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SA Sports Trust

#### MISSION

To make a contribution towards Nation Building and Healing of our land, South Africa, and the Transformation of our Society, through the Development of Athletics, from Grassroots to the highest levels of Excellence

To	ASA Members
From	ASA Office
Date	20 March 2017
Subject	Participation of disabled athletes in athletics
No pages	2

## ELECTRONIC TRANSMISSION

Dear ASA Members

### Circular 32 OF ASA 2017 (03/20) – PARTICIPATION OF DISABLED ATHLETES IN ATHLETICS

There are much deliberation among members regarding the participation of able and disabled (also called different abled) athletes in the same competition.

To give direction on this topic, regulatory documents such as; the ASA Constitution and ASA Domestic Rules & Regulations must be used as departure point.

It must be noted that any individual involved in any level of athletics, must be licensed in accordance with the relevant ASA Domestic Rules. (ASA Domestic Rule 5 - Eligibility & ASA Constitution Clause 3.2.2 b)

As the license holder contributed financially to obtain a license, the license holder also has the right to enjoy the sport to its fullest, as long as the demand is "practicable" (ASA Constitution Clause 3.2.3b).

The following objectives in the ASA Constitution elaborates on this right of the licence holder:

1. 3.2.1 *To establish friendly and loyal cooperation between all members for the benefit of athletics, efficient and effective administration, harmonious coexistence and cooperation amongst members and to promote the best interest of athletes and athletics in South Africa;*
2. 3.2.2 *The maintenance and extension of a system of clubs and provincial associations throughout South Africa, open to membership by all members of the population and allowing access to registration, participation, coaching, technical officiating and other services of ASA to all members of the community who wish to participate in athletics, and who comply with ASA's membership prerequisites;*
3. 3.2.3 *The continual striving to ensure that no form of discrimination, be it based on race, ethnicity, religion, politics, gender or otherwise, be permitted in athletics and to take all practicable measures to prevent such discrimination;*
4. 3.2.11 *The promotion of athletics meetings and competitions through its members so as to ensure ample and equal access to competition by all athletes from all recognized age groups in accordance with the mission and objectives of ASA;*

The ASA Constitution further provides specific guidance on the diversity of athletics. Clause 8.2.6 is one such example which allows disabled athletes to participate in athletics.

There are also limitations to what is possible, and as to what services can be provided to a licensed member.

Event/Race Organizers are required to take reasonable precautions to safeguard the safety of a licensed member, (both able and disabled) during a competition.

It is not possible to 100% ensure the safety of a licensed member during competition, and therefore athletes must sign an indemnity clause when they purchase an ASA license (both permanent and temporary licenses) ASA Domestic Rules Clause 24.2.12

To deny a licensed member the opportunity to participate in athletics e.g. because “the route is not suitable” is not a sound argument. Athletes can get hit by a car on a “safe” road. Able and fit athletes die of heart attacks as a result of participation in athletics, while disabled athletes can fall from his/her wheelchair after hitting a pothole in the road.

All participants in an event/race should be aware of the risks involved and the athlete must make his/her own choice if they want to participate. If the licensed member does choose to participate in an event, they must sign an indemnity clause before they can participate.

Lastly, but most importantly, Clause 3.2.3 of the ASA Constitution uses the term “practicable” measures to prevent any form of discrimination in athletics. The term practicable also means, realistic, workable, achievable, doable, etc.

This term “practicable” does not implies that the event/race organizer must deny a licensed member to be part of the event/race, but instead, that the participant must accept the limitations of the race by signing an indemnity clause prior to the start of the even/race.

In such cases, where the participant in the event/race signed an indemnity clause, the participant must participate in accordance to the rules of the event/race, and such participant will be disqualified should the participant violate the rules of the competition. Where a participant in the event/race was disqualified, the participant cannot claim a refund on the entry fee and/or the license purchased.

Athletics greetings

Richard Stander  
CEO: Athletics South Africa  
OBO ASA Presidium  
Not signed due to electronic sending