



Various Netball Australia Policies

(to be read in conjunction with
General Codes of Behaviour)

Version 1.01

21 June 2014

*Matrics Data / Record
Management and
History / Policies /
Current / Various
Netball Australia
Policies*



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1) **Background:**

The Matrics Netball Club (“the Club”) encourages participation and enjoyment in the sport of netball in Australia. The Club is responsible for the control and conduct of its members who include Players, Coaches, Umpires, Managers, Officials, Administrators and Spectators.











All members of the Club attending games and / or events are required to adhere to the following General Codes of Behaviour as well as those adopted from Netball Australia detailed within this document and the General Codes of Behaviour document.

a) Club’s Responsibilities



Netball Australia and its Member Organisations have a major obligation to protect and maintain the integrity of netball as well as the health and wellbeing of athletes.

Netball Australia is committed to the highest standards of conduct and ethical behaviour in all of its activities, and to promoting and supporting a culture of honest and ethical behaviour both on and off the court, corporate compliance and good corporate governance.

Integrity in netball encompasses all of the elements needed to preserve what is intrinsically valuable about netball and to uphold the principles of fairness, respect, responsibility and safety. The main elements include the Netball Australia: -

-  Anti-Doping Policy
-  National Policy on Match Fixing in Netball
-  Member Protection Policy; and
-  the Integrity in Netball Framework and associated Rules
 -  Anti-Illicit Drugs in Netball Rule
 -  Supplements in Netball Rule
 -  Medications in Netball Rule
 -  No Self-Injection in Netball Rule
 -  Anti-Doping Declaration Rule and
 -  Reporting Conduct That May Bring Netball into Disrepute Rule

The Integrity in Netball Framework, Rules and Policies strikes an appropriate balance between rules-based and values-based approaches that will

-  prevent serious integrity violations on the one hand, and
-  promote integrity through stimulating understanding, commitment and capacity for ethical decision-making on the other.



Netball Australia Policies

The Club acknowledges the Netball Australia Integrity Framework Policies and its commitment to serving and protecting its members and participants through all levels of the sport.

A copy of the Member Protection Policy and its various attachments are contained herein and are contained in the following hyperlink: -

<http://netball.com.au/integrity-framework-policies/>

In this document, Netball Australia maintains the following policies which are sanctioned by the Club: -

Attachment A	Integrity in Netball Framework (Effective 1 January 2014)
Attachment B	Rule A – Anti-Illicit Drugs in Netball Rule (Effective 1 January 2014)
Attachment C	Rule B – Supplements and Other Substances in Netball Rule (Effective 1 January 2014)
Attachment D	Rule C – Medication in Netball Rule (Effective 1 January 2014)
Attachment E	Rule D – No Self-Injection in Netball Rule (Effective 1 January 2014)
Attachment F	Rule E – Anti-Doping Declaration Rule (Effective 1 January 2014)
Attachment G	Rule F – Reporting Conduct that May Bring Netball into Disrepute Rule (Effective 1 January 2014)
Attachment H	Netball Australia Integrity Unit – Terms of Reference (Effective 1 December 2013)
Attachment I	Anti-Doping Policy
Attachment J	Netball Policy on Match Fixing in Netball (Effective March 2012)
Attachment K	Pregnancy Policy (Effective 1 January 2014)

Attachment 'A' – Integrity in Netball Framework (Effective 1 January 2014)



Integrity in Netball Framework

Date of Board Approval: 30 November 2013
 Responsibility: Netball Australia Board
 Author: Head of Government Strategy & Social Innovation
 Date Policy Takes Effect: **1 January 2014**

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Please direct any enquiries to Netball Australia's Integrity Unit, email: integrity@netball.asn.au

Integrity in Netball Framework (Effective 1 January 2014)

1. Introduction

Netball Australia and its Member Organisations have a major obligation to protect and maintain the integrity of netball as well as the health and wellbeing of Athletes.

Netball Australia is committed to the highest standards of conduct and ethical behaviour in all of its activities, and to promoting and supporting a culture of honest and ethical behaviour both on and off the court, corporate compliance and good corporate governance.

Integrity in netball encompasses all of the elements needed to preserve what is intrinsically valuable about netball and to uphold the principles of fairness, respect, responsibility and safety. The main elements include the Netball Australia Anti-Doping Policy, National Policy on Match Fixing in Netball and Member Protection Policy and this Integrity in Netball Framework and associated Rules: , Anti-Illicit Drugs in Netball Rule, Supplements in Netball Rule, Medications in Netball Rule, No Self-Injection in Netball Rule, Anti-Doping Declaration Rule, and Reporting Conduct That May Bring Netball into Disrepute Rule.

This netball specific Framework and Rules, along with the associated procedures are aimed at enforcing sport rules. They are distinct in nature from criminal and civil proceedings, although they are intended to be applied in a manner which respects the principles of proportionality, natural justice and human rights.

Netball Australia will engage necessary technical expertise to administer, monitor and enforce this Framework and Rules.

2. Scope

- 2.1. Nothing in this Framework and Rules limits the rights and obligations under Netball Australia's Anti-Doping Policy, National Policy on Match Fixing in Netball, Member Protection Policy, or applicable Codes of Conduct or other relevant agreements and policies.
- 2.2. In the event of any inconsistency, Netball Australia's Anti-Doping Policy prevails.
- 2.3. In the event of a matter that constitutes a breach or possible breach of Netball Australia's Anti-Doping Policy and any other Policy and or Rule, the Netball Australia Anti-Doping Policy prevails.
- 2.4. Nothing in this Framework or Rules limits the application of Commonwealth, State and Territory laws or the ability of Netball Australia to refer such issues to the police or other relevant authorities.

3. Related Policies

- 3.1. This Framework and Rules operate in conjunction with, as applicable, Netball Australia's Codes of Conduct, Player Agreement or similar, Netball Australia Anti-Doping Policy, National Policy on Match Fixing in Netball, Member Protection Policy, and other relevant agreements, rules and policies.
- 3.2. As such, this Framework and Rules are an important part of a comprehensive set of behavioural standards, responsibilities and practices.
- 3.3. A Person who is investigated or sanctioned under this Framework and Rules may also be investigated and sanctioned under other applicable agreements, rules and policies.



4. Jurisdiction

- 4.1. The Netball Australia Constitution enables Netball Australia to formulate, approve, issue, adopt, interpret and amend such policies, procedures, rules, by-laws, and regulations as appropriate to better regulate netball; and to promote and secure uniformity in such rules and standards as may be necessary for the management of netball nationally and internationally.
- 4.2. This Framework and Rules are made by the Netball Australia Board under Clause 35 of Netball Australia's Constitution and is binding.
- 4.3. Members Organisations are required to be in compliance with this Framework and Rules where applicable and relevant.
- 4.4. This Framework and Rules may be amended from time to time by the Netball Australia Board.
- 4.5. The conduct prohibited under this Framework and Rules may also be a criminal offence and/or a breach of other applicable laws or regulations. This Framework and Rules are intended to supplement such laws and regulations. They are not intended, and should not be interpreted, construed or applied, to prejudice or undermine in any way the application of such laws and regulations. Persons must comply with all applicable laws and regulations at all times.

5. Who Does This Framework Apply To?

- 5.1. Each Rule attached to this Framework indicates who the Rule Applies to.
- 5.2. The emphasis is on Persons that fall under the direct jurisdiction and control of Netball Australia (such as Australian squads and teams and Australian level emerging talent) and Member Organisations (such as Australian squads and teams, emerging talent, ANZ Championship franchise, Australian Netball League team, State/Territory teams, and State/Territory League Clubs).
- 5.3. Netball Australia and Member Organisations have the discretion to apply this Framework and Rules with limited pre-emptive application to Persons who do not participate at the elite or sub-elite pathway of netball, for example Associations and clubs at the grassroots.
- 5.4. Notwithstanding, all Persons are automatically bound by and required to comply with all of the provisions of this Framework and the Rules that are applicable and relevant to them. Accordingly, all Persons shall be deemed to accept all terms set out herein and have agreed:
 - 5.4.1. For purposes of applicable data protection and other laws and for all other purposes, to have consented to the collection, processing, disclosure and use of information relating to her/himself and her/his activities, including personal information relating to her/himself and her/his activities, to the extent expressly permitted under the terms of this Framework and Rules.
 - 5.4.2. For purposes of applicable data protection and other laws and for all other purposes, to have consented to the collection, processing, disclosure and use of information relating to her/himself and her/his activities, including personal information relating to her/himself and her/his activities to protect the integrity of netball.



- 5.4.3. That it is their Personal responsibility to:
 - 5.4.3.1. Familiarise themselves and be knowledgeable with all of the requirements of this Framework and the Rules that are applicable and relevant to them, including what conduct constitutes an offence under this Framework and Rules to comply with those requirements.
 - 5.4.3.2. Comply with anti-doping policies applicable to them and be mindful of the World Anti-Doping Agency Code.
 - 5.4.3.3. Understand that action required under this Framework and Rules may also be addressed under Netball Australia's Anti-Doping Policy.
 - 5.4.3.4. Act in a discrete and confidential manner in discharging their obligations under this Framework and Rules
- 5.4.4. Submit to the authority of the Netball Australia Board (including as delegated) to adopt, apply, monitor and enforce this Framework and the Rules.
- 5.5. Persons to whom this Framework and Rules apply must not:
 - 5.5.1. Give any false or misleading evidence to any hearing, investigation, inquiry or appeal conducted under this Framework and Rules.
 - 5.5.2. Make any false or misleading statement or declaration in connection with the administration or control of this Framework and Rules.
 - 5.5.3. Obstruct, delay or hinder Netball Australia's Chief Executive Officer or Nominated Delegate in connection with the performance of her/his duties in the connection with the administration or control of this Framework and Rules.
 - 5.5.4. Disobey any reasonable direction of Netball Australia's Chief Executive Officer or Nominated Delegate in connection with the performance of her/his duties in the connection with the administration or control of this Framework and Rules.
- 5.6. Where the Chief Executive Officer of Netball Australia or Nominated Delegate reasonably believes that the Person has information, documents or things that may be relevant to the administration of this Framework and Rules, Persons to whom this Framework and Rules applies must:
 - 5.6.1. Attend an interview to answer questions;
 - 5.6.2. Give information;
 - 5.6.3. Produce documents or things.
- 5.7. None of the information, document or thing obtained as a direct or indirect consequence of Clauses 5.6 and 9.3 is admissible in evidence against the Person in criminal proceedings.
- 5.8. Where a Person invokes their "right to silence", the Netball Australia Board or Nominated Delegate, can draw an adverse inference from a Person's failure to disclose vital information.



6. Nominated Delegate

- 6.1 Netball Australia will appoint appropriate personnel to administer this Framework and Rules.

7. Reporting Process

- 7.1 A Person must promptly notify if they are interviewed as a suspect, charged, or arrested by police in respect of conduct that may be a breach of this Framework and Rules.
- 7.2 A Person must promptly notify that she/ he has received an approach from another Person to engage in conduct that may be a breach of this Framework and Rules.
- 7.3 A Person must promptly notify that she/ he knows or reasonably suspects that any Person has engaged in conduct, or may engage in conduct or has been approached to engage in conduct that may breach this Framework and Rules.
- 7.4 A Person shall have a continuing obligation to report any new knowledge or suspicion regarding any conduct that may be a breach of this Framework and Rules even if the Person's prior knowledge or suspicion has already been reported.
- 7.5 Notification must be made through the Chief Executive Officer of Netball Australia or her/his delegate. Upon receipt of a report the Chief Executive Officer of Netball Australia or her/his delegate should immediately advise the President of the Netball Australia Board and maintain strict confidentiality.
- 7.6 If the conduct involves the Chief Executive Officer of Netball Australia, notification will be through the President of the Netball Australia Board, or Nominated Delegate. Upon receipt of a report the President of Netball Australia or her/his delegate should immediately advise the Netball Australia Board and maintain strict confidentiality.
- 7.7 For the avoidance of doubt, prompt notification and prompt disclosure is within 48 hours.
- 7.8 Such notification or disclosure may be made verbally or in writing, on the phone, in person or electronically. It should include information that is factually accurate, complete, from first-hand knowledge, presented in an unbiased way, and without omission to allow for a reasonable investigation to take place.
- 7.9 Reports should be made in good faith; acting honestly, ethically and in the best interests of netball
- 7.10 Netball Australia will not disadvantage or victimise any Person who makes a report, unless it is established that the Person has not acted in good faith in making a report or that the Person has made a false report (including acting maliciously, vexatiously or without basis). That Person may be subject to disciplinary proceedings.
- 7.11 Reports may be made anonymously, but it should be noted that it is more difficult for Netball Australia to look into the matter and resolve the problem. Accordingly enough information should be supplied to justify the allegation and enable the investigation.



8. Privilege

- 8.1 A Person interviewed under suspicion, charged or arrested by a law enforcement agency in respect of a criminal offence shall not be required to produce any information, give any evidence or make any statement if they establish that to do so would breach any privilege against self-incrimination, or legal professional privilege.
- 8.2 Clause 8.1 does not limit the Netball Australia Board, or Nominated Delegate, from enforcing any other Rules and Regulations.

9. Investigations

- 9.1. The Netball Australia Board, or Nominated Delegate, shall have the power to conduct investigations, in whatever manner it thinks fit, into the activities of any Person suspected to have committed an Offence under this Framework and Rules.
- 9.2. For the Netball Australia Board or Nominated Delegate to conduct an investigation there must be reasonable suspicion.
- 9.3. For the avoidance of doubt, the Netball Australia Board, or Nominated Delegate can:
 - 9.3.1. Inquire into, investigate and deal with any matter in connection with this Framework and Rules.
 - 9.3.2. Require and obtain production and take possession of all documents, records, articles or things in the possession or control of a Person that are relevant to any inquiry or investigation in connection with this Framework and Rules.
 - 9.3.3. Require access to the premises occupied by or in control of an Authorised Netball Provider for the purpose of any inquiry or investigation in connection with this Framework and Rules.
 - 9.3.4. Stand down any Person subject to an inquiry or investigation in connection with this Framework and Rules from participating in or in connection with netball.
 - 9.3.5. Exercise any other powers conferred under this Framework and Rules.
 - 9.3.6. Delegate any of their powers under this Framework and Rules.
- 9.4. The Person shall furnish such information within seven business days of making such demand, or within such other time as may be set by the Nominated Delegate. Any such information shall be (i) kept confidential except when it becomes necessary to disclose such information in furtherance of action under this Framework and Rules, or when such information is reported to administrative, professional, or judicial authorities pursuant to an investigation or prosecution of non-sporting laws or regulations, and (ii) used solely for the purposes of the investigation and prosecution of an Offence under this Framework and Rules.
- 9.5. Where conduct relates to a doping matter, Netball Australia will seek guidance from the Australian Sports Anti-Doping Authority in accordance with the referral dated 24 May 2006 whereby Netball Australia has referred the investigation of possible anti-doping rule violations within the sport of netball to the Australian Sports Anti-Doping Authority



- 9.6. Any alleged behaviour which is judged as a prima facie unlawful offence will be reported to the police force in the jurisdiction the offence is alleged to have occurred, the Australian Federal Police, Australian Customs and Border Protection Service, Australian Sports Anti-Doping Authority, the Therapeutic Goods Administration, or other enforcement, regulatory or administrative body where relevant and appropriate.
- 9.7. Persons to whom this Framework and Rules applies must cooperate fully with investigations conducted pursuant to this Framework and Rules. Failure or refusal to do so without acceptable justification may result in disciplinary action.
- 9.8. Where, as the result of such investigations, the Nominated Delegate forms the view that an Offence may have been committed; the Netball Australia Board shall consider the matter under Netball Australia's Anti-Doping Policy in the first instance.
- 9.9. In circumstances where the Netball Australia Anti-Doping Policy is not applicable, the Netball Australia Board shall refer the matter to the Hearings Panel to be dealt with in accordance with the provisions of Clause 11.
- 9.10. Where, as a result of such investigations, the Nominated Delegate forms the view that Netball Australia does not have jurisdiction over the alleged conduct under this Framework and Rules or there is no case to answer, the Netball Australia Board shall review the information and findings and either confirm the Nominated Delegate's findings or refer the matter to the Hearings Panel to be dealt with in accordance with the provisions of Clause 11 or recommend that the matter be considered under Netball Australia's Anti-Doping Policy in the first instance.

10. Commencement of Proceedings

- 10.1. Where the Nominated Delegate considers an Offence under this Framework and Rules has allegedly been committed, the Netball Australia Board, or Nominated Delegate shall within 28 days:
 - 10.1.1. Appoint a Hearings Panel comprised of three Persons independent of Netball Australia and include a solicitor (who has previous experience in the legal aspects of a disciplinary/hearings tribunal) to hear the matter.
 - 10.1.2. Appoint one member of the Hearings Panel to sit as Chairperson.
 - 10.1.3. Send to the Person, copied to the Hearings Panel:
 - 10.1.3.1. A Notice setting out the alleged offence including details of when/where it is alleged to have occurred.
 - 10.1.3.2. A Notice setting out the Person's entitlement to have the matter determined by a hearing and the date, time and place for the proposed hearing of the alleged offence which shall be as soon as reasonably practicable after receipt of the information, but no later than 31 days except by agreement between Netball Australia and the Person.
 - 10.1.3.3. Information advising the Person of their rights and format of proceedings.
 - 10.1.3.4. The potential penalties outlined in Clause 13.



- 10.2. Within 14 business days of the date of the Notice, the Person may respond in one of the following ways:
- 10.2.1 Admit the Offence and accede to the imposition of penalty, in which case no hearing shall be conducted and Netball Australia Board, or Nominated Delegate shall promptly issue a decision confirming the commission of the Offence(s) and ordering the imposition of penalties, which shall be determined by the Netball Australia Board, or Nominated Delegate.
 - 10.2.2 Admit that she/he has committed the Offence specified in the Notice, but seek to dispute and/or seek to mitigate the penalty. Either a request for hearing or a written submission solely on the issue of the penalty must be submitted simultaneously with the Person's response to the Notice. If a hearing is requested, it shall be conducted in accordance with Clause 11.
 - 10.2.3 Deny the Offence and have the Hearings Panel determine the charge, and if the charge is upheld, the penalty, at a hearing conducted in accordance with Clause 11.
- 10.3. If the Person fails to file a written request for a hearing within 14 business days of the date of the Notice, she/he shall be deemed to:
- 10.3.1. Have waived her/his entitlement to a hearing;
 - 10.3.2. Have admitted that she/he has committed the Offence specified in the Notice; and
 - 10.3.3. Have acceded to penalties under Clause 13 determined by the Netball Australia Board, or Nominated Delegate.
- 10.4. The Person shall be entitled at any stage to admit that she/he has committed the Offence specified in the Notice and to accede to penalties under Clause 13 determined by the Netball Australia Board, or Nominated Delegate.
- 10.5. Personnel covered by Netball Australia or a Member Organisation Employee Collective Agreement will be subject to relevant Clauses, including Dispute, Hearings, Appeals and Termination Clauses contained in such Agreement, and if applicable the *Fair Work Act 2009 (Australia)*.
- 10.6. For the purposes of this Framework and Rules, any notice, including a notification, communication or proposal, is deemed to have been received if it is delivered to the addressee or to the addressee's residence, place of business, mailing address, fax number, mobile number, email address, or, if none of these can be found after making reasonable inquiry, then to the addressee's last-known residence or place of business or email address.
- 10.7. For the purposes of calculating a period of time under this Framework and Rules, such period shall begin to run on the day following the day when a notice, notification, proposal or other communication was sent. If the last day of such period is an official holiday or a non-business day, the period is extended until the first business day which follows. Official holidays or non-business days occurring during the running of the period of time are included in calculating the period.



11. Hearings

- 11.1. The Hearings Panel shall hear and determine the alleged offence in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) provided that it does so in accordance with procedural fairness, such as a hearing appropriate to the circumstances; lack of bias; inquiry into matters in dispute; and evidence to support a decision.
- 11.2. The purpose of the hearing shall be to determine whether the Person has committed an offence under the Framework and Rules. If the Hearings Panel considers that the Person has committed an offence under this Framework and Rules, it may impose any one of the penalties set out in Clause 13.
- 11.3. The parties to the hearing shall include, the Nominated Delegate, the Person and their representative if so elected, a representative from Netball Australia (or appropriate Authorised Netball Provider) and any witnesses which any such party wishes to have participate in the hearing.
- 11.4. The Hearings Panel shall ensure each party and/or the Hearings Panel has the right to call and question witnesses and the right of each party to address the Hearings Panel to produce their case.
- 11.5. The Person (at her/his expense) is permitted to be represented at the hearing.
- 11.6. The Person is permitted to provide a written submission for consideration by the Hearings Panel (instead of appearing in Person). In which case the Hearings Panel shall consider the submission in its deliberations.
- 11.7. The hearing shall be inquisitorial in nature.
- 11.8. The hearing shall be conducted with as much expedition as a proper consideration of the matters permit.
- 11.9. The Hearings Panel shall not be bound by the rules of evidence or the practices and procedures applicable to Courts of Law or Record, but may inform itself as to any matter in such manner as it thinks fit.
- 11.10. The Hearings Panel shall decide on the balance of probabilities whether the Person has committed an offence under this Framework and Rules. For clarity, this standard of proof is that found in the often-cited case of *Briginshaw v Briginshaw* (1938) 60 CLR 336.
- 11.11. Non-attendance of the Person or her/his representative at the hearing, after proper notice of the hearing has been provided, shall not prevent the Hearings Panel from proceeding with the hearing in her/his absence, whether or not any written submissions was made.
- 11.12. The hearing shall be closed to the public. Only persons with a legitimate interest in the hearing will be permitted to attend. This will be at the sole discretion of the Hearings Panel.



- 11.13. The decision of the Hearings Panel shall be a majority decision and be communicated to the Netball Australia Chief Executive Officer or Nominated Delegate and Person as soon as practicable. Such decision shall set out and explain:
- 11.13.1. The Hearing Panel's findings as to what Offences, if any, have been committed;
 - 11.13.2. The penalties applicable, if any, as a result of such findings; and
 - 11.13.3. The rights of appeal applicable pursuant to Clause 12.
- 11.14. Subject only to the rights of appeal under Clause 12, the Hearings Panel's decision shall be the full, final and complete disposition of the matter and will be binding on all parties.
- 11.15. Netball Australia (or appropriate Authorised Netball Provider) shall pay the costs of convening the Hearings Panel and of staging the hearing.
- 11.16. Each party to the hearing bears its own costs, legal, expert and otherwise.
- 11.17. The Hearings Panel will have the power to award costs or make any costs order.
- 11.18. The Hearings Panel shall have discretion, where fairness requires, to establish an instalment plan for repayment of any penalty, funding or costs awarded. For the avoidance of doubt, the schedule of payments pursuant to such plan may extend beyond any penalty period imposed upon the Person.

12. Appeals

- 12.1 The Person, Netball Australia and or the Member Organisations have a right to appeal the decision of the Hearings Panel.
- 12.2 Any appeal must be lodged in writing, with the Netball Australia Board, through the Netball Australia Chief Executive Officer or Nominate Delegate, within 14 business days of the Hearings Panel's decision. The appeal must specify the grounds for the appeal.
- 12.3 Where the Netball Australia Board receives an appeal under Clause 12, the Board or Nominated Delegate shall convene an Appeals Tribunal to be held within 31 days of the appeal being received.
- 12.4 The Appeals Tribunal shall:
- 1. Be comprised of three persons independent of Netball Australia and include a barrister or solicitor to hear the matter.
 - 2. Appoint one member of the Appeals Tribunal to sit as Chairperson.
 - 3. Include at least one person who has considerable previous experience in the legal aspects of a disciplinary/hearings tribunal and dispute resolution.
 - 4. Not include any members from the initial Hearings Panel.
- 12.5. Any decision appealed to the Appeals Tribunal shall remain in effect while under appeal unless the Appeals Tribunal orders otherwise.
- 12.6. An appeal is not a rehearing of the original dispute.



- 12.7. For the appeal to succeed the Person must convince the Appeals Tribunal that the Hearings Panel decision was not fair, reasonable and proportionate in all the circumstances, without re-hearing all the evidence.
- 12.8. The Appeals Tribunal will not interfere with the Hearing Panel's decision unless it was clearly wrong, or the fairness of the process overall was not followed correctly, or that the relevant evidence was not taken into account, or a decision was reached that no reasonable Hearing Panel could have reached when faced with the evidence before it.
- 12.9. The procedures of the Appeals Tribunal shall be the same as the procedures of the Hearings Panel as set out under Clause 11, with such necessary amendments as required, taking into account Clause 12 and the matter at hand.
- 12.10. The Appeals Tribunal shall investigate and consider the matter determining whether:
- 12.10.1. The matter should be dismissed because there is no credible evidence, submission or argument to satisfy the grounds of the appeal; or
- 12.10.2. The appeal should be subject to a hearing conducted by the Appeals Tribunal.
- 12.11. The appellant must establish one or more grounds of appeal to the reasonable satisfaction of the Appeals Tribunal having regard to the importance and gravity of the issue.
- 12.12. The decision of the Appeals Tribunal shall be a majority decision and be communicated to the Netball Australia Chief Executive Officer or Nominate Delegate and appellant as soon as practicable.
- 12.13. The decision of Appeals Tribunal shall be final, non-reviewable, non-appealable and enforceable. No claim, arbitration, lawsuit or litigation concerning the dispute shall be brought in any other court or tribunal. Note: This provision does not prevent any law enforcement agency taking action.
- 12.14. Netball Australia (or appropriate Authorised Netball Provider) shall pay the costs of convening the Appeals Panel and of staging the appeal.
- 12.15. Each party to the appeal bears its own costs, legal, expert and otherwise.
- 12.16. The Appeals Tribunal will have the power to award costs or make any costs order.
- 12.17. The Appeals Tribunal shall have discretion, where fairness requires to establish an instalment plan for repayment of any penalty, funding or costs awarded. For the avoidance of doubt, the schedule of payments pursuant to such plan may extend beyond any penalty period imposed upon the Person.



13. Penalties

- 13.1. If the Hearings Panel and or Appeals Tribunal consider that an Offence under this Framework and Rules has been committed, it may impose any one or more the following penalties:
 - 13.1.1. Counselling or any relevant course.
 - 13.1.2. Reprimand
 - 13.1.3. Suspension, including provisional suspension, suspended sentence, defined period of ineligibility to lifetime ineligibility.
 - 13.1.4. Fines.
 - 13.1.5. Loss of netball accreditation.
 - 13.1.6. Netball community service.
 - 13.1.7. Termination of contract or applicable agreement.
 - 13.1.8. Any combination of these penalties.
- 13.2. The Hearings Panel and or Appeals Tribunal has the power to impose penalties according to the severity of the breach, the Person's intention, role, level of responsibility, experience, status, income derived from netball and precedence both in netball and the broader Australian sport sector.
- 13.3. The Hearings Panel and or Appeals Tribunal have the power to reduce penalties if the Person provides valuable assistance; or if the Person cooperates; or if there are mitigating factors.
- 13.4. The Hearings Panel and or Appeals Tribunal have the power to determine status during periods of suspension.
- 13.5. The Hearings Panel and or Appeals Tribunal have the power to determine consequences to teams.
- 13.6. The Hearings Panel and or Appeals Tribunal have the power to award costs.
- 13.7. If the Person commits a second or subsequent Offence under this Framework and Rules, then the Hearings Panel and or Appeals Tribunal shall take into consideration the previous Offence, the penalty imposed and any other relevant factors (including any findings and penalties from any other investigation or hearing) in imposing a penalty for the second or subsequent Offence.
- 13.8. All fines received pursuant to this this Framework and Rules shall be remitted to Netball Australia with 31 days unless otherwise determined by the Hearings Panel or Appeals Tribunal, for integrity in netball programs or as otherwise deemed appropriate by Netball Australia.



14. Confidentiality and Reporting

- 14.1. Netball Australia will adopt Privacy Principles consistent with the *Privacy Act* to the extent applicable to Netball Australia.
- 14.2. Netball Australia will act in a discreet and confidential manner in relation to all information relating to this Framework and Rules and associated programs.
- 14.3. Netball Australia and its members, employees and agents shall act in a discreet and confidential manner in discharging their obligations under this Framework and Rules.
- 14.4. To maintain the confidentiality of the process, no parties will publically announce, comment on or confirm any of its investigative, hearings or appeals activities. Notwithstanding, general description of process is permissible.
- 14.5. The identity of the Person may only be publicly disclosed after a Hearing and/or Appeal has taken place. Such disclosure will be by way of an official release by Netball Australia.
- 14.6. Where any public announcement may be considered detrimental to the well-being of the Person, the Netball Australia Board, or Nominated Delegate shall determine the most appropriate course of action based on the circumstances of the Person.
- 14.7. All parties shall otherwise maintain all information received in relation to the offence as strictly confidential.
- 14.8. Clauses 14.1 to 14.7 do not apply if the disclosure is required by law or Netball Australia determines to disclose information, including the identity of the Person to:
 - 14.8.1. The Australian Sports Anti-Doping Authority, the World Anti-Doping Agency, and or a National Anti-Doping Organisation, where applicable and relevant.
 - 14.8.2. Police, customs or other relevant law enforcement authorities, where applicable and relevant.
 - 14.8.3. An Athlete's state/territory institute/academy of sport, where applicable and relevant.
 - 14.8.4. An Athlete's state/territory Member Organisation, where applicable and relevant
 - 14.8.5. Australian Commonwealth Games Association where applicable and relevant.
 - 14.8.6. The Australian Sports Commission where applicable and relevant.
 - 14.8.7. Australian Government's National Integrity of Sport Unit where applicable and relevant.
- 14.9. Clauses 14.1 to 14.7 do not apply if public comments are made that are attributed to the Person or their representatives. For the avoidance of doubt, Netball Australia can subsequently disclose specific facts of an alleged breach or breach of this Framework and Rules and respond to comments made by the Person or their representatives.



15. Mutual Recognition

- 15.1. Subject to the right of appeal provided in Clause 12 , adjudications of any law enforcement agency or similar body, national sporting organisation or similar sporting body , national and international netball federation, or major event organiser which are consistent with Netball Australia’s authority to uphold the principles of fairness, respect, responsibility and safety shall be recognised, respected and enforced by Netball Australia.
- 15.2. Subject to the right of appeal provided in Clause 12 , Netball Australia can elect to impose its own penalties on a Person for breaches committed in another sport that would be an Offence under this Framework and Rules.

16. Statute of Limitations

- 16.1. No proceedings may be commenced against Person unless s/he has been notified, or notification has been reasonably attempted, within ten years from the date the offence is asserted to have occurred.

17. Amendment and Interpretation

- 17.1. This Framework and Rules may be amended from time to time by Netball Australia.
- 17.2. This Framework and Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- 17.3. Headings used in this Framework and Rules are for convenience only and shall not be deemed part of the substance of this Framework and Rules or to affect in any way the language of the provisions to which they refer.
- 17.4. Words in the singular include the plural and vice versa.
- 17.5. Reference to “including” and similar words are not words of limitation.
- 17.6. The Definitions shall be considered an integral part of this Framework and Rules.
- 17.7. The Rules shall be considered an integral part of this Framework.
- 17.8. This Framework and Rules shall apply from its specified effective date.
- 17.9. A Person includes a body corporate.
- 17.10. Words importing a gender include any other gender.
- 17.11. A reference to a clause is a reference to a clause or subclause of this Framework and Rules.
- 17.12. Where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings.
- 17.13. In the event any provision of this Framework and Rules is determined invalid or unenforceable, the remaining provisions shall not be affected. This Framework and Rules shall not fail because any part of this Framework and Rules is held invalid.



- 17.14. Except as otherwise stated herein, failure to exercise or enforce any right conferred by this Framework and Rules shall not be deemed to be a waiver of any such right nor operate so as to bar the exercise or enforcement thereof or of any other right on any other occasion.

18. Definitions

- 18.1. In this Framework and Rules unless the context requires otherwise these words mean:

Administration	Providing, supplying, supervising, facilitating, or otherwise participating in the Use or attempted use by another Person of any of the substances or class of substances set out in this Framework and Rules. However, this definition shall not include genuine and legal therapeutic purposes or other acceptable justification.
Advanced Coach	Representative, Talent Identification and State League level coaches, as amended and updated from time to time.
Anti-Doping Policy	The Netball Australia's Anti-Doping Policy, as amended from time to time.
ANZ Championship	ANZ Championship netball competition conducted by Trans-Tasman Netball League including the preliminary rounds and final series; all pre-season matches and tournament; and any charitable or promotional matches organised by the Trans-Tasman Netball League. If the competition ceases to exist or its name is changed in anyway and for any reason, any subsequent or successor competition substantially similar to the ANZ Championship netball competition.
ANZ Championship Athlete	A netball player who has an Australian ANZ Championship Team Player Contract (Standard or Replacement); or is on an Australian ANZ Championship Team's Playing List; or is involved on-court with an Australian ANZ Championship Team.
Appeals Tribunal	The Tribunal appointed by the Netball Australia Board, or Nominated
ASADA	Delegate to hear and determine matters on appeal.
ASADA Act	The Australian Sports Anti-Doping Authority Act 2006 (Cth), as amended from time to time, and includes the ASADA Regulations and any statutory or subordinate legislative instrument that replaces or supersedes the Australian Sports Anti-Doping Authority Act 2006 (Cth) and/or the ASADA Regulations from time to time.
ASADA Regulations	The Australian Sports Anti-Doping Authority Regulations 2006 (Cth), as amended from time to time (and which includes, for the avoidance of doubt, the National Anti-Doping Scheme promulgated by those regulations).



ASC	The Australian Sports Commission, an Australian Government body established under the <i>Australian Sports Commission Act 1989</i> (Cth), and includes the Australian Institute of Sport.
ASC Act	The <i>Australian Sports Commission Act 1989</i> (Cth), as amended from time to time
Athlete	Any Person who competes in netball as defined in the Netball Australia Athlete Classification Framework, or ANZ Championship (Australian based teams), or Australian Netball League, or National Netball Championship, or the state level as defined by each Member Organisation. Netball Australia and Member Organisations have the discretion to apply this Framework and Rules to any Person, and thus to bring them within the definition of "Athlete."
Athlete and Team Support Personnel	Manager, Doctor, Physiotherapist, Massage Therapist, Soft Tissue Therapist, Performance Analyst, Nutritionist, Psychologist, Strength and Conditioning role, Scientist, Para-Medical, Physiologist, Trainer, Recovery role or other personnel working with, treating or assisting an Athlete preparing for or participating in netball.
Attempt	Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an Offence. Provided, however, there shall be no Offence based solely on an Attempt to commit an Offence if the Person renounces the Attempt prior to it being discovered by a third party not involved in the Attempt.
Australian Netball League	The competition between Member Organisation State/Territory League competitions and the ANZ Championship, and any subsequent or successor competition.
Authorised Netball Provider	Netball Australia, Member Organisations, Affiliates, ANZ Championship or other organisations from time to time, for example the Australian Commonwealth Games Association and International Netball Federation.
Coaches	As described in Netball's Coach Education Framework as amended and updated from time to time. Tiers include Advanced Coach, Elite Coach and High Performance Coach.
Codes of Conduct	Netball Australia's Codes of Conduct, as amended from time to time.
Complementary medicines	Include vitamin, mineral, herbal, aromatherapy and homoeopathic products. Also known as 'traditional' or 'alternative' medicines
Complicit	Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an Offence.

Conduct that may bring netball into disrepute	Conduct that is dishonest, fraudulent, corrupt, illegal, unethical, improper, unsafe and conduct that may cause financial or reputational loss.
Contaminated Product	A product that contains a Prohibited Substance that is not disclosed on the product label or in information available in a reasonable Internet search.
Designer Drugs	Substances that are structurally related to a controlled drug and produce certain psychoactive effects. They have been designed on the basis of the chemical structure of a given parent drug, and made specifically for sale on the illegal market and to bypass regulations on controlled substances.
Developing International Athlete (DI)	<p>Netball Australia Athlete Classification Category 3 as amended and updated from time to time:</p> <p>Member of the Australian 21/U Squad/Team capable of reaching WC and/or IC Athlete status within 1-3 years.</p> <p>Nationally identified Athlete with the potential to progress to WC and/or IC Athlete status within 1 – 3 years.</p> <p>Netball Australia status: Australian 21/U Squad / Team or emerging talent.</p>
Elite Coach	ANZ Championships Assistant, Underage State, State League (top level) and potential High Performance coaches, as amended and updated from time to time.
Emerging Potential Athlete (EP)	<p>Netball Australia Athlete Classification Category 5 as amended and updated from time to time:</p> <p>State/Territory identified Nationally endorsed Athletes with the ability to progress to PI Athlete status within 1-3 years.</p> <p>Netball Australia status: Develop a Diamond Academy Program.</p>
Framework	“Integrity in Netball Framework” as amended from time to time.
Hearings Panel	The Panel appointed by the Netball Australia Board, or Nominated Delegate to hear and determine matters.
High Performance Coach	Australian Netball Diamonds, ANZ Championship, Australian Netball League, State/Territory, and top level State League coaches, as amended and updated from time to time.
In-Competition	For purposes of differentiating between In-Competition and Out-of-Competition, unless provided otherwise in the rules the International Netball Federation, In -Competition is where an Athlete is selected in connection with a specific Competition.

International Class Athlete (IC)	<p>Netball Australia Athlete Classification Category 2 as amended and updated from time to time:</p> <p>Member of the Diamonds National Squad and/or Team competing at international level in benchmark and/or other INF recognised international events and capable of maintaining this level of performance.</p> <p>Netball Australia status: Australian Netball Diamonds Squad/Team.</p>
International Netball Federation (INF)	The international federation recognised by the International Olympic Committee or the General Assembly of International Sports Federations as the entity responsible for governing Netball internationally.
List of Prohibited Illicit Drugs	The list identifying the illicit drugs prohibited under this Framework and Rules as amended from time to time and identified in the Anti-Illicit Drugs in Netball Rule.
Medication	Prescription medicines, Over-the-counter medicines, Complementary medicines and Supplements.
Member Organisations	The entity which is the official representative of and controlling authority for, Netball in a State. The current Member Organisations are: Australian Capital Territory Netball (ABN 85 800 220 698), Netball New South Wales (ABN 19 001 685 007), Northern Territory Netball (ABN 73 772 881 978), Netball Queensland (ABN 58 429 487 881), Netball South Australia (ABN 12 814 437 874), Netball Tasmania (ABN 62 028 131 759), Netball Victoria (ABN 83 704 752 745), and Netball Western Australia (ABN 36 657 982 648), as amended from time to time.
National Netball Championships	21/Under, 19/Under and 17/Under age based national competition conducted over a week between states.
Netball Australia	The national entity which is a member of or is recognised by the International Netball Federation as the entity governing netball in Australia.
Netball Australia Athlete Classification Framework	<p>Athletes described in the Netball Australia Athlete Classification framework as amended and updated from time to time:</p> <p>Category 1: World Class Athlete (WC)</p> <p>Category 2: International Class Athlete (IC)</p> <p>Category 3: Developing International Athlete (DI)</p> <p>Category 4: Potential International Athlete (PI)</p> <p>Category 5: Emerging Potential Athlete (EP)</p>

Netball Australia Supplement Advisory Panel	Consists of Netball Australia's Chief Medical Officer, Dietician and one appropriately-qualified independent member.
Nominated Delegate	<p>The Netball Australia Chief Executive Officer or Netball Australia Executive Member (Department Head) who has been delegated authority by the Netball Australia Board to implement, monitor and evaluate this Framework and Rules, ensure that internal controls related to this Framework and Rules are effective, and communicate with the Netball Australia Board regarding this Framework and Rules.</p> <p>The Netball Australia Board expects the Nominated Delegate to act in accordance with the Company's legal obligations, to act ethically and to consider the reasonable expectations of the netball community and general public.</p>
Offence	As listed in each Rule.
Out-of-Competition	Any period of time which is not In-Competition.
Over-the-counter medicines	Any medication sold directly to a consumer without a prescription from a healthcare professional.
Person	Individuals and organisations identified in Clause 5.
Personnel	Any Person or Persons employed by or contracted to Netball Australia or Member Organisations or ANZ Championship (Australian based office).
Possession	<p>The actual, physical Possession, or the constructive Possession (which shall be found only if the Person has exclusive control or intends to exercise control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists); provided, however, that if the Person does not have exclusive control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists, constructive Possession shall only be found if the Person knew about the presence of the Prohibited Substance or Prohibited Method and intended to exercise control over it. Provided, however, there shall be no Offence based solely on Possession if, prior to receiving notification of any kind that the Person has committed an Offence, the Person has taken concrete action demonstrating that the Person never intended to have Possession and has renounced Possession by explicitly declaring it to Netball Australia or another appropriate body. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Prohibited Substance or Prohibited Method constitutes Possession by the Person who makes the purchase.</p>

Potential International Athlete (PI)	<p>Netball Australia Athlete Classification Category 4 as amended and updated from time to time:</p> <p>Member of the Australian 19/U Squad or 17/U Squad capable of reaching</p> <ul style="list-style-type: none"> • DI Athlete status within 1 – 3 years. • Nationally identified Athlete with the potential to progress to DI Athlete status within 4 – 7 years. • Netball Australia status: Australian 19/U Squad / Team; Australian 17/U Squad / Team and other approved Athletes.
Prescription medicines	Any medication that needs written authorisation by a doctor or other prescriber before a pharmacist can supply the medication.
Privacy Act	<i>Privacy Act, 1988 (Cth)</i> which regulates how personal information is handled.
Prohibited Illicit Drug	A drug listed on the List of Prohibited Illicit Drugs.
Prohibited List	The World Anti-Doping Agency List identifying the Prohibited Substances and Prohibited Methods.
Prohibited Method	Any method so described on the Prohibited List and or included in a Rule.
Prohibited Substance	Any substance, or class of substances, so described on the Prohibited List and or included in a Rule.
Rule	<p>A. Anti-Illicit Drugs in Netball Rule.</p> <p>B. Supplements and Other Substances in Netball Rule.</p> <p>C. Medications in Netball Rule.</p> <p>D. No Self-Injection in Netball Rule.</p> <p>E. Anti-Doping Declaration.</p> <p>F. Reporting Conduct That May Bring Netball into Disrepute Rule.</p> <p>As amended from time to time.</p> <p>The Rules form an integrated part of the Framework.</p>
Supplement	<p>A substance or method added to nutrition to complement it. Sports supplements can include dietary supplements, nutritional ergogenic aids, sports foods and therapeutic nutritional supplements.</p> <p>Supplements do not undergo federal government approval and are not tested for quality like prescription and over-the-counter medications.</p> <p>The AIS Sports Supplement Program provides additional information http://www.ausport.gov.au/ais/nutrition/supplements/overview2</p>

Synthetic Drugs	Substances that are produced entirely from chemical reactions in a laboratory. Their chemical structure can be identical to naturally occurring drugs, such as cocaine and opium, but they are often designed to enhance effects from naturally occurring drugs, or to prevent side effects that are unwanted.
Tampering	Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring.
Therapeutic Use	Provision for the legitimate use of a Prohibited Substance and Method for genuine medical reasons under an applicable anti-doping policy or Rule.
Therapeutic Use Exemption (TUE)	An exemption for the legitimate use of a Prohibited Substance and Method granted in accordance with the International Standard for Therapeutic Use Exemptions under an applicable anti-doping policy or granted under a Rule.
Trafficking	Selling, giving, transporting, sending, delivering or distributing (or Possessing for any such purpose) a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by an Athlete, Athlete Support Personnel or any other Person subject to the jurisdiction of Netball Australia to any third party; provided, however, this definition shall not include the actions of “bona fide” medical personnel involving a Prohibited Substance used for genuine and legal therapeutic purposes or other acceptable justification.
Trans-Tasman Netball League	The Trans-Tasman Netball League Limited is the company established to operate the ANZ Championships as a joint venture between Netball Australia and Netball New Zealand, which includes 5 teams from Australia and 5 teams from New Zealand.
Umpire	As described in the Netball National Umpire Development Framework as amended and updated from time to time.
Use	The utilisation, application, ingestion, injection or consumption by any means whatsoever of any Prohibited Substance or Prohibited Method.
World Class Athlete (WC)	<p>Netball Australia Athlete Classification Category 1 as amended and updated from time to time:</p> <p>Member of the Diamonds National Squad and/or Team competing at international level in benchmark and/or other INF recognised international events and capable of maintaining this level of performance.</p> <p>Netball Australia status: Australian Netball Diamonds Squad/Team.</p>

- 18.2. Unless otherwise stated, words that are not defined in this Framework and Rules will have the same meaning as in Netball Australia's Constitution.

19. Attached Rules

- A. Anti-Illicit Drugs in Netball Rule.
- B. Supplements and Other Substances in Netball Rule.
- C. Medications in Netball Rule.
- D. No Self-Injection in Netball Rule.
- E. Anti-Doping Declaration Rule.
- F. Reporting Conduct That May Bring Netball into Disrepute Rule.



Attachment 'B' – Rule A – Anti-Illicit Drugs in Netball Rule (Effective 1 January 2014)



A: Anti-Illicit Drugs in Netball Rule

Replaces the Policy approved by the Board on 29 March 2010

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A. Overview

- A.1. Netball Australia and its Member Organisations are acutely aware of the challenges faced by society in terms of illicit and illegal substances and wish to take a stand against their use in netball and by netballers.
- A.2. In accepting that such substances represent a widespread community problem and a serious health issue for individuals, Netball Australia seeks to inform Athletes of the risks associated with drug use so as to prevent the use of illicit drugs in netball.
Further, to inform Persons as to the potential ramifications of illicit drugs use by Athletes which can bring netball into disrepute and set a poor example for other members of the community who view Athletes as role models.
- A.3. Netball Australia wishes to prevent the use of illicit drugs in netball through increased information in relation to the potential harms of the use of illicit drugs.
- A.4. This Rule is designed to help prevent the uptake of illicit drug use and reduce the drug-related harm to individuals, families and stakeholders of Netball Australia and the broader netball community.
- A.5. Netball Australia will adopt a rehabilitative model of management, including education, counselling, monitoring, treatment and appropriate penalties in addressing the use of illicit drugs in the out-of-competition context. However, for cases where counselling and education have not been effective, escalating penalties will be applied.

- A6 Some illicit drugs may be legitimately used under the supervision of a physician for a clinically justified purpose. The possession and use of illicit drugs is subject to Commonwealth, State and Territory laws. In a netball context, such use must be consistent with Netball Australia's Anti-Doping Policy, the Australian Sports Anti-Doping Agency Regulations and the World Anti-Doping Agency Program.

B. Context

- B.1. Netball Australia has adopted and implemented an anti-doping policy and rules which conform to the World Anti-Doping Code. The World Anti-Doping Code Prohibited List includes illicit drugs which are prohibited in-competition. This Rule differs from the Netball Australia Anti-Doping Policy in that it addresses the out-of-competition use of illicit drugs, concentrating primarily on education, awareness and prevention initiatives
- B.2. Nothing in this Anti-Illicit Drugs in Netball Rule limits the rights and obligations under Netball Australia's Anti-Doping Policy or applicable Codes of Conduct or other relevant agreements and policies.

C. Related Policies

- C.1. Self-injection of substances is strictly prohibited under Netball Australia's No Self-Injection Rule.

D. Who Does this Rule Apply to?

- D.1. This Rule applies to:
- D.1.1. Athletes.
 - D.1.2. Coaches.
 - D.1.3. Athlete and Team Support Personnel¹.
 - D.1.4. Personnel: the workforce of Netball Australia, Member Organisations and ANZ Championship (Australian based office).
 - D.1.5. Persons who hold governance positions with Netball Australia or Member Organisations.
 - D.1.6. Umpires: International Umpire Award, All Australia Badge, and A Grade Badge.
 - D.1.7. Persons who are bound by Netball Australia's Anti-Doping Policy.
 - D.1.8. Any other Person who has agreed to be bound by this Rule.

E. Education Programs

- E.1. Netball Australia will implement appropriate information, education and prevention programs and initiatives for the sport consistent with the Australian Government's Illicit Drugs in Sport - Education and Action Plan.

¹ Note: It is recognised that *Athlete and Team Support Personnel* in certain professions may be subject to legal obligations with respect to confidentiality and disclosure

- E.2. The education and prevention programs will promote the key messages of the Action Plan to identified target groups and will be delivered through a medium(s) suitable to the target audience(s). These programs and initiatives will reflect key messages such as:
 - E.2.1. Illicit drug use is harmful.
 - E.2.2. Illicit drug use can affect your sporting performance - in or out of competition, during the off-season, or on the weekend.
 - E.2.3. Illicit drug use can affect your reputation and sporting career.
 - E.2.4. Illicit drug use can affect your sports team.
 - E.2.5. Illicit drug use can impact on the community who support you.
 - E.2.6. Participating in sport supports a healthy lifestyle.
- E.3. Netball Australia will incorporate information relating to this Anti-Illicit Drugs in Sport Rule, including the List of Prohibited Illicit Drugs, into the education programs.
- E.4. Netball Australia will provide information about, and referrals to, counselling and support programs in relation to Illicit Drugs in the education programs. These programs may be face to face or an on-line service or general electronic communication as appropriate.

F. List of Prohibited Illicit Drugs

- F.1. The drugs prohibited under this Rule are at **Attachment A1**.
- F.2. Any modifications to the List of Prohibited Illicit Drugs will be approved by the Netball Australia Board. The modified list will come into effect 3 months after its adoption by the Netball Australia Board.
- F.3. Netball Australia will make reasonable efforts to inform Athletes, Coaches, Athlete and Team Support Personnel, Member Organisations and any other Person who has agreed to be bound by this Rule of any changes to the List of Prohibited Illicit Drugs.

G. Rule Offences

- G.1. This Rule is contravened where:
 - G.1.1. A Person possesses, uses or administers any of the substances or class of substances set out in **Appendix A1** out-of-competition. In-competition will be considered under Netball Australia's Anti-Doping Policy in the first instance.
 - G.1.2. A Person engages in trafficking of any of the substances or class of substances set out in **Appendix A1**. Such an offence will be considered under Netball Australia's Anti-Doping Policy in the first instance.
 - G.1.3. A Person is Complicit.
 - G.1.4. A Person fails to promptly disclose to the Chief Executive Officer of Netball Australia, or Nominated Delegate, that a Person has received an approach to breach this Rule.



- G.1.5. A Person fails to promptly disclose to the Chief Executive Officer of Netball Australia, or Nominated Delegate, that the Person knows or reasonably suspects that any current or former Person has engaged in conduct, or been approached to engage in conduct that may be a breach of this Rule.



Appendix A1: List of Prohibited Illicit Drugs

7. The list has been amended based on the list sourced from the Australia Government's Illicit Drugs in Sport Program managed by the Office for Sport at the Department of Health.

1	Amphetamine
2	Cannabis (in any form, including flowering or fruiting tops, leaves, seeds or stalks, but not including Cannabis resin or Cannabis fibre)
3	Cannabis resin
4	Cocaine
5	Gammabutyrolactone (GBL)
6	Gamma-Hydroxybutanoic acid (GHB)
7	Heroin (diacetylmorphine)
8	Lysergide (LSD)
9	Methamphetamine
10	3,4 Methylenedioxyamphetamine (MDA)
11	3,4 Methylenedioxymethamphetamine (MDMA)
12	Opium
13	Psilocine
14	Psilocybine
15	Tetrahydrocannabinol (THC)
16	Methadone
17	Morphine
18	Oxycodone
19	Fentanyl
20	Pethidine
21	Dimethylamphetamine
22	Benzphetamine
23	Ephedrine
24	Methylephedrine
25	Cathine (D-norpseudoephedrine)
26	Synthetic Drugs
27	Designer Drugs

Please direct any enquiries to Netball Australia's Integrity Unit, email: integrity@netball.asn.au



Anti-Illicit Drugs in Netball Rule (Effective 1 January 2014)

Attachment 'C' – Rule B – Supplements and Other Substances in Netball (Effective 1 January 2014)



Netball Australia

B: Supplements and Other Substances in Netball Rule

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A. Overview

- A.1. Netball Australia and its Member Organisations are acutely aware that the results of the present frenzy of supplements in sport come with a small but real risk of an inadvertent anti-doping rule violation; money being wasted on products that simply do not work; and time, money and belief being distracted away from the factors that can really enhance health, recovery and performance.
- A.2. Netball Australia seeks to educate athletes that whilst some supplements can assist them to achieve peak performance; the use of supplements should be part of the athlete's overall nutrition plan, guided by experts, sound science and specific needs of the athlete.
- A.3. Netball Australia has a "food first" position, whereby Athletes are encouraged to meet nutritional needs via diet, before considering using ergogenic-aid type supplements for performance enhancement.
- A.4. Netball Australia seeks to make athletes aware that under the World Anti-Doping Agency and Australian Sports Anti-Doping Authority frameworks the principle of strict liability applies; as such an anti-doping rule violation occurs whenever a prohibited substance (or its metabolites or markers) is found in the bodily specimen of an athlete, whether or not the athlete intentionally or unintentionally used a prohibited substance or was negligent or otherwise at fault.
- A.5. The Netball Australia Supplement Advisory Panel will keep abreast of current research on nutrition and supplement practices; conduct an audit of supplement use by International and World Class Athletes; and consider is a Person is approached by an organisation for endorsement and or sponsorship.

Supplements and Other Substances in Netball Rule (Effective 1 January 2014)

B. Context

- B.1. This Rule is not intended to capture substance and methods where an Athlete has an approved Therapeutic Use Exemption under applicable anti-doping policies.
- B.2. Netball Australia embraces the Australian Institute of Sport (AIS) Sports Supplement Program which can be found at:
<http://www.ausport.gov.au/ais/nutrition/supplements/overview2>
- B.3. The AIS Sports Supplement Program *"is designed to provide world's best practice in the research, education and provision of sports foods and supplements"* and is subject to regular review and updating by a panel of experts.

C. Related Policies

- C.1. Self-injection of substances is strictly prohibited under Netball Australia's No Self-Injection Rule.

D. Who Does this Rule Apply to?

- D.1. This Rule applies to:
 - D.1.1. Athletes.
 - D.1.2. Coaches.
 - D.1.3. Athlete and Team Support Personnel¹.
 - D.1.4. Personnel: the workforce of Netball Australia, Member Organisations and ANZ Championship (Australian based office).
 - D.1.5. Persons who hold governance positions with Netball Australia or Member Organisations.
 - D.1.6. Any Person bound by Netball Australia's Anti-Doping Policy.
 - D.1.7. Any other Person who has agreed to be bound by this Rule.
- D.2. All Persons are automatically bound by and required to comply with all of the provisions of this Rule. Accordingly, all Persons shall be deemed to accept all terms set out herein and have agreed that it is their personal responsibility to:
 - D.2.1. Understand that there is a real risk that a supplement an Athlete may be taking contains a prohibited substance (or its metabolites or markers) on the World Anti-Doping Agency Prohibited List. This prohibited substance may be declared on the label, or may result from contamination during manufacture or in the case of complementary medicines and supplements may be contained in the substance but not be listed on the label.
 - D.2.2. Understand that an Athlete is solely responsible for what they consume. This is irrespective of whether the sport supplement was given to the Athlete (and deemed to contain no prohibited substances) by anyone else, including Coaches and Athlete and Team Support Personnel.

¹ Note: It is recognised that *Athlete and Team Support Personnel* in certain professions may be subject to legal obligations with respect to confidentiality and disclosure..



- D.2.3. Before mentioning supplements to Athletes; Coaches and Athlete and Team Support Personnel need to consider the efficacy and benefit to health and or performance, be knowledgeable of the AIS Supplement Group Classification System and be knowledgeable of the risks or potential side effects associated with supplements use. (http://www.ausport.gov.au/ais/nutrition/supplements/classification_test)

E. Education Programs

- E.1. Netball Australia will provide information to Persons about the risk of contamination of supplements with a prohibited substance and will inform Persons about the risks of buying supplements overseas, over the counter and on-line.
- E.2. Netball Australia will recommend that Athletes, Coaches and Athlete and Team Support Personnel bound by this Rule complete the Australian Sports Anti-Doping Authority anti-doping education tool which can be found at <http://asada.skillsoptimiser.com/SignIn.aspx?returnurl=>
- E.3. Netball Australia will recommend that Athletes, Coaches and Athlete and Team Support Personnel bound by this Rule use the Australian Sports Anti-Doping Authority website to check substances and methods (noting that the Australian Sports Anti-Doping Authority cannot advise on supplements). <https://checksubstances.asada.gov.au/>
- E.4. Netball Australia will recommend that Athletes, Coaches and Athlete and Team Support Personnel bound by this Rule read the AIS Sports Supplement Program <http://www.ausport.gov.au/ais/nutrition/supplements/overview2>

F. List of Prohibited Supplements and Other Substances

- F.1. The following are prohibited under this Rule:
- F.1.1. The substances and methods on the World Anti-Doping Agency Prohibited List. The List can be found at: <http://www.wada-ama.org/en/world-anti-doping-program/sports-and-anti-doping-organizations/international-standards/prohibited-list/>
- F.1.2. Substances and methods on the AIS Supplement Group Classification System Category D. Categories can be found at : http://www.ausport.gov.au/ais/nutrition/supplements/classification_test
- F.1.3. Substances and methods that a reasonable Person would consider experimental.
- F.1.4. Substances and methods that are untested.
- F.1.5. Substances and methods that are not approved by the Therapeutic Goods Administration.
- F.1.6. Substances and methods that are not approved by any governmental regulatory health authority for human therapeutic use.
- F.1.7. Substances and methods that are not used for their intended purpose.
- F.1.8. Substances and methods that are not safe for human use.



G. Rule Offences

G.1. This Rule is contravened where:

- G.1.1. An Athlete possesses, uses or administers any of the substances and methods under Clause F. Such an offence will be considered under Netball Australia's Anti-Doping Policy in the first instance.
- G.1.2. A Person engages in trafficking of any of the substances and methods under Clause F. Such an offence will be considered under Netball Australia's Anti-Doping Policy in the first instance.
- G.1.3. A Person is Complicit.
- G.1.4. A Person fails to promptly disclose to the Chief Executive Officer of Netball Australia, or Nominated Delegate, that a Person has received an approach to breach this Rule.
- G.1.5. A Person fails to promptly disclose to the Chief Executive Officer of Netball Australia, or Nominated Delegate, that the Person knows or reasonably suspects that any current or former Person has engaged in conduct, or been approached to engage in conduct that may be a breach of this Rule.

Please direct any enquiries to Netball Australia's Integrity Unit, email: integrity@netball.asn.au



Attachment 'D' – Rule C – Medication in Netball Rule (Effective 1 January 2014)



Contents

A. Overview	1
B. Context	1
C. Related Policies	1
D. Who Does this Rule Apply to?	2
E. Rule Offences	3

A. Overview

- A.1. Netball Australia accepts that Athletes may require medication for the treatment of illness or injury. Such medications may include Prescription medicines, or Over-the-Counter medicines, or Complementary medicines.
- A.2. Netball Australia condemns doping and the use of illegal, experimental and non-approved substances and methods as fundamentally contrary to the spirit of sport.
- A.3. Netball Australia adheres to the World Anti-Doping Program and supports the anti-doping functions, powers and responsibilities of the Australian Sports Anti-Doping Authority.
- A.4. Non-medical Athlete and Team Support Personnel are strictly prohibited, under all circumstances, from dispensing, distributing, or recommending for the improvement of health or performance, any Prescription medicine, Over-the-Counter medicine, Complementary medicine and Supplement purported to improve health or performance to any Athlete.

B. Context

- B.1. This Rule is not intended to capture Prescription medicine, Over-the-Counter medicine, Complementary medicine and Supplements where an Athlete has an approved Therapeutic Use Exemption under applicable anti-doping policies or from Netball Australia's Chief Medical Officer or an Authorised Netball Provider's Medical Officer .
- B.2. This Rule shall not prevent the Athlete from receiving Prescription medicine, Over-the-Counter medicine, Complementary medicine and Supplement for necessary medical treatment

C. Related Policies

- C.1. Self-injection of substances is strictly prohibited under Netball Australia's No Self-Injection Rule.

Medications in Netball Rule (Effective 1 January 2014)

D. Who Does this Rule Apply to?

- D.1. This Rule applies to:
 - D.1.1. Athletes.
 - D.1.2. Coaches.
 - D.1.3. Athlete and Team Support Personnel¹.
 - D.1.4. Any other Person who has agreed to be bound by this Rule.
- D.2. All Persons are automatically bound by and required to comply with all of the provisions of this Rule. Accordingly, all Persons shall be deemed to accept all terms set out herein and have agreed that it is their personal responsibility to:
 - D.2.1. Understand that there is a real risk that Prescription medicines, Over-the-Counter medicines, Complementary medicines and Supplements could contain a prohibited substance (or its metabolites or markers) on the World Anti-Doping Agency Prohibited List. This prohibited substance may be declared on the label, or may result from contamination during manufacture or in the case of complementary medicines and supplements may be contained in the substance but not be listed on the label.
 - D.2.2. Take Prescription medicines, Over-the-Counter medicines, Complementary medicines and Supplements in accordance with the instructions of their medical practitioner and the normal directions applicable to the medication they are using.
 - D.2.3. Take Prescription medicines, Over-the-Counter medicines, Complementary medicines and Supplements only for the conditions for which they are designated and not misuse or abuse prescription or pharmacy drugs.
 - D.2.4. To consult with their medical practitioner or pharmacist in relation to any adverse effects their Prescription medicines, Over-the-Counter medicines, Complementary medicines and Supplements may have upon either their on-court and off-court ability to safely and effectively perform their duties.
 - D.2.5. Not take Prescription medicines, Over-the-Counter medicines, Complementary medicines and Supplements prescribed for other people, even if their symptoms seem similar. (The Prescription medicines, Over-the-Counter medicines, Complementary medicines and Supplements prescribed to the Athlete by their doctor is individually tailored to help that individual Athlete; other Prescription medicines, Over-the-Counter medicines, Complementary medicines and Supplements may not be suitable and can have adverse effects).
 - D.2.6. Not take Prescription medicines, Over-the-Counter medicines, Complementary medicines and Supplements that have expired.
 - D.2.7. Adhere to medication protocols and instructions communicated by Netball Australia Provider's Chief Medical Offices or an Authorised Netball Provider's Chief Medical Officer or similar.

¹ Note: It is recognised that *Athlete and Team Support Personnel* in certain professions may be subject to legal obligations with respect to confidentiality and disclosure.



E. Rule Offences

E.1. This Rule is contravened where:

- E.1.1. An Athlete does not take Prescription medicines, Over-the-Counter medicines, Complementary medicines and Supplements in accordance with the instructions of their medical practitioner and the normal directions applicable to the medication they are using.
- E.1.2. An Athlete does not take Prescription medicines, Over-the-Counter medicines, Complementary medicines and Supplements for the conditions for which they are designated and misuse or abuse prescription or pharmacy drugs.
- E.1.3. An Athlete takes Prescription medicines, Over-the-Counter medicines, Complementary medicines and Supplements prescribed for other people.
- E.1.4. An Athlete does not adhere to medication protocols and instructions communicated by Netball Australia's Chief Medical Officer or an Authorised Netball Provider's Chief Medical Officer or similar.
- E.1.5. Non-medical Athlete and Team Support Personnel dispense, distribute, or recommend for the improvement of health or performance, any Prescription medicine, Over-the-Counter medicine, Complementary medicine and Supplement purported to improve health or performance to any Athlete.
- E.1.6. A Person is Complicit.
- E.1.7. A Person fails to promptly disclose to the Chief Executive Officer of Netball Australia, or Nominated Delegate, that a Person has received an approach to breach this Rule.
- E.1.8. A Person fails to promptly disclose to the Chief Executive Officer of Netball Australia, or Nominated Delegate, that the Person knows or reasonably suspects that any current or former Person has engaged in conduct, or been approached to engage in conduct that may be a breach of this Rule.

Please direct any enquiries to Netball Australia's Integrity Unit, email: integrity@netball.asn.au

Medications in Netball Rule (Effective 1 January 2014)



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Attachment 'E' – Rule D – No Self-Injection in Netball Rule (Effective 1 January 2014)



Contents

A. Overview	1
B. Context	1
C. Who Does this Rule Apply to?	1
D. Rule Offences	2

A. Overview

- A.1. Netball Australia condemns doping and the use of illegal, experimental and non-approved substances and methods as fundamentally contrary to the spirit of sport.
- A.2. Netball Australia has an Anti-Doping Policy to protect athletes' fundamental rights to participate in doping-free sport and to ensure harmonised, coordinated and effective anti-doping programs at the international and national level with regard to detection, deterrence and prevention of doping.
- A.3. Netball Australia has an Anti-Doping Declaration Rule as an additional measure to emphasise Netball Australia's commitment to an anti-doping environment.
- A.4. Netball Australia adheres to the World Anti-Doping Program and supports the anti-doping functions, powers and responsibilities of the Australian Sports Anti-Doping Authority.

B. Context

- B.1. This Rule is intended to capture all injections that are NOT medically justified and necessary.
- B.2. This Rule shall not prevent the Athlete from receiving injections for necessary medical treatment.
- B.3. This Rule is not intended to capture injections where an Athlete has an approved Therapeutic Use Exemption under applicable anti-doping policies.

C. Who Does this Rule Apply to?

- C.1. This Rule applies to:
 - C.1.1. Athletes.
 - C.1.2. Coaches.

No Self-Injection in Netball Rule (Effective 1 January 2014)

C. Who Does this Rule Apply to?

- C.1. This Rule applies to:
 - C.1.1. Athletes.
 - C.1.2. Coaches.
 - C.1.3. Athlete and Team Support Personnel¹.
 - C.1.4. Any other Person who has agreed to be bound by this Rule.

D. Rule Offences

- D.1. This Rule is contravened where:
 - D.1.1. An Athlete Injects herself with-out prior approval from Netball Australia's Chief Medical Officer or an Authorised Netball Provider's Medical Officer.
 - D.1.2. An Athlete has in her possession injecting equipment with-out prior approval from Netball Australia's Chief Medical Officer or an Authorised Netball Provider's Medical Officer.
 - D.1.3. An Athlete does not adhere to procedures and practices communicated by Netball Australia or an Authorised Netball Provider.
 - D.1.4. A Person is Complicit.
 - D.1.5. A Person fails to promptly disclose to the Chief Executive Officer of Netball Australia, or Nominated Delegate, that a Person has received an approach to breach this Rule.
 - D.1.6. A Person fails to promptly disclose to the Chief Executive Officer of Netball Australia, or Nominated Delegate, that the Person knows or reasonably suspects that any current or former Person has engaged in conduct, or been approached to engage in conduct that may be a breach of this Rule.

Please direct any enquiries to Netball Australia's Integrity Unit, email: integrity@netball.asn.au

¹ Note: It is recognised that *Athlete and Team Support Personnel* in certain professions may be subject to legal obligations with respect to confidentiality and disclosure.



Attachment 'F' – Rule E – Anti-Doping Declaration Rule (Effective 1 January 2014)



Contents

A. Overview	1
B. Context	1
C. Who Does this Rule Apply to?.....	1
D. Rule Offences.....	2
E. Penalties	2
Appendix E1: Anti-Doping Declaration - Example	3

A. Overview

- A.1. Netball Australia condemns doping as fundamentally contrary to the spirit of sport.
- A.2. Netball Australia has an Anti-Doping Policy to protect athletes' fundamental rights to participate in doping-free sport and to ensure harmonised, coordinated and effective anti-doping programs at the international and national level with regard to detection, deterrence and prevention of doping.
- A.3. Netball Australia adheres to the World Anti-Doping Program and supports the anti-doping functions, powers and responsibilities of the Australian Sports Anti-Doping Authority.

B. Context

- B.1. This Rule is not intended to capture the use of illicit drugs outside of competition unless specifically prohibited under an applicable anti-doping policy.
- B.2. This Rule does not capture the use of prohibited substances or methods for which athletes receives an approved Therapeutic Use Exemption under an applicable anti-doping policy.

¹ Note: It is recognised that *Athlete and Team Support Personnel* in certain professions may be subject to legal obligations with respect to confidentiality and disclosure.

Anti-Doping Declaration Rule (Effective 1 January 2014)

C. Who Does this Rule Apply to?

- C.1. This Rule applies to:
 - C.1.1. Athletes.
 - C.1.2. Coaches.
 - C.1.3. Athlete and Team Support Personnel¹.
 - C.1.4. Personnel: the workforce of Netball Australia, Member Organisations and ANZ Championship (Australian based office).
 - C.1.5. Persons who hold governance positions with Netball Australia or Member Organisations.
 - C.1.6. Any Person bound by Netball Australia's Anti-Doping Policy.
 - C.1.7. Any other Person who has agreed to be bound by this Rule.

D. Rule Offences

- D.1. A Person shall contravene this Rule where:
 - D.1.1. They are unable to fully complete the Anti-Doping Declaration.
 - D.1.2. They make a false Anti-Doping Declaration.
 - D.1.3. They are Complicit.

E. Penalties

- E.1. Any Person who does not make the declaration or who, in Netball Australia's opinion, falsely makes the declaration may be ineligible for selection in any Netball Australia Squad or Team, or to receive funding from or to hold any position within Netball Australia unless otherwise determined by the Netball Australia Board.
- E.2. Authorised Netball Providers will determine penalties in accordance with their Rules and integrity, selection and governance practices.

Please direct any enquiries to Netball Australia's Integrity Unit, email: integrity@netball.asn.au

Anti-Doping Declaration Rule (Effective 1 January 2014)



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Anti-Doping Declaration - Example

Instructions

- You must delete either statement 1 or 2 in full depending on which is a true statement of fact by you, by drawing a line through every line in the statement. You must not make any amendments to the statements. You and your witness must initial the deletion.
- You must complete statement 3.
- If you are unable to declare either statement 1 or 2 in full, and complete statement 3, you will not be able to make the declaration and must contact the Chief Executive Officer or Nominated Delegate of Netball Australia on 03 8621 8601 for further guidance.
- Any person who does not make the declaration or who, in Netball Australia's opinion, falsely makes the declaration may be ineligible for selection in any Netball Australia Squad or Team, or to receive funding from or to hold any position within Netball Australia unless otherwise determined by the Netball Australia Board.
- Netball Australia will share information regarding this declaration with relevant anti-doping organisations and law enforcement agencies, on a case by case basis. This includes if the Person does not make the declaration as required by Netball Australia or if Netball Australia wishes to verify the contents of any declaration given.
- The Anti-Doping Declaration does not capture the use of illicit and illegal drugs outside of competition unless specifically prohibited by the applicable anti-doping policy. Further, the declaration does not capture the use of prohibited substances or methods for which athletes receive a Therapeutic Use Exemption.

Anti-Doping Declaration Rule (Effective 1 January 2014)



Anti-Doping Declaration

I, _____ (full name),

of _____

_____ (residence – full address)

do solemnly and sincerely declare that:

<p>3. I have not at any time breached any applicable anti-doping rule of Netball Australia and or the International Netball Federation.</p>	<p>_____</p> <p>Initial</p> <p>_____</p> <p>Witness</p>
<p>----- OR -----</p>	
<p>2. I have breached an Applicable Anti-Doping Rule or Policy; but</p> <p>a. the sanction in respect of such breach(es) was formally eliminated or waived by the organisation having the authority to do so; or</p> <p>b. I have completed the sanction imposed in respect of such breach(es).</p>	<p>_____</p> <p>Initial</p> <p>_____</p> <p>Witness</p>
<p>3.4. ----- AND -----</p>	
<p>4. To the best of my knowledge, I have not in the past, nor am I currently taking any substance, classes of substances or method that has not been accredited for human use, is experimental, untested or not approved by the Therapeutic Goods Administration regardless of whether such substance(s) or method is published on the World Anti-Doping Agency Prohibited List or not.</p>	<p>_____</p> <p>Initial</p> <p>_____</p> <p>Witness</p>

and I make this solemn declaration conscientiously believing the same to be true,

_____ (signature of person making the declaration) on _____ (date).

In the presence of witness,

_____ (signature of witness)

_____ (full name of witness)

_____ (residence – full address)

on _____ (date).

Anti-Doping Declaration Rule (Effective 1 January 2014)



Attachment 'G' – Reporting Conduct that May Bring Netball into Disrepute Rule (Effective 1 January 2014)



F: Reporting Conduct that May Bring Netball into Disrepute Rule

Contents

A. Overview	1
B. Context	1
C. Who Does this Rule Apply to?	2
D. Commencement of Proceedings	2
E. Offence	2

A. Overview

- A.1. This Rule encourages people and organisations, without fear of intimidation, disadvantage or reprisal, to raise any concerns, disclose information, and report instances of conduct which is unbecoming or likely to prejudice the interests or reputation of netball or to bring the game of netball into disrepute. Such conduct might be dishonest, fraudulent, corrupt, illegal, unethical, improper, unsafe and conduct that many cause financial or reputational loss.
- A.2. The disclosure is required to be made in good faith and on reasonable grounds.
- A.3. The failure to report actual or suspected incidents of conduct that may bring netball into disrepute will be treated seriously.
- A.4. Conduct regarding anti-doping, illicit drugs, match fixing and corruption, discrimination, harassment and abuse will be addressed in the first instance by applying the processes outlined in the relevant policies, rules, agreements and documents.

B. Context

- B.1. This Rule is intended to consider conduct which is unbecoming or likely to prejudice the interests or reputation of netball or to bring the game of netball into disrepute.
- B.2. This Rule is not intended to supplant Netball Australia's Anti-Doping Policy, Anti-Illicit Drugs in Netball Rule, Match Fixing in Netball Policy, Supplements and other Substances Rule, Medication Rule, No Self-Injection Rule, and Member Protection Policy. Accordingly, investigations and subsequent action if applicable will be covered under these policies and rules in the first instance.
- B.3. Nothing in this Rule limits the rights and obligations under applicable Codes of Conduct or other relevant agreements, policies and rules.
- B.4. This Rule is not appropriate for addressing general employment grievances or complaints, nor intended to replace other human resource reporting structures such as those for dispute resolution or grievances.

Reporting Conduct That May Bring Netball into Disrepute Rule (Effective 1 January 2014)

- B.5. Breaches by contractors will be addressed via the provisions of their contract.

C. Who Does this Rule Apply to?

- C.1. This Rule applies to:
- C.1.1. Athletes.
 - C.1.2. Coaches.
 - C.1.3. Athlete and Team Support Personnel¹.
 - C.1.4. Personnel: the workforce of Netball Australia, Member Organisations and ANZ Championship (Australian based office).
 - C.1.5. Persons who hold governance positions with Netball Australia or Member Organisations.
 - C.1.6. Selectors: National Selector and National Underage Selector.
 - C.1.7. Umpires.
 - C.1.8. Any other Person who has agreed to be bound by this Rule.

D. Commencement of Proceedings

- D.1. Where, as the result of such investigations, the Nominated Delegate forms the view that conduct that may bring netball into disrepute may have been committed with regard to doping in sport; or illicit drugs in sport; or match fixing and corruption; or discrimination, harassment or abuse; or supplements; or self-injection; or medication, such conduct will be heard and determined under the provisions of the relevant Netball Australia policies and rules in the first instance.

E. Offence

- E.1. This Rule is contravened where:
- E.1.1. A Person engages in Conduct that may bring netball into disrepute.
 - E.1.2. A Person is Complicit.
 - E.1.3. A Person fails to promptly disclose to the Chief Executive Officer of Netball Australia, or Nominated Delegate, that a Person has received an approach to breach this Rule.
 - E.1.4. A Person fails to promptly disclose to the Chief Executive Officer of Netball Australia, or Nominated Delegate, that the Person knows or reasonably suspects that any current or former Person has engaged in conduct, or been approached to engage in conduct that may be a breach of this Rule.

Please direct any enquiries to Netball Australia's Integrity Unit, email: integrity@netball.asn.au

¹ Note: It is recognised that *Athlete and Team Support Personnel* in certain professions may be subject to legal obligations with respect to confidentiality and disclosure.



**Attachment 'H' – Netball Australia Integrity Unit –
Terms of Reference
(Effective 1 December 2013)**





Netball Australia Integrity Unit – Terms of Reference

Date of Board Approval: 30 November 2013
Responsibility: Netball Australia Board
Author: Head of Government Strategy & Social Innovation
Takes Effect: 1 December 2013

1. PURPOSE

- 1.1. Netball Australia and its Member Organisations have a major obligation to protect and maintain the integrity of netball as well as the health and wellbeing of Athletes.
- 1.2. Netball Australia is committed to the highest standards of conduct and ethical behaviour in all of its activities, and to promoting and supporting a culture of honest and ethical behaviour both on and off the court, corporate compliance and good corporate governance.
- 1.3. Integrity in netball encompasses all of the elements needed to preserve what is intrinsically valuable about netball and to uphold the principles of fairness, respect, responsibility and safety. The main elements include the Netball Australia Anti-Doping Policy, National Policy on Match Fixing in Netball and Member Protection Policy and the Integrity in Netball Framework and associated Rules: Anti-Illicit Drugs in Netball Rule, Supplements in Netball Rule, Medications in Netball Rule, No Self-Injection in Netball Rule, Anti-Doping Declaration Rule, and Reporting Conduct That May Bring Netball into Disrepute Rule.

2. MEMBERS

- 2.1. Netball Australia Integrity Unit will comprise:
 - 2.1.1. Head of Government Strategy & Social Innovation; and
 - 2.1.2. Head of Finance and Corporate Services.
- 2.2. Netball Australia will engage necessary technical expertise as and when required.
- 2.3. Applicable Netball Australia integrity frameworks, policies and rules refer to a Nominated Delegate which is defined as the Netball Australia Chief Executive Officer or Netball Australia Executive Member (Department Head) who has been delegated authority by the Netball Australia Board to implement, monitor and evaluate frameworks, policies, and rules; ensure that internal controls related to frameworks, policies, and rules are effective; and communicate with the Netball Australia Board regarding frameworks, policies, and rules.
- 2.4. The Netball Australia Board expects the Nominated Delegate to act in accordance with the Company's legal obligations, to act ethically and to consider the reasonable expectations of the netball community and general public."
- 2.5. Members of the Netball Australia Integrity Unit are designated as Nominated Delegates.

Netball Australia Integrity Unit – Terms of Reference (Effective 1 December 2013)



3. SCOPE OF THE INTEGRITY UNIT

- 3.1 Netball Australia Integrity Unit will monitor:
 - 3.1.1 Netball Australia's Anti-Doping Policy;
 - 3.1.2 National Policy on Match Fixing in Netball;
 - 3.1.3 Integrity in Netball Framework;
 - 3.1.4 Anti-Illicit Drugs in Netball Rule;
 - 3.1.5 Supplements and Other Substances in Netball Rule;
 - 3.1.6 Medications in Netball Rule;
 - 3.1.7 No Self-Injection in Netball Rule;
 - 3.1.8 Anti-Doping Declaration Rule;
 - 3.1.9 Reporting Conduct That May Bring Netball into Disrepute Rule;
 - 3.1.10 Integrity and Product Fee Agreements with Betting Operators;
 - 3.1.11 Relationship with the Australian Sports Anti-Doping Authority;
 - 3.1.12 Relationship with the Australian Government's Integrity in Sport Unit;
 - 3.1.13 Relationships with Law Enforcement Agencies and Regulatory Bodies;
 - 3.1.14 Relationship with the Coalition of Major Professional and Participation Sports;
 - 3.1.15 Integrity related intelligence gathering; and
 - 3.1.16 Enforcement of Penalties imposed on a Person under the frameworks, policies and rules listed above.
- 3.2 Netball Australia's integrity frameworks, policies and rules have clauses that address investigation. It is important to note that Netball Australia does not have internal investigative capability and will engage necessary technical expertise as and when required.
- 3.3 Netball Australia's integrity frameworks, policies and rules have clauses that address commencement of proceedings, hearings, appeals, and penalties.
- 3.4 The scope of the Netball Australia Integrity Unit does not include administrative matters that fall within the jurisdiction of the following competitions and bodies unless otherwise referred:
 - 3.4.1 ANZ Championship;
 - 3.4.2 Netball World Cup 2015;
 - 3.4.3 International Netball Federation; and
 - 3.4.4 Member Organisations.



- 3.5 The scope of the Netball Australia Integrity Unit does not include matters concerning the following frameworks, policies and rules unless otherwise referred:
- 3.5.1 Governance, governing policies and compliance with the Australian Sports Commission's Governance Principles;
 - 3.5.2 Corporate Services Policies, including IT, Human Resources and Finance;
 - 3.5.3 Development and administration of integrity educational tools and programs;
 - 3.5.4 Social and other media policies;
 - 3.5.5 Alcohol Policy;
 - 3.5.6 High Performance specific policies, eg selection, disciplinary matters, and Player Agreements;
 - 3.5.7 Netball Australia's Member Protection Policy;
 - 3.5.8 Codes of Behaviour and Codes of Conduct;
 - 3.5.9 Employment and Contractor considerations; and
 - 3.5.10 Pregnancy Policy.
- 3.6. For the avoidance of doubt, the Netball Australia Board can refer any matter to the Netball Australia Integrity Unit.

4. MEETINGS

- 4.1 The Netball Australia Integrity Unit will hold monthly meetings
- 4.2 The meetings will not be minuted, but key decisions and action items arising out of meetings of the Netball Australia Integrity Unit will be recorded.

5. OVERSIGHT AND REPORTING

- 5.1 The Netball Australia Board has a positive obligation to inform themselves as to the integrity practices of Netball Australia, to ensure they are best practice, promote a culture of integrity and to comply with legislative and regulatory requirements.
- 5.2 Accordingly at each Board meeting and Audit and Risk Committee meeting, the Integrity Unit will provide a generic report detailing any matters of known or suspected issues in relation to Netball Australia's frameworks, policies, and rules.
- 5.3 Relevant Netball Australia integrity frameworks, policies, and rules require specific information to be communicated as follows:
 - 5.3.1 Upon receipt of a report the Chief Executive Officer of Netball Australia or her/his Nominated Delegate should immediately advise the President of Netball Australia and maintain strict confidentiality.



- 5.3.2 If the conduct involves the Chief Executive Officer of Netball Australia, notification will be through the President of the Netball Australia Board, or Nominated Delegate. Upon receipt of a report the President of Netball Australia or her/his Nominated Delegate should immediately advise the Netball Australia Board and maintain strict confidentiality.
- 5.3.3 Where, as a result of such investigations, the Nominated Delegate forms the view that Netball Australia does not have jurisdiction over the alleged conduct under frameworks, policies, and rules or there is no case to answer, the Netball Australia Board shall review the information and findings of the Nominated Delegate and either confirm the Nominated Delegate's findings or refer the matter to the Hearings Panel.
- 5.4 The Netball Australia Board recognises that some matters may need to be kept in the strictest confidence. In such situations, communication will be provided on a need to know basis only.

Please direct any enquiries to Netball Australia's Integrity Unit, email: integrity@netball.asn.au



Attachment 'I' – Anti-Doping Policy





NETBALL AUSTRALIA POLICY DOCUMENT

Anti-Doping Policy

Responsibility: General Manager High Performance
Author: General Manage High Performance
Date written: 1/11/2008 Date Updated 19/1/2011

Date approved by ASADA **25 November 2008**

Date Anti-Doping Policy effective **19 January 2011**



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Background

- 1 Under a referral dated 24 May 2006 Australia (NA) referred the following anti-doping functions, powers and responsibilities (“anti-doping functions”) to the Australian Sports Anti-Doping Authority (ASADA):
 - Investigating possible anti-doping rule violations within the sport of Netball;
 - Issuing infraction notices or other matters under the determined results management process;
 - Convening hearings before the Court of Arbitration for Sport (CAS). There is no other hearing body for anti-doping matters in Netball;
 - Presenting allegations of anti-doping rule violations and all relevant, incidental matters in hearings before CAS; and
 - Notifying the results of investigations and hearings and all relevant, incidental matters to relevant bodies including NA and the IFNA. Any notification will be subject to the Australian Sports Anti-Doping Authority Act 2006 (ASADA Act) and privacy legislation.
- 2 NA and ASADA acknowledge and agree that under the ASADA Act, ASADA has the function of supporting and encouraging the development and implementation of comprehensive programs and education initiatives about sports drug and safety matters. NA will assist ASADA with such matters and will provide education and information regarding anti-doping rules and matters to persons within the sport of Netball within the framework established by ASADA.
- 3 ASADA will perform and conduct the anti-doping functions in accordance with this referral and the ASADA Act. ASADA will use its best endeavours to ensure the IFNA anti-doping rules are recognised.
- 4 NA refers the above anti-doping functions to ASADA on the basis that:
 - ASADA will as soon as practicable, subject to the ASADA Act and privacy legislation, provide to NA (and if necessary IFNA) copies of relevant documents including but not only test results, infraction notices and hearing documents;



- NA retains the right to appear in anti-doping hearings before CAS as an interested party. NA will determine whether it wishes to exercise this right upon notification of a hearing by ASADA. If NA wishes to appear at any anti-doping hearing before CAS it will pay its own costs of such appearance;
 - All costs of any investigation and hearing (including but not only CAS application costs and any legal costs associated with any investigation and/or hearing) undertaken by ASADA will be paid by ASADA;
 - NA will immediately advise ASADA of any alleged anti-doping rule violation in Netball and will provide assistance to ASADA in any investigation that ASADA might reasonably request; and
 - ASADA will, subject to the ASADA Act and privacy legislation, provide such reports to NA on ASADA's conduct of the above anti-doping functions as may be agreed between ASADA and NA.
- 5 NA will recognise and enforce any sanction determined by CAS in respect of an anti-doping rule violation in the sport of Netball and in any other sport.
 - 6 NA will use its best endeavours to ensure its Members, Athletes and Athlete Support Personnel are aware of this referral of the anti-doping functions to ASADA and assist and co-operate with ASADA in the conduct of the anti-doping functions. NA otherwise recognises ASADA's powers and functions under the ASADA Act.
 - 7 NA has amended its anti-doping policy (ADP) to reflect the roles and responsibilities under the referral. The ADP adopts and reflects the World Anti-Doping Code (Code) which is annexed to and forms part of this ADP.
 - 8 Where an Athlete or Athlete Support Personnel is bound by IFNA's anti-doping rules as well as this ADP, that Person shall be bound to, and have obligations in respect of, both policies.



1. DEFINITIONS

means:

- (a) Any *Person* who participates in sport at the international level (as defined by each *International Federation*), the national level (as defined by each *National Anti-Doping Organisation*, including but not limited to those *Persons* in its *Registered Testing Pool*), and any other competitor in sport who is otherwise subject to the jurisdiction of any *Signatory* or other sports organisation accepting the *Code*. All provisions of the *Code*, including, for example, *Testing* and *TUEs*, must be applied to international and national-level competitors. For the purposes of this ADP, '*Athlete*' includes any participant in sporting activity who is a *Member* of *NA*, or a *Member* organisation of *NA*, and meets the definition of *Athlete* under the *Code* and/or the *NAD Scheme* as in force from time to time; and

- (b) Any *Person* who:

Is registered with *NA* or one of its *Members*; or

Participates, or has in the previous eight years participated, in any sporting activity conducted, authorised, recognised or controlled, either directly or indirectly, by *NA* or a body affiliated with *NA*;
or

Has otherwise agreed to be bound by this ADP.

means the World Anti-Doping Code adopted by WADA on 17 November 2007 at Madrid; or if the Code has been amended, the Code as so amended.

Federation (IF) means an international federation recognised by the International Olympic Committee or the General Assembly of International Sports Federations as the entity responsible for governing that sport internationally.

International Federation of Netball Associations (IFNA) is the international federation recognised by the International Olympic Committee or the General Assembly of International Sports Federations as the entity responsible for governing Netball internationally.

Member means a *Person* who, or a body which, is a member of *NA*; a *Person* who, or a body which, is affiliated with *NA*; or a *Person* who is a member of a body which is a member of or affiliated with *NA*.





National Anti-Doping (NAD) Scheme means the NAD Scheme as defined under the ASADA Act 2006 as amended from time to time.

Netball Australia (NA) means the national entity which is a member of or is recognised by IFNA as the entity governing Netball in Australia.

Prohibited List means the List identifying the Prohibited Substances and Prohibited Methods which is published and revised by WADA as described in Article 4.1 of the Code as updated from time to time.

Specified Substance has the meaning assigned to it in Article 4.2.2 of the Code.

Sporting Administration Body has the same meaning as in the ASADA Act 2006.

2. WHAT IS NA'S POSITION ON DOPING?

NA condemns doping as fundamentally contrary to the spirit of sport. The purpose of this ADP is to protect Athletes' fundamental right to participate in doping-free sport and to ensure harmonised, coordinated and effective anti-doping programs at the international and national level with regard to detection, deterrence and prevention of doping.

3. WHO DOES THIS ADP APPLY TO?

This ADP applies to Athletes and Athlete Support Personnel as defined under the Code. It also applies to Members, employees and contractors of NA and any other Person who has agreed to be bound by it.

4. OBLIGATIONS

The persons identified in **Article 3** are bound by this ADP as a condition of their membership, participation and/or involvement in Netball. Athletes and/or Athlete Support Personnel must comply with this ADP and the anti-doping rules as prescribed in the NAD scheme under the ASADA Act. In particular:

4.1 Athletes must:

- 4.1.1 Know and comply with all anti-doping policies and rules applicable to them. These include, but may not be limited to this ADP, the *IFNA* anti-doping rules and the *NAD Scheme*;
- 4.1.2 Be aware of whether they are in *IFNA's* and/or *ASADA's Registered Testing Pools* and comply with the requirements of any such membership;



- 4.1.3 Read and understand the *Prohibited List* as it relates to them;
- 4.1.4 Be available for *Sample* collection and provide accurate and up-to-date whereabouts information for this purpose when identified for inclusion in a *Registered Testing Pool*;
- 4.1.5 Take full responsibility, in the context of anti-doping, for what they ingest, *Use* and *Possess*;
- 4.1.6 Inform medical personnel of their obligations not to Use or Possess Prohibited Substances and Prohibited Methods and to take responsibility to make sure that any medical treatment received does not violate anti-doping policies and rules applicable to them;
- 4.1.7 Immediately refer information about possible anti-doping rule violations to ASADA;
- 4.1.8 Assist, cooperate and liaise with ASADA and other Anti-Doping Organisations in relation to the conduct of any investigation or hearing into an alleged anti-doping rule violation;
- 4.1.9 Act in a discreet and confidential manner in discharging their obligations under this ADP;
- 4.1.10 Be available for *Sample* collection and provide accurate and up-to-date whereabouts information on a regular basis, even if not a regular Member of NA, if required by the conditions of eligibility established by any applicable Anti-Doping Organisation;
- 4.1.11 Complete ASADA's on-line E-learning program as directed by NA and/or as appropriate. Upon completion of the E-learning process print off the ASADA certificate to show that the athlete understands both their rights and obligations under both the WADA and ASADA codes. Failure to complete an anti doping education program will affect an athlete's eligibility for selection in representative teams and shall be no excuse for an alleged anti-doping rule violation, nor shall it mitigate culpability of the Athlete in determining sanction; and
- 4.1.12 Accept that ignorance of this ADP, the Code or the Prohibited List is not an excuse from an alleged anti-doping rule violation, and shall not mitigate culpability in sanction.



4.2 Athlete Support Personnel must:

- 4.2.1 Complete ASADA's on-line E-learning program and any other anti-doping training as directed by NA and comply with all anti-doping policies and rules applicable to them or the Athletes whom they support. These include, but may not be limited to this ADP; the IFNA anti-doping rules and the NAD Scheme;
- 4.2.2 Support and assist Anti-Doping Organisations, including ASADA to conduct Doping Control;
- 4.2.3 Use their influence on Athletes' values and behaviour to foster anti-doping attitudes;
- 4.2.4 Immediately refer information about possible anti-doping rule violations to ASADA;
- 4.2.5 Assist, cooperate and liaise with ASADA and other Anti-Doping Organisations in relation to the conduct of any investigation or hearing into an alleged anti-doping rule violation; and
- 4.2.6 Act in a discreet and confidential manner in discharging their obligations under this ADP.

5. DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the anti-doping rule violations set out in Article 2 of the Code ¹.

6. PROOF OF DOPING

Article 3 of the Code applies.

7. ANTI-DOPING RULE VIOLATIONS

Article 2 of the *Code* applies.

8. THE PROHIBITED LIST

This ADP incorporates the Prohibited List and otherwise applies Article 4 of the Code.





9. THERAPEUTIC USE

- 9.1 Athletes with a documented medical condition requiring the Use of a Prohibited Substance or a Prohibited Method must first obtain a Therapeutic Use Exemption (TUE) in accordance with the Code, the International Standard for TUEs and this ADP.²
- 9.2 Athletes who have been identified as included in IFNA's Registered Testing Pool may only obtain TUEs in accordance with the rules of IFNA.³
- 9.3 Athletes who are not in IFNA's Registered Testing Pool but are in ASADA's Registered Testing Pool or Domestic Testing Pool with documented medical conditions requiring the Use of a Prohibited Substance or a Prohibited Method must request a TUE from ASDMAC.
- 9.4 Athletes who are not in IFNA's or ASADA's Registered Testing Pool, Domestic Testing Pool or have not otherwise been notified by ASADA, in accordance with the NAD Scheme, that they require TUEs prior to Use of a Prohibited Substance or a Prohibited Method, may submit applications to ASDMAC for approval of a TUE in accordance with the procedures of ASDMAC.
- 9.5 Athletes should submit applications for TUEs no less than 21 days before they require the approval (eg prior to a National Event), except for retroactive TUEs under **Article 9.6**.
- 9.6 An application for a TUE will not be considered for retroactive approval except in cases where:
- (a) Emergency treatment or treatment of an acute medical condition was necessary; or
 - (b) Due to exceptional circumstances, there was insufficient time or opportunity for an Athlete to submit, or a TUE committee to consider, an application prior to Doping Control; or
 - (c) ASDMAC procedures, in accordance with the Code and the International Standard for TUEs, provide for retroactive approval.

¹ The full text of the Code can be found at (www.wada-ama.org).

² *International-Level Athletes* or *Athletes* entering an *International Event* should seek guidance on the process for seeking a TUE from the WADA website at <http://www.wada-ama.org> or IFNA's website at www.netball.org. National level *Athletes* should seek guidance from the ASDMAC website at <http://www.asdmac.org.au>.

³ Unless provided otherwise by the rules of IFNA or an agreement with an IFNA, ASDMAC does not have the authority under the Code to grant TUEs to *International-Level Athletes* or for *International Events*.





- 9.7 An Athlete may not apply to more than one body for a TUE at the same time. Applications must be in accordance with the International Standard for TUEs and the procedures of IFNA or ASDMAC as appropriate.
- 9.8 The granting of a TUE by ASDMAC for an Athlete in ASADA's Registered Testing Pool shall be promptly reported to WADA.
- 9.9 WADA, on its own initiative, may review at any time the granting of a TUE to any International Level Athlete in IFNA's Registered Testing Pool or national-level Athlete who is included in ASADA's Registered Testing Pool. Further, upon the request of any such Athlete who has been denied a TUE, WADA may review such denial. If WADA determines that such granting or denial of a TUE did not comply with the International Standard for TUEs, WADA may reverse the decision.
- 9.10 An Athlete who is denied a TUE by ASDMAC must seek review by WADA of the decision before any appeal may be commenced under Article 13.4 of the Code. If, contrary to the requirements of the Code, IFNA does not have a process in place where Athletes may request TUEs, an International-Level Athlete may request WADA to review the application as if it had been denied.

10. TESTING

- 10.1 All Athletes subject to Doping Control agree to submit to In-Competition Testing and Out-of-Competition Testing (at any time or place, with or without advance notice) by an Anti-Doping Organisation. ASADA may test any Athlete, any time, anywhere.
- 10.2 All Testing shall be conducted in conformity with the International Standard for Testing in force at the time of Testing.
- 10.3 Athletes must comply with their obligations under the ASADA Act (including but not only the NAD Scheme), the IFNA anti-doping rules, this ADP and under the Code and any International Standards in respect to providing accurate whereabouts information to ASADA and/or IFNA. Whereabouts information may be released in accordance with the NAD Scheme.

11. RETIREMENT AND RETURN TO COMPETITION

International-Level Athletes

- 11.1 An Athlete who has been identified by IFNA for inclusion in its Registered Testing Pool shall be subject to IFNA's retirement and return to Competition requirements, to the exclusion of **Article 11.3**.





- 11.2 Athletes wishing to retire should contact NA to determine if they are in IFNA's Registered Testing Pool and therefore are required to follow IFNA's procedures. NA shall immediately notify ASADA of the retirement or reinstatement of any Athlete in IFNA's Registered Testing Pool and provide copies of the correspondence from IFNA confirming this retirement/reinstatement.

National-Level Athletes

- 11.3 Athletes in ASADA's Registered Testing Pool or Domestic Testing Pool shall be subject to the following requirements:
- (a) An Athlete who wants to retire from Competition must do so by notifying ASADA by fully completing and forwarding to ASADA the ASADA "RETIREMENT NOTIFICATION FORM" (retirement notification)⁴. Retirement notifications that are not fully completed will not be accepted and will be returned to the Athlete. An Athlete's retirement date will be the date ASADA receives the fully completed retirement notification.
 - (b) Upon receipt of a notification under **Article 11.3(a)**, ASADA will, as soon as reasonably practicable, provide the Athlete and NA with written confirmation of the Athlete's retirement.
 - (c) Retirement does not:

Excuse the Athlete from giving a Sample requested on or before their retirement date, or a Sample required as part of an investigation commenced prior to their retirement date;

Excuse the Athlete from assisting, cooperating and liaising with ASADA and other Anti-Doping Organisations in relation to the conduct of any investigation or hearing into an alleged anti-doping rule violation;

Prevent the analysis of a Sample given by the Athlete on or before their retirement date;

Affect the results of Testing under (i) or (iii) above;

⁴ In May 2008, the ASADA RETIREMENT NOTIFICATION FORM was accessible on the internet through the website of the *Australian Sports Anti-Doping Authority* (www.asada.gov.au).





Exempt the Athlete from this ADP in relation to an anti-doping rule violation committed on or before their retirement date; or

Affect ASADA's power to conduct results management (see **Article 15**).

- 11.4 An Athlete who has retired in accordance with **Article 11.3(a)**, and who wishes to return to Competition, can only do so by notifying ASADA by fully completing and forwarding, the ASADA "REQUEST FOR REINSTATEMENT FORM" (reinstatement request)⁵. Reinstatement requests that are not fully completed will not be accepted and will be returned to the Athlete. The Athlete's reinstatement request date will be the date ASADA receives the fully completed reinstatement request. Reinstatement will be at the discretion of NA in consultation with ASADA.
- 11.5 Upon receipt of notification under **Article 11.4**, ASADA will, as soon as reasonably practicable:
- (a) Provide the Athlete with written confirmation of the outcome of the Athlete's reinstatement request; and
 - (b) If the reinstatement request is approved, provide NA with written confirmation of the Athlete's reinstatement.
- 11.6 If reinstatement is granted then this ADP will apply to the Athlete from the date of their reinstatement request. An Athlete who is reinstated under **Article 11.4** may not compete in Competitions and Events conducted by or under the auspices of NA or IFNA for a period of 6 months from the date of the reinstatement request.
- 11.7 An Athlete must be available for unannounced Out-of-Competition Testing in accordance with this ADP from the date of their reinstatement request. Being available for Out-of-Competition Testing means that an Athlete has provided current and accurate and up-to-date whereabouts information as required under the reinstatement request and **Article 10.3** and has complied with any request by an Anti-Doping Organisation to provide a Sample.
- 11.8 A decision regarding reinstatement of an Athlete may be appealed to CAS by NA, the Athlete or ASADA.

⁵ In May 2008, the ASADA REQUEST FOR REINSTATEMENT FORM was accessible on the internet through the website of the Australian Sports Anti-Doping Authority (www.asada.gov.au).



12. NEW MEMBERS

Any new Member of NA who is an Athlete subject to Doping Control in accordance with the NAD Scheme (including any Athlete in ASADA's Registered Testing Pool) must also be available for unannounced Out-of-Competition Testing in accordance with this ADP for a period of 6 months from the date of their membership request prior to competing in national or international Competitions and Events.

13. ANALYSIS OF SAMPLES

Samples collected under this ADP must be analysed by WADA-accredited laboratories or as otherwise approved by WADA. Laboratories shall analyse Samples and report results in accordance with the relevant International Standards.

14. INVESTIGATIONS

- 14.1 ASADA may conduct an investigation to determine whether an anti-doping rule violation may have occurred under this ADP. ASADA will conduct investigations in accordance with the Code, the ASADA Act and the NAD Scheme as published from time to time. NA may, with the prior agreement of ASADA, conduct its own investigation to determine whether an anti-doping rule violation may have occurred under this ADP, provided that NA does so in coordination with any investigation being undertaken by ASADA.
- 14.2 All persons bound by this ADP and NA must assist, co-operate and liaise with ASADA in relation to any investigation into an alleged anti-doping rule violation.

15. RESULTS MANAGEMENT

- 15.1 Results shall be managed in accordance with Article 7 of the Code, the ASADA Act 2006 and the NAD Scheme.
- 15.2 ASADA will conduct any follow up investigation in accordance with the Code, the ASADA Act 2006 and the NAD Scheme.
- 15.3 ASADA shall be responsible for notification of an alleged anti-doping rule violation and all matters incidental thereto in accordance with the ASADA Act 2006 and the NAD Scheme.



- 15.4 ASADA will issue an infraction notice. ASADA will advise NA and any other relevant parties that ASADA is issuing an infraction notice prior to issuing the infraction notice.
- 15.5 The infraction notice shall:
- (a) Notify the Person of the anti-doping rule/s which appear/s to have been violated and the basis for the violation;
 - (b) Enclose a copy of this ADP and the Code or the web site addresses where these documents may be found;
 - (c) State that ASADA will refer the matter to a hearing within 14 days (or other period determined by ASADA in accordance with the Code, the NAD Scheme and the ASADA Act), unless the Person gives a written waiver under **Article 15.7**; and
 - (d) State that if the Person does not respond within 14 days (or other period in accordance with the Code, the NAD Scheme and the ASADA Act) a hearing can be held in absentia or sanction can be applied in accordance with **Article 17**.
- 15.6 Any relevant party will only disclose or use information about a Person who is alleged to have, or has committed an anti-doping rule violation as permitted under the ASADA Act 2006 and the NAD Scheme.
- 15.7 ASADA will refer the matter to hearing in accordance with **Article 16**. ASADA may decide not to refer the matter to hearing if the Person in writing:
- (a) Acknowledges they have admitted the anti-doping rule violation; and
 - (b) Waives the right to a hearing in relation to:
- Whether they have committed an anti-doping rule violation; and
- What sanction will apply.
- 15.8 If the Person does not respond within 14 days (or other period determined by ASADA in accordance with the Code, the NAD Scheme and the ASADA Act) a hearing can be held in absentia or sanction can be applied in accordance with **Article 17**.

- 15.9 If an Athlete or other Person retires while a results management process is underway, ASADA retains jurisdiction to complete its results management process. If an Athlete or other Person retires before any results management process has begun, so long as ASADA would have had results management jurisdiction over the Athlete or other Person at the time the Athlete or other Person committed an anti-doping rule violation, ASADA will have jurisdiction to conduct results management.
- 15.10 NA must, after consultation with ASADA, impose a Provisional Suspension on any Person whose A Sample is the subject of an Adverse Analytical Finding of a Prohibited Substance other than a Specified Substance.
- 15.11 NA may, after consultation with ASADA, impose a Provisional Suspension on any Person whose A Sample is the subject of an Adverse Analytical Finding of a Specified Substance or who is issued with an infraction notice or who is subject to an investigation.
- 15.12 NA may, after consultation with ASADA, impose the following Provisional Suspension. NA may suspend:
- (a) Financial or other assistance to the Person;
 - (b) The Person from Competition in Events and Competitions conducted by or under the auspices of NA; and
 - (c) The Person's licence or participation permit (if relevant).
- 15.13 NA may, after consultation with ASADA, apply the Provisional Suspension:
- (a) From the date of the infraction notice;
 - (b) Following the 14 day submission period; or
 - (c) As deemed appropriate by NA or IFNA;
- until the determination of the hearing or a determination by ASADA not to refer the matter to hearing.
- 15.14 If a Provisional Suspension is imposed, the hearing under **Article 16** shall be advanced to a date that avoids substantial prejudice to the Athlete.
- 15.15 ASADA will convene any Provisional Hearing and will present the case at any Provisional Hearing unless otherwise agreed.

- 15.16 As a general rule, the Provisional Suspension of a Person will not be publicly disclosed. A Provisional Suspension may however be publicly disclosed so long as such disclosure will not be unfairly prejudicial to the interests of the Person. ASADA must be consulted prior to any such disclosure.

16. HEARING

- 16.1 Article 8 of the Code applies.
- 16.2 ASADA will wait 14 days (or other period determined by ASADA in accordance with the Code, the NAD Scheme and the ASADA Act or a period less than 14 days as agreed between ASADA and the Person) after sending an Infraction Notice above and then will convene CAS to conduct the hearing. ASADA will prosecute the alleged anti-doping rule violation.
- 16.3 CAS will determine:
- (a) If the Person has committed a violation of this ADP;
 - (b) If so, what sanction will apply;
 - (c) How long the sanction will apply; and
 - (d) Any other issues properly brought before it for determination.
- 16.4 CAS will give to the Athlete, ASADA and NA a written statement of:
- (a) The findings of the hearing and brief reasons for the findings;
 - (b) What sanction (if any) will apply;
 - (c) For how long the sanction (if any) will apply; and
 - (d) Any other issues determined by it.
- 16.5 Sanctions will be applied under **Article 17**.
- 16.6 ASADA will report the outcome of all anti-doping rule violations in accordance with the Code, the ASADA Act 2006 and the NAD Scheme.



- 16.7 Hearings under this Article shall be completed expeditiously as reasonably practicable.
- 16.8 Australian Sports Commission (ASC), NA, IFNA and WADA and any other relevant body (for example, Australian Olympic Committee, Australian Paralympic Committee or Australian Commonwealth Games Association) shall have the right to attend hearings as an observer or affected party.
- 16.9 Decisions by CAS under this Article may be appealed as provided in **Article 19**.
- 16.10 Decisions by CAS under this Article shall not be subject to further administrative review at the national level except as required by applicable national law.
- 16.11 If, during a hearing, a party to the hearing process implicates a third party to an anti-doping rule violation, ASADA may use any information that arises as a result of the CAS process without having to first seek the permission of the parties. This clause expressly ousts Rule 43 of the CAS Code of Sports-related Arbitration.

17. SANCTIONS

- 17.1 Articles 9 and 10 of the Code apply.
- 17.2 CAS or another relevant body may require the Athlete or other Person to repay all funding and grants received by the Athlete from that body subsequent to the occurrence of the anti-doping rule violation. However, no financial sanction may be considered a basis for reducing the period of Ineligibility or other sanction which would otherwise be applicable under this ADP. Repayment of funding and grants may be made a condition of reinstatement.
- 17.3 CAS may also determine, in addition to applying the sanctions under the Code, that a Person who has committed an anti-doping rule violation, is required to go to counselling for a specified period.
- 17.4 Where CAS determines that an employee or contractor of NA has committed an anti-doping rule violation, NA will take disciplinary action against the employee or contractor.





- 17.5 Once the period of a Person's Ineligibility has expired and the Person has fulfilled the conditions for reinstatement, then provided that the Person has paid all forfeiture penalties in full and has satisfied in full any award of costs made against the Person by CAS and any other requirements determined by CAS, the Person will become automatically re-eligible and no application for reinstatement will be necessary. If, however, further forfeited amounts become due after the Person's period of Ineligibility has expired then any failure by the Person to pay all outstanding amounts on or before their respective due dates shall entitle NA to deny the Person's access to further Competitions and Events or any other NA activity until the amounts due are paid in full unless otherwise agreed by both parties.

18. CONSEQUENCES TO TEAMS

Article 11 of the Code applies.

19. APPEALS

- 19.1 Decisions made under **Article 16** of this ADP may be appealed to the CAS Appeals Division in accordance with this ADP, Article 13 of the Code and the CAS Code of Sports Related Arbitration. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorised in the NAD Scheme or **Article 16.9** must be exhausted. The following persons shall have the right to appeal:

- The Athlete or other Person who is the subject of the decision being appealed;
- The other party to the case in which the decision was rendered;
- ASADA;
- Any other affected parties including NA;
- IFNA and any other Anti-Doping Organisation under whose rules a sanction could have been imposed;
- The International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and
- WADA.



- 19.2 The outcome of all appeals must be reported to all parties, ASC, NA, IFNA and WADA within 14 days of the conclusion of the appeal. ASADA may inform other Persons or organisations as it considers appropriate.
- 19.3 The time to file an appeal to CAS shall be within 21 days of the release of the written decision of the initial hearing.

20. MANAGEMENT OF ALLEGED ANTI-DOPING RULE VIOLATIONS NOT COVERED BY AN ANTI-DOPING POLICY

In the case of a Person who has committed an anti-doping rule violation or has committed conduct which would have amounted to an anti-doping rule violation if the Person was bound by a Code compliant anti-doping policy and the Person has not been sanctioned by CAS or any other hearing body because the Person was not bound by a Code compliant anti-doping policy, NA will:

- (a) Prevent that Person from competing in NA Competitions, Events and activities if the Person is an Athlete;
- (b) Prevent that Person (so far as reasonably possible) from having any involvement in NA Competitions, Events and activities; and
- (c) Not employ, engage or register that Person;

Unless and until that Person agrees to be retrospectively bound by this ADP from the occurrence of the anti-doping rule violation.

21. CONFIDENTIALITY AND REPORTING

- 21.1 The identity of any Athlete or other Person who is asserted to have committed an anti-doping rule violation may only be Publicly Disclosed by ASADA, or NA after consultation with ASADA, in accordance with the Code, the ASADA Act, the NAD Scheme and the terms of the Confidentiality Undertaking signed between ASADA and NA.
- 21.2 ASADA or NA, or any official of either, will not publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the Athlete, other Person or their representatives.

- 21.3 No later than 20 days after it has been determined in a hearing in accordance with Article 16 that an anti-doping rule violation has occurred and the time to appeal such decision has expired, or such hearing has been waived and the time to appeal the decision has expired, or the assertion of an anti-doping rule violation has not been challenged in a timely fashion, ASADA must Publicly Disclose at least: the disposition of the anti-doping matter including the sport, the anti-doping rule violated, the name of the Athlete or other Person committing the violation, the Prohibited Substance or Prohibited Method involved and the Consequences imposed. ASADA must also Publicly Disclose within 20 days appeal decisions concerning anti-doping rule violations. ASADA will also, within the time period for publication, send all hearing and appeal decisions to WADA. NA may also elect to make a public statement in relation to the matter, following consultation with ASADA.
- 21.4 In any case where it is determined, after a hearing or appeal, that the Athlete or other Person did not commit an anti-doping rule violation, the decision may be Publicly Disclosed only with the consent of the Athlete or other Person who is the subject of the decision. ASADA will use reasonable efforts to obtain such consent, and if consent is obtained, will Publicly Disclose the decision in its entirety or in such redacted form as the Athlete or other Person may approve.
- 21.5 Any decision of an Anti-Doping Organisation regarding a violation of this ADP shall be recognised by all Sporting Administration Bodies, which shall take all necessary action to render such results effective.
- 21.6 Subject to the right to appeal provided in **Article 19**, the Testing, TUE and hearing results or other final adjudications of any organisation recognised by ASADA or any Sporting Administration Body which are consistent with the Code and are within the organisation's authority, shall be recognised and respected by NA. NA may recognise the same actions of other bodies which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code, the NAD Scheme and/or ASADA's position.

22. INTERPRETATION OF THE CODE

- 22.1 Article 24 of the *Code* applies.

23. MISCELLANEOUS

- 23.1 Statute of Limitations – Article 17 of the *Code* applies.



- 23.2 Words not defined in this ADP have the meaning ascribed to them in the Code unless a contrary meaning appears from the context.
- 23.3 This ADP may be amended by NA subject to prior consultation with ASADA and ongoing compliance with the Code and ASADA Act.
- 23.4 Where this ADP adopts and applies an article of the Code that article and the terms in it shall be considered and applied in the context of this ADP.





ANNEXURE A - WORLD ANTI-DOPING CODE



Attachment 'J' – Netball Policy on Match Fixing in Netball (Effective March 2012)



National Policy on Match Fixing in Netball

Date of Board Approval: 3 March 2012
 Responsibility: Netball Australia Board
 Author: Head of Strategy and Government Liaison
 Date Policy Takes Effect: 15 March 2012

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Please direct any enquiries on the National Policy on Match Fixing in Netball
 to matchfixing@netball.asn.au

1. Introduction

- 1.1. Netball Australia recognises that betting is a legitimate pursuit, however illegal or fraudulent betting is not. Fraudulent betting on sport and the associated match-fixing is an emerging and critical issue globally, for sport, the betting industry and governments alike.
- 1.2. Netball Australia and its Member Organisations have a major obligation to address the threat of match fixing and the corruption that flows from that.
- 1.3. Netball Australia and its Member Organisations have a zero tolerance for illegal gambling and match fixing.
- 1.4. Netball Australia will engage necessary technical expertise to administer, monitor and enforce this Policy.
- 1.5. The purpose of the National Policy on Match Fixing in Netball is to:
 - 1.5.1. Protect and maintain the integrity of netball.
 - 1.5.2. Protect against any efforts to impact improperly the result of any match.
 - 1.5.3. Establish a uniform rule and consistent scheme of enforcement and penalties.
 - 1.5.4. Adhere to the National Policy on Match Fixing in Sport as agreed by Australian Governments on 10 June 2011.

2. Jurisdiction

- 2.1. This Policy is made by the Netball Australia Board under Clause 35 of Netball Australia's Constitution and is binding on all Relevant Persons.
- 2.2. This Policy may be amended from time to time by the Netball Australia Board.
- 2.3. The conduct prohibited under this Policy may also be a criminal offence and/or a breach of other applicable laws or regulations. This Policy is intended to supplement such laws and regulations. It is not intended, and should not be interpreted, construed or applied, to prejudice or undermine in any way the application of such laws and regulations. Relevant Persons must comply with all applicable laws and regulations at all times.

3. Who Does This Policy Apply to?

- 3.1. This Policy applies to any Relevant Person. For clarity this includes:
 - 3.1.1. Agents.
 - 3.1.2. Associates in relation to an Athlete and in relation to a Team.
 - 3.1.3. Athletes: Developing International Athlete, Emerging Potential International Athlete, International Class Athlete, Potential International Athlete, and World Class Athlete.
 - 3.1.4. Coaches: Advanced Coach, Elite Coach and High Performance Coach.
 - 3.1.5. Personnel: the workforce of Netball Australia, Member Organisations and ANZ Championship.



- 3.1.6. Persons who hold governance positions with Netball Australia or Member Organisations.
- 3.1.7. Selectors: National Selector and National Underage Selector.
- 3.1.8. Squad Support Staff: Team Manager, Team Doctor, Team Physiotherapist, Team Massage Therapist, Team Performance Analyst, Nutritional Consultant, Strength and Conditioning Consultant, and other athlete support personnel.
- 3.1.9. Umpires: International Umpire Award, All Australia Badge, and A Grade Badge.
- 3.2. All Relevant Persons are automatically bound by and required to comply with all of the provisions of this Policy. Accordingly, all Relevant Persons shall be deemed to accept all terms set out herein and have agreed:
 - 3.2.1. For purposes of applicable data protection and other laws and for all other purposes, to have consented to the collection, processing, disclosure and use of information relating to her/himself and her/his activities, including personal information relating to her/himself and her/his activities, to the extent expressly permitted under the terms of this Policy.
 - 3.2.2. That it is their Personal responsibility to familiarise themselves with all of the requirements of this Policy, including what conduct constitutes an offence under this Policy and to comply with those requirements. Further, each Athlete shall have a duty to inform Associates with whom they are connected of all of the provisions of this Policy and shall instruct Associates to comply with this Policy.
 - 3.2.3. Submit to the authority of the Netball Australia Board (including as delegated) to adopt, apply, monitor and enforce this Policy.
 - 3.2.4. To submit to the exclusive jurisdiction of any Hearings Panel convened under this Policy to hear and determine charges brought by the Netball Australia Board or Nominated Delegate and/or related issues under this Policy.
 - 3.2.5. To submit to the exclusive jurisdiction of any Appeals Tribunal convened under this Policy to hear and determine appeals made pursuant to this Policy.
- 3.3. Relevant Persons to whom this Policy applies must not:
 - 3.3.1. Give any false or misleading evidence to any hearing, investigation, inquiry or appeal conducted under this Policy.
 - 3.3.2. Make any false or misleading statement or declaration in connection with the administration or control of this Policy.
 - 3.3.3. Obstruct, delay or hinder Netball Australia's Chief Executive Officer, Anti-Corruption Administrator, Investigations Officer or Nominated Delegate in connection with the performance of her/his duties.

- 3.3.4. Disobey any reasonable direction of Netball Australia's Chief Executive Officer, Anti-Corruption Administrator, Investigations Officer or Nominated Delegate in connection with the performance of her/his duties.
- 3.3.5. Engage in any improper or insulting behaviour at any time towards Netball Australia's Chief Executive Officer, Anti-Corruption Administrator, Investigations Officer or Nominated Delegate in relation to her/his duties.
- 3.3.6. Refuse or fail to attend or give evidence as directed at any inquiry, meeting hearing or appeal when requested to do so.
- 3.3.7. Refuse or fail to fully co-operate with any investigation conducted under this Policy.
- 3.3.8. Refuse or fail to produce any document, record, article or item in the Person's possession or control that are required to be produced in accordance with this Policy.
- 3.3.9. Attempt to commit, or incite another Person to commit, or conspire with any other Person to commit, or be a party to another committing any breach of this Policy.
- 3.4. Where a Person invokes their "right to silence", the Netball Australia Board or Nominated Delegate, can draw an adverse inference from a person's failure to disclose vital information.
- 3.5. Clause 3.4 does not limit the Netball Australia Board, or Nominated Delegate, from enforcing any other Rules and Regulations, and referring the matter to a relevant law enforcement agency.
- 3.6. Relevant Persons to whom this Policy applies must disclose information to the Netball Australia Board or Nominated Delegate of all business interests, connections with Bookmakers, Betting Operators or gambling houses/companies.

4. Offences

- 4.1. Betting, gambling or entering into any other form of financial speculation on any match or on any event connected with an Authorised Netball Provider.
- 4.2. Inducing or encouraging any other Person to bet, gamble or enter into any other form of financial speculation on any match or event or to offer the facility for such bets to be placed on netball.
- 4.3. 'Tanking' (including, in particular, owing to an arrangement relating to betting on the outcome of any contingency within a match or event).
- 4.4. The deliberate fixing of, or exertion of any undue influence on, any occurrence within any match or event (including, in particular, owing to an arrangement relating to betting on the outcome of any contingency within a match or event) .
- 4.5. Inducing or encouraging any Relevant Person to 'tank' (including, in particular, owing to an arrangement relating to betting on the outcome of any match or event).



- 4.6. For money, benefit or other reward (whether for the Relevant Person her/himself or any other Person and whether financial or otherwise), providing insider information that is considered to be insider information not publicly known such as Team or its members configuration (including, without limitation, the Team's actual or likely composition, the form of individual athlete or tactics) other than in connection with bona fide media interviews and commitments.
- 4.7. Ensuring that a particular incident occurs that is the subject of a bet.
- 4.8. Failing, for reward, to perform to one's abilities.
- 4.9. Bringing the game into disrepute which may include providing or receiving any gift, payment or benefit that might reasonably have been expected to bring you or the sport of netball into disrepute.
- 4.10. Failing to promptly disclose to the Netball Australia Board, or Nominated Delegate, that she/he has received an approach from another Person to engage in conduct such as that described in Clause 4.1 – 4.9 above.
- 4.11. Failing to promptly disclose to the Netball Australia Board, or Nominated Delegate, that she/he knows or reasonably suspects that any current or former Relevant Person or any other Person has engaged in conduct, or been approached to engage in conduct, such as that described in Clause 4.1 – 4.9 above.
- 4.12. Failing to promptly disclose to the Netball Australia Board, or Nominated Delegate, that she/he has received, or is aware or reasonably suspects that another Relevant Person or any other Person has received, actual or implied threats of any nature in relation to past or pro-posed conduct such as that described in Clause 4.1 – 4.9 above.
- 4.13. Failing to fully cooperate with an investigation or a Hearing or Appeal conducted pursuant to this Policy.
- 4.14. Conduct that relates directly or indirectly to any of the conduct described in Clause 4.1 – 4.13 above and is prejudicial to the interests of netball or which bring her /him or netball into disrepute.
- 4.15. Any attempt or any agreement to act in a manner that would culminate in an offence shall be treated as if an offence had been committed, whether or not it resulted in an offence.
- 4.16. If you knowingly assist in or cover up acts that are committed by your Agent, Associate, or athlete support personnel, you will be treated as having committed the acts yourself and shall be liable under this Policy.

5. Reporting Process

- 5.1. A Person must promptly notify if they are interviewed as a suspect, charged, or arrested by police in respect of an alleged breach of this Policy.
- 5.2. A Person must promptly notify that she/ he has received an approach from another Person to engage in conduct such as outlined in Clause 4.1 to 4.7.



- 5.3. A Person must promptly notify that she/ he knows or reasonably suspects that any Relevant Person any other Person has engaged in conduct, or been approached to engage in conduct such as outlined in Clause 4.1 to 4.7.
- 5.4. A Person must promptly notify that she/he has received, or is aware or reasonably suspects that any Relevant Person, or other Person has received, actual or implied threats of any nature in relation to past or proposed conduct such as outlined in Clause 4.1 to 4.7.
- 5.5. A Relevant Person shall have a continuing obligation to report any new knowledge or suspicion regarding any Offence under this Policy, even if the Relevant Person's prior knowledge or suspicion has already been reported.
- 5.6. Notification in regards to Clause 4.10 – 4.12 and 5.1 to 5.5 must be made through the Chief Executive Officer of Netball Australia or her/his delegate.
- 5.7. If the Alleged Offender is the Chief Executive Officer of Netball Australia, notification will be through the Chair (President) of the Netball Australia Board, or Nominated Delegate.
- 5.8. For the avoidance of doubt, prompt notification and prompt disclosure is within 48 hours of any action described under Clause 4.10 – 4.12 and 5.1 – 5.4.
- 5.9. Such notification or disclosure can be either verbal or in writing and include full particulars of any such approach or, any such knowledge or suspicion.
- 5.10. The Netball Australia Board, or Nominated Delegate, will exercise her/his obligations as outlined in Clause 7.

6. Privilege

- 6.1. Notwithstanding Clauses 5 and 7, a Person interviewed under suspicion, charged or arrested by a law enforcement agency in respect of a criminal offence shall not be required to produce any information, give any evidence or make any statement if they establish that to do so would breach any privilege against self-incrimination, or legal professional privilege.
- 6.2. Clause 6.1 does not limit the Netball Australia Board, or Nominated Delegate, from enforcing any other Rules and Regulations.

7. Investigations

- 7.1. The Netball Australia Board, or Nominated Delegate, shall have the power to conduct investigations, in whatever manner it thinks fit, into the activities of any Person suspected to have committed an Offence under this Policy. For the avoidance of doubt, the Netball Australia Board, or Nominated Delegate , can:
 - 7.1.1. Inquire into, investigate and deal with any matter in connection with this Policy.
 - 7.1.2. Require and obtain production and take possession of all documents, records, articles or things in the possession or control of a Person that are relevant to any inquiry or investigation.



- 7.1.3. Require access to the premises occupied by or in control of an Authorised Netball Provider for the purpose of any inquiry or investigation.
- 7.1.4. Refer any matter concerning an alleged breach of this Policy for hearing and determination by the Hearing Panel or other body or Person appointed by the Netball Australia Board, or Nominated Delegate.
- 7.1.5. Stand down any Person subject to an inquiry or investigation from participating in or in connection with netball.
- 7.1.6. Exercise any other powers conferred under this Policy.
- 7.1.7. Delegate any of their powers under this Policy.
- 7.2. The Netball Australia Board, or Nominated Delegate, will appoint an Investigations Officer to conduct an appropriate investigation and such investigations may be conducted in conjunction with, and/or information exchanged with other relevant authorities where appropriate.
- 7.3. The Netball Australia Board or Nominated Delegate has a number of functions. These include:
 - 7.3.1. Monitoring and responding to unusual or suspicious betting patterns.
 - 7.3.2. Working closely with reputable betting organisations to access, investigate and verify data.
 - 7.3.3. Development and implementation of illegal gambling and match fixing information, awareness and education programs and presentations to applicable Relevant Persons.
 - 7.3.4. Protecting innocent Relevant persons from unfounded and malicious claims and allegations of corrupt practice.
 - 7.3.5. Launching an investigation at any time at its own discretion.
- 7.4. The Investigations Officer has a number of functions. These include:
 - 7.4.1. Identifying would-be corruptors targeting athletes, coaches, officials or other parties with potential influence.
 - 7.4.2. Initiating anti-corruption investigations based on field work, intelligence reports and confidential information.
 - 7.4.3. Interviewing any Person implicated in allegations.
 - 7.4.4. Producing records and reports, oral and written, regarding any alleged breach of this Policy.
- 7.5. Any alleged behaviour which is judged as a prima facie unlawful offence will be reported the police force in the jurisdiction the offence is alleged to have occurred and/or the Australian Federal Police.

- 7.6. Persons to whom this Policy applies must cooperate fully with investigations conducted pursuant to this Policy. Failure or refusal to do so without acceptable justification may amount to an Offence pursuant to Clause 4. Full cooperation includes, but is not limited to, providing the Investigations Officer with:
- 7.6.1. Access to Electronic Transmissions.
 - 7.6.2. Access to telephone records, including billing and text.
 - 7.6.3. Access to banking and financial statements.
 - 7.6.4. Access to internet service records.
 - 7.6.5. Access to computer, hard drive and other forms of electronic information storage.
- 7.7. The Relevant Person(s) shall furnish such information pursuant to Clause 7.6 within seven business days of making such demand, or within such other time as may be set by the Investigations Officer. Any such information shall be (i) kept confidential except when it becomes necessary to disclose such information in furtherance of action under this Policy, or when such information is reported to administrative, professional, or judicial authorities pursuant to an investigation or prosecution of non sporting laws or regulations, and (ii) used solely for the purposes of the investigation and prosecution of an Offence under this Policy.
- 7.8. Where, as the result of such investigations, the Investigations Officer forms the view that an Offence may have been committed, the Netball Australia Board, or Nominated Delegate shall refer the matter to the Hearings Panel to be dealt with in accordance with the provisions of Clause 9.
- 7.9. Where, as a result of such investigations, the Investigations Officer forms the view that Netball Australia does not have jurisdiction over the alleged conduct under this Policy or there is no case to answer, the Netball Australia Board shall review the information and findings of the Investigations Officer and either confirm the Investigations Officer's findings or refer the matter to the Hearings Panel to be dealt with in accordance with the provisions of Clause 9.
- 7.10. In forming a view, the Investigation's officer shall scope the investigation and establish avenues of inquiry.

8. Commencement of Proceedings

- 8.1. Where the Investigations Officer considers an Offence under this Policy has allegedly been breached, the Netball Australia Board, or Nominated Delegate shall:
- 8.1.1. Appoint a Hearings Panel comprised of three Persons independent of Netball Australia and include a barrister or solicitor (who has previous experience in the legal aspects of a disciplinary/hearings tribunal) to hear the matter.
 - 8.1.2. Appoint one member of the Hearings Panel to sit as Chairperson.
 - 8.1.3. Appoint an Anti-Corruption Administrator to assist the Hearing Panel.



- 8.1.4. Send to the Alleged Offender, copied to the Hearings Panel:
 - 8.1.4.1. A Notice setting out the alleged offence including details of when/where it is alleged to have occurred.
 - 8.1.4.2. A Notice setting out the person's entitlement to have the matter determined by a hearing and the date, time and place for the proposed hearing of the alleged offence which shall be as soon as reasonably practicable after receipt of the information.
 - 8.1.4.3. Information advising the Alleged Offender of their rights and format of proceedings.
 - 8.1.4.4. The potential penalties outlined in Clause 11.
 - 8.1.4.5. A copy of the information received.
- 8.2. Within fourteen business days of the date of the Notice, the Alleged Offender may respond in one of the following ways:
 - 8.2.1. Admit the Offence and accede to the imposition of penalty, in which case no hearing shall be conducted and Netball Australia Board, or Nominated Delegate shall promptly issue a decision confirming the commission of the Offence(s) and ordering the imposition of penalties, which shall be determined by the Netball Australia Board, or Nominated Delegate after requesting and giving due consideration to a written submission from the Investigations Officer on the recommended penalty.
 - 8.2.2. Admit that she/he has committed the Offence specified in the Notice, but to dispute and/or seek to mitigate the penalty. Either a request for hearing or a written submission solely on the issue of the penalty must be submitted simultaneously with the Alleged Offender's response to the Notice. If a hearing is requested, it shall be conducted in accordance with Clause 9.
 - 8.2.3. Deny the Offence and have the Hearings Panel determine the charge, and if the charge is upheld, the penalty, at a hearing conducted in accordance with Clause 9.
- 8.3. If the Alleged Offender fails to file a written request for a hearing within fourteen business days of the date of the Notice, she/he shall be deemed to:
 - 8.3.1. Have waived her/his entitlement to a hearing;
 - 8.3.2. Have admitted that she/he has committed the Offence specified in the Notice; and
 - 8.3.3. Have acceded to penalties under Clause 11 determined by the Netball Australia Board, or Nominated Delegate after requesting and giving due consideration to a written submission from the Investigations Officer on the recommended penalty.

- 8.4. An Alleged Offender shall be entitled at any stage to admit that she/he has committed the Offence specified in the Notice and to accede to penalties under Clause 11 determined by the Netball Australia Board, or Nominated Delegate after requesting and giving due consideration to a written submission from the Investigations Officer on the recommended penalty.
- 8.5. Personnel covered by Netball Australia or a Member Organisation Employee Collective Agreement will be subject to relevant Clauses, including Dispute, Hearings, Appeals and Termination Clauses contained in such Agreement, and if applicable the *Fair Work Act 2009 (Australia)*.

9. Hearings

- 9.1. The role of the Hearings Panel will be to hear and determine matters presented by the Investigations Officer.
- 9.2. The Hearings Panel shall hear and determine the alleged offence in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) provided that it does so in accordance with procedural fairness, such as a hearing appropriate to the circumstances; lack of bias; inquiry into matters in dispute; and evidence to support a decision.
- 9.3. The purpose of the hearing shall be to determine whether the Alleged Offender has committed an offence under the Policy. If the Hearings Panel considers that the Alleged Offender has committed an offence under the Policy, it may impose any one of the penalties set out in Clause 11.
- 9.4. The parties to the hearing shall include, the Investigations Officer, the Alleged Offender and their representative if so elected, a representative from Netball Australia (or appropriate Authorised Netball Provider) and any witnesses which any such party wishes to have participate in the hearing.
- 9.5. The Hearings Panel shall ensure each party and/or the Hearings Panel has the right to call and question witnesses and the right of each party to address the Hearings Panel to produce their case.
- 9.6. The Alleged Offender (at her/his expense) is permitted to be represented at the hearing.
- 9.7. The Alleged Offender is permitted to provide a written submission for consideration by the Hearings Panel (instead of appearing in Person). In which case the Hearings Panel shall consider the submission in its deliberations.
- 9.8. The hearing shall be inquisitorial in nature.
- 9.9. The hearing shall be conducted with as much expedition as a proper consideration of the matters permit.
- 9.10. The Hearings Panel shall not be bound by the rules of evidence or the practices and procedures applicable to Courts of Law or Record, but may inform itself as to any matter in such manner as it thinks fit.



- 9.11. The Hearings Panel shall decide on the balance of probabilities whether the Alleged Offender has committed an offence under the Policy. For clarity, this standard of proof is that found in the often-cited case of *Briginshaw v Briginshaw* (1938) 60 CLR 336.
- 9.12. Non attendance of the Alleged Offender or her/his representative at the hearing, after proper notice of the hearing has been provided, shall not prevent the Hearings Panel from proceeding with the hearing in her/his absence, whether or not any written submissions was made.
- 9.13. If upon receipt of the Notice of Alleged Offence, the Hearings Panel considers that, pending determination of the matter, the Alleged Offender may put at risk the safety and welfare of any Person involved in the matter, it may order the Alleged Offender be:
- 9.13.1. Suspended from any event or activities held by or sanctioned by Netball Australia or a Member Organisation; and/or
 - 9.13.2. Required not to contact, or in any way associate, with any Person involved or likely to be involved, in the alleged offence pending the determination of the hearing.
- 9.14. The hearing shall be closed to the public. Only persons with a legitimate interest in the hearing will be permitted to attend. This will be at the sole discretion of the Hearings Panel.
- 9.15. The decision of the Hearings Panel shall be a majority decision and be communicated to the Netball Australia Chief Executive Officer and Alleged Offender as soon as practicable. Such decision shall set out and explain:
- 9.15.1. The Hearing Panel's findings as to what Offences, if any, have been committed;
 - 9.15.2. The penalties applicable, if any, as a result of such findings; and
 - 9.15.3. The rights of appeal applicable pursuant to Clause 10.
- 9.16. Subject only to the rights of appeal under Clause 10, the Hearings Panel's decision shall be the full, final and complete disposition of the matter and will be binding on all parties.

10. Appeals

- 10.1. The Alleged Offender, Netball Australia and or the Member Organisations have a right to appeal the decision of the Hearings Panel.
- 10.2. Any appeal must be lodged in writing, with the Netball Australia Board, through the Netball Australia Chief Executive Officer, within fourteen business days of the Hearings Panel's decision. The appeal must specify the grounds for the appeal.
- 10.3. Where the Netball Australia Board receives an appeal under Clause 10, the Board shall convene an Appeals Tribunal to be held within thirty days of the appeal being received.



- 10.4. The Appeals Tribunal shall:
- 10.4.1. Be comprised of three Persons independent of Netball Australia and include a barrister or solicitor to hear the matter.
 - 10.4.2. Appoint one member of the Appeals Tribunal to sit as Chairperson.
 - 10.4.3. Include at least one person who has considerable previous experience in the legal aspects of a disciplinary/hearings tribunal and dispute resolution.
 - 10.4.4. Not include any members from the initial Hearings Panel.
- 10.5. Any decision appealed to the Appeals Tribunal shall remain in effect while under appeal unless the Appeals Tribunal orders otherwise.
- 10.6. The procedures of the Appeals Tribunal shall be the same as the procedures of the Hearings Panel as set out under Clause 9, with such necessary amendments as required.
- 10.7. The Appeals Tribunal shall investigate and consider the matter determining whether:
- 10.7.1. The matter should be dismissed because there is no credible evidence, submission or argument to satisfy the grounds of the appeal; or
 - 10.7.2. The appeal should be subject to a hearing conducted by the Appeals Tribunal.
- 10.8. The appellant must establish one or more grounds of appeal to the reasonable satisfaction of the Appeals Tribunal having regard to the importance and gravity of the issue.
- 10.9. The decision of the Appeals Tribunal shall be a majority decision and be communicated to the Netball Australia Chief Executive Officer and appellant as soon as practicable.
- 10.10. The decision of Appeals Tribunal shall be final, non-reviewable, non-appealable and enforceable. No claim, arbitration, lawsuit or litigation concerning the dispute shall be brought in any other court or tribunal. Note: This provision does not prevent any law enforcement agency taking action.

11. Penalties

- 11.1. If the Hearings Panel and or Appeals Tribunal consider that an Offence under this Policy has been committed, it may impose any one or more the following penalties:
- 11.1.1. Fines.
 - 11.1.2. Suspension.
 - 11.1.3. Imposition of suspended sentence.
 - 11.1.4. Ban.
 - 11.1.5. Reprimand.
 - 11.1.6. Loss of accreditation.
 - 11.1.7. Lifetime ineligibility.



- 11.1.8. Counselling or any course related to responsible gambling and harm minimisation.
- 11.1.9. Termination of contract.
- 11.1.10. Any other such penalty as the Hearings Panel and or Appeals Tribunal considers appropriate.
- 11.1.11. Any combination of these penalties.
- 11.2. If the Person commits a second or subsequent Offence under this Policy, then the Hearings Panel and or Appeals Tribunal shall take into consideration the previous Offence, the penalty imposed and any other relevant factors (including any findings and penalties from any other investigation or hearing relating to illegal gambling or match fixing, and penalties imposed by other sports), in imposing a penalty for the second or subsequent Offence.
- 11.3. All fines received pursuant to this Policy shall be remitted to Netball Australia for integrity in netball programs or as otherwise deemed appropriate.

12. Confidentiality and Reporting

- 12.1. To maintain the confidentiality of the process, no parties will publically announce, comment on or confirm any of its investigative, hearings or appeals activities. Notwithstanding, general description of process is permissible.
- 12.2. Netball Australia will not disclose any specific facts of an alleged breach or breach of this Policy except in response to public comments attributed to the Alleged Offender or their representatives
- 12.3. The identity of an offender may only be publicly disclosed after a Hearing and/or Appeal has taken place. Such disclosure will be by way of an official release by Netball Australia.
- 12.4. Where any public announcement may be considered detrimental to the well being of the offender, the Netball Australia Board, or Nominated Delegate shall determine the most appropriate course of action based on the circumstances of the offender.
- 12.5. All parties shall otherwise maintain all information received in relation to the offence as strictly confidential.
- 12.6. Clauses 12.1 to 12.4 do not apply if the disclosure is required by law or Netball Australia determines to refer information to a law enforcement agency.

13. Disclosure of Information

- 13.1. Netball Australia will work with Betting Operators to help try and ensure the ongoing integrity of netball and the competitions and events played under the auspices of Authorised Netball Providers.
- 13.2. Netball Australia will, from time to time, disclose the names and other relevant details of those Persons who are precluded by virtue of this Policy from betting on netball.



- 13.3. Betting Operators may conduct regular audits of Netball Australia's databases to determine if any of the Persons whose names have been provided by Netball Australia have conducted betting on netball.
- 13.4. All requests for information or provision of information by Netball Australia or a Betting Operator shall be kept strictly confidential and shall not be divulged to any third party or otherwise made use of except where required by law or legal advice or where information is already in the public domain other than as a result of a breach of this Policy.

14. Interpretation

- 14.1. Headings used in this Policy are for convenience only and shall not be deemed part of the substance of this Policy or to affect in any way the language of the provisions to which they prefer.
- 14.2. Words in the singular include the plural and vice versa.
- 14.3. Reference to "including" and similar words are not words of limitation.
- 14.4. Words importing a gender include any other gender.
- 14.5. A reference to a clause is a reference to a clause or subclause of this Policy.
- 14.6. Where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings.
- 14.7. In the event any provision of this Policy is determined invalid or unenforceable, the remaining provisions shall not be affected. This Policy shall not fail because any part of this Policy is held invalid.
- 14.8. Except as otherwise stated herein, failure to exercise or enforce any right conferred by this Policy shall not be deemed to be a waiver of any such right nor operate so as to bar the exercise or enforcement thereof or of any other right on any other occasion.

15. Definitions

- 15.1. In this Policy unless the context requires otherwise these words mean:

Advanced Coach	Representative, Talent Identification and State League level coaches, as amended and updated from time to time.
Agents	Appointment (either formally or informally) by an Athlete of a Person to negotiate individual financial and or other benefits on the Athlete's behalf.
Alleged Offender	Until a Person is found to have breached this Policy, the Person is an "alleged offender". A person who is found to have breached this Policy is then an offender.



Anti-Corruption Administrator	A Netball Australia Anti-Corruption Administrator appointed by the Netball Australia Board, or Nominated Delegate to provide administrative assistance to Investigations Officer and or Hearings Panel and or Appeals Tribunal.
ANZ Championship	The competition conducted by the Trans Tasman Netball league (TTNL) Limited which includes 5 Teams from Australia and 5 Teams from New Zealand. If the competition ceases to exist or its name is changed in anyway and for any reason, any subsequent or successor competition substantially similar to the ANZ Championship netball competition that is conducted by TTNL.
Appeals Tribunal	The Tribunal appointed by the Netball Australia Board, or Nominated Delegate to hear and determine matters on appeal.
Associate (in relation to a Team)	<ul style="list-style-type: none"> a. Any director, secretary, officer, committee member, volunteer, employee, agent, shareholder or member of that Team, spouse or partner (legal or de facto), parent, child or sibling, or any other immediate relative where there is a close Personal relationship; b. Any other immediate Person that the Associate has a close relationship with, including, but not limited to business colleagues, work colleagues, and friends. c. Any shareholder or member of the Team; or d. Any related body corporate or entity that is under the direct or indirect control or influence, whether formally or informally, of the Team.
Associate (in relation to an Athlete)	<ul style="list-style-type: none"> a. Any spouse or partner (legal or de facto), parent, child or sibling of that Athlete; or b. Any other immediate relative or Person that the Athlete has a close personal relationship with; or c. Any other immediate Person that the Athlete has a close relationship with, including, but not limited to business colleagues, work colleagues, and friends.
Athlete	As described in Netball's National Athlete Nomenclature Framework as amended and updated from time to time. Categories include Developing International Athlete, Emerging Potential International Athlete, International Class Athlete, Potential International Athlete, and World Class Athlete.

Australian Netball League (ANL)	Australian domestic competition. If the competition ceases to exist or its name is changed in anyway and for any reason, any subsequent or successor competition substantially similar to the Australian Netball League netball competition that is conducted by Netball Australia.
Authorised Netball Providers	Netball Australia, Member Organisations, Affiliates, ANZ Championships or other organisations from time to time, for example the Australian Commonwealth Games Association and IFNA.
Betting Operator	Any company or other undertaking that promotes, brokers, arranges or conducts any form of Betting activity in relation to netball.
Bookmaker	An organisation or a person that takes bets on sporting and other events at agreed upon odds.
Coaches	As described in Netball's Coach Education Framework as amended and updated from time to time. Tiers include Advanced Coach, Elite Coach and High Performance Coach.
Competition	A netball contest, event or activity measuring performance against an opponent, oneself or the environment either once off as part of a series.
Developing International Athlete (DIC)	Member of the Australian 21/U Squad/Team capable of reaching WC and/or IC Athlete status within 1-3 years (Australian 21/U Squad / Team) or Nationally identified athlete with the potential to progress to WC and/or IC Athlete status within 1 – 3 years (Emerging Talent), as amended and updated from time to time.
Electronic transmission	Includes, utilising UPRS, GPRS, 3G and other mobile transmission services, internet broadband connections, cable, DSL, landline communications system, facsimile and other transmission devices or services, including any developments in such protocols or any other protocols which may be developed which give equivalent, reduced or enhanced functionality compared with such protocols.
Elite Coach	ANZ Championships Assistant, Underage State, State League (top level) and potential High Performance coaches, as amended and updated from time to time.

Emerging Potential International Athlete	State/Territory identified Nationally endorsed athletes with the ability to progress to PI Athlete status within 1-3 years. (Talented Athlete Program), as amended and updated from time to time.
Event	Series of individual Competitions conducted together under one ruling body in Australia for example International Test Matches, National Championships, State Championships, Regional Championships, and ANZ Championship.
Gamble / Gambling	Is given its ordinary meaning including to bet, wager, or the act or attempt, whether directly or indirectly, to risk money or anything else of value (consideration) on an outcome, or to enter into any other form of financial speculation.
Gambling Houses / Companies	An organisation or a person that takes accepts, records, or registers bets, for money or other thing of value.
Hearings Panel	The Panel appointed by the Netball Australia Board, or Nominated Delegate to hear and determine matters.
High Performance Coach	Australian Netball Diamonds, ANZ Championship, Australian Netball League, State/Territory, and top level State League coaches, as amended and updated from time to time.
Information in the public domain	information which has been published or is a matter of public record or can be readily acquired by an interested member of the public and/or information which has been disclosed according to the rules or regulations governing a particular event
Inside Information	Any information relating to any netball Competition or Event that a Relevant Person possesses by virtue of her/his position within netball. Such information includes, but is not limited to, factual information regarding the competitors in the Competition or Event, tactical considerations or any other aspect of the Competition or Event but does not include such information that is already published or a matter of public record, readily acquired by an interested member of the public, or disclosed according to the rules and regulations governing the relevant Competition or Event.
International Class Athlete (IC)	Member of the National Squad/Team competing at international level in benchmark or other international events and capable of maintaining this level of performance. (Australian Netball Diamonds Squad/Team), as amended and updated from time to time.

International Federation of Netball Associations (IFNA)	The international federation recognised by the International Olympic Committee or the General Assembly of International Sports Federations as the entity responsible for governing Netball internationally.
International Test Matches	Test matches played between the Australian Netball Diamonds, Australian 21/Under Netball Team and other nations within Australia or overseas.
International Umpire	Persons who have achieved their International Umpire Award and or who umpire at international events, for example World Championships, Commonwealth Games, Test Matches, World Youth Cup and Regional Championships, as amended and updated from time to time.
Investigations Officer	<p>Any Person appointed from time to time by the Netball Australia Board, or Nominated Delegate to undertake investigations in relation this Policy.</p> <p>Any Person so appointed shall comply with any directions or conditions imposed by the Chief Executive Officer of Netball Australia or the President of Netball Australia.</p>
Match Fixing	<p>The manipulation of an outcome or contingency by Relevant Persons, including Athletes, Teams, sports agents, support staff, Umpires and officials and venue staff. Such conduct includes:</p> <ol style="list-style-type: none"> The deliberate fixing of the result of a contest, or of an occurrence within the contest, or of a points spread. Deliberate underperformance. Withdrawal (tanking). A Person's deliberate misapplication of the rules of the contest. Interference with the play or playing surfaces by venue staff. Abuse of insider information to support a bet placed by any of the above or placed by a gambler who has recruited such people to manipulate an outcome or contingency.

Member Organisations	The entity which is the official representative of and controlling authority for, Netball in a State. The current Member Organisations are: Australian Capital Territory Netball Association Inc (ABN 85 800 220 698), New South Wales Netball Association Limited (ABN 19 001 685 007), Northern Territory Netball Association Inc (ABN 73 772 881 978), Queensland Netball Association Inc (ABN 58 429 487 881), South Australian Netball Association Inc (ABN 12 814 437 874), Tasmanian Netball Association Inc ABN 62 028 131 759), Victorian Netball Association Inc (ABN 83 704 752 745), and Western Australia Netball Inc (ABN 36 657 982 648), as amended from time to time.
National Netball Championships	21/Under, 19/Under and 17/Under age based national competition conducted over a week between states.
National Policy on Match-Fixing in Sport	The Policy endorsed, on 10 June 2011, by all Australian sports ministers on behalf of their governments, with the aim of protecting the integrity of Australian sport.
National Selector	Selector in the Australian Netball Diamonds and Australian 21/Under programs, as amended and updated from time to time.
National Umpire	Persons who umpire at national events, for example ANZ Championship, Australian Netball League, National Championships, Schoolgirls and State/Territory Institutes and Academies of Sport, as amended and updated from time to time.
National Underage Selector	Selector in the Australian 19/Under and Australian 17/Under programs, as amended and updated from time to time.
Netball	The sport and game of netball as determined by IFNA with such variations as may be recognised by Netball Australia from time to time.
Netball Australia	The national entity which is a member of or is recognised by IFNA as the entity governing netball in Australia.
Nominated Delegate	<p>The Netball Australia Chief Executive Officer or Netball Australia Executive Member (Department Head) who has been delegated authority by the Netball Australia Board to implement, monitor and evaluate the Policy, ensure that internal controls related to the Policy are effective, and communicate with the Netball Australia Board regarding the Policy.</p> <p>The Netball Australia Board expects the Nominated Delegate to act in accordance with the Company's legal obligations, to act ethically and to consider the reasonable expectations of the netball community and general public.</p>

Notice	Written Notice sent by to a Person alleged to have committed an Offence under this Policy.
Person	A natural Person or an organisation or another entity.
Personnel	Any Person or Persons employed by or contracted to Netball Australia or Member Organisations or ANZ Championship.
Policy	Netball Australia's National Policy on Match Fixing in Netball as amended from time to time.
Potential International Athlete (PI)	Nationally identified athlete with the potential to progress to DI Athlete status within 4 – 7 years. (Australian 19/U Squad / Team) or Nationally identified athlete with the potential to progress to the Australian 19/U squad/Team within 1 – 3 years and DI Athlete status within 4 – 7 years. (National 17/U Squad), as amended and updated from time to time.
Relevant Person	Includes Athletes, Agents, Associates, Coaches, Umpires, Selectors, Personnel or employees of an Authorised Netball Provider, Director or other officers of an Authorised Netball Provider, Squad Support Staff, Technical Officials, or any other Person involved in the organisation administration or promotion of netball, whose involvement in Gambling would bring the sport into disrepute.
Selectors	National Selector and National Underage Selector, as amended and updated from time to time.
Squad Support Staff	Head Coach, Assistant Coach, Team Manager, Team Doctor, Team Physiotherapist, Team Massage Therapist, Team Performance Analyst, and Nutritional Consultant.
Tank / Tanking	<p>Deliberately losing and or throwing game(s) without gambling being involved. There are a wide variety of behaviours which could be considered to be tanking. These include:</p> <ul style="list-style-type: none"> a. Instructing the Players to deliberately lose matches. b. Employing unusual tactics in matches, including using players in positions where they do not usually play. c. Resting star players with minor injuries, who would likely not be rested if the Team were contesting finals or critical matches d. Playing younger players who do not yet have much experience at the level expected other than for legitimate tactical reasons in line within the rules of netball. e. Playing below one's actual ability. f. Not scoring as high as a Player could.

Team	<p>Australian Netball Diamonds.</p> <p>Australia Fast Net Diamonds.</p> <p>Australia based ANZ Championship Teams.</p> <p>National Institute Network Teams, including the Australian Institute of Sport and State/Territory Institutes/Academies' of Sport.</p> <p>Australian Netball League.</p> <p>Australian 21/U Team, 19/U Team and 17/U Team.</p> <p>National Championships Teams.</p>
Technical Officials	As described in the Netball Australia Technical Officials Accreditation Framework as amended and updated from time to time.
Umpires	As described in the Netball National Umpire Development Framework as amended and updated from time to time.
World Class Athlete (WC)	Member of the National Squad/Team competing at international level in benchmark and/or other international events and capable of maintaining this level of performance. (Australian Netball Diamonds Squad/Team), as amended and updated from time to time.

- 15.2. Unless otherwise stated, words that are not defined in this Policy will have the same meaning as in Netball Australia's Constitution.

Attachment 'K' – Pregnancy Policy (Effective 1 January 2014)



Pregnancy in Netball Policy

Date of Board Approval: 30 November 2013
 Responsibility: Netball Australia Board
 Author: Chief Executive Officer
 Date Policy Takes Effect: **1 January 2014**
 Replaces Policy Approved: November 2004 (V1)

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1. Purpose and Background

- 1.1. Women are increasingly seeking to continue participation in sports, such as netball, throughout their pregnancy. There are many positive outcomes from continuing physical activity during and after pregnancy, however as maternal and foetal responses to exercise can vary with pre-gestational maternal fitness levels, co-existing medical conditions and/ or pregnancy complications all women are encouraged to seek individual medical advice before participating.
- 1.2. Further information on Pregnancy and Sport may be gained from:
 - 1.2.1. Australian Sports Commission 'Pregnancy in Sport – Guidelines for the Australian Sport Industry', 2002. www.ausport.gov.au
 - 1.2.2. Sports Medicine Australia's 'Exercise in Pregnancy' Fact Sheet. www.sma.org.au
- 1.3. In Australia, Commonwealth, State and Territory legislation exists in relation to discrimination. This anti-discrimination legislation makes it unlawful to discriminate against a female on the basis of pregnancy, subject to specific exemptions.
- 1.4. There are a number of legal issues to be considered in relation to pregnant players, these include;
 - 1.4.1. providing reasonably safe playing environments;
 - 1.4.2. privacy of the pregnant participant; and
 - 1.4.3. Responsibility of the pregnant player for inherent and obvious risks.

2. Policy Statement

- 2.1. Netball Australia is committed to providing a safe and enjoyable environment for all its members, including pregnant players. Netball Australia encourages all pregnant players to discuss their decision to continue playing during their pregnancy with their medical practitioner.

3. Jurisdiction

- 3.1. The Netball Australia Constitution enables Netball Australia to formulate, approve, issue, adopt, interpret and amend such policies, procedures, rules, by-laws, and regulations as appropriate to better regulate netball; and to promote and secure uniformity in such rules and standards as may be necessary for the management of netball nationally and internationally.
- 3.2. This Policy is made by the Netball Australia Board under Clause 35 of Netball Australia's Constitution and is binding.
- 3.3. Members Organisations are required to be in compliance with this Policy where applicable and relevant.
- 3.4. This Policy may be amended from time to time by the Netball Australia Board.

Pregnancy in Netball Policy (Effective 1 January 2014)



4. Guidelines: Pregnant Player

- 4.1. The following guidelines may assist clubs/ associations when a pregnant player is involved.
A Pregnant Player should:
- 4.2. Be aware that her own health, and the wellbeing of her unborn child, is of utmost importance in her decision about whether to continue playing sport.
- 4.3. Obtain expert medical advice as to the risks associated with playing sport when pregnant. She should ensure she understands this advice and where necessary question the advice until she is sure she understands the risks taken in participating in Netball.
- 4.4. Have regular antenatal reviews with her doctor, including ongoing review of her exercise participation.
- 4.5. Take into account her changed physical condition, use common sense and not take unnecessary risks
- 4.6. Remember that the ultimate decision to participate in Netball will always be hers, whilst having regard to all the circumstances

5. Guidelines: Sports Administrator

- 5.1. The following guidelines may assist clubs/ associations when a pregnant player is involved.
A Sports Administrator should:
 - 5.1.1. Evaluate the precautions she/ he can take to avoid harm to all players, including pregnant players.
 - 5.1.2. Develop protocols and procedures to communicate with players regarding participation in Netball during pregnancy, including:
 - 5.1.2.1. Providing players with the opportunity to advise of their pregnancy.
 - 5.1.2.2. Adding pregnancy advice and risk information to registration forms and prominent places where participants may view it (Note: legal advice about the form and wording of documents should be obtained).
 - 5.1.2.3. Being aware of Commonwealth, State and Territory anti-discrimination legislation and its application in Netball and review the rules, regulations and constitution of her/ his team/ club/ association/ member organisation with respect to the relevant anti-discrimination legislation.
 - 5.1.2.4. Seeking professional advice, (including medical and/ or legal,) if a situation arises where it is not clear what steps should be taken in a given circumstance.
 - 5.1.2.5. Ensuring that the organisation's insurance (including public liability and player injury insurance) is up to date and that it provides appropriate cover.
 - 5.1.2.6. Promoting adherence to the rules of the game.
 - 5.1.2.7. Creating a playing environment that is reasonably safe for all players.



6. Guidelines: Coach

- 6.1. The following guidelines may assist clubs/ associations when a pregnant player is involved. A Coach should:
 - 6.1.1. Be aware of the professional medical advice (refer to abovementioned references).
 - 6.1.2. Take reasonable measures to ensure that all athletes are aware of the issues related to participation in Netball during pregnancy
 - 6.1.3. Respect and support the player's right to make her own decisions in relation to her participation or non-participation in Netball whilst pregnant
 - 6.1.4. With the agreement of the player, advise the pertinent team/ club association/ member organisation officials that you are coaching a pregnant player
- 6.2. Coaches, trainers and others who give pregnant athletes advice on how to train during their pregnancy must be very careful that they are not placing themselves in the position of medical experts. They should not speak outside their scope of knowledge as they could face legal action for negligent advice. A consultative approach between athlete, coach and medical expert is recommended.

7. Guidelines: Match Officials

- 7.1. The following guidelines may assist clubs/ associations when a pregnant player is involved. A Match Official should:
 - 7.1.1. Apply the rules governing the sport equally and fairly to all participants.

8. Guidelines: Other Players

- 8.1. The following guidelines may assist clubs/ associations when a pregnant player is involved. Other Players should:
 - 8.1.1. Respect and support a pregnant athlete in the same way as they would any other participant

9. Definitions

- 9.1. Words mean will have the same meaning as in Netball Australia's Constitution.