offence against section 137.1 (false or misleading information) or 137.2 (false or misleading documents) of the Criminal Code that relates to this Act; or
 - (v) any proceedings that would expose the recipient to a penalty, other than proceedings in connection with the Act or regulations made under the Act;
- (e) a statement that proceedings (however described) before a sporting administration body or the Court of Arbitration for Sport or other sporting tribunal that relate to sports doping and safety matters are proceedings in connection with the Act or regulations made under the Act.

Note: Section 13D of the Act relates to protections against self-incrimination.

3.26C Form and conduct of an interview

- (1) For paragraph 13A(2)(b) of the Act, this clause provides for the form and conduct of an interview that has been required under clause 3.26B.

Form of interview

- (2) The person conducting the interview (the **interviewer**) may arrange for the interview to be conducted in person or in another form.

Examples: A teleconference or videoconference.

- (3) The interviewer may arrange for the interview to be recorded in any form.

Assistance of another person or other persons

- (4) Subject to subclauses (5) and (6):

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- (a) a person (the *interviewee*) who is given a disclosure notice and is at least 18 may be accompanied for the purposes of the interview by one other person; and
 - (b) a person (the *interviewee*) who is given a disclosure notice and is under 18 may be accompanied for the purposes of the interview by:
 - (i) one other person; or
 - (ii) a qualified legal practitioner representing the interviewee and one other person who is not a qualified legal practitioner representing the interviewee.

Note: If the interviewee is under 18, the interviewee should consider being accompanied by the interviewee's parent or guardian.

- (5) If the interviewee does not notify the CEO of the name of another person in accordance with the disclosure notice, the interviewer may decide whether to allow the interviewee to be accompanied for the purposes of the interview by another person who is not a qualified legal practitioner representing the interviewee.

Note: See paragraph 3.26B(6)(g).

- (6) If the interviewer or the CEO reasonably believes that the presence of a person who proposes to accompany an interviewee, or is accompanying the interviewee, may compromise, hinder or obstruct an investigation, the interviewer:
 - (a) must inform the interviewee of that belief; and
 - (b) must inform the interviewee that the other person:
 - (i) cannot attend the interview; or
 - (ii) can no longer attend the interview; and
 - (c) must not allow the other person to:
 - (i) attend the interview; or
 - (ii) continue to attend the interview; and
 - (d) must give the interviewee a reasonable opportunity to propose another person to accompany the interviewee for the purposes of the interview; and
 - (e) may suspend the interview until the interviewee has arranged for another person.

Examples: Possible grounds on which the interviewer or the CEO could reasonably believe that the presence of a person may compromise, hinder or obstruct an investigation are where the person

- (3) The advice of an ADRVP member under subclause (2) may be in electronic form.

3.26E Retaining and copying documents produced in response to a disclosure notice

For subsection 13B(2) of the Act, if the CEO has taken possession of a document or thing produced in response to a disclosure notice, the CEO must ensure that the document or thing is returned to the person from whom it was taken as soon as practicable after it is no longer necessary for the CEO to retain possession of it.

Note 1: Subsection 13B(3) of the Act requires the CEO to allow a person who would otherwise be entitled to inspect the document or view the thing to do so at the times that the person would ordinarily be able to do so.

Note 2: It may be necessary for the CEO to retain possession of the document or thing if:

- (a) an investigation into a possible violation of the anti-doping rules to which the disclosure notice relates is incomplete; or
- (b) the deliberations or decisions of a sporting administration body in relation to a matter relating to, or arising under, the NAD scheme and relating to the disclosure notice are incomplete; or
- (c) any other action by a court, tribunal or other body or person for review of a decision under the NAD scheme relating to the disclosure notice is incomplete, or has not yet been sought.

Note 3: If the CEO has not obtained the document or thing from another person, the document or thing will be kept in compliance with Commonwealth law.

10 Paragraph 4.07A(3)(e) of Schedule 1

Repeal the paragraph.

11 At the end of Part 4 of Schedule 1

Add:

Division 4.5—Commencing action against an athlete or support person**4.23 Limitation period for commencing action**

For subsections 13(3) and (4) of the Act:

- (a) an action may be commenced against an athlete or support person in relation to a possible violation of the anti-doping

rules within 8 years after the violation is alleged to have occurred; and

- (b) paragraph (a) prevails over a law of a State or Territory, to the extent of any inconsistency.

Schedule 2—Further amendments

Australian Sports Anti-Doping Authority Regulations 2006

1 Subparagraph 5(1)(a)(ii)

Omit “ASADA”, substitute “the CEO”.

2 Subregulation 5(2)

Omit “ASADA”, substitute “The CEO”.

3 Subregulation 5(3)

Omit “ASADA must not give the information unless ASADA”,
substitute “the CEO must not give the information unless the CEO”.

4 Subregulation 5A(2)

Omit “ASADA must not disclose NAD Scheme personal information
under subregulation (1) unless ASADA”, substitute “the CEO must not
disclose NAD Scheme personal information under subregulation (1)
unless the CEO”.

5 Subregulation 5B(2)

Omit “ASADA must not disclose contract services personal information
under subregulation (1) unless ASADA”, substitute “the CEO must not
disclose contract services personal information under subregulation (1)
unless the CEO”.

6 Paragraph 6(2)(b)

Omit “ASADA”, substitute “the CEO”.

7 Clause 1.02 of Schedule 1 (heading)

Repeal the heading, substitute:

1.02 Functions of the CEO under the NAD scheme

8 Subclause 1.02(1) of Schedule 1

Omit “functions conferred on ASADA”, substitute “ functions conferred on the CEO”.

9 Subclause 1.02(1) of Schedule 1

Omit “ASADA is authorised”, substitute “the CEO is authorised”.

10 Paragraph 1.02(1)(e) of Schedule 1

Omit “ASADA has conducted”, substitute “the CEO has conducted”.

11 Paragraph 1.02(1)(g) of Schedule 1

Omit “sports drug and safety matters referred to ASADA”, substitute “sports doping and safety matters referred to the ASADA or the CEO”.

12 Subclause 1.02(2) of Schedule 1

After “Anything done”, insert “by the CEO”.

13 Subclause 1.02(3) of Schedule 1

After “Anything done”, insert “by the CEO”.

14 Clause 1.03 of Schedule 1 (heading)

Repeal the heading, substitute:

1.03 Authority for the CEO to exercise certain powers

15 Subclause 1.03(1) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

16 Subclause 1.03(2) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

17 Subclause 1.03(2) of Schedule 1

Omit “is given to ASADA”, substitute “was given to the ASADA or is given to the CEO”.

18 Subclause 1.03(2) of Schedule 1

Omit “investigation by ASADA”, substitute “investigation by the CEO”.

19 Subclause 1.03(2) of Schedule 1

Omit “if ASADA”, substitute “if the CEO”.

20 Clause 1.03B of Schedule 1 (heading)

Repeal the heading, substitute:

1.03B CEO and ADRVP to have regard to World Anti-Doping Code etc**21 Subclause 1.04(2) of Schedule 1**

Repeal the subclause, substitute:

- (2) An initial entry on the Register may be made only if the first action under the NAD scheme, in relation to the conduct to which the entry would relate, was taken less than 8 years after the conduct occurred.

22 Clause 1.05 of Schedule 1 (definition of *blood collection official*)

Omit “ASADA”, substitute “the CEO”.

23 Clause 1.05 of Schedule 1 (paragraph (a) of the definition of *chaperone*)

Omit “ASADA”, substitute “the CEO”.

24 Clause 1.05 of Schedule 1 (definition of *domestic testing pool*)

Omit “ASADA” (wherever occurring), substitute “the CEO”.

25 Clause 1.05 of Schedule 1 (definition of *doping control officer*)

Omit “ASADA”, substitute “the CEO”.

26 Clause 1.05 of Schedule 1 (definition of *investigator*)

Omit “ASADA”, substitute “the CEO”.

27 Clause 1.05 of Schedule 1 (definition of *national-level athlete*)

Omit “ASADA”, substitute “the CEO”.

28 Clause 1.05 of Schedule 1 (definition of *Register of Findings*)

Omit “ASADA”, substitute “the ADRVP”.

29 Clause 1.05 of Schedule 1 (definition of *sporting tribunal*)

Omit “ASADA”, substitute “the CEO”.

30 Subclause 1.06(2) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

31 Subclause 1.06(3) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

32 Subclause 1.06(4) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

33 Subclause 1.08(2) of Schedule 1

Omit “with respect to ASADA members”, substitute “with respect to the CEO”.

34 Clause 2.03 of Schedule 1 (heading)

Repeal the heading, substitute:

2.03 Sporting administration body rules—powers of CEO

35 Subclause 2.03(2) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

36 Paragraph 2.04(b) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

37 Paragraph 2.04(d) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

38 Paragraph 2.04(e) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

39 Paragraph 2.04(f) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

40 Paragraph 2.04(h) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

41 Paragraph 2.04(i) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

42 Paragraph 2.04(j) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

43 Paragraph 2.04(k) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

44 Paragraph 2.04(l) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

45 Paragraph 2.04(n) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

46 Paragraph 2.04(o) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

47 Paragraph 2.04(p) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

48 Clause 3.01 of Schedule 1

Omit “ASADA may”, substitute “The CEO may”.

49 Clause 3.01 of Schedule 1

Omit “ASADA’s expense”, substitute “the CEO’s expense”.

50 Subclause 3.02(1) of Schedule 1

Omit “ASADA may”, substitute “The CEO may”.

51 Subclause 3.02(1) of Schedule 1

Omit “ASADA’s expense”, substitute “the CEO’s expense”.

52 Clause 3.03 of Schedule 1

Omit “ASADA may”, substitute “The CEO may”.

53 Clause 3.03 of Schedule 1

Omit “ASADA’s expense”, substitute “the CEO’s expense”.

54 Subclause 3.04(1) of Schedule 1

Omit “ASADA may”, substitute “The CEO may”.

55 Subclause 3.04(1) of Schedule 1

Omit “if ASADA”, substitute “if the CEO”.

56 Subclause 3.06(1) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

57 Subclause 3.06(4) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

58 Subclause 3.08(1) of Schedule 1

Omit “ASADA must”, substitute “The CEO must”.

59 Subclause 3.08(1) of Schedule 1

Omit “by ASADA”, substitute “by the CEO”.

60 Subclause 3.08(1) of Schedule 1

Omit “to ASADA”, substitute “to the CEO”.

61 Subclause 3.08(2) of Schedule 1

Omit “by ASADA” substitute “by the CEO”.

62 Subclause 3.08(2) of Schedule 1

Omit “ASADA may” substitute “the CEO may”.

63 Subclause 3.09(1) of Schedule 1

Omit “ASADA may” substitute “The CEO may”.

64 Subclause 3.09(1) of Schedule 1

Omit “give ASADA” substitute “give the CEO”.

65 Paragraph 3.09(2)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

66 Paragraph 3.09(2)(c) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

67 Subclause 3.09(2) of Schedule 1 (note)

Omit “ASADA”, substitute “The CEO”.

68 Paragraph 3.09(3) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

69 Subclause 3.09(4) of Schedule 1 (note)

Omit “ASADA may”, substitute “the CEO may”.

70 Paragraph 3.09(4)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

71 Paragraph 3.09(4)(c) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

72 Paragraph 3.09(4)(d) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

73 Paragraph 3.09(5)(a) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

74 Paragraph 3.09(5)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

75 Subclause 3.09(6) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

76 Paragraph 3.09(6)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

77 Subparagraph 3.09(6)(b)(iii) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

78 Subclause 3.10(1) of Schedule 1

Omit “ASADA may ask an athlete to give ASADA”, substitute “The CEO may ask an athlete to give the CEO”.

79 Paragraph 3.10(2)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

80 Paragraph 3.10(2)(c) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

81 Subclause 3.10(2) of Schedule 1 (note)

Omit “ASADA”, substitute “The CEO”.

82 Subclause 3.10(3) of Schedule 1

Omit “ASADA may give”, substitute “the CEO may give”.

83 Paragraph 3.10(3)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

84 Paragraph 3.10(3)(c) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

85 Paragraph 3.10(3)(d) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

86 Paragraph 3.10(4)(a) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

87 Paragraph 3.10(4)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

88 Clause 3.11 of Schedule 1 (heading)

Repeal the heading, substitute:

3.11 The CEO may ask for help in locating athlete**89 Clause 3.11 of Schedule 1**

Omit “ASADA” (wherever occurring), substitute “the CEO”.

90 Subclause 3.11(4) of Schedule 1 (note)

Omit “ASADA”, substitute “the CEO”.

91 Subclause 3.12(2) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

92 Subclause 3.12(3) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

93 Clause 3.14 of Schedule 1 (heading)

Repeal the heading, substitute:

3.14 The CEO may ask athlete for, and collect, samples**94 Subclause 3.14(1) of Schedule 1**

Omit “ASADA may ask an athlete to give ASADA”, substitute “The CEO may ask an athlete to give the CEO”.

95 Subclause 3.14(2) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

96 Subclause 3.14(3) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

97 Subclause 3.14(4) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

98 Clause 3.15 of Schedule 1 (heading)

Repeal the heading, substitute:

3.15 The CEO may ask sporting administration body or anti-doping organisation to request sample

99 Clause 3.15 of Schedule 1

Omit “ASADA”, substitute “The CEO”.

100 Subclause 3.16(2) of Schedule 1 (note)

Omit “ASADA”, substitute “The CEO”.

101 Subclause 3.16(8) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

102 Subclause 3.16 (9) of Schedule 1 (definition of *requester*)

Omit “ASADA” (wherever occurring), substitute “the CEO”.

103 Clause 3.17 of Schedule 1 (heading)

Repeal the heading, substitute:

3.17 The CEO to engage an interpreter

104 Clause 3.18 of Schedule 1 (heading)

Repeal the heading, substitute:

3.18 The CEO to pay athlete's expenses

105 Subclause 3.18(2) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

106 Subclause 3.18(3) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

107 Subclause 3.19(2) of Schedule 1

Omit “ASADA may ask a sporting administration body to inform ASADA”, substitute “The CEO may ask a sporting administration body to inform the CEO”.

108 Subclause 3.19(3) of Schedule 1

Omit “ASADA may decide that the athlete is not required to give the sample if ASADA”, substitute “The CEO may decide that the athlete is not required to give the sample if the CEO”.

109 Clause 3.22 of Schedule 1 (heading)

Repeal the heading, substitute:

3.22 What the CEO may do with samples**110 Subclause 3.22(2) of Schedule 1**

Omit “ASADA”, substitute “The CEO”.

111 Clause 3.23 of Schedule 1 (heading)

Repeal the heading, substitute:

3.23 The CEO may ask laboratory to test samples**112 Paragraph 3.23(1)(b) of Schedule 1**

Omit “ASADA”, substitute “the CEO”.

113 Subclause 3.23(2) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

114 Paragraph 3.25(1)(a) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

115 Subclause 3.25(3) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

116 Subclause 3.25(4) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

117 Subclause 3.25(5) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

118 Subclause 3.26(1) of Schedule 1

Omit “at ASADA’s initiative is the property of ASADA”, substitute “at the CEO’s initiative is the property of the CEO”.

119 Subclause 3.26(2) of Schedule 1

Omit “ASADA may transfer ownership of a sample collected from an athlete at ASADA’s initiative”, substitute “The CEO may transfer ownership of a sample collected from an athlete at the CEO’s initiative”.

120 Subclause 3.27(1) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

121 Subclause 4.01(1) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

122 Subclause 4.01(2) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

123 Subclause 4.01(3) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

124 Subclause 4.01(4) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

125 Subclause 4.02(1) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

126 Subclause 4.02(2) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

127 Subclause 4.02(3) of Schedule 1

Omit “If ASADA”, substitute “If the CEO”.

128 Subclause 4.02(3) of Schedule 1

Omit “ASADA may”, substitute “the CEO may”.

129 Subclause 4.02(4) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

130 Subclause 4.02(5) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

131 Subclause 4.03(1) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

132 Subclause 4.03(2) of Schedule 1

Omit “ASADA may conduct”, substitute “The CEO may conduct”.

133 Subclause 4.03(2) of Schedule 1

Omit “ASADA may request”, substitute “the CEO may request”.

134 Subclause 4.03(3) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

135 Subclause 4.03(4) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

136 Subclause 4.04(1) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

137 Subclause 4.04(2) of Schedule 1

Omit “ASADA must notify”, substitute “The CEO must notify”.

138 Paragraph 4.04(2)(d) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

139 Paragraph 4.05(1)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

140 Subclause 4.05(4) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

141 Subclause 4.05(5) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

142 Paragraph 4.06(1)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

143 Subclause 4.06(2) of Schedule 1

Omit “ASADA must notify”, substitute “The CEO must notify”.

144 Paragraph 4.06(2)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

145 Paragraph 4.06(2)(c) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

146 Paragraph 4.06(2)(d) of Schedule 1

Omit "ASADA", substitute "the ADRVP".

147 Paragraph 4.06(2)(f) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

148 Paragraph 4.06(3)(b) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

149 Paragraph 4.06(3)(c) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

150 Paragraph 4.07A(3)(g) of Schedule 1

Omit “the ADRVP”, substitute “the ASADA”.

151 Clause 4.08 of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the ADRVP”.

152 Subclause 4.11(1) of Schedule 1

Omit “As soon as practicable after making an entry on the Register, ASADA must give”, substitute “As soon as practicable after the ADRVP decides to make an entry on the Register, the CEO must give”.

153 Paragraph 4.11(1)(c) of Schedule 1

Omit “ASADA’s”, substitute “the ADRVP’s”.

154 Paragraph 4.11(1)(d) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

155 Paragraph 4.11(2)(a) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

156 Clause 4.12 of Schedule 1

Omit “ASADA’s”, substitute “the ADRVP’s”.

157 Subclause 4.13(1) of Schedule 1

Omit “ASADA may present”, substitute “the CEO may present”.

158 Paragraph 4.13(1)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

159 Subclause 4.13(2) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

160 Subclause 4.13(3) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

161 Clause 4.14 of Schedule 1

Repeal the clause, substitute:

4.14 Removal of names from Register

The ADRVP must remove an entry from the Register as soon as practicable if, after the entry has been made, any of the following happens:

- (a) the ADRVP becomes satisfied that at the time to which the entry relates the person was not a participant;
- (b) the ADRVP decides, having regard to a decision of a sporting tribunal, that the entry should be removed from the Register;
- (c) the ADRVP is satisfied that, at the time to which the entry relates, the person was a minor, and no period of ineligibility has been imposed on the person as a result of the entry or the period of ineligibility imposed on the person as a result of the entry has ended;
- (d) the Administrative Appeals Tribunal, on a review under clause 4.12, sets aside the finding on which the entry was based and the ADRVP has decided not to appeal the decision of the Administrative Appeals Tribunal.

162 Paragraph 4.15(1)(a) of Schedule 1

Omit "ASADA", substitute "the ADRVP".

163 Paragraph 4.15(1)(b) of Schedule 1

Omit "ASADA", substitute "the ADRVP".

164 Subclause 4.15(2) of Schedule 1

Omit “ASADA”, substitute “The ADRVP”.

165 Clause 4.16 of Schedule 1

Repeal the clause, substitute:

4.16 Register—notice of removal, correction or amendment

As soon as practicable after the ADRVP corrects, amends or removes information about a participant in the Register, the CEO must give a written notice to any person to whom the CEO has given notice about the entry stating that the information has been corrected, amended or removed.

166 Subclause 4.17(1) of Schedule 1

Omit “ASADA”, substitute “the ADRVP”.

167 Subclause 4.17(2) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

168 Subclause 4.17(4) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

169 Subclause 4.18(1) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

170 Subclause 4.19(1) of Schedule 1

Omit “ASADA”, substitute “the ADRVP”.

171 Subclause 4.19(2) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

172 Subclause 4.20(1) of Schedule 1

Omit “ASADA under”, substitute “the CEO under”.

173 Subclause 4.20(1) of Schedule 1

Omit “ASADA may”, substitute “the CEO may”.

174 Paragraph 4.20(1)(a) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

175 Subclause 4.20(2) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

176 Subclause 4.21(2) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

177 Subclause 4.21(3) of Schedule 1

Omit “ASADA” (wherever occurring), substitute “the CEO”.

178 Subclause 4.21(4) of Schedule 1

Omit “ASADA must”, substitute “the CEO must”.

179 Paragraph 4.21(4)(c) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

180 Subclause 4.22(1) of Schedule 1

Omit “ASADA is authorised”, substitute “the CEO is authorised”.

181 Paragraph 4.22(1)(a) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

182 Subclause 4.22(2) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

183 Subclause 5.01(6) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

184 Subclause 5.01(7) of Schedule 1

Omit “If ASADA”, substitute “If the CEO”.

185 Subclause 5.01(7) of Schedule 1

Omit “to ASADA”, substitute “to the CEO”.

186 Paragraph 5.02(1)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

187 Paragraph 5.02(2)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

188 Subclause 6.01(1) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

189 Subclause 6.01(2) of Schedule 1

Omit “(unless ASADA”, substitute “(unless the CEO”.

190 Paragraph 6.01(2)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

191 Paragraph 6.01(2)(c) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

192 Paragraph 6.01(2)(d) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

193 Paragraph 6.01(3)(b) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

194 Subclause 6.03(1) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

195 Subclause 6.03(2) of Schedule 1

Omit “ASADA”, substitute “The CEO”.

196 Subclause 6.03(3) of Schedule 1

Omit “ASADA”, substitute “the CEO”.

197 Subclause 6.01(4) of Schedule 1

Omit “by ASADA”, substitute “by the CEO”.