



8 August 2008

Dorothy Topfer
Australian Sports Anti-Doping Authority
By email: nadscheme@asada.gov.au

Dear Ms Topfer:

RE: Amendments to National Anti-Doping (NAD) Scheme

Please consider this letter our submission on the proposed National Anti-Doping (NAD) Scheme. As set out more fully below, we object to the elimination of Section 26 of the current NAD Scheme.

The Australian Athletes Association (“AAA”) is the alliance of athlete associations whose members include the Australian Cricketers’ Association, AFL Players’ Association, Australian Netballers’ Association, Australian Swimmers’ Association, Professional Footballers Association, Rugby League Players’ Association, and Rugby Union Players’ Association. As a peak body, we represent our members on various issues of common concern and provide a unified representative voice on such issues as the NAD Scheme.

On or about 29 July 2008, ASADA released a draft of its revised NAD Scheme for comment and review and an issues paper titled *Amendments to the National Anti-Doping (NAD) Scheme* (the “Paper”). In the Paper, ASADA set out the six issues the amendments were meant to address: 1) compliance with the recently revised WADA Code (the “major reason” for the review); 2) to restructure the NAD Scheme into a more cohesive document; 3) to reflect best practices in results management; 4) amend the sporting administrative body rules regarding required information, ASADA’s right of appeal, and anti-doping education obligations; 5) to simplify and clarify disclosure provisions; and 6) to allow ASADA to change fees without requirement of a legislative instrument.

In addition to addressing the above issues, and without mention or comment in the Paper, the revised NAD Scheme would eliminate the requirements of the Section 26 of the current NAD scheme.

Section 26 of the current NAD scheme provides reimbursement of travel expenses to athletes where the distance between the place of ASADA notification and the place

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of testing exceeds 50 kilometres. It protects athletes against incurring extraordinary expenses as a result of complying with anti-doping requirements.

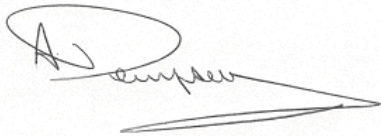
AAA has a strong view that ASADA should provide the resources and funding necessary to implement its policies. Further, the funding should not come from either the athletes or the core funding for Australian sports.

The requirements of the NAD Scheme and other anti-doping measures place substantial burdens on athletes. No other Australians are required to provide the level of whereabouts information required of athletes (other than certain convicted criminals). No other Australians are subject to strict-liability drug testing. Athletes should not have the additional burden of helping finance the NAD Scheme.

Other than the objection set out above, we have no objections to the revisions ASADA proposes, as the majority of those revisions are either not within the discretion of ASADA or clarify rights and/or obligations that already exist. In regard to the latter, we applaud ASADA's efforts at reformatting the NAD Scheme into a document that is more cohesive and easier to understand.

If you wish to speak to us regarding this or any other matter, please do not hesitate to contact us.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Anthony Dempsey', is written over a horizontal line. The signature is written in a cursive style.

Anthony Dempsey
CHAIRMAN

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