

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

Presented and read a first time

ARTHUR ROBINSON

(*Environment, Sport and Territories*)

A BILL

FOR

An Act to amend the *Australian Sports Drug Agency Act 1990*

The Parliament of Australia enacts:

Short title etc.

1.(1) This Act may be cited as the *Australian Sports Drug Agency Amendment Act 1993*.

5 (2) In this Act, "**Principal Act**" means the *Australian Sports Drug Agency Act 1990*¹.

Commencement

2. This Act commences on the day on which it receives the Royal Assent.

States may confer powers and functions on Agency etc.

3. Section 9A of the Principal Act is amended by adding at the end the following subsection:

“(2) If a law of a State or Territory covered by subsection (1) confers jurisdiction, or a power or function, on: 5

- (a) the Federal Court of Australia; or
- (b) the Administrative Appeals Tribunal; or
- (c) a member or an officer of that Court or Tribunal;

then, subject to the regulations, that Court, Tribunal, member or officer, as the case may be, may exercise that jurisdiction or power, or perform that function.”. 10

Agency to maintain Register of Notifiable Events

4. Section 11 of the Principal Act is amended by adding at the end the following subsections:

“(2) A law of a State or Territory covered by subsection 9A(1) may require the Agency to record in the Register information about each person who, within the meaning of that law: 15

- (a) fails, without reasonable cause, to comply with a request to provide a sample made under that law by the Agency or an approved anti-doping body; or 20
- (b) returns a positive test result in relation to a sample provided as a result of such a request.

“(3) A law of a State or Territory that, in accordance with subsection (2), requires the Agency to record information in the Register may also require the Agency to remove that information from the Register.”. 25

NOTE

1. No. 18, 1991, as amended. For previous amendments, see Nos. 33 and 179, 1991; and Nos. 21, 108 and 118, 1992.

