



Jon Stanhope MLA

CHIEF MINISTER

ATTORNEY GENERAL MINISTER FOR THE ENVIRONMENT
MINISTER FOR ARTS, HERITAGE & INDIGENOUS AFFAIRS

MEMBER FOR GINNINDERRA

RECEIVED
29 NOV 2005
BY: *[Signature]*

Submission 2
TT 9 November 2005

Mrs Margaret May MP
Acting Chair
Joint Standing Committee on Treaties
Parliament House ACT 2600

Dear Mrs May

Thank you for your letter of 9 November 2005 regarding the *United Nations Educational, Scientific and Cultural Organization International Convention Against Doping in Sport, done at Paris 19 October 2005* (the Convention), that was tabled in Federal Parliament on 9 November 2005.

I support Australia's participation in the proposed treaty action. I note that Australia is a leader in the fight against doping in sport and that it has been a key advocate for anti-doping initiatives.

I note that the Convention confers certain obligations on governments and may require the adoption of measures to achieve its objectives such as legislation, regulation, policies or administrative practices.

As you may be aware, many of the substances that are prohibited in sport ('prohibited substances' listed in Annex 1 of the Convention), are regulated by State and Territory legislation, such as the ACT medicines legislation.

I am advised that, as Article 8 of the Convention allows for the legitimate medical use of the prohibited substances, implementation of the Convention is unlikely to have a significant effect on the ACT and its medicines legislation and policies.

Notwithstanding this, I am advised that the ACT may be required to make some legislative or policy changes to implement the Convention. For example, under the current medicines legislation, it is an offence to supply a Prescription Only Medicine (eg erythropoietin) to someone who is not an eligible receiver (ie various healthcare professionals, licence holders, authorised public employees or prescription holders). If anti-doping officials were to be legally supplied (and therefore to possess and transport) a Prescription Only Medicine (eg in samples and/ or as 'standards' for comparative analysis), they would need to be duly licensed or the legislation would need to be amended.

ACT LEGISLATIVE ASSEMBLY

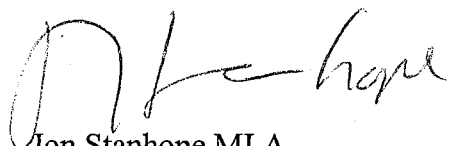
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Thank you for the opportunity to comment on this Convention.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jon Stanhope', written in a cursive style.

Jon Stanhope MLA
Chief Minister

23 NOV 2005