



EQUESTRIAN SPORTS
NEW ZEALAND

Recreational Drug and Alcohol Policy

1. Overview

ESNZ is committed to ensuring the **health and safety** of all people associated with its operations and to providing a **safe environment**. ESNZ and its members, including area groups, clubs and organising committees, also have a legal duty to take reasonable care of participants in Events.

ESNZ recognises that the use of recreational drugs and alcohol can adversely affect an individual's performance and can be a contributing factor towards making the sport unsafe, increasing the likelihood that injuries and damage to property and equipment will or could occur.

This policy was created and put in place to protect the athletes' health and safety, because sport is not about winning at all costs. It's about achieving your best results through dedication, adequate training, balanced diet and skills development, while staying healthy. This is the essence of sport.

In equestrian sport, unlike almost any other sport, you are part of a partnership in which you are responsible for a powerful creature that can quickly become dangerous if they are uncomfortable with their rider or handler. You, your horse, or others (e.g. spectators, officials, other competitors) could easily be injured if you are not at your best because of alcohol or recreational drug use, so it is critical that you remain in control.

This Policy is designed to ensure that ESNZ complies with its legal obligations and reinforces its **commitment to the safety of all participants**.

For the avoidance of doubt, this Policy does not replace or in any way affect the human anti-doping testing that may be carried out by DFSNZ under the human Anti-Doping Policy.

2. Scope

This Policy applies to:

- a. all people who are required to be members under the ESNZ General Regulations (for the avoidance of doubt, this includes all **athletes, staff, officials** and **coaches**);
- b. all **people volunteering** at ESNZ Events; and
- c. anyone else who ESNZ requires to comply with it from time to time, for example as a condition of entry to a Location.

ESNZ will ensure that this policy is well promoted and communicated on our website and at events, as well as being referred to in schedules.

3. Purpose

The purposes of this Policy are as follows.

- a. To create a safe and healthy environment for all participants in Events that is free from the hazards that may be associated with the use of drugs and alcohol.
- b. To ensure that ESNZ complies with its legal obligations to provide a safe environment for participants.
- c. To communicate this policy on the use of recreational drugs and alcohol during Events, and the recreational drug and alcohol testing regime.
- d. To communicate that it is unacceptable to be under the influence of recreational drugs or alcohol during Events.

4. Definitions

For the purposes of this Policy, the following terms shall have the following meanings.

Alcohol Testing means the testing of competitors, officials and volunteers to determine the presence of alcohol in their body, by analysis of their expired air.

Anti-Doping Policy means ESNZ's "Anti-Doping Policy" (GR Article 152) as amended from time to time.

DFSNZ means the New Zealand Sports Anti-Doping Authority.

Drug Test means the testing of competitors and officials to determine the presence of prohibited substances in their body, by analysis of urine or saliva.

Event means an equestrian event sanctioned by ESNZ directly or indirectly through a member organisation. This may include, but is not limited to, a competition, training or testing.

Event Organiser means ESNZ, an area group or club, ESNZ member organisation, organizing committee or any other entity having control of an Event.

Location means any venue where an Event is taking place.

ESNZ means Equestrian Sports New Zealand.

GRs means the "General Regulations of ESNZ" produced by ESNZ, as amended from time to time. This means and includes any policies, rules or documents which ESNZ determines amend or supplement the "General Regulations of ESNZ" from time to time.

Policy means this policy (including any schedules or annexures) as adopted and amended by ESNZ from time to time.

Prohibited Substance means any substance which is listed in "The Prohibited List" published by the World Anti-Doping Agency (WADA) from time to time.

Sample means a sample provided in conjunction with a Test.

Significant Incident means any incident which occurs during an Event that results in a person requiring medical treatment, property damage, or any other incident which, in the opinion of the Event Organiser (or its nominee) requires further investigation. This latter category may include dangerous occurrences or near misses.

Test means any test conducted under this Policy to detect the presence of alcohol or a Prohibited Substance.

Testing person can be one of the following:

- Part of the medical team at the event;
- An Event organiser competent in using the tests;
- A nominated person competent in using the tests (i.e. Senior Official or Relevant Governing Body representative);
- Member of the Police; or
- A contractor approved by ESNZ.

5. Prohibited Activities

The use of recreational drugs or alcohol can affect an individual's ability to safely participate in events and can contribute to dangerous incidents. Any person to whom this Policy applies must not:

- a. use, consume, possess, manufacture, sell, purchase or otherwise transfer a Prohibited Substance at a Location, unless the Prohibited Substance is a prescribed medication that the person using has a medical certificate or TUE (Therapeutic Use Exemption) for;

- b. have a blood alcohol reading of more than 250mcg per litre of breath for persons 18 years and over, or zero for persons under the age of 18, at a Location before, during, or immediately after their participation in their class;
- c. have any Prohibited Substances in their system at a Location, unless already approved to use a prescribed medication;
- d. refuse to provide a Sample as part of a Test; or
- e. give false answers to any questions from any person administering a Test.

6. Sanctions

- a. Any person who breaches any of the provisions of clause 5 will be refused participation in the relevant competition/s at the Event.
- b. ESNZ will also refer a breach of this Policy to the Judiciary Committee. The referral to the Judiciary Committee will be heard in accordance with Article 141 of Chapter Nine of the ESNZ General Regulations.

7. Prescribed Medication

- a. If a person to whom this Policy applies considers there is a possibility that prescribed medication is affecting their ability to participate safely in a competition, that person shall inform the Event Organiser immediately. It is not necessary for the person to disclose the illness, ailment or the medication which they are taking.
- b. If a participant follows the procedure in sub-clause (a) above, then:
 - i. they can participate in an Event if they can provide a medical clearance from their treating medical practitioner clearly stating the medication will not affect the participant's ability to perform their duties (for an athlete, it must state the medication does not affect the ability of the athlete to control a horse); or
- c. They cannot participate in the Event if they cannot provide such a medical clearance.

8. Further Information

Contact: National Sport Administrator
sport@nzequestrian.org.nz

9. Adoption by the Board

The ESNZ Drug and Alcohol Policy and testing procedures were approved by the ESNZ Board on 15 October 2019.

10. Policy Review

This document will be reviewed annually and revised as needed.

11. Revision History

Version	Revision Date	Author(s)	Revision Notes

ESNZ Safety – Recreational Drug and Alcohol Policy

Testing Procedures

1. Introduction

ESNZ and its disciplines are committed to providing a safe environment for employees, participants, officials and volunteers. The sport recognises that recreational drugs and alcohol can affect an individual's ability to participate in equestrian events and activities. This procedure should be read and applied in conjunction with the ESNZ Recreational Drug and Alcohol Policy.

2. Purpose

This procedure sets out how ESNZ and its disciplines will achieve its policy objective of ensuring that individuals are free of the hazards that may be associated by recreational drugs and alcohol and forms part of ESNZ's safety initiatives. ESNZ and the disciplines require cooperation and support of all those involved in equestrian sport.

3. Scope

These procedures apply to all people as set out under clause 2 of the ESNZ Recreational Drug and Alcohol Policy.

4. Content

These procedures establish the process to be followed in implementing the ESNZ Recreational Drug and Alcohol Policy, including:

- How drug and alcohol testing will be conducted;
- The actions to be followed in response to drug or alcohol tests including immediate response and follow-up actions; and
- How matters of confidentiality, discipline and disputes will be handled.

5. Testing methods and Limits

5.1 Testing Methods

ESNZ may conduct drug and alcohol testing, consistent with these procedures. Screening drug tests will be undertaken using the following methods:

- An oral swab with reference to AS/NZS 4760:2019, or the then current AS/NZS standard for 4760:2019 - Procedures for the collection detection and quantification of drugs in oral fluid.
- Drug confirmation tests will be undertaken in accordance with the above mentioned Australian/New Zealand Standard.
- Urine sample with reference to AS/NZS 4308:2008, or the then current AS/NZS standard for 4308:2008 - Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine.
- Alcohol tests will be undertaken using alcohol breath analysers in accordance with AS/NZS 3547:2019, or the then current AS/NZS standard for 3547:2019 – Breath Alcohol testing devices for personal use.

5.2 Testing Limits

5.2.1 Screening Test:

The initial test is performed by an immunoassay test (screening test). The following substances will be screened:

Amphetamine (AMP)
Benzodiazepine
Cannabinoid (THC)
Cocaine (COC)
Methamphetamine (MET)
Opiate
Any other substance which is declared by either ESNZ or DFSNZ to be a Prohibited Substance

5.2.2 *Breath Alcohol Target Concentrations*

Has a breath alcohol level greater than zero micrograms of alcohol per litre of breath, if that person is younger than 18 years of age; or greater than 250 micrograms of alcohol per litre of breath, if that person is 18 years of age or older.

6. Event testing

6.1 Testing Person

Random drug and alcohol testing will be conducted at ESNZ sanctioned events by an appropriately qualified or competent Tester (Testing Person).

The testing person can be one of the following:

- Part of the medical team at the event;
- An Event organiser competent in using the tests;
- A nominated person competent in using the tests (i.e. Senior Official or relevant ESNZ representative);
- Member of the Police; or
- A contractor approved by ESNZ.

The testing person will develop and implement an operationally appropriate selection process which must meet the satisfaction of the Event Ground Jury.

The testing person will be clearly identified as such and carry appropriate ID with them.

6.2 Selection

Testing may be conducted upon any person to whom the Policy applies to detect the presence of alcohol or a Prohibited Substance in the following circumstances:

6.2.1 Random Testing

Participants will be selected by printing the entry list, and grouping entries in groups of class. Media and officials lists will also be used. Officials may be included in the testing on a random basis.

The testing person may develop and implement an operationally appropriate selection process which must meet the satisfaction of the Event Ground Jury.

6.2.2 *Reasonable Cause Testing*

- a) Reasonable Cause Testing may occur when the event organiser or GJ suspects, on reasonable grounds, that the person is under the influence of alcohol or a Prohibited Substance (see Suspicion testing); or
- b) If a participant returns a positive result their names will automatically be entered into the selection for next time testing takes place when they are competing.

6.2.3 *Voluntary*

Testing may be undertaken on a voluntary basis if a participant requests a Test prior to or during the Event.

6.2.4 *Suspicion testing*

If the Ground Jury or Steward has observed or received advice that a member is showing signs of being under the influence of drugs or alcohol, it is their responsibility to act on this information. On the basis that reasonable suspicion is established, the individual concerned may be required to undertake a drug and/or alcohol test.

Typical indicators of impairment due to drug or alcohol include:

- Slurred or impaired speech;
- The person's breath smells of alcohol;
- The person staggers, their movements are jerky and off target;
- The person admits to drinking certain quantities of alcohol;
- The person's eyes are bleary and heavy;
- The person exhibits a dulled tired appearance;
- The person is aggressive in their speech or manner;
- The person's face is flushed;
- The person's pupils are large with sluggish reaction to light;
- The person behaves in an unusual, dangerous, erratic or euphoric state,
- Evidence of substance misuse within events which can be linked with reasonable certainty to an individual.

6.3 **Timing**

Because the ESNZ Recreational Drug and Alcohol Policy is a safety initiative testing can be carried out at any time throughout the event, at any "reasonable" time, taking into consideration the athlete's competition and horse welfare commitments during the day, unless clear grounds for intervention are obvious.

6.4 **Notification**

6.4.1 *General Notification to Event Organising Committees*

Event Organising Committees should be informed by written notice at least 24 hours prior to any testing being conducted during the event. They do not need to be informed of the actual times when the tests will be conducted. OCs will be provided with a list of what they need for the testing

6.4.2 *Event Notification*

Participants will be notified directly in person that they have been selected for testing under the ESNZ Recreational Drug and Alcohol Policy.

The testing person will provide participants with information regarding the test they will undertake.

Participants are required to read and understand the Consent form confirming their acceptance to complete the test. The form must be completed and signed by the participant.

Participants must report to the testing area immediately upon being notified. They must bring photo ID with them.

If the participant is under the age of 18 then the form should be signed by a parent or guardian.

Sample Notification

Dear Participant,

You have been randomly selected to participate in drug or alcohol screening under ESNZ's Recreational Drug and Alcohol Policy (enclosed). The purpose of this policy is to address the possibility of events being adversely affected by people who have drugs and/or alcohol in their system.

You are required to provide a urine sample, saliva swab or breath sample designed to screen for prohibited substances.

The drug and alcohol screening equipment will test for alcohol, illicit, restricted and some currently legal drugs which have the potential to cause impairment, eg, cannabis and hashish, opiates (such as heroin and morphine), cocaine, amphetamine type substances (such as speed and ecstasy) and THC.

You are required to read, understand and complete the Consent Form (enclosed) prior to making your way to the testing area.

Please inform the testing person about any medications (prescribed or non-prescribed) or other drugs that you have used during the last week which may affect the drug screen.

You are required to provide a sample in the privacy of the nominated testing area. If you are unable to provide a sample immediately you must wait, under the supervision of the testing person, until a sample can be obtained.

You are required to provide the sample to the Testing person to record the results.

Should a test produce a not-negative result, you will not be permitted to participate in the event as outlined in ESNZ's Recreational Drug and Alcohol Policy, and you will be referred to the Judiciary Committee for possible further sanction.

A negative result will allow you to continue normal participation.

Refusing to complete the drug or alcohol screen will automatically suspend your participation of the respective event as identified by ESNZ's Recreational Drug and Alcohol Policy, and your refusal will be referred to the ESNZ Judiciary Committee for possible further sanction.

Please take your time in completing this documentation.

If you have any questions regarding the procedures please discuss these with the testing person.

6.5 Designated area

Where not specified in the notification information, a designated testing area will be established at each event. Participants will be required to enter the testing area one at a time to undertake the test.

A designated testing area would ideally include a private area with a table and chairs to fill in the paperwork and a designated toilet such as a portaloos or private toilet for urine testing.

Prior to the test being conducted participants will be requested to provide the completed Consent form. They will also be required to provide a valid ID with their full name and date of birth and their ESNZ registration number. These details are recorded on the Control Form.

6.6 Representatives

Participants are entitled to have a representative and/or interpreter accompany them to the testing area.

If a participant is a minor (under 18 years of age) they are required to bring a parent or guardian with them.

6.7 Follow up testing

Any member who returns a laboratory confirmed positive test result for drugs will be subject to follow up testing for a period of 12 months.

If no further not-negative results are reported in the follow-up person the member will be placed back in the usual random selection pool.

If there are further not-negative results reported in the follow-up person they will face disciplinary consequences.

7. Alcohol Testing Procedure

- All alcohol testing procedures shall comply with AS/NZS 3547:2019, or the then current AS/NZS standard for 3547:2019. Breath alcohol testing devices for personal use.
- The person being tested will be required to supply an air sample from their lungs directed into an approved breath analysis instrument. The sample shall be sufficient to obtain a valid reading on the instrument.
- Competitors and officials being tested will be asked not to consume any substances by mouth for a period of 5 minutes prior to any breath analysis test being carried out.
- If the test indicates alcohol concentration of 250mcg, or more, per litre of breath for persons aged 18 or older, or above 0mcg per litre of breath for persons under 18, the person is required to do a second test. The following must be read to the competitor or official after the initial test:

“Your expired air has indicated the presence of alcohol in your body; this is a breach of the ESNZ Recreational Drug and Alcohol Policy. Another test will be performed shortly to confirm the initial test. You will be required to be accompanied by a witness at all times for the next 20 minutes. You will not be permitted to consume any substance by mouth until after the test”

- The second test must be carried out no sooner than 15 minutes and no more than 20 minutes after the original test.
- The person being tested must refrain from taking any fluid or substance during the waiting period. This includes smoking.
- The participant shall be accompanied by a witness appointed by the Testing Official for the entire period between the two tests.
- If the secondary test result is below 250mcg per litre of breath, for persons aged 18 or older, or 0mcg per litre of breath for persons under 18, the result will be deemed as negative and the person may return to their normal duties. No record will be entered onto the ESNZ database.
- If the result of the secondary test is 250mcg or more, per litre of breath, for persons aged 18 or older, or above 0mcg per litre of breath for persons under 18, then a positive result will be recorded. The Tester will notify the Steward.

- The result of all tests performed must be recorded, together with the names of the competitor or official and the witness, the time and date of the test and the result of the test.
- The competitors and officials must be advised by the testing official of the result of both tests, that is, the reading noted on the instrument.
- The Participant will be excluded from participating or undertaking their duties.
- The results will be recorded on the ESNZ database.
- Failure to submit to a test without an acceptable reason will be regarded as a positive test.

8. Drug testing procedure

- Drug tests will be conducted in designated areas at events as advised.
- All drug testing procedures are to comply with relevant New Zealand Standards.
- The participant will be required to supply either an oral fluid sample or urine sample in the appropriate testing device provided to them by the Testing Person. The sample shall be sufficient to obtain a valid reading on the instrument.
- If a negative screen result is returned the collected specimen will be disposed of and the person may return to their duties.
- If a not-negative screening result is returned, the participant is required to remain with the Testing Person. A confirmatory test will be carried out no more than 60 minutes after the original test.
- The person being tested must remain with the Tester and refrain from taking any fluid or substances during the waiting period. This includes smoking.
- The Tester will notify the Steward under strict confidentiality.
- The participant will not be permitted to participate or undertake their duties. This could include voluntary withdrawal of the event.
- Failure to submit to a test without an acceptable reason will be regarded as a not-negative result and will be treated accordingly.

9. Procedures for Responses

The GJ may appoint a medical service provider to be actively involved in the response to any not-negative or positive drug or alcohol testing result.

The medical provider will be responsible for ensuring:

- Independence and impartiality;
- Integrity and accuracy of the drug testing process;
- Quality assurance (i.e minimising the ability to cheat the system, recording accurate information); and
- Confidentiality

In the instance where a medical service provider is not available, the Testing Person must ensure:

- Independence and impartiality;
- Integrity and accuracy of the drug testing process;
- Quality assurance; and
- Confidentiality

9.1 Screening test result is negative

If a participant returns a negative result for a drug or alcohol screening test the collected specimen will be disposed of and the person may return to their normal duties. No record of the test will be recorded on their personal file, although the test will be recorded on the ESNZ testing database.

9.2 Screening test result is not-negative or positive

9.2.1 Alcohol

Where an alcohol secondary result is 250mcg or more, per litre of breath, for persons aged 18 or older, or above 0mcg per litre of breath for persons under 18, it will be deemed a positive result. The participant will be deemed unfit to continue participation in the competition. The test will be recorded on the ESNZ database. ESNZ will also refer the matter to the ESNZ Judiciary Committee.

9.2.2 Prohibited Substances

When a prohibited substance test returns a not-negative result the participant will be suspended from competition or performing duties as outlined in the ESNZ Recreational Drug and Alcohol Policy. The participant must be advised that they are not allowed to compete further at the Event. ESNZ will also refer the matter to the ESNZ Judiciary Committee.

It is imperative that confidentiality is given the utmost importance.

Once notified, the GJ will ensure:

- On notification of a not-negative test mark in the ESNZ database under Account Notes (Admin only) details of the breach (date, event, substance, action taken);
- Upload the signed drug testing acknowledgement form from the event to the member record
- File the original in the event file;
- The lab report (if available) is placed in a secure location;
- Write to member using the template, include the relevant information sheet;
- Note in ESNZ database letter sent and date;
- Upload letter to member record.

It is recommended that a letter / email be sent to the individual with the relevant drug information sheet (i.e. cannabis, cocaine etc).

Contravention of ESNZ Drug and Alcohol Policy (example)

At the name of event held at name of venue on the date a random safety test for substances was carried out in accordance with the ESNZ Recreational Drug and Alcohol Policy.

Your name was selected at random and you signed a declaration acknowledging your permission and conditions to perform testing.

A saliva and breath analysis was conducted by certified independent operators and your test returned a not-negative reading for name of substance.

In accordance with the ESNZ Recreational Drug and Alcohol Policy you were not permitted to participate in the above event.

[Laboratory testing of a second sample has confirmed the positive on site test results].

In the interests of our sport, fellow competitors and your own health I would encourage you read the attached fact sheet.

ESNZ will also refer this matter to the ESNZ Judiciary Committee. ESNZ will be in touch regarding this in due course.

9.3 Report by Testing Official

- a) In the case where no not-negative readings were achieved on the confirming test, the results shall be included with the Stewards' report of the meeting.
- b) In the case where one or more not-negative readings were achieved on the confirming test, the original of the report must be hand delivered or sent to the GJ with all appropriate Stewards Reports.

10. Minors

Minors are classified as athletes who are under 18 years of age and ESNZ's policy on minors aims to ensure that the needs of these athletes are met without compromising the integrity of sample collection.

ESNZ's policy towards minors is in line with the specifications of the World Anti-Doping Code 2015, and Drug Free Sport NZ, and use the following guidelines when testing minors:

- athletes who are minors should be notified in the presence of an adult and should be encouraged to have a representative with them throughout the sample collection session
- Parental representation will be sought where possible (unless declined by the minor)
- if an athlete who is a minor declines to have a representative accompany him/her, this should be documented on the TestingControl Form.
 - when planning testing, ESNZ will consider whether any athletes who may be selected for testing may be minors and will prepare chaperones accordingly
 - a Testing Person has the authority to make modifications as required, providing these do not compromise the identity, security or integrity of the sample
 - if a minor declines to have a representative present, the Testing Person shall consider whether a third party ought to be present during sample collection
 - the Testing Person shall decide who, in addition to the witnessing chaperone, may be present during the collection of the sample from the athlete. This could be the athlete's representative and/or a second chaperone or testing person (either of whom may observe the chaperone when the athlete is passing the sample, but may not directly observe the passing of the sample).
 - the athlete's representative may not directly observe the passing of the urine sample, unless specifically requested to do so by the athlete. However, the athlete's representative may observe the chaperone witnessing the passing of the sample
 - any modifications that are made to standard procedures, during notification or sample collection, shall be documented on the TestingControl Form.

11. Procedures for refusal to undertake a drug or alcohol test

If a person selected to undertake any drug or alcohol test refuses to participate, it will be explained to them that refusal to give a sample results in a not-negative test being recorded and they will be stood down from participation at the event. ESNZ will also refer the refusal to the ESNZ Judiciary Committee. The person will be reasonable cause tested for a further 12 months.

12. Confidentiality

The results of all Tests will be kept confidential to the organisation conducting the Test, the Event Organiser, any relevant GJ, ESNZ and any relevant party as per 12 below.

13. Reporting

ESNZ may report any not-negative result, confirmed positive result, or refused test result under clauses 9 and 10 of these procedures to any relevant organisation, body, department, or other entity (whether an ESNZ entity or otherwise).

14. Rehabilitation and Counselling

ESNZ recognises drug and alcohol dependency as a treatable condition. Any person who breaches clause 6 of ESNZ Recreational Drug and Alcohol Policy is encouraged to seek advice and to take appropriate treatment before their performance is affected.

15. Record Management

Records relating to the provision of a sample for drug and alcohol testing will be managed in accordance with appropriate Standards.

Records of the number of tests undertaken and the members tested will be kept to enable the regular review, and where necessary amendment of these Procedures.

16. Athlete Rights and Responsibilities

Throughout the testing process the Athlete has the right to:

- have a representative (parent, coach or friend) with them
- have an interpreter if required
- ask for additional information about the sample collection process
- request a delay in reporting to the Testing Area for valid reasons (e.g. attending a medal ceremony, further competition commitments, fulfilling media commitments, needing medical treatment)
- request modifications if they have a disability or they're a minor (under 18 years of age)
- record any concerns or comments they have on the testingcontrol form including concerns they may have.

And the Athlete has the responsibility to:

- report to the testingcontrol station as soon as possible
- remain in sight of the Testing Person or Chaperone at all times
- produce valid identification at testing control
- comply with the sample collection process
- recognise that if they choose to eat or drink before providing a sample, that they do so at their own risk

17. Cost of Analysis

If the test is part of the ESNZ programme and ordered by ESNZ, the cost of analysis will be borne by ESNZ. If the test is ordered by an Organising Committee, and not on the ESNZ testing programme calendar, the cost will be borne by that Organising Committee.

18. Disputes

Any dispute regarding the implementation of this procedure should be referred through the complaints system via a Complaint Form which can be found on the ESNZ website and email to

complaints@nzequestrian.org.nz

19. Further Information

Contact: National Sport Administrator
sport@nzequestrian.org.nz

20. Adoption by the Board

The ESNZ Recreational Drug and Alcohol Policy testing procedures were approved by the ESNZ Board on 15 October 2019.

21. Policy Review

This document will be reviewed annually and revised as needed.

22. Revision History

Version	Revision Date	Author(s)	Revision Notes