

APPENDIX ONE

SCHEDULE D – DRUGS AND ALCOHOL

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Page 1 of 3

Amendment Number	Date Published	Date Implemented	Article Number

Part One - Drugs

Article 1	General
Article 2	Hearings
Article 3	Prohibited Substances
Article 4	Application of the SADR and Testing
Article 5	Adverse Analytical Finding
Article 6	Therapeutic Use Exemption (TUE)
Article 7	International Events

Part Two – Alcohol

Article 1	General
Article 2	Appointment of Officials
Article 3	Testing for Alcohol
Article 4	Positive Test Results

Note: Amendments will be **visually highlighted** for a duration of 12 months starting from the implementation of each amendment. Text changes made for grammatical and/or formatting purposes will not be subject to highlighting.

Part One - Drugs

1. General:

1.1 Pursuant to Article 38 of the National Sporting Code, all competitors and officials are subject to the international and national rules covering the use of drugs in sport.

1.2 MotorSport NZ has entered into agreement with the Sports Tribunal of New Zealand (Sports Tribunal) and Drug Free Sport New Zealand (DFSNZ) to adopt and abide by Drug Free Sport NZ's Sports Anti-Doping Rules (SADR) as amended from time to time.

Note: *The Sports Anti-Doping Rules can be found on the DFSNZ website www.drugfreesport.org.nz*

1.3 Notwithstanding the provisions of Article 1.2 above, MotorSport NZ will establish a Judicial Committee.

1.4 It is the responsibility of each person bound by this Code to ensure that they are not in breach of the Code.

1.5 For the purposes of this Part One, the definition of "Athlete" as detailed in the SADR shall refer to all competitors, officials and other persons bound by this Code.

2. Hearings:

2.1 Sports Tribunal of New Zealand (Sports Tribunal): The Sports Tribunal is recognised by MotorSport NZ under the Sports Anti-Doping Rules as the arbiter of any hearing arising as a result of an alleged anti-doping rule violation. Any such hearing shall be conducted by, and according to, the Sports Tribunal's procedures and regulations.

2.2 Judicial Committee of MotorSport NZ: The Judicial Committee shall:

(1) Be appointed by MotorSport New Zealand and shall have the equivalent rights and powers of a Judicial Committee under Article 18.4 of the MotorSport NZ Constitution in respect to anti-doping rule violations.

(2) Be empowered to act pursuant to Article 118(3) of the Code.

(3) Conduct any Judicial Hearing according to the provisions of Part X of the Code.

3. Prohibited Substances:

3.1 The list of prohibited substances published by the World Anti-Doping Agency and any additional provisions are set out on the Drug Free Sport NZ website – www.drugfreesport.org.nz.

4. Application of the SADR and Testing:

4.1 Testing will be undertaken by Drug Free Sport NZ, or other agency approved by MotorSport NZ, in accordance with the SADR.

4.2 **Testing of Minors:** Where a minor is a competitor, consent to testing is considered to be given, by a person of legal responsibility for that minor, upon receipt by the Organisers of that Series, Meeting or Event of the completed Entry for that competitor.

5. **Adverse Analytical Finding:** Where an adverse finding ("positive test") is confirmed by Drug Free Sport NZ or other agency approved by MotorSport NZ, the competitor or official shall be informed by DFSNZ or MotorSport NZ, who may also make application for provisional suspension to the Sports Tribunal or Judicial Committee pending a full hearing.

Note: *A provisional suspension due to an adverse finding ("positive test") result is specifically exempted from the provisions of Article 93(1) of the National Sporting Code.*

6. Therapeutic Use Exemption (TUE):

6.1 Applications for Therapeutic Use Exemptions (permission to use a prohibited substance) shall be made to DFSNZ in accordance with the International Standard for Therapeutic Use Exemptions.

Note: *details regarding Therapeutic Use Exemptions are available on the DFSNZ website.*

7. International Events:

7.1 If a competitor holds a TUE and wishes to compete in an International Event, application must be made to the FIA. The FIA may accept the standing TUE or require a new application.

Part Two – Alcohol

1. General:

1.1 Pursuant to Article 38 of the National Sporting Code, all competitors and officials are subject to the international rules covering the use of alcohol in sport.

2. Appointment of Officials:

(1) Alcohol testing will be undertaken by a MotorSport NZ appointed official.

(2) At each Meeting or Event Judges of Fact – Alcohol Testing will be appointed. The names of the Judges of Fact – Alcohol Testing will be posted on the Official Notice Board at each meeting.

3. Testing for Alcohol:

3.1 The tolerance for breath alcohol has been fixed at zero. A digital breathalyser approved by MotorSport NZ will be used.

3.2 Testing of Minors: Where a minor is a competitor, consent to testing is considered to be given, by a person of legal responsibility for that minor, upon receipt by the Organisers of that Series, Meeting or Event of the signed Entry for that competitor.

4. Positive Test Result: No competitor will be allowed to compete if a positive test is given. A competitor returning a positive test will be given the opportunity to take a second test within twenty(20) minutes of the first test. Any competitor returning a second positive test will not be permitted to take any further part in the meeting until such time as a twelve(12) hours standdown period has been observed, taken from the time of the second test, and a zero reading is obtained from that competitor.