



FEDERATION DOCUMENT LIBRARY (FDL) (Policies, Procedures, etc.)

1. POLICY TITLE:	Bowls SA Policy on Drug Free Sport					
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1. Introduction

The aim of this policy is to provide members with information regarding their and Bowls SA's obligations and responsibilities regarding participating in a Drug Free Sport through compliance with World Bowls Inc. and the World Anti-Doping Agency (WADA), implemented by the South African Institute for Drug Free Sport (SAIDS) and the associated law – Acts and Articles.

This policy replaces the following Circulars distributed to all members via their districts, accessible via the Bowls SA website:

- 2017:08 – *Drug Free Sport* [1]
- 2017:32 – *Drug Testing & Accountability* [2]
- 2017:68 – *SAIDS Constitutional Compliance Required from All Clubs & Districts* [3]
- 2017:69 – *SAIDS Organising an Anti-Doping Workshop for Players* [4]
- 2017:70 – *SAIDS Acknowledgement & Obligations for all Competitive Players* [5]

This policy should be read in conjunction with the Anti-Doping Policy of World Bowls Inc: (<http://www.worldbowls.com/anti-doping/anti-doping-regulations/>).

Additional Information about this policy is located in Annexure A, starting on page 7.

2. Goals

Strategic Priorities:

- a) Membership: *Current Members*
 - b) Competitions and Events: *Quality National & International Events*
 - c) Excellence in Governance: *Organisational Excellence & Good Communication*
1. To provide members with an understanding of the obligations and responsibilities of all members regarding Drug-Free Sport in order to comply with the law of the Republic of South Africa.
 2. To describe the Bowls SA documents and processes in support of the principles of Drug-Free Sport.
 3. To describe the realities of the SAIDS (WADA) testing process and the possible outcomes.

3. Compliance with the Law – Acts & Articles

NOTE: Members should note that Drug-Free Sport is not about whether substances are performance enhancing drugs or not – it is all about healthier alternative to prohibited substances and compliance with the law.

3.1 SAIDS

Bowls SA, as a member of World Bowls Inc., is a signatory of an agreement regarding Drug-Free Sport, as part of the world-wide organisation – World Anti-Doping Agency (WADA). The South African Institute for Drug-Free Sport (SAIDS) implements world-wide protocols in this regard. SAIDS was constituted through Act 14 of 1997 [7] with, *inter alia*, the following objectives outlined in paragraph 10:

- a) *“to promote participation in sport, free from **the use of prohibited substances or methods intended to artificially enhance performance**, thereby rendering impermissible doping practices which are contrary to the principles of fair play and medical ethics, in a manner consistent with protecting the health and well-being of competitors, and the rights of all persons who take part in sport;*
- b) *to encourage the development of programmes for the education of the community in general, and the sporting community in particular, in respect of the dangers of doping in sport;*
- c) *to bring about the introduction of a centralised independent sample collection and testing programme, which may subject **any sportsperson** to dope testing at short notice, or without notice, both in and out of competition;”*

SAIDS Anti-Doping Rules of 2016 [8] Article 1 paragraph 1.2.1 indicates the application of the law to National Federations: *“National Sports Federations (NSF) in South Africa shall accept and abide by the spirit and the terms of the National Anti-Doping Programme (NADP) and these Anti-Doping Rules and shall incorporate these Anti-Doping Rules either directly or by reference into their governing documents, constitution and/or*

rules, thereby binding their members and Participants; ... who participate in such capacity in Events, Competitions and other activities organised, convened, authorised or recognised by any National Federation in South Africa, or by any member or affiliate organisation of any National Federation in South Africa (including any clubs, teams, associations or leagues), wherever held.

3.2 Athletes & Coaches

SAIDS Amendment Act No. 25 of 2006 [9] defines an “athlete ... for the purposes of doping control, any person who participates in sport at the International level (as defined by each International Sports Federation) or national level (as defined by the Institute [SAIDS]) and any other person who participates in sport at a lower level if designated by the Institute”.

SAIDS Anti-Doping Rules of 2016 [8] Article 1 paragraph 1.3.1 expands this definition to include, *inter alia*, coaches who are license-holders in terms of their coaching qualification and certification: “all Athletes and Athlete Support Personnel who are members or license-holders of any National Federation in South Africa, or of any member or affiliate organisation of any National Federation in South Africa (including any clubs, teams, associations or leagues).” Paragraph 1.4 indicates that “the main focus of SAIDS test distribution plan will be National-Level Athletes and above” who are:

- a) Athletes that participate in National Championships or participate in selection events for National Championships;
- b) Athletes with potential to represent South Africa internationally or become a member of a National Team;
- c) Athletes that represent South Africa internationally but are not in an International Federation’s Registered Testing Pool. ...
- d) Athletes competing internationally representing South Africa either as individuals or as part of a team; ... but if any such Athletes are classified by their respective International Federations as International-Level Athletes then they shall be considered International-Level Athletes.”

4. Member, District & Training Responsibilities

Note: Members are requested not to contact SAIDS directly, until after they have been tested and SAIDS has contacted them first. SAIDS does not have the capacity to answer random questions from members or handle proactive TUE applications. All TUE applications may only be submitted AFTER a member has been tested positive for a prohibited substance.

All Club & District Constitutions are required to include clause 5.6.18, shown below, of the Bowls SA Constitution [10] regarding Drug-free Sport.

“5.6.18 Bowls SA shall accept and abide by the spirit and terms of the South African Institute for Drug Free Sport [SAIDS] Anti-Doping Programme and the Anti-Doping Rules, including the application of its sanctions to individuals and shall respect the authority of and co-operate with SAIDS and the hearing bodies in all anti-doping matters which are not governed by the rules of the relevant International Federation.”

NOTE: SAIDS is not obliged to notify federations which events they intend to visit and may arrive at any tournament and randomly target any players they choose. The players and their managers / coaches have no option about complying with their requirements and taking responsibility for the consequences.

4.1 Possible Member Target Group

The Bowls SA Selection Policy [11], clause 4.2, lists the only tournaments where participating players **may be** considered for National selection; the interpretation of which Bowls SA members should be included as per section 3.2 above.

4.2 Members’ Responsibilities (Player)

Players must take note that the supplements industry is NOT regulated and the majority of these products may contain banned substances, even if not listed on the label. Please note that these supplements include the majority of ‘energy’ shakes/drinks. A quote from SAIDS website: “NOTE: You cannot search for dietary or sport “supplements” as they are not regulated and are not subjected to rigorous controls to verify ingredients, dosage, efficacy, safety... * As such, you simply don’t know for sure what’s in it and therefore SAIDS, similar to WADA, caution athletes against the use of dietary supplements.” For more information on anti-doping

cases involving these types of substances, please refer to the SAIDS website and Facebook page (*Ctrl-click on links provided below*).

The **once-off** process to comply is as follows:

- a) Download, print, complete and sign the *SAIDS Acknowledgement & Compliance Form* (FDL 01-920) - http://www.bowlssa.co.za/files/circulars/2017%20Circulars/70_Bowls_SA_SAIDS_Acknowledgement_Compliance_Form_v3.pdf
- b) The member needs to follow the *Membership DBMS User Guidelines* (FDL 01-990) to enter details on and upload Drug-Free Sport compliance document to MDBMS.

The **ongoing** process to comply is as follows:

- c) Check SAIDS online list of substances for any medication and any supplements you take regularly / irregularly – make sure you check the names AND the ingredients. If all acceptable (green), no further action is required. *Note: The online website is <http://www.drugfreesport.org.za/online-medication-check/> Mobile phone app: Do not use any of the free app downloads. You must use the app from the Drug-free Sport website's home page.*
- d) If any substance(s) is/are on the in-competition or out-of-competition prohibited list, the member's Specialist Doctor needs to be consulted at the next appointment, with regards to finding an alternative product which is not on the prohibited list. If use of an acceptable alternative is not available or is ineffective for the member's treatment, the Specialist Doctor needs to maintain a detailed record of the process used to illustrate that acceptable alternatives are unavailable or unacceptable for the member's use. This will be needed if the member is tested and a retroactive Therapeutic Use Exemption (TUE) application is made – see steps f) – g) below. Article 4.1 of WADA's TUE Guidelines [12], *"An Athlete may be granted a TUE if (and only if) he/she can show, by a balance of probability, that each of the following conditions is met:*
 - a. *The Prohibited Substance or Prohibited Method in question is needed to treat an acute or chronic medical condition, such that the Athlete would experience a significant impairment to health if the Prohibited Substance or Prohibited Method were to be withheld.*
 - b. *The Therapeutic Use of the Prohibited Substance or Prohibited Method is highly unlikely to produce any additional enhancement of performance beyond what might be anticipated by a return to the Athlete's normal state of health following the treatment of the acute or chronic medical condition.*
 - c. *There is no reasonable Therapeutic alternative to the Use of the Prohibited Substance or Prohibited Method.*
 - d. *The necessity for the Use of the Prohibited Substance or Prohibited Method is not a consequence, wholly or in part, of the prior Use (without a TUE) of a substance or method which was prohibited at the time of such Use.*

No TUE application may be submitted directly to SAIDS at all until AFTER the member has been tested. The reason given by SAIDS for this is that Bowls is not a sporting code within their primary concern. For Bowls SA members, this process is **retroactive** – i.e. after the member has been tested positive for prohibited substances.

Please note that any adverse effects experienced by a member undergoing the above process is not the responsibility or liability of Bowls SA or World Bowls Inc.

- e) Repeat steps c) – d) regularly or with any change / addition to medication and / or supplements, to ensure that you remain compliant.

The **post-testing** process to comply is as follows, if prohibited substances are found:

- f) Download and complete the required Therapeutic Use Exemption (TUE) application, with supporting documents from the Specialist Doctor (<http://www.drugfreesport.org.za/tue-application-form-contacts/>).
- g) Follow the instructions on the website to submit this completed application **within the time-frame provided to the member by SAIDS.**

4.3 District (towards Players) & Training Responsibilities (Coaching & TO Courses)

To support the player-compliance process outlined in section 4.2 above, it is the responsibility of the ExCo appointed NSC to ensure that each District annually applies to SAIDS for the hosting of an Anti-Doping

Workshop for all their players. There is no cost involved – SAIDS provides the facilitator and any hand-out material required – the District needs to provide the venue and ensure maximum player attendance.

The 2 documents provided to aid Districts are:

- *Bowls SA SAIDS Workshop Request Info* (FDL 01-922)
(http://www.bowlssa.co.za/files/circulars/2017%20Circulars/Bowls_SA_SAIDS_Workshop_Request_Info.pdf)
- The *Bowls SA SAIDS Workshop Request Template* (FDL 01-921)
(http://www.bowlssa.co.za/files/circulars/2017%20Circulars/Bowls_SA_SAIDS_-_Workshop_Request_Template_69.pdf)

Once a workshop has been held arranged within a District, information regarding date, venue, facilitator name and registration list should be emailed to coach.courses@bowlssa.co.za for compliance record-keeping purposes.

Note: This must be held annually to ensure that on-going education is provided for players entering the arena.

4.4 Responsibility of Coaches

Coaches must ensure that any players for whom they are responsible are aware of compliance requirements and should keep a record of the communication. The purpose of this is to protect the coaches as well as inform the players, as in reality, the coaches cannot prevent players from not complying and the coaches need to protect themselves from being jointly implicated, should the player test positive for a prohibited substance.

4.5 Responsibility of SAIDS Compliance Portfolio

Prior to every National Competition, the *Tournament Convenor* or his delegated Tournament Committee representative, is responsible for SAIDS Compliance and must check MDBMS to ensure that all entered players have uploaded their completed Acknowledgment & Compliance forms before accepting the entry. This check must also be done by the *National Academy* for all members of the Gold Squad members and all selections for International competitions, prior to publication.

Should SAIDS-appointed testing staff arrive at any of the National competitions, the Tournament Convenor or his delegated Tournament Committee representative, is obliged to comply with all requests and should download any pre-existing TUE certificates stored online for any of the tested players.

5. SAIDS Testing Process

Article 5 of the *SAIDS Anti-Doping Rules* [8] spells out the testing process:

- Who *“SAIDS shall determine the number of finishing placement tests, random tests and target tests to be performed in accordance with the criteria established by the International Standard for Testing and Investigations.”*
- When *“SAIDS may require any Athlete over whom it has Testing authority to provide a sample at any time and at any place.”*
- Where *“National Federations and the organising committees for National Events shall authorise the Independent Observer Program at such Events.”*

Players should familiarise themselves with the details of the current testing process on the SAIDS website (www.drugfreesport.co.za) in order to ensure that they know their rights and their obligations. *Note: A player may nominate a coach / manager to accompany him/her during the testing process.*

6. SAIDS Outcome Process

Once the sample has been tested by an accredited laboratory, the results are reviewed by a SAIDS-appointed Doping Control Review Commission (Article 7) [9]. If the results include the presence of a prohibited substance, SAIDS will check whether a TUE certificate has been granted – if so, the results of the test will be deemed to be negative.

6.1 Hearing & Outcome Process

If the result is adverse – i.e. a prohibited substance without therapeutic use exemption has been found – the athlete, the athlete’s National and International Federations and WADA are informed of the basis for the finding. The athlete can request a Provisional Hearing within 3 days of receiving the notification and may or may not be suspended from playing until the final outcome is published or may waive the right to a hearing and accept the consequences.

The Hearing process is described in Article 8 [8] with the Doping Hearing Panel observing the principles of natural justice. The results of the Panel will be to issue a written, dated decision and must be publically published if a violation was committed; otherwise, this will only be publically disclosed with the consent of the athlete.

Article 13 [8] describes the Appeals process.

Article 9 [8] specifies that “*An anti-doping rule violation ... automatically leads to Disqualification of the result obtained in that Competition with all resulting Consequences, including forfeiture of any medals, points and prizes.*” If a member of a team / side is in violation, the *Consequences, including forfeiture*, are applied to the whole team / side.

6.2 Bowls SA Responsibilities to Negative Outcome

This process must be followed once the post-testing process of submission of the retroactive TUE application, hearing and subsequent sanction has been officially reported to Bowls SA by SAIDS.

6.2.1 Publication of Result

A circular must be published with the name and violation of the player / team and the consequences, within 30 days of receiving the notice of consequences from SAIDS.

6.2.2 Player Consequences

The Singles medallist, Team or Side containing a medallist in violation of an anti-doping rule must return the medal(s), trophy and prize-money to Bowl SA within 30 days of receiving the notice of the consequences.

a) If Gold:

- The original Gold medallist(s) return(s) the medal(s), trophy and prize money received.
- The original Silver medallist(s) return(s) the medal(s) and trophy.
- The original Silver medallist(s) receive(s) the Gold medal(s), trophy and the difference in prize-money between 1st and 2nd place.
- The original two Bronze medallists retain their original allocation.
- No Silver medal(s), trophy or prize money are awarded.

b) If Silver:

- The original Silver medallist(s) return(s) the medal(s), trophy and prize money.
- The original Gold & Bronze-medallists retain their original allocations.
- No Silver medal(s), trophy or prize money are awarded.

c) If Bronze:

- The original Bronze medallist(s) return(s) the medal(s), trophy and prize money.
- No additional Bronze medal(s), trophy or prize money are awarded.

6.2.3 Coach or Manager Consequences

If a Coach or Manager is implicated in the ruling, the member may not operate in any capacity at any level for the duration of the sanction / suspension.

Bibliography

- [1] Bowls SA, “Circular 08 Drug Free Sport.” Bowls South Africa, Johannesburg, 2017.
- [2] Bowls SA, “Circular 32 Drug Testing & Accountability.” Johannesburg, 2017.
- [3] Bowls SA, “Circular 68 SAIDS Constitutional Compliance Required from All Clubs & Districts.” Bowls South Africa, Johannesburg, 2017.
- [4] Bowls SA, “Circular 69 SAIDS Organising an Anti-Doping Workshop for Players.” Bowls South Africa, Johannesburg, 2017.
- [5] Bowls SA, “Circular 70 SAIDS Acknowledgement & Obligations for all Competitive Players.” Bowls South Africa, Johannesburg, 2017.
- [6] Bowls SA, “Circular 27 South African Institute for Drug Free Sport (SAIDS).” Bowls South Africa, Johannesburg, 2018.
- [7] RSA Government, “South African Institute for Drugs-Free Sport (No. 14 of 1997),” 1997.
- [8] SAIDS, “South African Institute for Drug Free Sport Anti-Doping Rules 2016,” 2016. [Online]. Available: <http://www.drugfreesport.org.za/wp-content/uploads/2014/09/SAIDS-Anti-Doping-Rules-2016.pdf>. [Accessed: 01-Jan-2018].
- [9] RSA Government, “South African Institute for Drug-Free Sport Amendment Act (No. 25 of 2006),” vol. 2, no. 29805, 2006.
- [10] Bowls SA, “Bowls SA Constitution.” Bowls South Africa, Johannesburg, 2016.
- [11] Bowls SA, “Bowls SA Policy on Selection.” Bowls SA, Johannesburg, 2017.
- [12] WADA, “Therapeutic Use Exemptions Guidelines,” no. January. World Anti-Doping Agency, 2016.
- [13] Bowls SA, “Bowls SA Vision Mission & Values,” 2017. .

Annexure A

Definitions of Terms / Concepts

SAIDS	South African Institute for Drug-free Sport
WADA	World Anti-Doping Agency
MDBMS	Bowls SA's online Membership Database Management System, providing access at different levels for viewing and maintaining membership data.
ExCo	Bowls SA Executive Committee
HP – High Performance	Those athletes aspiring to participate or already participating at the highest level within a District or National Squad
CoP	<i>Conditions of Play</i> : Rules for participation in a competition

1. Principles, values and philosophy

This policy must be read in conjunction with the Bowls SA Constitution and By Laws. It is intended to reflect Bowls SA's vision, mission and values [13], with special emphasis on the support of drug-free, healthy sporting practice.

2. Motivation

WHY this policy is required is:

- a) To place all Bowls SA information regarding Drug-Free Sport in one document for easy access by members.
- b) To provide clarity of obligations and responsibilities for all members – mainly players and coaches.
- c) To provide a standard procedure for Bowls SA to manage adverse consequences should a medallist be in violation of anti-doping rules as a Singles player or a member of a Team / Side.

3. Resources

3.1 Financial

World Bowls Inc. Bowls SA, District or Club may be held accountable for any expenses incurred by individual members as part of this process of compliance. There may be an expense involved in supporting a player in compliance with Bowls SA processes specified in the Policy, at a hearing.

3.2 Time (Human)

The time of the Tournament Convenor or his delegated Tournament Committee representative member responsible for SAIDS compliance needs to check all entrants for National competitions before they are accepted.

The time of the National Academy member responsible for Gold Squad and national selection player compliance.

The time of the National Standing Committee responsible for annual SAIDS education, to assist players and / or Districts in the education of members.

The time of the ExCo appointed representative to support a compliant player through the process.

3.3 Infrastructure

Expansion of MDBMS to accommodate the functionality required to upload and access required information, with relevant user guidelines for operators.

4. Scope of Applicability

All registered members of the National Sport Federation of Bowls SA are bound by this policy, for the benefit of registered members of the past, present and future.

5. Roles and Responsibilities

5.1 Implementation

Once this policy has been approved in principle by ExCo & SAIDS, it needs to be verified by the Bowls SA Legal Adviser or other relevant stakeholders and then distributed to members and ratified by Council. Thereafter, both the source and published documents need to be added to FDL and circulated appropriately.

The following 4 areas need to be monitored by ExCo:

- Each ExCo member needs to monitor the implementation of the policy in their Liaison Districts.
- The Tournament Convenor or his delegated Tournament Committee representative, with the portfolio for SAIDS Compliance, must check all entries for National competitions.
- The NSC with the portfolio for SAIDS Education, along with the relevant NSC, must ensure that appropriate steps are taken to educate members and Coaches.
- The National Academy needs to check the compliance of all Gold Squad members and players selection for International competitions, prior to publication.

5.2 Monitoring & Evaluation

ExCo and NF Leads for CASA need to monitor and evaluate the processes and recommend policy changes should this be required.

5.3 Policy Review

Initially, the policy should be reviewed after 1 year of implementation and any changes required made in order to streamline its understanding and implementation. Thereafter, this policy should be reviewed every 5 years, unless issues arise within that time period, which require changes.