



Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 17 December 2020

David Hurley
Governor-General

By His Excellency's Command

Richard Colbeck
Minister for Youth and Sport

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1 Name

This instrument is the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	At the same time as the <i>Sport Integrity Australia Amendment (World Anti-Doping Code Review) Act 2020</i> commences.	1 January 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Sport Integrity Australia Act 2020*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Sport Integrity Australia Regulations 2020

1 Subregulation 5(1) (heading)

Repeal the heading.

2 Subregulation 5(1)

Omit “(1)”.

3 Subregulation 5(2)

Repeal the subregulation.

4 Paragraph 1.02(1)(a) of Schedule 1

After “participants”, insert “and non-participants”.

5 Paragraph 1.02(1)(b) of Schedule 1

Omit “including sociological, behavioural, juridical and ethical studies”, substitute “including research of a kind referred to in Article 19.2 of the World Anti-Doping Code”.

6 Paragraph 1.02(1)(f) of Schedule 1

Omit “International Federations”, substitute “anti-doping organisations”.

7 Subclause 1.02A(1) of Schedule 1

After “support persons”, insert “, non-participants”.

8 Subclause 1.02A(1) of Schedule 1

Omit “, 4.17 and 4.20”, substitute “and 4.17”.

9 Subclause 1.02A(2) of Schedule 1

Omit “, when notifying those bodies of assertions in accordance with clause 4.17”.

10 Subclause 1.02A(4) of Schedule 1

Repeal the subclause.

11 Subclause 1.03(2) of Schedule 1

Omit “or support person”, substitute “, support person or non-participant”.

12 Clause 1.05 of Schedule 1 (after paragraph (b) of note 1 to the heading)

Insert:

(ba) non-participant;

13 Clause 1.05 of Schedule 1 (definition of *adverse analytical finding*)

Omit “and related technical documents, identifies”, substitute “, establishes”.

14 Clause 1.05 of Schedule 1 (definition of *adverse analytical finding*)

Omit “(including elevated quantities of endogenous substances)”.

15 Clause 1.05 of Schedule 1 (definition of *anti-doping organisation*)

After “means”, insert “WADA or”.

16 Clause 1.05 of Schedule 1 (paragraph (d) of the definition of *anti-doping organisation*)

Repeal the paragraph.

17 Clause 1.05 of Schedule 1 (definition of *A sample*)

Repeal the definition, substitute:

A sample means the following:

- (a) a sample given by an athlete that is contained within a bottle or container labelled ‘A’ or ‘Part 1’ in a sample collection kit;
- (b) if a sample given by an athlete is split into 2 parts as mentioned in Article 6.7 of the World Anti-Doping Code—the part that is contained within a bottle or container labelled ‘A’ or ‘Part 1’ in a sample collection kit.

18 Clause 1.05 of Schedule 1 (definition of *B sample*)

Repeal the definition, substitute:

B sample means the following:

- (a) a sample given by an athlete that is contained within a bottle or container labelled ‘B’ or ‘Part 2’ in a sample collection kit;
- (b) if a sample given by an athlete is split into 2 parts as mentioned in Article 6.7 of the World Anti-Doping Code—the part that is contained within a bottle or container labelled ‘B’ or ‘Part 2’ in a sample collection kit.

19 Clause 1.05 of Schedule 1 (note to the definition of *chaperone*)

After “be”, insert “a”.

20 Clause 1.05 of Schedule 1

Insert:

consequences of anti-doping rule violations has the same meaning as in the World Anti-Doping Code.

decision limit has the same meaning as in the World Anti-Doping Code.

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

Omit “who are not in the CEO’s registered testing pool”, substitute “who are neither in the CEO’s registered testing pool nor the CEO’s national testing pool”.

22 Clause 1.05 of Schedule 1 (definition of *doping control*)

Repeal the definition, substitute:

doping control has the same meaning as in the World Anti-Doping Code.

23 Clause 1.05 of Schedule 1 (definition of *in-competition*)

Repeal the definition, substitute:

in-competition has the same meaning as in the World Anti-Doping Code.

24 Clause 1.05 of Schedule 1 (definition of *international-level athlete*)

Repeal the definition, substitute:

international-level athlete has the same meaning as in the World Anti-Doping Code.

25 Clause 1.05 of Schedule 1 (definition of *International Standard for Laboratories*)

Omit “issued under the International Standard for Laboratories”, substitute “issued under that standard”.

26 Clause 1.05 of Schedule 1

Insert:

International Standard for Results Management means the International Standard for Results Management adopted by the WADA, as amended from time to time, including technical documents issued under that standard.

27 Clause 1.05 of Schedule 1 (definition of *International Standard for Testing and Investigations*)

Omit “issued under it”, substitute “issued under that standard”.

28 Clause 1.05 of Schedule 1 (definition of *International Standard for Therapeutic Use Exemptions*)

Omit “issued under the International Standard for Therapeutic Use Exemptions”, substitute “issued under that standard”.

29 Clause 1.05 of Schedule 1 (definition of *national anti-doping organisation*)

Omit “the management of test results and the conduct of hearings”, substitute “manage test results and conduct results management”.

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

Omit “or domestic testing pool”, substitute “, CEO’s national testing pool or CEO’s domestic testing pool”.

31 Clause 1.05 of Schedule 1

Insert:

national testing pool means the pool of athletes designated as such by the CEO, who are neither in the CEO’s registered testing pool nor the CEO’s domestic testing pool and who are subject to testing both in-competition and out-of-competition as part of the CEO’s test distribution plan.

Note: Athletes in the CEO’s national testing pool may be asked for whereabouts information (see clause 3.09).

32 Clause 1.05 of Schedule 1 (definition of *relevant national sporting organisation*)

Repeal the definition.

33 Clause 1.05 of Schedule 1 (definition of *relevant sporting administration body*)

Repeal the definition, substitute:

relevant sporting administration body:

- (a) for an athlete—means a sporting administration body for the sport in which the athlete is competing or has at any time in the last 6 months competed; or
- (b) for a support person—means a sporting administration body for the sport in which the support person is participating; or
- (c) for a non-participant—means a sporting administration body for which the non-participant is bound by the body's anti-doping policy.

34 Clause 1.05 of Schedule 1 (definition of *relevant sporting organisation*)

Repeal the definition.

35 Clause 1.05 of Schedule 1 (definition of *response period*)

After “participant” (wherever occurring), insert “or non-participant”.

36 Clause 1.05 of Schedule 1

Insert:

results management has the same meaning as in the World Anti-Doping Code.

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

After “support persons”, insert “, non-participants”.

38 Clause 1.05 of Schedule 1 (definition of *substantial assistance*)

Repeal the definition.

39 Clause 1.05 of Schedule 1 (definition of *tampering*)

Repeal the definition, substitute:

tampering has the same meaning as in the World Anti-Doping Code.

40 Clause 1.05 of Schedule 1

Insert:

technical document has the same meaning as in the World Anti-Doping Code.

41 Clause 1.05 of Schedule 1 (definition of *therapeutic use exemption*)

Omit “that authorises the athlete to use a prohibited substance or a prohibited method for therapeutic purposes”, substitute “that allows an athlete with a medical condition to use a prohibited substance or a prohibited method, but only if the conditions set out in Article 4.4 of the World Anti-Doping Code and in the International Standard for Therapeutic Use Exemptions are met”.

42 Clause 1.05 of Schedule 1 (definition of *TUE committee*)

Omit “*International Standard for Therapeutic Use Exemptions*”, substitute “International Standard for Therapeutic Use Exemptions”.

43 Clause 1.05 of Schedule 1 (definition of *whereabouts information*)

Omit “subclause 3.09(1)”, substitute “subclauses 3.09(1) and (1A)”.

44 Clause 1.06 of Schedule 1 (heading)

Repeal the heading, substitute:

1.06 Classes of persons who compete in sport or have competed in sport in the last 6 months subject to the NAD scheme

45 Subclause 1.06(1) of Schedule 1

Repeal the subclause, substitute:

- (1) Persons who compete in sport, or who have at any time in the last 6 months competed in sport, are subject to the NAD scheme if the sport has an anti-doping policy.

Note: A person who competes in sport or who has at any time in the last 6 months competed in sport and who is subject to the NAD scheme is an *athlete* (see section 4 of the Act).

46 After paragraph 1.06(2)(a) of Schedule 1

Insert:

(aa) athletes in the CEO’s national testing pool;

47 Paragraph 1.06(2)(d) of Schedule 1

After “events”, insert “or who have at any time in the last 6 months competed in international events”.

48 Paragraph 1.06(2)(e) of Schedule 1

After “events”, insert “or who have at any time in the last 6 months competed in national events”.

49 Clause 1.07 of Schedule 1

Repeal the clause, substitute:

1.07 Classes of support persons subject to the NAD scheme

- (1) Support persons involved in a sport with an anti-doping policy are subject to the NAD scheme.

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- (2) Anti-doping rules 2.01E, 2.01F, 2.01G, 2.01H, 2.01J, 2.01K and 2.01L apply to all support persons subject to the NAD scheme.

50 After clause 1.07 of Schedule 1

Insert:

1.07A Non-participants subject to the NAD scheme

- (1) All non-participants are subject to the NAD scheme.
- (2) Anti-doping rules 2.01E, 2.01G, 2.01H, 2.01J, 2.01K and 2.01L apply to all non-participants.

51 Paragraph 1.08(2)(b) of Schedule 1

After “competes”, insert “or has at any time in the last 6 months competed”.

52 Subclause 2.01(1) of Schedule 1

Omit “possible”.

53 Subclause 2.01(2) of Schedule 1

Omit “and support persons”, substitute “, support persons and non-participants”.

54 Subclause 2.01A(2) of Schedule 1

Omit “It is each”, substitute “It is the”.

55 Paragraph 2.01A(3)(c) of Schedule 1

Repeal the paragraph, substitute:

- (c) if the athlete’s A or B sample is split into 2 parts and the analysis of the confirmation part of the split sample confirms the presence of the prohibited substance or its metabolites or markers found in the first part of the split sample or the athlete waives analysis of the confirmation part of the split sample.

56 Subclause 2.01A(4) of Schedule 1

Omit “quantitative threshold”, substitute “decision limit”.

57 Subclause 2.01A(4) of Schedule 1

After “prohibited list”, insert “or a technical document”.

58 Subclause 2.01A(4) of Schedule 1

After “presence of any”, insert “reported”.

59 Subclause 2.01A(5) of Schedule 1

Omit “or International Standards may establish special criteria for the evaluation of prohibited substances that can also be produced endogenously”, substitute “, International Standards or technical documents may establish special criteria for reporting or the evaluation of certain prohibited substances”.

60 Subclause 2.01B(2) of Schedule 1

Omit “It is each”, substitute “It is the”.

61 Clause 2.01C of Schedule 1 (at the end of the heading)

Add “by an athlete”.

62 Clause 2.01C of Schedule 1

Omit “or, without compelling justification, refusing or failing to submit to sample collection after notification as authorised in applicable anti-doping rules”, substitute “, or refusing or failing to submit to sample collection without compelling justification after notification by a duly authorised person”.

63 Clause 2.01D of Schedule 1 (at the end of the heading)

Add “by an athlete”.

64 Clause 2.01D of Schedule 1

Omit “International Standard for Testing and Investigations”, substitute “International Standard for Results Management”.

65 Clause 2.01E of Schedule 1

Repeal the clause, substitute:

2.01E Tampering or attempted tampering with any part of doping control by an athlete, support person or non-participant

Tampering or attempted tampering with any part of doping control constitutes a violation of an anti-doping rule.

66 Clause 2.01F of Schedule 1 (heading)

Omit “and prohibited methods”, substitute “or prohibited methods by an athlete or support person”.

67 Subclauses 2.01F(1) and (2) of Schedule 1

Repeal the subclauses, substitute:

- (1) Possession by an athlete in-competition of any prohibited substance or any prohibited method, or possession by an athlete out-of-competition of any prohibited substance or any prohibited method that is prohibited out-of-competition, constitutes a violation of an anti-doping rule, unless the athlete establishes that the possession is consistent with a therapeutic use exemption granted in accordance with Article 4.4 of the World Anti-Doping Code or other acceptable justification.
- (2) Possession by a support person in-competition of any prohibited substance or any prohibited method, or possession by a support person out-of-competition of any prohibited substance or any prohibited method that is prohibited out-of-competition in connection with an athlete, competition or training, constitutes a violation of an anti-doping rule, unless the support person establishes that the possession is consistent with a therapeutic use exemption granted to an athlete in accordance with Article 4.4 of the World Anti-Doping Code or other acceptable justification.

68 Clause 2.01G of Schedule 1 (at the end of the heading)

Add “by an athlete, support person or non-participant”.

69 Subclause 2.01G(2) of Schedule 1 (paragraph (a) of the definition of *trafficking*)

After “participant”, insert “or non-participant”.

70 Subclause 2.01G(2) of Schedule 1 (subparagraph (b)(i) of the definition of *trafficking*)

Omit “another”, substitute “other”.

71 Clause 2.01H of Schedule 1 (at the end of the heading)

Add “by an athlete, support person or non-participant”.

72 Subclause 2.01H(1) of Schedule 1

Repeal the subclause, substitute:

- (1) Administration or attempted administration by an athlete, support person or non-participant to any athlete in-competition of a prohibited substance or prohibited method, or administration or attempted administration to any athlete out-of-competition of a prohibited substance or prohibited method that is prohibited out-of-competition, constitutes a violation of an anti-doping rule.

73 Subclause 2.01H(2) of Schedule 1 (subparagraph (b)(i) of the definition of *administration*)

Omit “another”, substitute “other”.

74 Clause 2.01J of Schedule 1 (at the end of the heading)

Add “or attempted complicity by an athlete, support person or non-participant”.

75 Clause 2.01J of Schedule 1

After “intentional complicity”, insert “, or attempted complicity,”.

76 Clause 2.01J of Schedule 1

Omit “Article 10.12.1”, substitute “Article 10.14.1”.

77 Clause 2.01K of Schedule 1 (at the end of the heading)

Add “by an athlete, support person or non-participant”.

78 Subclauses 2.01K(1) to (9) of Schedule 1

Repeal the subclauses, substitute:

- (1) Association by a participant or non-participant in a professional or sport-related capacity with a support person covered by Article 2.10.1.1, 2.10.1.2 or 2.10.1.3 of the World Anti-Doping Code constitutes a violation of an anti-doping rule.
- (2) To establish the violation, the CEO must establish that the participant or non-participant knew that the support person was covered by that Article.
- (3) The burden is on the participant or non-participant to establish either or both of the following:
 - (a) that any association with the support person was not in a professional or sport-related capacity;

- (b) that any such association could not have been reasonably avoided.

79 At the end of Division 2.1 of Part 2 of Schedule 1

Add:

2.01L Discouraging or retaliating against reporting to authorities by an athlete, support person or non-participant

Discouraging reporting

- (1) An act:
- (a) that threatens or seeks to intimidate another person with the intent of discouraging the other person from the good-faith reporting of information, relating to an alleged anti-doping rule violation or alleged non-compliance with the World Anti-Doping Code, to:
 - (i) an anti-doping organisation; or
 - (ii) a law enforcement body; or
 - (iii) a regulatory body; or
 - (iv) a professional disciplinary body; or
 - (v) a hearing panel of the kind mentioned in Article 8 of the World Anti-Doping Code; or
 - (vi) a person conducting an investigation for an anti-doping organisation; and
 - (b) that would not otherwise constitute an anti-doping rule violation under clause 2.01E;
- constitutes a violation of an anti-doping rule.

Retaliating against reporting

- (2) An act:
- (a) of retaliation against a person who, in good faith, has provided evidence or information, relating to an alleged anti-doping rule violation or alleged non-compliance with the World Anti-Doping Code, to:
 - (i) an anti-doping organisation; or
 - (ii) a law enforcement body; or
 - (iii) a regulatory body; or
 - (iv) a professional disciplinary body; or
 - (v) a hearing panel of the kind mentioned in Article 8 of the World Anti-Doping Code; or
 - (vi) a person conducting an investigation for an anti-doping organisation; and
 - (b) that would not otherwise constitute an anti-doping rule violation under clause 2.01E;
- constitutes a violation of an anti-doping rule.

Interpretation

- (3) For the purposes of this clause, retaliation, threatening and intimidation include an act taken against a person either because the act lacks a good faith basis or is a disproportionate response.

80 Paragraph 2.04(f) of Schedule 1

Omit “and domestic testing pool”, substitute “, CEO’s national testing pool or CEO’s domestic testing pool”.

81 Paragraph 2.04(o) of Schedule 1

After “World Anti-Doping Code”, insert “and International Standards”.

82 Subclauses 3.07(1) and (2) of Schedule 1

After “participant”, insert “or non-participant”.

83 Subclause 3.09(1) of Schedule 1 (note)

After “information”, insert “under subclause (1)”.

84 After subclause 3.09(1) of Schedule 1

Insert:

- (1A) The CEO may, by written notice, request an athlete in the CEO’s national testing pool to give the CEO information (*whereabouts information*), for the purpose of contacting or locating the athlete, in accordance with the International Standard for Testing and Investigations.

Note 1: A failure by an athlete to give the CEO whereabouts information under subclause (1A) does not constitute a possible anti-doping rule violation under clause 2.01D.

Note 2: For a failure to comply with a request under subclause (1A), see subclause (5).

85 At the end of clause 3.09 of Schedule 1

Add:

- (5) The CEO may deal with a failure to comply with a request under subclause (1A) in a way that is consistent with the International Standard for Testing and Investigations.

86 At the end of subclause 3.12(1) of Schedule 1

Add:

- ; (g) for any other purpose covered by Article 6.2 of the World Anti-Doping Code.

87 After clause 3.12 of Schedule 1

Insert:

3.12A Analysis of analytical data or doping control information

Analytical data that relates to a sample, or information about doping control to the extent that the information relates to a sample, may be:

- (a) analysed as mentioned in Article 6.2 of the World Anti-Doping Code; or
- (b) used for research as mentioned in Article 6.3 of the World Anti-Doping Code.

88 Subclause 3.16(2) of Schedule 1

Repeal the subclause (not including the note), substitute:

- (2) The request must include the following information:
- (a) the place where the athlete is to give the sample;
 - (b) when the athlete must go to the place for that purpose;
 - (c) the kind of sample the athlete will be required to provide;
 - (d) any other information required under Article 5.4.1 of the International Standard for Testing and Investigations.

The request may include any other information that the CEO considers relevant.

89 Subclause 3.16(5) of Schedule 1

Repeal the subclause, substitute:

- (5) The request must be made without giving the athlete any advance notice of the request, except in exceptional and justifiable circumstances.

90 Subclause 3.19(3) of Schedule 1

Omit “may”, substitute “must”.

91 Subclause 3.20(1) of Schedule 1

Repeal the subclause, substitute:

- (1) Before going with a chaperone to a place to give the sample, the athlete may, with the permission of the chaperone, do an activity covered by Article 5.4.4 of the International Standard for Testing and Investigations.

92 Subclause 3.20(2) of Schedule 1

Omit “mentioned in”, substitute “covered by”.

93 Paragraph 3.22(2)(c) of Schedule 1

Omit “reasonable”, substitute “reasonably”.

94 Subclause 3.23(2) of Schedule 1 (note)

Repeal the note, substitute:

Note: For *anti-doping purposes*, see clause 3.12.

95 Clause 3.24 of Schedule 1

Omit “An analysis of a sample made”, substitute “The analysis or retention of a sample given”.

96 Clause 3.24 of Schedule 1

After “for analysis”, insert “or retention”.

97 Clause 3.25 of Schedule 1

Repeal the clause.

98 Clauses 4.01 to 4.06 of Schedule 1

Repeal the clauses, substitute:

4.01 Review by CEO

- (1) If:
 - (a) the CEO receives notice from a recognised laboratory of an atypical finding or an adverse analytical finding in relation to an A sample provided by an athlete; and
 - (b) the CEO has, or accepts, results management authority in relation to the sample;the CEO must deal with the finding in accordance with the International Standard for Results Management.
- (2) A reference in that standard to a set deadline or short deadline is taken to be a reference to the response period.

99 Clause 4.07A of Schedule 1 (heading)

Omit “Notification of”, substitute “Dealing with”.

100 Paragraphs 4.07A(1)(a) and (b) of Schedule 1

Repeal the paragraphs, substitute:

- (a) the CEO receives evidence or information showing a possible non-presence anti-doping rule violation in relation to:
 - (i) a participant who is a national-level athlete, an international-level athlete or a support person; or
 - (ii) a non-participant; and

101 Subclauses 4.07A(2) and (3) of Schedule 1

Repeal the subclauses, substitute:

Dealing with possible non-presence anti-doping rule violation

- (2) The CEO must deal with the possible non-presence anti-doping rule violation in accordance with the International Standard for Results Management.
- (3) A reference in that standard to a set deadline or short deadline is taken to be a reference to the response period.

102 Subclause 4.07A(4) of Schedule 1

Omit “summary mentioned in paragraph (3)(a)”, substitute “notification referred to in Article 5.3.2.1 of the International Standard for Results Management”.

103 At the end of paragraph 4.07A(4)(b) of Schedule 1

Add “or non-participant”.

104 Subclause 4.07A(5) of Schedule 1

Repeal the subclause.

105 Division 4.3 of Part 4 of Schedule 1 (heading)

Omit “possible”.

106 Clause 4.08 of Schedule 1 (heading)

Omit “possible”.

107 Subclause 4.08(1) of Schedule 1

Repeal the subclause.

108 Subclause 4.08(2) of Schedule 1 (heading)

Repeal the heading.

109 Subclause 4.08(2) of Schedule 1

After “If”, insert “, after dealing with a finding as mentioned in clause 4.01 or with a possible non-presence anti-doping rule violation as mentioned in subclause 4.07A(2),”.

110 Subclause 4.08(2) of Schedule 1

Omit “a possible anti-doping rule violation by the participant, the CEO must make an assertion that there has been a possible anti-doping rule violation by the participant”, substitute “an anti-doping rule violation by the participant or non-participant, the CEO must make an assertion that there has been an anti-doping rule violation by the participant or non-participant”.

111 Subclause 4.08(3) of Schedule 1

After “a participant”, insert “or non-participant”.

112 Paragraph 4.08(3)(a) of Schedule 1

After “participant”, insert “or non-participant”.

113 Paragraph 4.08(3)(b) of Schedule 1

Omit “if the participant”, substitute “in the case of a participant who”.

114 Paragraph 4.08(3)(d) of Schedule 1

Omit “possible”.

115 Paragraph 4.08(3)(e) of Schedule 1

Omit “possible”, substitute “assertion of the”.

116 Subclause 4.08(4) of Schedule 1

After “participant”, insert “or non-participant”.

117 Paragraph 4.08(4)(c) of Schedule 1

Repeal the paragraph, substitute:

(c) must include the details required to be included in a letter of charge under Article 7.1 of the International Standard for Results Management; and

118 Subclause 4.08(5) of Schedule 1

Omit “a possible”, substitute “an”.

119 Subclause 4.08(5) of Schedule 1

After “participant” (first and second occurring), insert “or non-participant”.

120 Subclause 4.08(5) of Schedule 1

Omit “The CEO must give written notice to the participant of the CEO’s decision”, substitute “The CEO must give written notice of the CEO’s decision to the participant or non-participant and to any anti-doping organisation that has a right to appeal the decision under Article 13.2.3 of the World Anti-Doping Code”.

121 Clause 4.09 of Schedule 1

Repeal the clause.

122 Subclause 4.17(1) of Schedule 1

Omit “written notice about an assertion under subclause 4.08(2)”, substitute “a copy of an assertion under subclause 4.08(2) and a copy of a notice under subclause 4.08(4)”.

123 Paragraphs 4.17(1)(a) and (b) of Schedule 1

After “participant”, insert “or non-participant”.

124 Subclause 4.17(2) of Schedule 1

Omit “written notice about the assertion”, substitute “a copy of an assertion under subclause 4.08(2) and a copy of a notice under subclause 4.08(4)”.

125 Subclause 4.17(3) of Schedule 1

Repeal the subclause.

126 Clause 4.20 of Schedule 1

Repeal the clause.

127 Subclauses 4.21(2) and (2A) of Schedule 1

Repeal the subclauses, substitute:

- (1) For the purposes of paragraph 13(1)(g) of the Act, the CEO may disclose information, documents or things obtained in relation to the administration of the NAD scheme (including information obtained during investigations of possible violations of the anti-doping rules) to a body or person referred to in subsection 68B(3) of the Act for the purposes of, or in connection with, that administration.

128 Subclause 4.21(4) of Schedule 1

Repeal the subclause.

129 Paragraph 4.22(1)(c) of Schedule 1

Omit “support person”, substitute “, support person or non-participant”.

130 Subclause 4.22(1A) of Schedule 1

Omit “or (b) only if one or more”, substitute “only if either or both”.

131 Paragraphs 4.22(1A)(a) and (b) of Schedule 1

Repeal the paragraphs.

132 Paragraph 4.22(1A)(c) of Schedule 1

Omit “or support person”, substitute “, support person or non-participant”.

133 At the end of Division 4.4 of Part 4 of Schedule 1

Add:

4.22A Other publications permitted by the World Anti-Doping Code

The CEO may publish information about an athlete, support person or non-participant if:

- (a) the information is of a kind that may be publicly disclosed in accordance with Article 14.3.1 of the World Anti-Doping Code; and
- (b) the publication occurs after notice referred to in that Article has been provided.

134 Division 4.5 of Part 4 of Schedule 1 (heading)

Omit “or support person”, substitute “, support person or non-participant”.

135 Subclauses 4.23(1) and (2) of Schedule 1

Omit “or support person” (wherever occurring), substitute “, support person or non-participant”.

136 Subclause 4.23(2) of Schedule 1

Omit “notice under clause 4.04 or 4.07A”, substitute “notification referred to in Article 5.1.2.1 or 5.3.2.1 of the International Standard for Results Management”.

137 Paragraph 5A.01(1)(a) of Schedule 1

Omit “international level athlete or a national level athlete in a registered testing pool”, substitute “international-level athlete or a national-level athlete in a registered testing pool or the CEO’s national testing pool”.

138 Subclause 6.01(1) of Schedule 1

Omit “or support person”, substitute “, support person or non-participant”.

139 Subclause 6.01(2) of Schedule 1

Omit “or support person” (first occurring), substitute “, support person or non-participant”.

140 Paragraph 6.01(2)(a) of Schedule 1

Omit “or support person”, substitute “, support person or non-participant”.

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

After “notice is sent”, insert “by post, or”.

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

Omit “or support person” (wherever occurring), substitute “, support person or non-participant”.

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

After “to the athlete”, insert “, support person or non-participant”.

144 Paragraphs 6.01(2)(c) to (e) of Schedule 1

Omit “or support person” (wherever occurring), substitute “, support person or non-participant”.

145 Subclauses 6.01(3) and (4) of Schedule 1

Omit “or support person” (wherever occurring), substitute “, support person or non-participant”.

146 Clause 6.02 of Schedule 1

Omit “or support person”, substitute “, support person or non-participant”.

147 In the appropriate location in Part 7 of Schedule 1

Insert:

**Division 4—Amendments made by the Sport Integrity Australia
Amendment (World Anti-Doping Code Review)
Regulations 2020**

7.11 Classes of persons who compete in sport or have competed in sport in the last 6 months subject to the NAD scheme

The repeal and substitution of subclause 1.06(1) of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* applies in relation to competing in sport that occurs on or after the commencement of this clause.

7.12 Classes of support persons subject to the NAD scheme

The repeal and substitution of clause 1.07 of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* applies in relation to involvement in a sport that occurs on or after the commencement of this clause.

7.13 Non-participants subject to the NAD scheme

Clause 1.07A of this Schedule, as inserted by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020*, applies on and after the commencement of this clause in relation to a non-participant, whether the non-participant became bound by the sporting administration body’s anti-doping policy before, on or after that commencement.

7.14 Anti-doping rules

- (1) The amendments of clause 2.01D of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* apply in relation to a violation of an anti-doping rule under that clause that occurs on or after the commencement of this clause.

- (2) For the purposes of subclause (1), a missed test, or filing failure, within the meaning of the International Standard for Testing and Investigations, that occurred before the commencement of this clause is taken on and after that commencement to be a missed test, or filing failure, within the meaning of the International Standard for Results Management.
- (3) The repeal and substitution of clause 2.01E of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* applies in relation to a violation of an anti-doping rule under that clause that occurs on or after the commencement of this clause.
- (4) The amendments of clause 2.01F of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* apply in relation to possession of any prohibited substance or any prohibited method on or after the commencement of this clause.
- (5) The amendments of clause 2.01G of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* apply in relation to trafficking or attempted trafficking, in relation to a prohibited substance or prohibited method, that occurs on or after the commencement of this clause.
- (6) The amendments of clause 2.01H of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* apply in relation to administration or attempted administration, in relation to a prohibited substance or prohibited method, that occurs on or after the commencement of this clause.
- (7) The amendment made by item 75 of Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* applies in relation to attempted complicity that occurs on or after the commencement of this clause.
- (8) The amendment made by item 76 of Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* applies in relation to a violation of Article 10.14.1 of the World Anti-Doping Code that occurs on or after the commencement of this clause.
- (9) Clause 2.01J and the other provisions of this Schedule, as in force immediately before the commencement of this clause, continue to apply on and after that commencement in relation to a violation of Article 10.12.1 of the World Anti-Doping Code that occurred before that commencement.
- (10) The amendments of clause 2.01K of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* apply in relation to a violation of an anti-doping rule under that clause that occurs on or after the commencement of this clause.
- (11) Clause 2.01K and the other provisions of this Schedule, as in force immediately before the commencement of this clause, continue to apply on and after that commencement in relation to association with a support person described in Article 2.10.1, 2.10.2 or 2.10.3 of the World Anti-Doping Code that occurred before that commencement.
- (12) Subclause 2.01L(1) of this Schedule, as added by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review)*

Regulations 2020, applies in relation to an act that occurs on or after the commencement of this clause, whether the alleged anti-doping rule violation or alleged non-compliance with the World Anti-Doping Code referred to in paragraph 2.01L(1)(a) of this Schedule occurred before, on or after that commencement.

- (13) Subclause 2.01L(2) of this Schedule, as added by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020*, applies in relation to an act that occurs on or after the commencement of this clause, whether the evidence or information referred to in paragraph 2.01L(2)(a) of this Schedule was provided before, on or after that commencement.

7.15 Testing and investigating

- (1) The amendment of clause 3.12 of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* applies in relation to a request for a sample made on or after the commencement of this clause.
- (2) Clause 3.12A of this Schedule, as inserted by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020*, applies in relation to a sample given on or after the commencement of this clause.
- (3) The amendments of clauses 3.16 and 3.19 of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* apply in relation to a request for a sample made on or after the commencement of this clause.
- (4) The amendments of clause 3.20 of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* apply in relation to a permission given on or after the commencement of this clause.
- (5) The amendments of clause 3.24 of this Schedule, and the repeal of clause 3.25 of this Schedule, made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* apply in relation to a sample given on or after the commencement of this clause.

7.16 Results management

- (1) The following amendments apply in relation to notice the CEO receives, on or after the commencement of this clause, from a recognised laboratory of an atypical finding or an adverse analytical finding in relation to an A sample provided by an athlete:
 - (a) the amendment of Division 4.1 of Part 4 of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020*;
 - (b) the amendments of Divisions 4.3, 4.4 and 4.5 of Part 4 of this Schedule made by Schedule 1 to those regulations, so far as they relate to the amendment covered by paragraph (a).

- (2) The following amendments apply in relation to evidence or information the CEO receives, on or after the commencement of this clause, showing a possible non-presence anti-doping rule violation:
 - (a) the amendments of Division 4.2 of Part 4 of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020*;
 - (b) the amendments of Divisions 4.3, 4.4 and 4.5 of Part 4 of this Schedule made by Schedule 1 to those regulations, so far as they relate to the amendments covered by paragraph (a).
- (3) The amendments of clause 4.21 of this Schedule made by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020* apply in relation to the disclosure of information, documents or things on or after the commencement of this clause, whether the information, documents or things were obtained before, on or after that commencement.
- (3) Clause 4.22A of this Schedule, as added by Schedule 1 to the *Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020*, applies in relation to notice referred to in Article 14.3.1 of the World Anti-Doping Code that is provided on or after the commencement of this clause.