

# Safety Testing Committee Guidelines

As adopted by



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**Effective 31<sup>st</sup> March 2014**

## Revision Information

Document Number	Policies	Revision Date	Version	Approved
STCG2014-1	Guidelines to Committee (in addition to APF Alcohol & Drugs Safety Testing Policy)		1.0	31.3.2014
STCG2025 -1		14.07.2025	2.0	6.05.2025

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# APF SAFETY TESTING COMMITTEE

## TERMS OF DELEGATION AND GUIDELINES

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### 1. SCOPE

- (a) These APF Safety Testing Committee Terms of Delegation and Guidelines (**Guidelines**) apply to the APF Safety Testing Committee (**Committee**).

### 2. DEFINITIONS

In this document the following terms have the following corresponding meaning:

**"APF"** means the Australian Polo Federation Limited.

**"Board"** means the Board of the APF.

**"Conflict of Interest"** means a conflict between a duty of a Committee member and the private interests of the Committee member which could influence the performance of the Committee member's official duties and responsibilities. A reasonable perception of a conflict of interest is where a fair minded person, properly informed as to the nature of the interests held by a Committee member, might reasonably perceive that the Committee member might be influenced in the performance of his or her official Committee duties and responsibilities. Ultimately, what constitutes a conflict of interest will always depend on the facts and circumstances.

**"Committee"** means the APF Safety Testing Committee.

**"Policy"** means the APF Alcohol & Drugs Safety Testing Policy.

**"State Association"** means a body which is a member of the APF and which has the responsibility of controlling the sport of polo in a State or Territory of Australia.

**"SO "** means a Safety Officer appointed by each State Association.

### 3. ROLE OF COMMITTEE

- (a) The Committee is responsible for the implementation of the APF Alcohol & Drugs Safety Testing Policy (**Policy**), through the planning and coordination of testing and results, and other matters relating to the Policy and Safety Testing in the sport of Polo.
- (b) The committee is responsible for the implementation of the APF Drug and Alcohol Screening process laid out in **Section 6** of this document.
- (c) Confidentiality is a key component to the operation of the Committee, both with regard to testing dates/locations and test results. To this end, it is imperative that the Committee, SO and the external testing agency engaged to undertake the tests under the Policy, are the only persons who know when and where testing under the Policy will occur.

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### **4. STRUCTURE, COMPOSITION AND AUTHORITY**

- (a) The Committee is a subcommittee of the Board and reports directly to the Board.
- (b) SO are nominated by their relevant State Association ahead of the APF AGM. The Board ratifies the members of the Committee annually at the AGM. It is preferable that current players are not appointed as either:
  - (i) Committee members;
  - (ii) SO; or
  - (iii) Administrator/Secretary of the Committee;as this may create a Conflict of Interest (or at the very least the perception of a Conflict of Interest) given current players are subject to testing under the Policy. However current players are not precluded from being appointed to those positions.
- (c) The Committee act on behalf of the Board in implementing the testing of players under the Policy. The Committee also has an advisory role to the Board for policy development in relation to safety testing and related areas.
- (d) Each State Association retains the discretion to change their respective SO as and when required from time to time and so as to ensure that an SO will be in attendance at every activity.

### **5. COMMITTEE INTERESTS**

- (a) Committee Interests

A Committee member is disqualified from holding any place of profit or position of employment in APF, or in any company or incorporated association in which APF is a shareholder or otherwise interested or from contracting with APF either as vendor, purchaser or otherwise except with written approval of the APF Board. Any such contract or any contract or arrangement entered into by or on behalf of APF in which any member of the Committee is in anyway interested may be declared void unless approved in writing by the Board.

- (b) Disclosure of Conflict of Interests

The nature of any Conflict of Interest of a Committee member must be declared by the Committee member to the APF at which the matter, contract or arrangement is first taken into consideration if the interest then exists or in any other case at the first meeting of the Committee after the acquisition of the interest. If a Committee member becomes interested in a matter, contract or arrangement after it is made or entered into, the declaration of the Conflict of Interest must be made immediately.

- (c) General Disclosure

A general notice of a Conflict of Interest that a Committee member is a member of any specified team, club, firm or company and is to be regarded as interested in all matters, transactions or arrangements with that team, club, firm or company is sufficient declaration as regards such Committee member and the said matter, transactions or arrangements. After such general notice of a Conflict of Interest it is not necessary for the Committee member to give a special notice relating to any particular matter, transaction or arrangement with that team, club, firm or company.

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(d) Recording Disclosures

Any declaration of a Conflict of Interest made or any general notice of a Conflict of Interest given by a Committee member must be recorded with the APF.

(e) Duty of confidence

- (i) As a consequence of being a Committee Member such persons will have access to and acquire confidential information including but not limited to confidential information relating to APF, the Committee and the safety testing carried out under the Policy (**Confidential Information**).
- (ii) During their term as a Committee Member, Committee Members must not:
  - (A) unless compelled to do so by law, pursuant to any court order or where authorised by the Committee or the Board, make unauthorised disclosure or use of the Confidential Information.
  - (B) reveal any discussions or meetings or documents relating to the Policy or plans about the implementation of the Policy without the consent of the Committee or the Board;
  - (C) publically criticise the Committee (all Committee Members should support all determinations of the Committee regardless of their support or dissent during any Committee Meeting. It is essential that discussions of the Committee are freely entered into, however it is imperative that beyond the meetings of the Committee all Committee Members are united in the determination of the Committee).
- (iii) The restraint contained in clause (e)(ii) will continue to apply to the Committee Members after the expiration or termination of their term as Committee Members but will cease to apply to Confidential Information which comes into the public domain other than as a result of the unauthorised acts or omissions of the Committee Member.

## 6. DRUG AND ALCOHOL SCREENING PROCESS

- a) Any Screening process is run by the SO at the relevant State Association.
- b) The minimum testing regime should be the minimum of 40 players or 50% of the players on the program.
- c) Selection of players will be conducted by the SO and should be conducted on the following basis:
- d) Complete Teams including any substitute players.
- e) More weight should be applied to the higher grades. Sub-zero teams should only be tested if all other grades have already been represented equally.

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- f) The team captains are responsible for communicating with their team to Co-ordinate the testing required. The testing officer will only need to communicate with the team captain and advise them of the testing time for their team. It is the teams and the players responsibility to ensure they present for testing at the allocated time.
- g) All players are required to bring photo identification (examples: driving license, passport) with them to the sample testing time.
- h) Failure to provide a sample will be treated as a refusal and the player will be considered to have tested positive and will be subject to a hearing by the State Disciplinary committee.
- i) Any non-sampling or positive results need to be dealt with by the State Disciplinary committee within 5 business days of the tournament.
- j) A player will be unable to play, if they do not provide a sample or test positive on the day, until their disciplinary outcome has been established by the committee. A replacement will need to be sought by the Team.
- k) Appeals or disputes arising from decisions under these Guidelines will be managed under the provisions set out in the APF Alcohol & Drugs Safety Testing Policy.

## **7. RESOURCES AND BUDGET**

- (a) The Committee will until further notice, use the services of the accredited external testing agency - Integrity Sampling P/L for testing under the Policy;
- (b) After approval from the APF, the State Association will make the booking directly with Integrity Sampling P/L;
- (c) The State Association will pay for the testing. The relevant State Association will invoice the APF after the event to pay 50% of the total cost of testing back.

## **8. APF BOARD**

- (a) The Board may in its sole discretion and at any time:
  - (i) vary, recall or revoke these Guidelines;
  - (ii) terminate the appointment of a member of the Committee prior to the expiration of their term;
  - (iii) amend or repeal any decision made by the Committee.

## **9. REVIEW**

The Board will review these Guidelines annually to ensure they remain consistent with the Board's objectives and responsibilities, and relevant standards of corporate governance.