

REGULATION 21. ANTI-DOPING

Effective 1 January 2012

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PREAMBLE

The IRB adopted the World Anti-Doping Code (“Code”) in June 2004. Following an international review of the Code by all Signatories a new World Anti-Doping Code 2009 has been agreed with an effective implementation date of 1 January 2009.

The purpose of the Code is to advance the anti-doping effort through universal harmonisation of core anti-doping elements. The Code represents the first level of the WADA programme to ensure optimal harmonisation and best practice in international and national anti-doping programmes. The other elements include the International Standards and the Models of Best Practice & Guidelines.

All provisions of the Code are mandatory in substance. The mandatory provisions and principles of the Code have been adopted and incorporated into the revised IRB Regulation 21.

A. ANTI-DOPING DEFINITIONS

The definitions set out below apply to these Anti-Doping Regulations. In relation to the implementation of these Anti-Doping Regulations, in the event of any inconsistency between the Anti-Doping Regulation definitions below and those set out in Regulation 1 of the IRB Regulations Relating to the Game, then these Anti-Doping Regulation definitions shall prevail.

ADAMS The Anti-Doping Administration and Management System, which is a web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and WADA in their anti-doping operations in conjunction with data protection legislation.

Adverse Analytical Finding (AAF) A report from a laboratory or other WADA approved entity that, consistent with the International Standard for Laboratories and Technical Documents, identifies in a Sample the presence of a Prohibited Substance or its Metabolites or Markers (including elevated quantities or endogenous substances) or evidence of the Use of a Prohibited Method.

Anti-Doping Commissioner A person appointed by the Board, Union or Tournament Organiser to oversee the Anti-Doping Procedures and Guidelines of the Board, Union or Tournament Organiser at venues where Doping Control may take place.



Anti-Doping Organisation (ADO) A Signatory to the Code that is responsible for adopting rules for initiating, implementing or enforcing any part of the Doping Control process. This includes, for example the International Olympic Committee, the International Paralympic Committee other Major Event Organisations that conduct Testing at their events, WADA and National Anti-Doping Organisations.

Attempt/Attempted Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an Attempt to commit a violation if the Person renounces the attempt prior to it being discovered by a third party not involved in the Attempt.

Atypical Finding A report from a laboratory or other WADA-approved entity which requires further investigation as provided by the International Standard for Laboratories or related Technical Documents prior to the determination of an Adverse Analytical Finding.

Blood Collection Official An official who is qualified to collect a blood Sample from a Player.

CAS The Court of Arbitration for Sport.

Chaperone A person appointed to assist in the Doping Control process and who is under the direct control of the DCO. Such Chaperones shall notify the selected Player of their selection for Doping Control, accompany and keep the Player in direct view from the time of notification until after the Player provides a suitable Sample.

Code The World Anti-Doping Code 2009.

Consequences of Anti-Doping Rules Violations A Player or other Person's violation (or in the case of a Provisional Suspension, alleged violation) of an anti-doping regulation may result in one or more of the following:

- (a) Ineligibility means the Player or Person is barred for a specified period of time from participating in any Match or other activity as set out in Regulation 21.22.13A or funding as provided in Regulation 21.22.13C;
- (b) Provisional Suspension means the Player or other Person is barred temporarily under Regulation 21.19 or 21.16.2 from participating in any Match or other activity (as set out in Regulation 21.22.12) prior to the final decision at a hearing conducted under Regulation 21.20; and

- (c) Disqualification means the Team's results in a particular Match, Series of Matches, Tournament and/or International Tour are invalidated, with all resulting consequences, including forfeiture of any medals, points and prizes.

Disqualification See Consequences of Anti-Doping Rule Violations above.

Doping Control Officer (DCO) The authorised Doping Control official appointed and responsible for conducting and overseeing the Sample collection procedures. The DCO shall be independent and properly trained in Sample collection procedures. The DCO may also perform the duties of a Chaperone.

Doping Control All steps and processes from test distribution planning through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, Sample collection and handling, laboratory analysis, therapeutic use exemptions, results management and hearings.

Doping Control Station The area used for Sample collection as described in section 2 of Schedule 1 to these Anti-Doping Regulations.

Filing Failure A failure by a Player (or by a third party to whom the Player has delegated this task), in accordance with Regulation 21.10.19 to make an accurate and complete Whereabouts Filing in accordance with Regulations 21.10.7, 21.10.9 to 21.10.11 and 21.10.18 or Regulation 21.10.20.

Game Rugby football played in accordance with the Laws of the Game.

Guidelines The Doping Control procedural guidelines set out at Schedule 1 to these Anti-Doping Regulations.

Home Union The Union with which a Player was first registered, or if different, the Union where a Player was trained or developed.

In Competition A Sample collection which takes place after a Player's participation or scheduled participation in a Match. If a Sample collection session cannot be completed after a Match then the Anti-Doping Commissioner or Doping Control Officer may extend the period of In Competition up to a maximum of 24 hours from the conclusion of the Match. In such cases the Player shall be formally notified that any further Sample collection taken within the extended period up to 24 hours of the conclusion of the Match shall be deemed to be In Competition whether or not the Player is chaperoned during such period.

Independent Observer Program A Team of observers, under the supervision of WADA, who observe and may provide guidance on the Doping Control process at certain International Tournaments organised by the IRB and report on their observations.

Ineligibility See Consequences of Anti-Doping Rule Violations above.

International Level Player Players designated by the Board as being within its Registered Testing Pool and/or Testing Pools.

International Match Any Match played between National Representative Teams selected by Unions.

International Standard A standard adopted by WADA in support of the Code. Compliance with an International Standard (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the International Standard were performed properly. International Standards shall include any Technical Documents issued pursuant to the International Standards.

International Tour A Match or Series of Matches in which a Team representing a Union at any level participates against a National Representative Team and/or other Rugby Bodies or Clubs in the jurisdiction of another Union.

International Tournament A Tournament in which Teams representing Unions at any level meet to participate in a Series of Matches whether at 15-a-side or an abbreviated version of the Game.

Major Event Organisation A continental association of National Olympic Committees and other international multi-sports organisations that function as the ruling body for any continental, regional or other International Tournament.

Marker A compound, group of compounds or biological parameter(s) that indicates the Use of a Prohibited Substance or Prohibited Method.

Match A game in which two Teams compete against each other.

Metabolite Any substance produced by a biotransformation process.

Minor A Player that has not reached the age of majority as established by the applicable laws in his country of residence.

Missed Test A failure by a Player to be available for Testing at the location(s) and time specified in the 60-minute time slot (for Players in the Registered Testing Pool) or following an unsuccessful attempt(s) by the DCO to locate the Player at all the nominated whereabouts locations outlined in his Whereabouts Filing (visiting each location once) within any 24 hour period or a failure by a Player to be available for Testing

during the default hour at the nominated residence or location if out of season or during periods of injury or illness (for Players in the Testing Pool only), in accordance with Regulation 21.10.21 and 21.10.22.

Models of Best Practice & Guidelines The documents so named and issued by or on behalf of WADA.

National Anti-Doping Organisation (NADO) The entity(ies), designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, the management of test results, and the conduct of hearings all at the national level. This includes an entity which may be designated by multiple countries to serve as regional Anti-Doping Organisation for such countries (RADO). If this designation has not been made by the competent public authority(ies), the entity shall be the country's National Olympic Committee, its designee or failing this the Union or the Board.

National Olympic Committee The organisation recognised by the International Olympic Committee. The term National Olympic Committee shall also include the national sport confederation in those countries where the national sport confederation assumes typical National Olympic Committee responsibilities in the anti-doping area.

National Representative Team A Team selected by a Union to represent that Union.

No Advance Notice A Doping Control which takes place with no advance warning to the Player and where the Player is continuously Chaperoned from the moment of notification through until Sample provision.

No Fault or Negligence The Player's establishing that he did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he had used or been administered the Prohibited Substance or Prohibited Method.

No Significant Fault or Negligence The Player's establishing that his fault or negligence, when viewed in the totality of the circumstance and taking into account the criteria for No Fault or Negligence, was not significant in relationship to an anti-doping rule violation.

Out of Competition Any Sample collection which is not In Competition.

Participant Any Player or Player Support Personnel.

Person A natural person or an organisation or other entity.

Player Any Person who participates in the Game at the international level (as defined by the Board, including but not limited to those Persons in its Registered Testing Pool and Testing Pool(s)), the national level (as defined by the Unions and/or the NADO (as the case may be), including but not limited to those Persons in its/or their testing pool(s), whether registered or otherwise), and any other competitor in sport who is otherwise subject to the jurisdiction of any Signatory or other sports organisation accepting the Code¹. For purposes of Regulation 21.2.8 (Administration or Attempted Administration) and for purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organisation accepting the Code is a Player.

Player Support Personnel Any coach, trainer, manager, agent, Team staff, official, medical personnel, paramedical personnel, parent or any other Person working with, treating or assisting Players participating in or preparing for Matches. This includes preparation in and out of season.

Player's Representative A person who may accompany the selected Player within the Doping Control Station to oversee on the selected Players behalf, the division and sealing of the Sample and accompanying documentation procedures. The representative shall also be from the same Union as the Player and have appropriate accreditation to access the venue area in which the Doping Control Station is located.

Possession The actual, physical possession, or the constructive possession (which shall be found only if the Person has exclusive control over the Prohibited Substance/Prohibited Method or the premises in which a Prohibited Substance/Prohibited Method exists); provided, however, that if the Person does not have exclusive control over the Prohibited Substance/Prohibited Method or the premises in which a Prohibited Substance/Prohibited Method exists, constructive possession shall only be found if the Person knew about the presence of the Prohibited Substance/Prohibited Method and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation committed based solely on possession if, prior to receiving notification of any kind

¹ All provisions of the Code, including, for example, Testing and therapeutic use exemptions, must be applied to international- and national-level competitors. Some National Anti-Doping Organisations may elect to test and apply anti-doping rules to recreational-level or masters competitors who are not current or potential national calibre competitors. National Anti-Doping Organisations are not required, however, to apply all aspects of the Code to such Persons. Specific national rules may be established for Doping Control for non-international-level or non-national-level competitors without being in conflict with the Code. Thus, a country could elect to test recreational-level competitors but not require therapeutic use exemptions or whereabouts information. In the same manner, a Major Event Organisation holding an Event only for masters-level competitors could elect to test the competitors but not require advance therapeutic use exemptions or whereabouts information.

that the Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person never intended to have possession and has renounced possession by explicitly declaring it to an Anti-Doping Organisation. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Prohibited Substance or Prohibited Method constitutes possession by the Person who makes the purchase.

Post-Hearing Review Body The body established to conduct reviews under Regulations 21.24 and 21.25.

Prohibited List The list identifying the Prohibited Substances and Prohibited Methods.

Prohibited Method Any method so described on the Prohibited List.

Prohibited Substance Any substance so described on the Prohibited List.

Provisional Suspension See Consequences of Anti-Doping Rule Violations above.

Publicly Disclose or Publicly Report To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Regulation 21.22.14.

Registered Testing Pool (RTP) The pool of International Level Players, established by the Board and at national level by the Unions (and/or their NADO as the case may be which will be referred to as the National Registered Testing Pool), who are subject to both In Competition and Out of Competition Testing by the Board or Union (or their NADO as the case may be). The Board and the Unions (and/or their NADO as the case may be) shall make available a list which identifies (a) for other relevant Anti-Doping Organisations those Players included in its Registered Testing Pool by name and (b) those Players included in its Registered Testing Pool by clearly defined, specific criteria as set out in Regulation 21.10.3.

Retroactive TUE A therapeutic use exemption approved by a Therapeutic Use Exemption Committee based on a documented medical file after a laboratory has reported an Adverse Analytical Finding.

Sample or Specimen Any biological material collected for the purposes of Doping Control.

Series of International Matches Two or more International Matches.

Series of Matches Two or more Matches.

Signatory An entity signing the Code and agreeing to comply with the Code, including the International Olympic Committee, International Federations, International Paralympic Committee, National Olympic Committees, National Paralympic Committees, Major Event Organisations, National Anti-Doping Organisations and WADA.

Specified Substances As defined in Regulation 21.4.5.

Substantial Assistance For the purposes of Regulation 21.22.6, a Person providing Substantial Assistance must: (1) fully disclose in a signed written statement all information he possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by the Board, his Union or other Anti-Doping Organisation or Judicial Committee. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

Tampering Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring; or providing fraudulent information to an Anti-Doping Organisation.

Target Testing Selection of Players for Testing where specific Players or groups of Players are selected on a non-random basis for Testing at a specified time.

Team The Players selected for the Team of a Union, Club and/or Rugby Body.

Team Activity Any activity carried out by a Team on a collective basis under the supervision of the Team management in which the Player is participating.

Team Sport For the purposes of the Code means a sport in which the substitution of Players is permitted during a Match and for the purposes of this Regulation shall mean the sport of rugby and any form of the Game.

Technical Documents The documents so named and issued by or on behalf of WADA.

Testing The parts of the Doping Control process involving test distribution planning, Sample collection, Sample handling and Sample transport to the laboratory.

Testing Pool Any International Level Player who is eligible to be part of the Board's Out of Competition Testing programme and who is not part of the Board's Registered Testing Pool.

Therapeutic Use Exemption Committee (TUE Committee/ TUEC) The panel established by the relevant Anti-Doping Organisation to consider requests for TUE.

Tournament A Series of Matches in which two or more Teams participate, whether at 15-a-side, or an abbreviated version of the Game and which includes tournaments in which Teams below national representative level play in cross-border competition and, for the avoidance of doubt, International Tournaments.

Tournament Organiser A Tournament organiser recognised by the Board.

Trafficking Selling, giving, transporting, sending, delivering or distributing a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by a Player, Player Support Personnel or any other Person subject to the jurisdiction of an Anti-Doping Organisation to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a Prohibited Substance used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving Prohibited Substances which are not prohibited in Out of Competition Testing unless the circumstances as a whole demonstrate such Prohibited Substances are not intended for genuine and legal therapeutic purposes.

TUE A therapeutic use exemption approved by a Therapeutic Use Exemption Committee based on a documented medical file before the Use of the substance in sports.

UNESCO Convention The International Convention against Doping in Sport adopted by the 33rd session of the UNESCO General Conference on 19 October 2005 including any and all amendments adopted by the states parties to the Convention and the Conference of Parties to the International Convention against Doping in Sport.

Unsuccessful Attempt Report A detailed report of an unsuccessful Testing attempt, as more fully described in Regulation 21.10.27(a).

Use The utilisation, ingestion, injection or consumption by any means whatsoever of any Prohibited Substance or Prohibited Method.

WADA The World Anti-Doping Agency.



Whereabouts Failure A Filing Failure or Missed Test achieved in either the Registered Testing Pool or Testing Pool. For the avoidance of doubt a Filing Failure or Missed Test in the Testing Pool shall only count towards the elevation of the Player into the Registered Testing Pool in accordance with Regulation 21.10.3 and shall not constitute a Code Whereabouts Failure for the purposes of Regulation 21.2.4.

Whereabouts Filing Information provided by or on behalf of a Player in a Registered Testing Pool or Testing Pool that sets out the Player's whereabouts during the following quarter, in accordance with Regulation 21.10.6, 21.10.9 and in the case of Players in the Registered Testing Pool Regulation 21.10.10.

B. INTERPRETATION

Any references to the male gender are deemed to include references to the female gender.

The headings used for the various Regulations are for convenience only and shall not be deemed part of the substance of the Regulations or to affect in any way the language of the provisions to which they refer.

The Code and/or these Anti-Doping Regulations shall not apply retrospectively to matters pending before the date the Code is accepted by the Board and implemented in its rules. However, pre-Code anti-doping rule violations will continue to count as "first violations" or "second violations" for purposes of determining sanctions under Regulation 21.22 for subsequent post-Code violations.

REGULATION 21. ANTI-DOPING

21.1 Definition of Doping

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Regulation 21.2 of these Regulations.

21.2 Anti-Doping Rule Violations

Players or other Persons shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the Prohibited List. The following constitute anti-doping rule violations:

- 21.2.1 The presence of a Prohibited Substance or its Metabolites or Markers in a Player's Sample
- (a) It is each Player's personal duty to ensure that no Prohibited Substance enters his body. Players are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Player's part be demonstrated in order to establish an anti-doping rule violation under Regulation 21.2.1.
 - (b) Sufficient proof of an anti-doping rule violation under Regulation 21.2.1 is established by either of the following: presence of a Prohibited Substance or its Metabolites or Markers in the Player's "A" Sample where the Player waives analysis of the "B" Sample and the "B" Sample is not analysed; or, where the Player's "B" Sample is analysed and the analysis of the Player's "B" Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the Players' "A" Sample.
 - (c) Excepting those substances for which a quantitative threshold is specifically identified in the Prohibited List, the presence of any quantity of a Prohibited Substance or its Metabolites or Markers in a Player's Sample shall constitute an anti-doping rule violation.
 - (d) As an exception to the general rule of Regulation 21.2.1, the Prohibited List or International Standards may establish special criteria for the evaluation of Prohibited Substances that can also be produced endogenously.

- 21.2.2 Use or Attempted Use by a Player of a Prohibited Substance or a Prohibited Method
- (a) It is each Player's personal duty to ensure that no Prohibited Substance enters his body. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Player's part be demonstrated in order to establish an anti-doping rule violation for Use of a Prohibited Substance or a Prohibited Method.
 - (b) The success or failure of the Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be Used for an anti-doping rule violation to be committed.
- 21.2.3 Refusing or failing without compelling justification to submit to Sample collection after notification as authorised in these Anti-Doping Regulations or otherwise evading Sample collection.
- 21.2.4 Violation of the applicable requirements regarding Player availability for Out of Competition Testing including failure to file required whereabouts information set forth in Regulation 21.10.9 (Article 11.3 of the International Standard for Testing) and failure to be available for Testing at the declared whereabouts in accordance with Regulation 21.10.23 (Article 11.4 of the International Standard for Testing). Any combination of three Missed Tests (and/or Filing Failures within an 18-month period as determined by Anti-Doping Organisations with jurisdiction over the Player shall constitute an anti-doping rule violation. In the event of a conflict between Article 11.3 and/or 11.4 of the International Standard for Testing and IRB Regulation 21.10.9 and/or 21.10.23, the applicable provisions of the International Standard for Testing shall apply.
- 21.2.5 Tampering or Attempted Tampering, with any part of Doping Control.
- 21.2.6 Possession of Prohibited Substances and Methods
- (a) Possession by a Player In Competition of any Prohibited Method or any Prohibited Substance, or Possession by a Player Out of Competition of any Prohibited Method or any Prohibited Substance which is prohibited Out of Competition unless the Player establishes that the Possession is pursuant to a therapeutic use exemption granted in accordance with Regulation 21.5 or other acceptable justification.

- (b) Possession by Player Support Personnel In Competition of any Prohibited Method or any Prohibited Substance, or Possession by Player Support Personnel Out of Competition of any Prohibited Method or any Prohibited Substance which is prohibited Out of Competition, in connection with a Player, Match, Series of Matches and/or Tournament or training, unless the Player Support Personnel establishes that the Possession is pursuant to a therapeutic use exemption granted to a Player in accordance with Regulation 21.5 or other acceptable justification.

21.2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.

21.2.8 Administration or Attempted administration to any Player In Competition of any Prohibited Method or Prohibited Substance, or administration or Attempted administration to any Player Out of Competition of any Prohibited Method or any Prohibited Substance that is prohibited in Out of Competition Testing, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any Attempted anti-doping rule violation.

21.3 Proof of Doping

Burdens and Standards of Proof

21.3.1 The Board and its Unions shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the Board or its Union has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Regulations place the burden of proof upon the Player or other Person alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability except as provided in Regulation 21.22.3 and 21.22.9 where the Player must satisfy a higher standard of proof.

Methods of Establishing Facts and Presumptions

21.3.2 Facts related to anti-doping rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:



- (a) WADA accredited laboratories are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The Player or other Person may rebut this presumption by establishing that a departure from the International Standard occurred which could reasonably have caused the Adverse Analytical Finding. If the Player or other Person rebuts the preceding presumption by showing that a departure from the International Standard occurred which could reasonably have caused the Adverse Analytical Finding, then the Board or its Union or Tournament Organiser shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.
- (b) Departures from any other International Standard or any other anti-doping rule or policy which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such results or findings. If the Player or other Person establishes that a departure from another International Standard or anti-doping rule or policy which could reasonably have caused the Adverse Analytical Finding occurred, then the Board or its Unions or Tournament Organiser shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or the factual basis for the anti-doping rule violation.
- (c) The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the Player or other Person to whom the decision pertained of those facts unless the Player or other Person establishes that the decision violated principles of natural justice.
- (d) The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the Player or other Person who is asserted to have committed an anti-doping rule violation based on the Player's or other Person's refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or the Anti-Doping Organisation asserting the anti-doping rule violation.

21.4 Prohibited List and International Standards

Incorporation of the Prohibited List

- 21.4.1 These Anti-Doping Regulations incorporate the Prohibited List, which is published and revised by WADA. The Prohibited List shall identify those Prohibited Substances and Prohibited Methods which are prohibited as doping at all times (both In Competition and Out of Competition) because of their potential to enhance performance in future competitions or their masking potential and those substances and methods which are prohibited In Competition only.
- 21.4.2 Each Union is responsible for ensuring that the current Prohibited List is available to its members and constituents. The Prohibited List in force is available on WADA's website at www.wada-ama.org and is included in these Regulations as Schedule 2. In the event of any conflict between the two, the Prohibited List appearing on the WADA website shall prevail.

Prohibited Substances and Prohibited Methods Identified on the Prohibited List

- 21.4.3 Unless provided otherwise in the Prohibited List and/or a revision, the Prohibited List and any revisions shall go into immediate effect under these Anti-Doping Regulations on the official date nominated by WADA without requiring any further action by the Board.
- 21.4.4 WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List and the classification of substances into categories on the Prohibited List is final and shall not be subject to challenge by a Player or other Person based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

Specified Substances

- 21.4.5 For purposes of the application of Regulation 21.22 (Sanctions on Individuals), all Prohibited Substances shall be "Specified Substances" except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the Prohibited List. Prohibited Methods shall not be Specified Substances.

International Standards

- 21.4.6 WADA has produced International Standards for different technical and operation areas within anti-doping for the purpose of harmonisation. Adherence to the International Standards is mandatory. The International Standards comprise of the Prohibited List, International Standard for Laboratories, International Standard for Testing, International Standard for Therapeutic Use Exemptions and International Standard for Protection of Privacy and Personal Information. WADA may revise the International Standards from time to time.

21.4.7 Any changes to WADA's International Standards will be deemed to be effective as at the date prescribed by WADA. The mandatory standards in force are available at www.wada-ama.org.

21.5 Therapeutic Use Exemptions

21.5.1 Players with a documented medical condition requiring the use of a Prohibited Substance or a Prohibited Method must first obtain a TUE. The International Standard for TUE's is set out in Schedule 3(a) and the IRB TUE application forms are set out in Schedule 3(b) of these Regulations.

21.5.2 Players who have a requirement to use the following substances on the Prohibited List shall adhere to the procedures set out below:

(a) Beta 2 Agonists

(i) For Use of inhaled Beta 2 Agonists (terbutaline) - Players shall apply for a TUE as outlined in Schedule 3(a).

(ii) For Use of inhaled Beta 2 Agonists (formoterol, salbutamol and salmeterol) - no TUE is required.

(b) Glucocorticosteroids

(i) Glucocorticosteroids administered by systemic routes (namely oral, intravenous, intramuscular and rectal) - Players shall apply for a TUE as outlined in Schedule 3(a).

(ii) Glucocorticosteroids administered by non-systemic routes (namely intraarticular / periarticular / peritendinous / epidural / intrathecal and intradermal injections and inhalation) no TUE is required.

21.5.3 For all other Prohibited Substances Players included by the Board in the Registered Testing Pool or Testing Pool and other Players prior to their participation in any International Match, Series of International Matches, International Tournament organised by the IRB (as set out in IRB Regulation 21.13.1) must obtain a TUE from the Board's TUEC in advance of the administration of the Prohibited Substance, or provide the Board's TUEC with a copy of any existing TUE certificate and application for its review (pursuant to Regulation 21.5.10 (Mutual Recognition)). TUEs granted by the Board shall be reported in writing to the Player via the Player's Union and in respect of International Level Players to WADA. TUE requests shall be evaluated by the Board TUEC in accordance with the International Standard for TUEs set out in Schedule 3(a) of these Regulations.

- 21.5.4 Other Players subject to Testing must obtain a TUE from their NADO. TUE requests shall be evaluated in accordance with the International Standard for TUEs set out in Schedule 3(a) to these Regulations.
- 21.5.5 The Board shall appoint a panel of physicians to the TUE Committee. Upon the Board's receipt of a TUE request, the Chair of the Board TUE Committee shall appoint one or more members of the Board TUE Committee (which may include the Chair) to consider such request. The Board TUE Committee member(s) so designated shall promptly evaluate such request in accordance with the International Standard for TUEs and render a decision on such request, which shall be the final decision of the Board. The Chairman of the Board TUE Committee may seek specialist advice from outside the Board TUE Committee members or appoint specialists to sit on the Board TUE Committee as and when deemed necessary for the purposes of evaluating a TUE.
- 21.5.6 Players in the Registered Testing Pool and the Testing Pool should apply to the Board for the TUE at the same time the Player first provides whereabouts information to the Board and, except in emergency situations, no later than 30 days before the Player's participation in an International Match, Series of International Matches, and/or International Tournament organised by the IRB (as set out in Regulation 21.13.1).
- 21.5.7 Players participating in an International Match, Series of International Matches and/or International Tournament organised by the IRB (as set out in IRB Regulation 21.13) who are not included in the Board's Registered Testing Pool or Testing Pool must, except in emergency situations, request a TUE from the Board no later than 30 days before the Player's participation in an International Match, Series of International Matches and/or International Tournament so organised by the IRB.
- 21.5.8 WADA, at the request of a Player or on its own initiation, may review the granting or denial of any TUE to an International Level Player or a national level Player that is included in a Registered Testing Pool. If WADA determines that the granting or denial of a TUE did not comply with the International Standard for TUEs in force at the time then WADA may reverse that decision. Decisions on TUEs are subject to further appeal as provided in Regulation 21.27.4.
- 21.5.9 Presence of a Prohibited Substance or its Metabolites or Markers (Regulation 21.2.1), Use or Attempted Use of a Prohibited Substance or a Prohibited Method (Regulation 21.2.2), Possession of Prohibited Substances and Prohibited Methods (Regulation 21.2.6) or administration or Attempted administration of a Prohibited Substance or Prohibited

Method (Regulation 21.2.8) consistent with the provisions of an applicable TUE issued pursuant to the International Standard for TUEs shall not be considered an anti-doping rule violation.

Mutual Recognition of TUEs

- 21.5.10 Any International Level Player who competes in the Tournaments listed in Regulation 21.13.1 and/or who is a member of the Registered Testing Pool or Testing Pool and who has been granted a TUE by another Anti-Doping Organisation TUEC that is current and valid must submit a copy of the application and the certificate of approval to the Board TUEC. This must be submitted in accordance with the timelines set out in Regulation 21.5.6 and 21.5.7. Under the mutual recognition provision under Article 15.4 of the Code such TUE approvals shall be accepted by the Board subject to the approval of the Board TUEC in accordance with Regulation 21.5.3. The Board has the right of review and appeal all TUE approvals submitted to the Board TUEC where approved by another Anti-Doping Organisation TUEC.

21.6 Roles and Personal Responsibility

- 21.6.1 It is each Player's responsibility to ensure that:
- (a) No Prohibited Substance is found to be present in his body and that Prohibited Methods are not used;
 - (b) He does not commit any other anti-doping rule violation;
 - (c) He is available for Sample collection; and
 - (d) He informs Player Support Personnel, including, but not limited to, his doctors of his obligation not to use Prohibited Substances and Prohibited Methods and to take responsibility to ensure that any medical treatment received by him does not violate any of the provisions of these Regulations.
- 21.6.2 It is the responsibility of Player Support Personnel to ensure that they:
- (a) Cooperate with the Player Testing programme;
 - (b) Use their influence on Player values and behaviour to foster anti-doping attitudes;
 - (c) Are knowledgeable of and comply with all anti-doping policies and rules adopted pursuant to the Code which are applicable to them or the Players they support including these Anti-Doping Regulations; and

(d) Educate and counsel Players regarding anti-doping policies and these Anti-Doping Regulations.

21.6.3 It is the sole responsibility of each Player, Player Support Personnel and Person to acquaint themselves and comply with all of the provisions of these Anti-Doping Regulations including the Guidelines.

Nutritional Supplements

21.6.4 The use of nutritional supplements by Players is a risk. In many countries regulations either do not exist or are limited in nature in relation to the manufacturing and labelling of supplements. This may lead to a supplement containing an undeclared substance that is prohibited under these Anti-Doping Regulations. Nutritional supplements may not be regulated or could be contaminated or suffer from cross contamination or may not have all the ingredients listed on the product label. Players are advised to exercise extreme caution regarding the use of nutritional supplements.

21.6.5 Many of the substances in the Prohibited List may appear either alone or as part of a mixture within medications or supplements which may be available with or without a doctor's prescription. Any Player who is concerned about the appropriateness of treatment being administered to him, or medications or supplements being ingested by him, should seek clarification from his doctor or other relevant authority as to whether such treatment is or such medications or supplements are prohibited. For the avoidance of doubt nothing herein shall displace the Player's responsibility to ensure he does not commit an anti-doping rule violation.

Education

21.6.6 Each Union shall within its means and in co-operation with its constituents, plan, implement, evaluate and monitor information and education programmes for doping-free rugby.

21.7 Anti-Doping Advisory Committee

21.7.1 The Board shall appoint an Anti-Doping Advisory Committee to provide the Board with general advice and assistance on doping issues and related matters, including the application of these Anti-Doping Regulations. The Anti-Doping Advisory Committee shall report to the Council.

21.7.2 In addition to this general role, the Anti-Doping Advisory Committee, or a member or members thereof may be requested to undertake specific tasks as part of the implementation of these Anti-Doping Regulations.

21.7.3 Members of the Anti-Doping Advisory Committee may sit on the Board TUE Committee, Judicial Committees and on Post-Hearing Review Bodies from time to time.



21.7.4 The Anti-Doping Advisory Committee and/or the Board shall be entitled to call on experts to provide specialist advice, undertake certain activities and assist in the implementation of these Anti-Doping Regulations including but not limited to undertaking preliminary reviews of cases pursuant to Regulation 21.20.1.

21.8 Requirements to Undergo Doping Control

21.8.1 Doping Control may be carried out at any time. Doping Control may be random or targeted. All Players shall submit to Doping Control at any time and any place whenever requested by an authorised official. For the avoidance of doubt, this includes both In Competition and Out of Competition Doping Control. Out of Competition Doping Control shall be undertaken with or without prior notice (No Advance Notice). A Player may be selected to provide any number of Samples for Doping Control in any calendar year. The Board, and/or Unions shall be entitled to undertake Target Testing of Players.

21.8.2 Doping Control may only be conducted on a Minor where prior written consent has been given by a person with legal responsibility for that Minor.

21.8.3 Procedural Guidelines for the conduct of In Competition and Out of Competition Doping Control are set out in the Guidelines in Schedule 1 of these Regulations for both urine and blood Sample collection, which implements the applicable provisions of the International Standard for Testing. All Testing shall be conducted in accordance with the International Standard for Testing.

21.8.4 Blood (or other non-urine) Samples may be used to detect Prohibited Substances or Prohibited Methods, for screening procedure purposes, or for longitudinal haematological profiling (“the Passport”). If the Sample is collected for screening only, it will have no consequences for the Player other than to identify him for a urine test under these Anti-Doping Regulations. In these circumstances, the Board may decide at its discretion which blood parameters are to be measured in the screening Sample and what levels of those parameters will be used to indicate that a Player should be selected for a urine test. If however, the Sample is collected for “the Passport”, it may be used for anti-doping purposes in accordance with Regulation 21.2.

21.9 In Competition and Out of Competition Doping Control

21.9.1 Each Union must include within its regulations the following provisions:

- (a) A provision that entitles the Union to conduct both In Competition and Out of Competition Doping Control on a No Advance Notice basis or otherwise;

- (b) A provision allowing the Board, WADA, its NADO and Anti-Doping Organisations to conduct Out of Competition Doping Control on a No Advance Notice basis or otherwise on Players within or under that Union's jurisdiction; and
- (c) A provision allowing the Board, WADA, its NADO and Anti-Doping Organisations to conduct Doping Control on Players at Matches that form part of a Union's national competitions or similar events.

- 21.9.2 Each Union shall make it a condition of membership and a condition of participation in its competitions that the Participants and other Persons in membership agree to be subject to these Anti-Doping Regulations including an agreement to be subject to In Competition and Out of Competition Doping Control on a No Advance Notice basis or otherwise by the Union, the Board, WADA, NADO and Anti-Doping Organisations.
- 21.9.3 The nature of Out of Competition Doping Control makes it desirable that no prior warning is given to the Player being tested. When an Out of Competition Doping Control is undertaken reasonable efforts will be made to avoid interruption to a Player's training, however, neither the Board, or its designees, shall be liable for any inconvenience or loss resulting from Out of Competition Doping Control whether on a No Advance Notice basis or otherwise.
- 21.9.4 It is the duty of each Union to assist the Board and, where applicable, other Unions in undertaking Doping Controls. Any Union preventing, hindering or otherwise obstructing the carrying out of such Doping Control shall be subject to disciplinary action by the Board. Any Rugby Body or Club that prevents, hinders or otherwise obstructs the carrying out of any Doping Control shall be subject to disciplinary action by its Union.
- 21.9.5 Without prejudice to the requirement on Unions to notify all anti-doping rule violations in accordance with the provisions of Regulation 21.14.5 and 21.14.6 each Union must submit to the Board every 12 months and/or when requested by the Board a report of all Doping Controls undertaken and a summary of the results of those Doping Controls.
- 21.9.6 Each Union is responsible for ensuring in relation to its own anti-doping programme and the implementation of these Anti-Doping Regulations that any and all applicable data regulation clearances and medical confidentiality clearances and consents relating to, without limitation, disclosure and distribution of whereabouts information, analysis results, medical information and findings and decisions of hearings are obtained for the benefit of and use by the Union, Board, NADO and WADA.

21.10 Player Whereabouts Requirements for Out of Competition Testing

The Board will establish an Out of Competition Testing programme based on the ranking of Unions that participate in IRB Tournaments (this may include but not be limited to Rugby World Cup, qualifying Tournaments for the Olympic Games, Rugby World Cup Sevens, Women's Rugby World Cup and IRB world championships) and select a set number of Players who are eligible for inclusion per Union. The Board shall develop a global whereabouts policy for the Game which shall be applied consistently across all Unions and Players involved in the Board's Out of Competition Testing programme. The Board will also establish criteria for Players to be placed into a Registered Testing Pool and Testing Pool who are subject to the provision of Player whereabouts information for the purpose of No Advance Notice Out of Competition Testing.

Registered Testing Pool

- 21.10.1 (a) The Registered Testing Pool shall be considered a high risk pool of Players whose entry into this pool shall be based on their individual or collective behaviour in relation to doping and compliance with the whereabouts requirements of the Testing Pool and the Board's Out of Competition Testing programme. Players entered into the Registered Testing Pool will be required to provide up to date whereabouts information to the Board (and/or their NADO as agreed by the Board) for each quarter period via their Union and/or ADAMS (if applicable) for the purpose of No Advance Notice Out of Competition Testing. Such whereabouts information shall include one specific 60-minute slot between 6am and 11pm each day where the Player will be available and accessible for Testing at a specific location.
- (b) Entry into the Registered Testing Pool will be based on the criteria outlined in Regulation 21.10.3. The Board may revise its Registered Testing Pool from time to time as appropriate.
- (c) Players who are members of the Registered Testing Pool of their NADO, and whose Union is part of the Board's Out of Competition Testing programme shall remain part of the Testing Pool unless those Players fulfil the criteria outlined in Regulation 21.10.3. The Board will liaise with NADOs for the purposes of the Board's Out of Competition Testing programme to ensure a coordinated approach to the application of its global whereabouts policy and procedures.

Testing Pool

- 21.10.2 (a) In addition to the Registered Testing Pool described in Regulation 21.10.1 above, the Board shall identify a Testing Pool of International Level Players who will be required to provide up to date whereabouts information to the Board for each quarter period via their Union and/or ADAMS (if applicable) and/or NADO (if agreed by the Board) for the purpose of No Advance Notice Out of Competition Testing. The Board may revise its Testing Pool from time to time as appropriate.
- (b) The Testing Pool shall be the principal pool of Players eligible for Out of Competition Testing by the Board; and
- (c) Players may be moved between the Registered Testing Pool and the Testing Pool or vice versa at the Board's discretion taking into account the criteria outlined at Regulation 21.10.3 and 21.10.4. Players who are moved into or transferred between the Registered Testing Pool and/or the Testing Pool will be notified in writing by the Board via their Union of their inclusion in the relevant Testing Pool.

Registered Testing Pool Criteria

- 21.10.3 **Satisfaction of any one of the criteria below may result in a Player becoming part of the Registered Testing Pool.**
- (i) Players who are members of the Registered Testing Pool of a NADO and who would ordinarily be members of the Testing Pool may be included in the Registered Testing Pool at the sole discretion of the Board;
- (ii) Players under the Board's jurisdiction who are serving periods of Ineligibility or who have recently completed a period of Ineligibility;
- (iii) Players who have committed at least three Whereabouts Failures (any combination of Filing Failures or Missed Tests) whilst part of the Testing Pool within an 18-month period. For the avoidance of doubt such Players shall not carry forward any Filing Failures or Missed Tests accumulated in the Testing Pool on entering the Registered Testing Pool;
- (iv) Any Player in respect of whom the Board undertakes an investigation following receipt of reliable intelligence regarding possible involvement in any aspect of doping; and
- (v) Any other Players at the discretion of the Board.



Testing Pool Criteria

- 21.10.4 The Board shall nominate which Unions and the number of International Level Players who are part of the Union's national squad that shall become part of the Testing Pool. For the avoidance of doubt, those Players who are part of the Registered Testing Pool shall not also be members of the Testing Pool.

Removal from the Registered Testing Pool or Testing Pool

- 21.10.5 A Player shall remain part of the Registered Testing Pool or Testing Pool for the duration of the nominated quarter and subject to whereabouts requirements set out in these Anti-Doping Regulations unless and until:
- (a) The Player is given written notice by the Board or Union (in accordance with the Board's instructions) that he is no longer designated for inclusion in the Registered Testing Pool or Testing Pool;
 - (b) Subject to Regulation 21.12.4, the Player retires from competition and gives written notice to his Union to that effect, who shall advise the Board immediately;
 - (c) The Board at its discretion accepts a replacement Whereabouts Filing by a Union in respect of its National Squad for that quarter period.

Movement of Players from the Registered Testing Pool to the Testing Pool

- 21.10.6 A Player may be moved from the Registered Testing Pool to the Testing Pool based on any of the following scenarios:
- (a) The Player has served a period of Ineligibility and has not given any cause to the Board, pursuant to Regulation 21.10.3 to remain in the Registered Testing Pool;
 - (b) The Player who committed two Whereabouts Failures and did not commit a third Whereabouts Failure during the 18-month period since the first Whereabouts Failure was committed;
 - (c) The Player was previously elevated from the Testing Pool into the Registered Testing Pool as a result of incurring three Whereabouts Failures and did not record any Whereabouts Failures in the Registered Testing Pool for a period of three consecutive quarters; and
 - (d) Any other Player at the Board's discretion.

Provision of Whereabouts

- 21.10.7 International Level Players entered into either the Registered Testing Pool or Testing Pool shall provide accurate and complete Player whereabouts information every quarter via their Union and/or ADAMS (if applicable) to the Board (and/or their NADO as agreed by the Board in the notified format). Such information shall be forwarded to the Board by the Union (and/or their NADO if agreed by the Board) and/or via ADAMS (if applicable) by the due dates outlined in Regulation 21.10.9. A failure by a Player in the Registered Testing Pool to submit his Player whereabouts by the deadline may amount to a Filing Failure and consequently a Whereabouts Failure as per Regulation 21.2.4. It shall not be a defence to an allegation of a Filing Failure under Regulation 21.2.4 that the Player delegated such responsibility to a third party and that third party failed to comply with the applicable requirements. A failure by a Player in the Testing Pool to submit his Player whereabouts by the deadline may amount to a Filing Failure but will only count towards elevation of the Player into the Registered Testing Pool.
- 21.10.8 The Board will also request an update on Player whereabouts from the applicable Union where the Board becomes aware that a Player's whereabouts details are incorrect (whether following an unsuccessful attempt or otherwise). Players and Unions shall also update the Board (and/or their NADO as agreed by the Board) as soon as practicably possible with any changes to or additional information in relation to the provided Player whereabouts that occur within the quarter period.

Whereabouts Filing Requirements

- 21.10.9 Before the last day of each quarter and prior to the first day of the following quarter (i.e. 1 January, 1 April, 1 July, 1 October respectively) a Player in either the Registered Testing Pool or the Testing Pool must file a Whereabouts Filing with the Board or its nominee (as agreed) via its Union and/or ADAMS (if applicable) that contains at least the following information:
- (a) A complete mailing address where correspondence may be sent to the Player via his Union for formal notice purposes. Any notice or other item sent by courier or registered post to that address will be deemed to have been received by the Player either by confirmed receipt of an email or fax from the Player (or his nominee) or his Union or when proof of actual receipt is provided by the delivery service. The availability of such information does not relieve the Union from fulfilling their notification obligations pursuant to Regulation 21;



- (b) For each day during the following quarter, the full address of the place where the Player will be residing (e.g. home, temporary lodgings, hotel or holiday location, etc.);
- (c) For each day during the following quarter, the name and address of each location where the Player will train individually or as part of a Team Activity under the supervision of the Team management (which may include for example gym work, physiotherapy, and/or medical treatment) this includes both his club and national Team schedules, work or conduct of any other regular activity (e.g. university or study), as well as the usual time-frames and venues for such regular activities; and
- (d) The Player's competition schedule for the following quarter, including the name and address of each location where the Player is scheduled to compete during the quarter and the date(s) on which he is scheduled to compete at such location(s). This includes both his club and national Team schedules.

Whereabouts Filing for Registered Testing Pool Players – 1 hour rule

- (e) The Whereabouts Filing for all Players who are part of the Registered Testing Pool must also include, for each day during the following quarter, one specific 60-minute slot between 6am and 11pm each day where the Player will be available and accessible for Testing at a specific location. This 60-minute time slot may be during any Team Activity, (individual or group) conducted on the day in question.

Whereabouts Filing for Testing Pool Players – Off Season Period

- (f) The Whereabouts Filing for Players who are part of the Testing Pool during the off season period must for each day during the off season period (starting from the specified date in which the Player is relieved from club and/or national Team duty and ending upon the date he returns to Club and/or national Team duty), provide a nominated residence and the dates in which the Player will be present at the nominated residence;
- (g) Should a Player not be available at his normal nominated residence then an additional residence(s) and corresponding dates shall be provided. This includes any holiday locations such as hotels;
- (h) The default time in which a DCO shall attempt a test a Player at the Player's nominated residence shall be between 6am and 7am (default hour). If the Player is not available during the default hour the DCO will make reasonable attempts to obtain additional information during the default hour in an attempt to locate the Player during that attempt.

However, failure to be available for Testing during the default hour at the nominated residence and following reasonable attempts by the DCO to obtain further information in order to test the Player during that test attempt, may be deemed a Missed Test which shall go towards the elevation of the Player into the Registered Testing Pool;

- (i) If a Player knows he will not be available at the nominated residence during the default hour period on any particular day(s), then the Player shall update his whereabouts (either to the Board or if agreed to his NADO) prior to the start of the default hour to avoid the possibility of recording a Missed Test. The Player shall specify an alternate one hour period (between the hours of 6am and 11pm) where he will be available for Testing at a nominated residence or location. If the Player cannot be located during the nominated one hour period the DCO shall make reasonable attempts to obtain additional information during the nominated hour in an attempt to locate the Player during that test attempt. However, failure to be available for Testing during the nominated hour at the nominated residence or location and following reasonable attempts by the DCO to obtain further information to test the Player (during that test attempt) may be deemed a Missed Test which shall go towards the elevation of the Player into the Registered Testing Pool.

Whereabouts Filing for Testing Pool Players – Periods of Injury or Illness

- (j) A Player in the Testing Pool who incurs an injury or illness during the season which results in them not being present at scheduled Team activities shall be required to be available and accessible for Testing at their nominated residence. The provisions at (h) and (i) above shall apply equally to such Players.

21.10.10 Players when making a Whereabouts Filing, are responsible for ensuring that they provide all of the information required accurately and in sufficient detail to enable the Board or Union or its nominee or NADO to locate the Player for Testing on any given day in the quarter.

Provision of Fraudulent Whereabouts Filing Information

21.10.11 Any Player who provides fraudulent information in his Whereabouts Filing, whether in relation to his location during the specified daily 60-minute time slot, or in relation to his whereabouts outside that time slot, or otherwise, thereby commits an anti-doping rule violation under Regulation 21.2.3 (evading Sample collection) and/or Regulation 21.2.5 (Tampering or Attempted Tampering with Doping Control).

Player Responsibility for Whereabouts

- 21.10.12 (a) The ultimate responsibility for providing whereabouts information rests with each Player. However, it shall be the responsibility of all applicable Unions to use their best efforts to assist the Board (and their NADO) in obtaining and providing updates of whereabouts information as changes occur and/or when requested by the Board and in assisting the Board in the implementation of its Out of Competition Testing programme.
- (b) It is the Player's responsibility to be available for Testing at all times in accordance with the whereabouts information declared on his Whereabouts Filing regardless of whether the Player makes the Whereabouts Filing personally or delegates it to a third party.

Consequences of Non-Compliance for Unions

- 21.10.13 Any Union who fails to provide timely Player whereabouts information as identified in Regulation 21.10.9 (whether to the Board and/or their NADO as applicable) and/or who fails to assist the Board in the implementation of its Out of Competition Testing programme may be subject to disciplinary action in accordance with IRB Regulation 18.

Unsuccessful Attempt to Test

- 21.10.14 (a) If a Player in either a Registered Testing Pool or Testing Pool is not available for Testing following attempt(s) by a Doping Control Officer (duly documented and as outlined in Regulation 21.10.23 or 21.10.24) and has not updated his Whereabouts Filing prior to the Doping Control Officer attempting to test at the location(s) specified in the available Whereabouts Filing, that shall amount to an unsuccessful attempt.
- (b) The Board shall review each unsuccessful attempt to determine based on the criteria outlined in Regulation 21.10.23, for Players in the Registered Testing Pool, whether the unsuccessful attempt amounts to a Missed Test. Each Missed Test constitutes a Whereabouts Failure for the purposes of Regulation 21.2.4.
- (c) The Board shall review each unsuccessful attempt to determine based on the criteria outlined in Regulation 21.10.24, for Players in the Testing Pool, whether the unsuccessful attempt amounts to a Missed Test. Each Testing Pool Missed Test will be considered for the purposes of determining if the Player meets the criteria in Regulation 21.10.3 for elevation to the Registered Testing Pool. Any Missed Tests or Filing Failures accumulated by a Player in the Testing Pool will not be counted for the purposes of Regulation 21.2.4 if the Player is elevated to the Registered Testing Pool.

- (d) It shall not be a defence to an allegation of a Missed Test under Regulation 21.2.4 that the Player had delegated responsibility for filing his whereabouts information for the relevant period to a third party and that third party had failed to file the correct information or failed to update previously filed information to ensure that the whereabouts information in the Whereabouts Filing for the day in question was current and accurate.

21.10.15 Each Union shall also assist, as appropriate, its NADO in establishing a national level testing pool of top level national Players who may or may not already be included in either the Registered Testing Pool or Testing Pool.

Consequences of Whereabouts Failures

- 21.10.16 (a) **Registered Testing Pool:** Any Player in a Registered Testing Pool who commits a total of three Whereabouts Failures (which may be any combination of Filing Failures and/or Missed Tests adding up to three in total) within an 18-month period, (irrespective of which Anti-Doping Organisation(s) has/have declared the Whereabouts Failures in question) shall be considered to have committed an anti-doping rule violation pursuant to Regulation 21.2.4.
- (b) **Testing Pool:** Any Player in a Testing Pool who commits a total of three Whereabouts Failures (which may be a combination of a Filing Failure(s) and/or Missed Test(s)) within an 18-month period shall be automatically transferred from the Testing Pool to the Registered Testing Pool. Upon the occurrence of such an event any Missed Test(s) or Filing Failure(s) incurred in the Testing Pool will not be carried forward into the Registered Testing Pool. Once the Player enters the Registered Testing Pool he will be subject to the supplemental whereabouts provisions of Regulation 21.10.9(e).
- 21.10.17 The 18-month period referred to in Regulation 21.10.16 starts to run on the date that a Player first commits a Whereabouts Failure. It is not affected by any successful Sample collection conducted with respect to that Player during the 18-month period, i.e. if three Whereabouts Failures occur during the 18-month period then an anti-doping rule violation is committed in accordance with Regulation 21.2.4 irrespective of any Samples successfully collected from a Player during that 18-month period. However, if a Player who has committed one Whereabouts Failure does not go on to commit a further two Whereabouts failures within 18 months of the first, at the end of that 18-month period the first Whereabouts Failure “expires” for the purpose of Regulation 21.10.16. For the purposes of determining whether a Whereabouts Failure has occurred within the 18-month period referred to in Regulation 21.10.16:



- (a) A Filing Failure shall be deemed to have occurred on the first day of the quarter for which the Player fails to make the required filing, or in the case of any subsequent Filing Failure in the same quarter following notice of the previous Filing Failure where the Player failed to rectify that Filing Failure by the deadline specified in that notice; and
- (b) A Missed Test will be deemed to have occurred on the date that the Sample collection was unsuccessfully attempted.

Filing Failure Pre-Conditions

21.10.18 A Player may only be declared to have committed a Filing Failure where the Board, Union or NADO following the results management procedure set out in Regulation 21.10.26, can establish each of the following:

- (a) That the Player was duly notified via his Union (i) that he was designated for inclusion in a Registered Testing Pool or Testing Pool, (ii) of the consequent requirement to make and update accurate Whereabouts Filings, and (iii) of the consequences of any failure to comply with that requirement;
- (b) That the Player failed to comply with any or all of the requirements to make and update accurate Whereabouts Filings by the applicable deadline;
- (c) That in the case of a second or third Filing Failure in the same quarter, the Player was given notice of the previous Filing Failure via his Union in accordance with Regulation 21.10.26 and failed to rectify that Filing Failure by the deadline specified in that notice; and
- (d) That the Player's failure to comply was at least negligent. For these purposes, the Player will be presumed to have committed the failure negligently upon proof that he was notified of the requirement yet failed to comply with it. That presumption may only be rebutted by the Player establishing that no negligent behaviour on his part caused or contributed to the failure.

Third Party Provision of Whereabouts Filings

21.10.19 (a) A Player in a Registered Testing Pool or Testing Pool may choose to delegate the making of some or all of his Whereabouts Filings required under Regulation 21.10.9 (and/or any updates to his Whereabouts Filings required under Regulation 21.10.22) to a third party such as his Union or his Team management or club provided that the third party agrees to such delegation. This may include periods of Team Activity but also in respect of periods where the

Player is not with the Team, provided the Team management or Union agrees. Without prejudice to Regulation 21.14, the Union shall be responsible for the collection of such information from the Player, the Player's club and/or Team prior to it being forwarded to the Board or its nominee save where ADAMS is applicable.

- (b) For Players in a Registered Testing Pool or Testing Pool, where the Union makes the Whereabouts Filing, liability for Filing Failures shall be determined in accordance with Regulation 21.10.18, and liability for Missed Tests shall be determined in accordance with Regulation 21.10.23 or 21.10.24 (as appropriate).

Consequence of Third Party Filing Failures

- 21.10.20 (a) If the Union or other authorised third party does not make a required Whereabouts Filing, or makes the Whereabouts Filing but does not include all of the required information, then (subject to the requirements of Regulation 21.10.18) the Player will be liable for a Filing Failure.
- (b) If any of the required information changes after a Whereabouts Filing is made, then in accordance with Regulation 21.10.22, an update must be filed by an authorised third party so that the Whereabouts Filing remains accurate at all times.
 - (c) For Players in the Registered Testing Pool, if an update is not made by an authorised third party, and as a result an attempt to test the Player during the 60-minute time slot is unsuccessful then (subject to the requirements of Regulation 21.10.23) the Player will remain liable for a Missed Test under Regulation 21.10.27.
 - (d) For Players in the Testing Pool if an update to a Whereabouts Filing is not made by an authorised third party, and as a result an attempt to the test the Player within a 24-hour period is unsuccessful, then (subject to the requirements of Regulation 21.10.24) the Player will remain liable for a Missed Test under Regulation 21.10.27.

Availability for Testing – Registered Testing Pool and Testing Pool

- 21.10.21 (a) A Player in the Registered Testing Pool must specifically be present and available for Testing on any given day in the relevant quarter for the 60-minute time slot specified for that day in his Whereabouts Filing, at the location that the Player has specified for that time slot in such filing. If a Player fails to remain at the nominated location for the full 60-minute period he runs the risk of a potential Missed Test if the DCO arrives during the 60-minute period but after the Player's departure.



- (b) A Player in the Testing Pool must specifically be present and available for Testing at any one of his specified locations in his Whereabouts Filing during the nominated time period over a 24-hour period on any given day during the season. This shall include at a minimum nominated Team Activities (Club, Rugby Body and/or national Team) and nominated residential address. The 24-hour period is deemed to commence from when the DCO arrives at the first specified location in the Whereabouts Filing. The DCO shall ordinarily only visit each whereabouts location once unless the DCO obtains additional information which may result in the Player being located at a later time within that 24-hour period.
- (c) A Player in the Testing Pool must be present and available for Testing during his out of season or any period of injury or illness at his nominated residence or location in accordance with Regulation 21.10.9 (h), (i) and (j). The default hour in which a DCO shall attempt to test a Player at his nominated residence shall be between 6am and 7am unless otherwise advised by the Player.

21.10.22 It is a Player's responsibility to ensure (including by updates, where necessary) that the whereabouts information provided in his Whereabouts Filing is sufficient to enable the Board or its nominee, Union or NADO to locate him for Testing within the periods specified in Regulation 21.10.21(a) or (b). Where any change in circumstances means that the information previously provided by or on behalf of the Player (whether in the initial Whereabouts Filing or in any subsequent update) is no longer accurate or complete the Player must update his Whereabouts Filing so that the information on file becomes accurate and complete. The Player must make such update as soon as possible, and for those Players in a Registered Testing Pool prior to the 60-minute time slot specified in his filing for that day. A failure to do so shall have the following consequences:

- (a) If, as a result of such failure, the Board or its nominee, Union or NADO's attempt to test the Player (who is part of a Registered Testing Pool) during the 60-minute time slot is unsuccessful, then the unsuccessful attempt shall be pursued as an apparent Missed Test in accordance with Regulation 21.10.27;
- (b) If, as a result of such failure, the Board or its nominee, Union or NADO's attempt to test the Player (who is part of the Testing Pool) at all of his nominated whereabouts locations specified in his Whereabouts Filing within a 24-hour period is unsuccessful, (or at the default hour or nominated one hour period during the off season or period of injury or illness) then the unsuccessful attempt shall be pursued as an apparent Missed Test in accordance with Regulation 21.10.27;

- (c) If the circumstances so warrant, the failure may be pursued as evasion of Sample collection under Regulation 21.2.3 and/or Tampering or Attempted Tampering with Doping Control under Regulation 21.2.5; and
- (d) In any event, the Board or its nominee, Union or NADO shall consider Target Testing of the Player.

Missed Test – Registered Testing Pool

21.10.23 A Player in the Registered Testing Pool may only be declared to have committed a Missed Test where the Board, Union or NADO, following the results management procedure set out in Regulation 21.10.27, can establish each of the following:

- (a) That the Player who is in the Registered Testing Pool was given notice (including via his Union) that he had been designated for inclusion in the Registered Testing Pool and was advised of his liability for a Missed Test if he was unavailable for Testing during the 60-minute time slot specified in his Whereabouts Filing at the location specified for that time slot;
- (b) That the DCO attempted to test the Player who is in the Registered Testing Pool on a given day in the quarter, during the 60-minute time slot specified in the Player's Whereabouts Filing for that day, by visiting the location specified for that time slot;
- (c) That during that specified 60-minute time slot, the DCO did what was reasonable in the circumstances (i.e. given the nature of the specified location) to try to locate the Player, short of giving the Player any Advance Notice of the test;
- (d) That the provisions of Regulation 21.10.25 (if applicable) have been met; and
- (e) That the Player's failure to be available for Testing at the specified location during the specified 60-minute time slot was at least negligent. For these purposes, the Player will be presumed to have been negligent upon proof of the matters set out at Regulation 21.10.23 (a) to (d). That presumption may only be rebutted by the Player establishing that no negligent behaviour on his part caused or contributed to him (i) being unavailable for Testing at such location during such time slot; and (ii) failing to update his most recent Whereabouts Filing to give notice of a different location where he would instead be available for Testing during a specified 60-minute time slot on the relevant day.

Missed Test - Testing Pool

- 21.10.24 A Player in the Testing Pool may only be declared to have committed a Missed Test where the Board, Union or NADO, following the results management procedure set out in Regulation 21.10.27, can establish each of the following:
- (a) That the Player who is in the Testing Pool was given notice that he had been designated for inclusion in the Testing Pool and was advised of his liability for a Missed Test if he was unavailable for Testing at all of his nominated whereabouts locations specified in his Whereabouts Filing within a 24-hour period during the season or at the default hour or nominated one hour period during the off season or period of injury or illness;
 - (b) That the DCO attempted to test the Player who is in the Testing Pool within a 24-hour period in the quarter at all of his whereabouts locations as specified in his Whereabouts Filing, by visiting the specified locations at the specified times during the season or at the default or nominated one-hour period during the off season or period of injury or illness;
 - (c) That within the 24-hour period (or during the default hour or nominated one hour period for the off season or period of injury or illness), the DCO did what was reasonable in the circumstances (i.e. given the nature of the specified locations) to try to locate the Player, with No Advance Notice of the test;
 - (d) That the provisions of Regulation 21.10.25 (if applicable) have been met; and
 - (e) That the Player's failure to be available for Testing at the specified locations during the specified dates/times within a 24-hour period (or at the default hour or nominated one hour period during the off season or period of injury or illness) was at least negligent. For these purposes, the Player will be presumed to have been negligent upon proof of the matters set out at Regulation 21.10.24 (a) to (d). That presumption may only be rebutted by the Player establishing that no negligent behaviour on his part caused or contributed to him (i) being unavailable for Testing at any location within any 24-hour period (or at the default hour or nominated one-hour period during the off season or period of injury or illness; and (ii) failing to update his most recent Whereabouts Filing to give notice of a different location/s, time period where he would instead be available for Testing on the relevant day.

21.10.25 To ensure fairness to the Player, where an unsuccessful attempt has been made to test a Player in accordance with the provisions for the Registered Testing Pool or Testing Pool any subsequent attempt to test that Player (by the Board or its nominee, Union or NADO or any other Anti-Doping Organisation including WADA) may only be counted as an additional Missed Test against that Player if that subsequent attempt takes place after the Player has received notice, in accordance with this Regulation of the original unsuccessful attempt and given the opportunity to update his Whereabouts Filing within 24 hours of having received written notice of his apparent Missed Test. For the avoidance of doubt, where the Player does not update his Whereabouts Filing within such 24-hour period this may be considered to be a Filing Failure pursuant to Regulation 21.10.18(b).

Results Management for Whereabouts Failures

21.10.26 Filing Failures

- (a) If it appears that all of the Regulation 21.10.18 requirements relating to Filing Failures are satisfied, then no later than 14 days after the date of discovery of the apparent Filing Failure the Board shall send notice in writing to the Player via his Union of the apparent Filing Failure, inviting a response within 14 days of the date of the notice. In the notice, the Board shall warn the Player:
 - (i) That unless the Player persuades the Board that there has not been any Filing Failure, then (subject to the remainder of the results management process set out below) an alleged Whereabouts Failure will be recorded against the Player; and
 - (ii) (If applicable) that there are other Whereabouts Failures that have been alleged against him in the 18-month period prior to this alleged Whereabouts Failure; and
 - (iii) Of the consequences to the Player if a designee of the Board or a Judicial Officer or Judicial Committee in the case of a third Whereabouts Failure, upholds the alleged Whereabouts Failure.
- (b) Where the Player disputes the apparent Filing Failure, the Board must re-assess whether all of the Regulation 21.10.18 requirements are met. The Board must advise the Player and/or his Union, by letter sent no later than 14 days after receipt of the Player's response, whether or not it maintains that there has been a Filing Failure.



- (c) If no response is received from the Player by the relevant deadline, or if the Board maintains (notwithstanding the Player's response) that there has been a Filing Failure, the Board shall send notice to the Player and/or his Union that an alleged Filing Failure is to be recorded against him. Further:
 - (i) In respect of Registered Testing Pool Players only, the Board shall at the same time advise the Player that he has the right to request an administrative review of the alleged Missed Test;
 - (ii) In respect of Testing Pool Players, there is no administrative review as the Filing Failure will only count for the purposes of elevating the Player to the Board's Registered Testing Pool; and
 - (iii) Upon entry into the Registered Testing Pool all Testing Pool Filing Failures of the relevant Player shall be erased and do not count for the purposes of Regulation 21.2.4.
- (d) Where it is requested by the Player, such administrative review shall be conducted by a designee of the Board who was not involved in the previous assessment of the alleged Filing Failure. The review shall be based on written submissions only, and shall consider whether all of the requirements of Regulation 21.10.18 are met. The review shall be completed within 14 days of receipt of the Player's request and the decision shall be communicated to the Player by letter sent no more than seven days after the decision is made;
- (e) If it appears, upon such review, that the requirements of Regulation 21.10.18 have not been met, then the alleged Filing Failure shall not be treated as a Whereabouts Failure for any purpose;
- (f) If the Player does not request an administrative review of the alleged Filing Failure by the relevant deadline, or if the administrative review leads to the conclusion that all of the requirements of Regulation 21.10.18 have been met, then the Board shall record an alleged Filing Failure against the Player and shall notify the Player and/or his Union and (on a confidential basis) WADA and all other relevant Anti-Doping Organisations of that alleged Filing Failure and the date of its occurrence.

21.10.27 Missed Test

- (a) The DCO shall file an Unsuccessful Attempt Report with the Board or its nominee (or NADO as the case may be), setting out the details of the attempted Sample collection, including the exact date and time of the attempt, the names of all the location(s) visited, the exact arrival and departure times at each of the location(s), the step(s) taken

at the location(s) to try to find the Player, including details of any contact made with third parties (including their names, positions, relationship to the Player, information on the possible location of the Player if the Player is not present at the nominated residence or location and contact details), and any other relevant details about the attempted Sample collection.

- (b) If it appears that all of the Regulation 21.10.23 or 21.10.24 requirements (depending upon which testing pool the Player belongs to) relating to Missed Tests are satisfied, then no later than 14 days after the date of the Unsuccessful Attempt Report being received by the Board, the Board must send notice to the Player via his Union of the unsuccessful attempt, inviting a response within 14 days of receipt of the notice. The Unsuccessful Attempt Report shall be provided to the Player at this point. In the notice, the Board should warn the Player:
 - (i) That unless the Player persuades the Board that there has not been any Missed Test, then (subject to the remainder of the results management process set out below) an alleged Missed Test will be recorded against the Player;
 - (ii) (If applicable) that there are other Whereabouts Failures that have been alleged against him in the 18-month period prior to this alleged Whereabouts Failure; and
 - (iii) Of the consequences to the Player if the designee of the Board or a Judicial Officer or Judicial Committee in the case of a third Whereabouts Failure upholds the alleged Missed Test.
- (c) Where the Player disputes the apparent Missed Test, the Board must re-assess whether all of the requirements in Regulation 21.10.23 or 21.10.24 (depending upon which testing pool the Player belongs to) are met. The Board must advise the Player and/or his Union, by letter sent no later than 14 days after receipt of the Player's response, whether or not it maintains that there has been a Missed Test.
- (d) If no response is received from the Player by the relevant deadline, or if the Board maintains (notwithstanding the Player's response) that there has been a Missed Test, the Board shall send notice to the Player and/or his Union that an alleged Missed Test is to be recorded against him. Further:
 - (i) In respect of Registered Testing Pool Players only, the Board shall at the same time advise the Player that he has the right to request an administrative review of the alleged Missed Test.

- (ii) In respect of Testing Pool Players, there is no administrative review as the Missed Test will only count for the purposes of elevating the Player to the Registered Testing Pool.
- (iii) Upon entry into the Board's Registered Testing Pool all Testing Pool Missed Tests cease to count for the purposes of Regulation 21.2.4.
- (e) Where the Player has recorded a Missed Test, the Board may seek to recoup from the Player via the Player's Union a fee equating to the costs associated with the attempted Sample collection and the administration associated with the Missed Test. In the event of default or non payment by the Player, the Union of the Player shall be liable for the payment of the Missed Test fee.

Administrative Review – Missed Test for Registered Testing Pool Players

- (f) Where requested, such administrative review shall be conducted by a designee of the Board who was not involved in the previous assessment of the alleged Missed Test, shall be based on written submissions only, and shall consider whether all of the requirements of Regulation 21.10.23 are met. If necessary, the relevant DCO may be asked to provide further information to the Board. The review shall be completed within 14 days of receipt of the Player's request and the decision shall be communicated to the Player by letter sent no more than seven days after the decision is made.
- (g) If it appears upon such review that the requirements of Regulation 21.10.23 have not been met, then the unsuccessful attempt to test the Player shall not be treated as a Missed Test for any purpose.
- (h) If the Player does not request an administrative review of the alleged Missed Test by the relevant deadline, or if the administrative review leads to the conclusion that all of the requirements of Regulation 21.10.23 have been met, then the Board shall record an alleged Missed Test against the Player and shall notify the Player and/or his Union and (on a confidential basis) WADA and all other relevant Anti-Doping Organisations of that alleged Missed Test and the date of its occurrence.

Confidentiality – Whereabouts Failures

- 21.10.28 When the Board or its nominee, Union or NADO declares, or receives notice of, a Whereabouts Failure in respect of a Player it shall not disclose that information beyond those persons with a need to know unless and until that Player is found to have committed an anti-doping rule violation under Regulation 21.2.4 based on (among other things) such Whereabouts Failure. Such persons who need to know shall also maintain the confidentiality of such information until the same point of this process.
- 21.10.29 The Board shall keep a record of all Whereabouts Failures alleged in respect to each Player within either its Registered Testing Pool or Testing Pool. Where it is alleged that such a Player has committed three Whereabouts Failures within any 18-month period:
- (a) Where two or more of those Whereabouts Failures were alleged by the Board, Union or NADO that had the Player in its Registered Testing Pool subject to these Regulations at the time of those failures, then that Anti-Doping Organisation (whether the Board, Union or NADO) shall be the Responsible Anti-Doping Organisation for the purposes of bringing proceedings against the Player under Regulation 21.2.4. If the Whereabouts Failures were alleged by three different Anti-Doping Organisations then the Responsible Anti-Doping Organisation for these purposes will be the Anti-Doping Organisation whose Registered Testing Pool, the Player was in as of the date of the third Whereabouts Failure. If the Player was in both the Board's Registered Testing Pool and a national Registered Testing Pool as of that date, the Responsible Anti-Doping Organisation for these purposes shall be the Board.
 - (b) Where the Responsible Anti-Doping Organisation fails to bring proceedings against a Player under Regulation 21.2.4 within 30 days of WADA receiving notice of that Player's third alleged Whereabouts Failure in any 18-month period, then it shall be deemed that the responsible Anti-Doping Organisation has decided that no anti-doping rule violation was committed, for the purposes of triggering the appeal rights set out at Regulation 21.27 (in particular Regulation 21.27.2).
- 21.10.30 A Player alleged to have committed an anti-doping rule violation under Regulation 21.2.4 shall have the right to have such allegation determined by a Judicial Committee in accordance with Regulation 21.21. The Judicial Committee shall not be bound by any determination made during the results management process, whether as to the adequacy of any explanation offered for a Whereabouts Failure or otherwise. Instead, the burden shall be on the Board to establish all of the requisite elements of each alleged Whereabouts Failure.



- (a) The Judicial Committee shall consider whether or not a Provisional Suspension should be imposed on the Player pending the outcome of proceedings, in accordance with Regulation 21.19.
- (b) If the Judicial Committee decides that one (or two) alleged Whereabouts Failures have been established to the required standard, but that the other alleged Whereabouts Failure(s) has/have not, then no anti-doping rule violation shall be found to have occurred. However, if the Player then commits one (or, as applicable, two) further Whereabouts Failures within the relevant 18-month period, new proceedings may be brought based on a combination of the Whereabouts Failure(s) established to the satisfaction of the Judicial Committee in the previous proceedings (in accordance with Regulation 21.3.2(c)) and the Whereabouts Failure(s) subsequently committed by the Player.
- (c) A finding that a Player has committed an anti-doping rule violation under Regulation 21.2.4 shall have the applicable consequences as outlined in Regulation 21.22.
- (d) The impact of any Regulation 21.2.4 anti-doping rule violation by an individual Player on the results of any Team for which that Player has played during the relevant period shall be determined in accordance with Regulation 21.23.

21.10.31 Whereabouts information provided pursuant to Regulation 21.10 shall be shared with WADA and other Anti-Doping Organisations having jurisdiction to test the relevant Player in accordance with Article 11.7.1(d) of the International Standard for Testing, including the strict condition that it be used only for Doping Control purposes.

21.11 Analysis of Samples

- 21.11.1 Doping Control Samples shall be analysed in accordance with the following principles:
- (a) Doping Control Samples shall be analysed in WADA accredited laboratories or as otherwise approved by WADA. The choice of the WADA accredited laboratory (or other method approved by WADA) used for Sample analysis shall be determined exclusively by the Board.
 - (b) Doping Control Samples shall be analysed to detect Prohibited Substances and Prohibited Methods identified on the Prohibited List and other substances as may be directed by WADA pursuant to the WADA monitoring programme (Code Article 4.5) from time to time in force or to assist the Board in profiling relevant parameters in a

Player's urine, blood or other matrix, including DNA or genomic profiling for anti-doping purposes.

- (c) Pursuant to Article 6.4 of the Code and subject to the presumption in Regulation 21.3.2(a) laboratories shall analyse Doping Control Samples and report results in conformity with the International Standard for Laboratories.

- 21.11.2 Doping Control Samples may be re-analysed by the Board or Union or Tournament Organiser at any time for any purpose described in Regulation 21.11.1(b) subject always to the limitation period set out in Regulation 21.30.
- 21.11.3 Doping Control Samples may be stored by the Board or Union or Tournament Organiser for the purposes of analysis or re-analysis at a future date when new detection methods and/or procedures are established, subject always to the statute of limitations set out in Regulation 21.30.
- 21.11.4 No Sample shall be utilised by the Board or any Unions or Tournament Organiser for purposes other than as set out in Regulation 21.11.1(b), 21.11.2 and 21.11.3 save with the prior written consent of the Player. Samples used for purposes other than as set out in Regulations 21.11.1(b), 21.11.2 and 21.11.3 shall have any means of identification removed such that they cannot be traced back to a particular Player.

21.12 Suspension and Retirement

- 21.12.1 Where a Player has been suspended, other than for life, and wishes to resume competing after his period of Ineligibility has expired, he must make himself available for Out of Competition Doping Control during that period of suspension. If a Player commits an anti-doping rule violation during the course of a suspension the matter shall be treated as a separate anti-doping rule violation.
- 21.12.2 A Player who has been identified by the Board for inclusion in the Registered Testing Pool or Testing Pool shall continue to be subject to these Anti-Doping Regulations including the obligation to be available for No Advance Notice Out of Competition Testing unless and until the Player gives written notice to the Board via his Union that he has retired or until he no longer satisfies the criteria for inclusion in the Registered Testing Pool or Testing Pool and has been so informed by the Board.



- 21.12.3 A Player who has given notice of retirement to the Board and subject to Regulation 21.12.4, may not resume competing unless he notifies the Board at least six months before he expects to return to competition at International Match level and is available for No Advance Notice Out of Competition Testing at any time during the period before actual return to competition.
- 21.12.4 A Player who has given notice of retirement to the Board from International Match level participation, but who continues to play the Game at a non-International Match level, and who elects to stay in the Board's Testing Pool, or be transferred to the Testing Pool from the Board's Registered Testing Pool, may resume competing at International Match level upon notification to the Board.
- 21.12.5 Unions shall establish similar requirements for retirement and returning to competition for Players in the national Registered Testing Pool and may establish similar requirements for other Players under their jurisdiction.
- 21.12.6 If a Player or other Person retires while a results management process is underway, the Anti-Doping Organisation conducting the results management process retains jurisdiction to complete its results management process. If a Player or other Person retires before any results management process has begun, the Anti-Doping Organisation which would have had results management jurisdiction over the Player or other Person at the time the Player or other Person committed an anti-doping rule violation, has jurisdiction to conduct results management.

21.13 Responsibility for Doping Control

- 21.13.1 The Board is responsible for conducting or arranging Doping Controls including, but not limited to, determination of Sample collection, result management, the conduct of investigations and disciplinary proceedings and the imposition of sanctions for anti-doping rule violations, including cases where there has been no Doping Control carried out, in respect of:
- (a) Rugby World Cup Qualifying and Finals Tournaments;
 - (b) Rugby World Cup Sevens Qualifying and Finals Tournaments;
 - (c) IRB Sevens World Series;
 - (d) Women's Rugby World Cup Qualifying and Finals Tournaments;
 - (e) Junior World Championships;
 - (f) Such other Matches or Tournaments as the Board shall from time to time determine; and
 - (g) Such other occasions where the Board conducts Out of Competition Doping Controls.

21.13.2 For Matches, International Tournaments and International Matches organised by the IRB which shall be deemed to include the Rugby World Cup, modified and/or additional procedures and rules to those set out in Regulation 21.20 may be adopted by the Tournament Organiser or other body designated by the IRB.

21.13.3 Subject to Regulation 21.13.4 below, in all other cases (except where Doping Control is carried out under the rules of another sporting body approved by the Board and the Unions concerned) the Union conducting or arranging the Doping Control, or in whose jurisdiction a Match is held, will be responsible for the conduct of the Doping Controls, results management, the conduct of investigations and disciplinary proceedings and the imposition of sanctions for anti-doping rule violations.

21.13.4 Responsibility for conducting or arranging Doping Controls including, but not limited to, determination of Sample collection, results management, the conduct of investigations and disciplinary proceedings and the imposition of sanctions for anti-doping rule violations, including cases where there has been no Doping Control carried out, in respect of:

(a) International Matches; and

(b) International Tours;

may subject to strict compliance with these Anti- Doping Regulations and Guidelines be delegated to the Host Union; and

in respect of;

(c) International Tournaments (save as set out in Regulation 21.13.1 and 21.13.2 above); or

(d) other Tournaments,

may, subject to strict compliance with these Anti-Doping Regulations and Guidelines, and the consent of the Unions concerned be delegated to the International Tournament Organiser or other Tournament Organisers (as the case may be).

21.14 Role of Unions

Implementing these Anti-Doping Regulations

21.14.1 These Anti-Doping Regulations shall apply to the Board, each Union in membership of the Board and each of their constituents. Each Union is responsible for ensuring (and must ensure) that:

- (a) It has in place anti-doping regulations in conformity with these Regulations and that all national level Testing on Players complies with these Anti-Doping Regulations.
- (b) These Anti-Doping Regulations shall also be incorporated either directly or by reference into each Union's rules. All Unions shall include in their regulations the procedural rules necessary to implement these Anti-Doping Regulations effectively.
- (c) It shall seek to obtain the written acknowledgement of all Players subject to Doping Control and Player Support Personnel for such Players (i.e. acknowledgement that they are bound by the relevant anti-doping regulations). A standard acknowledgment and agreement form is set out in Schedule 4 to these Anti-Doping Regulations.
- (d) Its regulations specifically provide that all Players, Player Support Personnel and other Persons under the jurisdiction of the Union shall be bound by these Anti-Doping Regulations.
- (e) It takes appropriate action to inform each and every one of its members, Players and other Persons of these Anti-Doping Regulations and the Union's anti-doping regulations. Unions must further inform their members, Players and other Persons that they must comply with these Anti-Doping Regulations and the anti-doping regulations of the Union under whose jurisdiction they are participating.

21.14.2 The Board may at its absolute discretion withhold some or all of its funding to Unions that are not in compliance with these Anti-Doping Regulations.

When an Anti-Doping Rule Violation Arises

21.14.3 Where an anti-doping rule violation arises out of a Doping Control conducted or arranged by a Union or Tournament Organiser, or a Union or Tournament Organiser believes or becomes aware that another anti-doping rule violation may have been committed by one of its members or a Player or other Person under its jurisdiction, that Union or Tournament Organiser shall:

- (a) Deal with the matter in accordance with its own anti-doping procedures which shall be in compliance with these Anti-Doping Regulations; and
- (b) Notify the Board and the Home Union of the Player or other Person concerned.

- 21.14.4 As a minimum requirement, each Player or other Person alleged to have committed an anti-doping rule violation shall have the right to a hearing before a suitably-qualified disciplinary body established by his Union before a final decision is reached unless that Player or other Person waives that right. Where the Player or other Person so waives this right he may make submissions in writing in relation to the applicable sanctions, which may be imposed in accordance with these Anti-Doping Regulations. The disciplinary body shall consist of not less than three individuals, one of whom shall have knowledge of Doping Control procedures and the Code. The disciplinary body shall deal with the matter in accordance with the national law and the regulations of the Union concerned which shall be in compliance with these Anti-Doping Regulations. All decisions by the disciplinary body must be produced in writing and incorporate the reasoning behind the findings and decisions.
- 21.14.5 Unions and/or Tournament Organisers must keep the Board fully apprised as to the status of pending cases and provide the results of all hearings within 72 hours of a final written decision having been made. The Board shall have the right to attend Union and Tournament Organiser hearings as an observer and shall in the event of an appeal to CAS or reference to any other arbitral body have the right to participate, including but not limited to, making submissions, representations, adducing evidence and calling witnesses in such proceedings.
- 21.14.6 Hearings held by Unions, Tournament Organisers and/or any other body purporting to hear cases involving anti-doping rule violations shall be completed expeditiously and in all cases within three months of the date of notification of the “A” Sample or the date of admission or the date the alleged anti-doping rule violation came to the attention of the Union and/or Tournament Organiser (save were the Board has determined there are exceptional circumstances) or the date of completion of the results management process or other applicable investigation procedure. Hearings may be conducted on an expedited process.
- 21.14.7 If the completion of the hearing is delayed beyond three months (save where the Board has determined there are exceptional circumstances), the Board may elect to bring the case directly before a Judicial Committee at the responsibility and at the expense of the Union or Tournament Organiser concerned. As a minimum requirement decisions by Unions or Tournament Organisers in relation to anti-doping rule violations shall be subject to a review process substantially in compliance with the process set out in Regulations 21.24 to 21.26. Thereafter the appeal procedures set out in Regulation 21.27 may be applied.

National Sports Resolution Bodies

- 21.14.8 Where a Union elects to utilise the services of a national sports resolution body, the Union shall ensure that the following pre-conditions are complied with:
- (a) All anti-doping cases whether arising out of an Adverse Analytical Finding or otherwise shall be determined in accordance with these Anti-Doping Regulations or the anti-doping rules of the Union which shall be in compliance with these Anti-Doping Regulations;
 - (b) The first instance hearing of all anti-doping cases arising out of an Adverse Analytical Finding or otherwise shall be considered by an independent judicial panel of the Union or national sports resolution body of the country of the Union subject always to prior notification in writing to the IRB and compliance with Regulation 21;
 - (c) The jurisdiction of the Board and the Union to be represented and participate as a party to any Union anti-doping case (including those heard before any national sports resolution body and without limitation any referral from the Board pursuant to Regulation 21.29.1), shall be specifically recognised at each stage of the Union's anti-doping judicial process;
 - (d) Where the services of a national sports resolution body are utilised by a Union (whether on appeal or in accordance with (b) above), the Union shall ensure that:
 - (i) Such body shall recognise the remit of the Board to review every decision of the Union and/or the national sports resolution body acting on behalf of the Union and as appropriate to accept the decision of such body and/or the Union or remit the decision to the applicable review body; and
 - (ii) Such body shall recognise the remit of the Board to review every appeal decision of the Union and/or the national sports resolution body acting on behalf of the Union and as appropriate to accept the appeal decision of such body and/or the Union or refer the appeal decision for consideration to CAS.

Notification

- 21.14.9 When a Union or Tournament Organiser (as the case may be) receives an Adverse Analytical Finding or where a Union or Tournament Organiser believes, or becomes aware, that an anti-doping rule violation may have been committed, that Union or Tournament Organiser must notify the CEO of the Board immediately. The CEO (or his designee, being the IRB Anti-Doping Manager) shall be entitled to receive from a Union or

Tournament Organiser such additional information, as he may consider necessary in relation to any alleged anti-doping rule violation. In any event, the CEO (or his designee) is entitled to receive from and shall be provided with a full report of all hearings including (without limitation) the written decision of the hearing body(ies) incorporating the reasoning behind the findings and decisions in respect of anti-doping rule violations by the relevant Union, national sports resolution body appointed by the Union or Tournament Organiser (as the case may be) as soon as practicable and in any event within 72 hours of a final written decision having been made.

- 21.14.10 Subject to Regulations 21.13.3 and 21.13.4 where the conduct of a Doping Control results in an Adverse Analytical Finding or other anti-doping rule violation (involving a Player and/or other Person) or where an anti-doping rule violation arises other than through the conduct of a Doping Control in respect of a Player who is not a member of the Union that conducted or was responsible for arranging the Doping Control, then that Union that had jurisdiction over the Player and/or other Person (as the case may be) at the time the test was conducted or investigation into the alleged anti-doping rule violation commenced shall report the results of such Doping Controls to the Union that normally exercises jurisdiction over such Player and/or Person (as the case may be) and to the Board.

The Player or other Person may elect to have his own Union (being the Union for which he was playing at the time the test was conducted or investigation into the alleged anti-doping rule violation commenced) conduct the appropriate investigation and hearing procedures (and where an anti-doping rule violation is found to have been committed, impose the applicable sanctions) if, and only if in the case where there has been an Adverse Analytical Finding, the Player acknowledges in writing, that no issue will be taken at the hearing as to the:

- (a) Qualifications or authority of any official of any Doping Control/collection agency or WADA accredited laboratory;
 - (b) Sample collection procedures;
 - (c) Custody or transmission of any Sample; and
 - (d) Analysis of any Sample by a WADA Accredited laboratory.
- 21.14.11 Where a Player or other Person elects to have his own Union conduct the appropriate investigation and hearing pursuant to Regulation 21.14.10, such election by a Player or other Person must be confirmed to his Union within 14 days of being notified of the Adverse Analytical Finding and/or the alleged anti-doping violation. The Player's or other Person's own Union must notify the visited Union of any such election. If a Player or other Person does not elect to have the hearing procedures carried out by

his own Union, then the visited Union where the Doping Control was conducted shall have jurisdiction and shall conduct the investigation and hearing procedures (and where an anti-doping rule violation is found to have been committed, impose the applicable sanctions).

21.15 Admissions

- 21.15.1 A Player or other Person may choose for the purposes of dispensing with the disciplinary process to admit that he has committed an anti-doping rule violation at any time including an admission of an anti-doping rule violation which is not the subject of a Sample.
- 21.15.2 Any such admission shall be evidenced in writing for the purposes of this provision by the Player or other Person making such admission.

21.16 Investigations

- 21.16.1 The Board or its designee may carry out investigations into the activities of any Player, Person, Union, Association, Rugby Body or Club who it has reasonable cause to believe may have committed an anti-doping rule violation. Any such Player, other Person, Union, Association, Rugby Body or Club shall co-operate with any such Board investigation.
- 21.16.2 A Player, other Person, Union, Association, Rugby Body or Club under investigation for an alleged anti-doping rule violation by the Board, a Union or Tournament Organiser may be Provisionally Suspended and not allowed to participate in any aspect of the Game pending the outcome of such investigation and resolution of the case.
- 21.16.3 Without limiting the effect of Regulation 21.19, solely in circumstances where the Board or its designee considers that further investigation is required to determine whether an anti-doping rule violation may have been committed, the following procedures shall apply, subject to such modifications and additional procedures as the Board may consider necessary having regard to the facts and circumstances of the particular case and other relevant circumstances:
- (a) Any investigation shall be carried out as soon as reasonably practicable after the Board becomes aware of the alleged anti-doping rule violation.
 - (b) The Board or its designee may request that additional information be provided and may also call upon such assistance and expert and/or specialist advice including (without limitation) legal advice as it considers appropriate, whether in the form of witness testimony or otherwise.

- (c) The Board or its designee shall determine whether it believes that an anti-doping rule violation may have been committed.
- (d) Where it is decided that there are no grounds to conclude that an anti-doping violation may have been committed no further action will be taken and any Provisional Suspension shall be automatically lifted.
- (e) As soon as it is determined that an anti-doping rule violation may have been committed, the Board or its designee shall notify the applicable party concerned. The applicable party shall be placed on Provisional Suspension, if he has not been already, pending resolution of the case. In addition the applicable party shall be notified that the matter shall be referred to a Judicial Committee.

21.17 Confidentiality

- 21.17.1 Where an anti-doping rule violation may have been committed, the Board and the Union or Tournament Organiser concerned shall take reasonable steps to maintain confidentiality until the testing and analysis has been completed, the Judicial Committee hearing decision has been reached and the Player, or Person and his Union have been informed.

21.18 Authorised Doping Control Bodies

- 21.18.1 The Board, Union or Tournament Organiser (as the case may be) may appoint a doping control / governmental agency, NADO or any other third party that they deem suitable to collect Samples as part of Doping Control.
- 21.18.2 All Samples collected, whether by or for the Board, Union, Tournament Organiser or any other third party shall be analysed at a WADA accredited laboratory.
- 21.18.3 All Samples collected by the Board or its designee, and the results of the analysis of such Samples, shall remain the property of the Board.
- 21.18.4 WADA's Independent Observer Program may operate in respect of International Tournaments organised by the IRB (as set out in IRB Regulation 21.13.1).

21.19 Provisional Suspension

- 21.19.1 When the Board, Union or Tournament Organiser (as the case may be) receives an Adverse Analytical Finding in respect of a Player's "A" Sample or when the Board, Union or Tournament Organiser believes or becomes aware that an anti-doping rule violation whether or not it involves the provision of a Sample, may have been committed, that Player or other Person shall, subject to Regulations 21.20.1 and 21.20.2, in the

case of an “A” Sample Adverse Analytical Finding and subject to Regulation 21.16.3, in the case where there is no Sample, be Provisionally Suspended by the Board, Tournament Organiser and/or his Union pending the resolution of the case.

21.20 Due Process

Preliminary Review

- 21.20.1 When the Board receives an Adverse Analytical Finding in respect of a Player’s “A” Sample the Board shall arrange for a preliminary review of the case to be undertaken by a representative or representatives of the Board’s Anti-Doping Advisory Committee to establish if, pursuant to Regulation 21.5, a TUE has been granted that explains the Adverse Analytical Finding or if there is any apparent departure from the International Standard for Testing and/or if there is any apparent departure from the International Standard for Laboratories as evidenced by the documents in respect of the particular case under consideration provided by the laboratory that undermines the validity of the Adverse Analytical Finding. Such preliminary review shall, ordinarily, be completed within three days. The representative or representatives undertaking the preliminary review may make further enquiries or investigations as it or they consider appropriate solely in relation to the existence or otherwise of a TUE or apparent departures from the International Standards for Testing and/or the International Standard for Laboratories as evidenced by the documents in respect of the particular case under consideration provided by the laboratory. If the review does reveal an applicable TUE or departure from the International Standard for Testing and/or applicable provisions of the International Standard for Laboratories on the foregoing basis that caused the Adverse Analytical Finding, then the entire test shall be considered negative and the Player and his Union shall be informed.
- 21.20.2 If, following such preliminary review, it is decided that an anti-doping rule violation may have been committed, the Board shall notify the Player concerned and/or his Union. The procedures set out in Regulation 21.19.1 above shall apply in respect of any Provisional Suspension of the Player concerned.

“A” Sample Analysis

- 21.20.3 Every Player whose “A” Sample gives rise to an Adverse Analytical Finding shall have the right to request that his “B” Sample be analysed to determine whether that Sample gives rise to an Adverse Analytical Finding which discloses the same Prohibited Substance(s) or Use of a Prohibited Method detected in the main “A” Sample. Any such request must be made within ten days of the notification to the Player that his

main “A” Sample discloses the presence of a Prohibited Substance or Use of a Prohibited Method. Player notification under this Regulation 21.20.3 shall be deemed to commence from the date the Board receives confirmation from the Player’s Union that the Player has been notified of the Adverse Analytical Finding. Where applicable, arrangements for the analysis of the “B” Sample shall be made as soon as reasonably practicable.

- 21.20.4 A Player may accept the results of the “A” Sample Adverse Analytical Finding by advising the Board (or his Union) in writing within 14 days of receiving notification of the “A” Sample Adverse Analytical Finding. Notwithstanding such acceptance, the Board may still, at its discretion, make arrangements to have the “B” Sample analysed. The Player concerned shall be informed of his entitlement to a hearing before a Judicial Committee.
- 21.20.5 A Player who has neither accepted the results of the “A” Sample Adverse Analytical Finding, nor requested that his “B” Sample be analysed within 21 days of receiving notification of the “A” Sample Adverse Analytical Finding shall be deemed to have accepted the results of the “A” Sample Adverse Analytical Finding. The Player concerned shall be informed of his entitlement to a hearing before a Judicial Committee.

“B” Sample Analysis

- 21.20.6 If a Player requests that his “B” Sample be analysed that analysis shall be at his own expense.
- 21.20.7 At any “B” Sample analysis, the Player whose Sample is being analysed and/or his representative are entitled to be present at their own expense. A representative of the Player’s Union and a representative of the Board may also be present.
- 21.20.8 If the “B” Sample analysis does not give rise to an Adverse Analytical Finding, which discloses the same Prohibited Substance(s) or Use of a Prohibited Method detected in the main “A” Sample the entire Doping Control shall be considered negative. The Player who provided the Sample and/or his Union shall be notified and no further action will be taken. Any Provisional Suspension imposed shall be lifted.
- 21.20.9 Where the “B” Sample analysis gives rise to an Adverse Analytical Finding, which discloses the same Prohibited Substance(s) or Use of a Prohibited Method detected in the main “A” Sample the Player concerned and his Union shall be notified. The Player shall be informed of his entitlement to a hearing before a Judicial Committee.

Atypical Finding

- 21.20.10 In certain circumstances laboratories are directed to report the presence of Prohibited Substances that may also be produced endogenously as Atypical Findings that should be investigated further. Upon receipt of an “A” Sample Atypical Finding, the Board shall conduct a review in accordance with Regulation 21.20.1 to determine whether: (a) an applicable TUE has been granted, and/or (b) there is any apparent departure from the International Standard for Testing and/or applicable provisions of the International Standard for Laboratories on the foregoing basis or otherwise that caused the Atypical Finding.
- (a) If the review does reveal an applicable TUE or departure from the International Standard for Testing and/or applicable provisions of the International Standard for Laboratories on the foregoing basis that caused the Atypical Finding, then the entire test shall be considered negative and the Player and his Union shall be informed.
 - (b) If the review does not reveal an applicable TUE or departure that caused the Atypical Finding, the Board shall conduct the investigation required by the International Standards. After the investigation is completed, the Player, his Union, NADO and WADA shall be notified as to whether or not the Atypical Finding will be brought forward as an Adverse Analytical Finding.
- 21.20.11 The Board will not provide notice of an Atypical Finding until it has completed its investigation and decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding unless one of the following circumstances exist:
- (a) If the Board determines that the “B” Sample should be analysed prior to the conclusion of its investigation under 21.20.10, the Board may conduct the “B” Sample analysis after notifying the Player, with such notice to include the information described below:
 - (i) A description of the Adverse Analytical Finding;
 - (ii) The anti-doping rule violated;
 - (iii) The scheduled date, time and place for the “B” Sample analysis;
 - (iv) The opportunity for the Player and/or the Player’s representative to attend the “B” Sample opening and analysis within the time period specified in the International Standard for Laboratories if such analysis is requested; and
 - (v) The Player’s right to request copies of the “A” and “B” Sample laboratory documentation package which includes information as required by the International Standard for Laboratories.

- (b) If the Board receives a request, either from a Major Event Organisation shortly before one of its international events or from a Union responsible for meeting an imminent deadline for selecting Team members for an International Match, International Tour or International Tournament, to disclose whether any Player identified on a list provided by the Major Event Organisation or Union has a pending Atypical Finding, the Board shall so identify any such Player after first providing notice of the Atypical Finding to the Player.

Hearing Procedures

- 21.20.12 If a Player or other Person, having been notified of his entitlement to a hearing before a Judicial Committee, does not request a hearing within 14 days of being so notified then that Player, or other Person shall be deemed to have waived his right to a hearing and shall be deemed to have accepted that he has committed an anti-doping rule violation. In such case the Player or other Person shall have seven days in which to make submissions in writing in relation to the sanctions to be applied. In the absence of a response the chairman of the Judicial Panel (appointed pursuant to Regulation 18) may appoint a legal member of the Anti-Doping Judicial Panel set out in Regulation 21.21.1 below to consider the appropriate sanction which shall be the prescribed sanction under Regulation 21.22 without reduction unless the appointed member of the Anti-Doping Judicial Panel shall consider an increase to be appropriate in respect of an aggravating factor(s) pursuant to Regulation 21.22.9. The appointed member of the Anti-Doping Judicial Panel shall be entitled to receive written submissions including from the IRB in this respect.
- 21.20.13 Where the matter is referred to a Judicial Committee the Player, or other Person concerned shall:
- (a) Be notified that the matter has been referred to a Judicial Committee;
 - (b) Be provided with relevant reports and documentation in relation to the anti-doping rule violation (including the WADA accredited laboratory documentation where applicable); and
 - (c) Be invited, together with any legal representative he may wish to appoint, to attend a hearing before the Judicial Committee to present relevant material and submissions.
- 21.20.14 The hearing before the Judicial Committee shall be held without unnecessary delay and shall be expedited where the circumstances warrant it.

21.21 Judicial Committees Dealing with Anti-Doping Rule Violations

- 21.21.1 The Board's CEO shall appoint a panel of individuals comprising specialists with knowledge of doping in sport and the Code (the "Anti-Doping Judicial Panel"). The Anti-Doping Judicial Panel shall comprise of such numbers as the Board's CEO shall think fit but in any event shall include the members of the Anti-Doping Advisory Committee. The chairman of the Judicial Panel (appointed pursuant to Regulation 18) or his designee, shall, appoint Judicial Committees and Post-Hearing Review Bodies from members of the Anti-Doping Judicial Panel to resolve, hear and adjudicate at first instance and on appeal in cases involving any alleged breaches of these Anti-Doping Regulations.
- 21.21.2 A Judicial Committee, appointed in accordance with Regulation 21.21.1, to hear cases involving anti-doping rule violations shall ordinarily comprise three members, all of whom shall be independent of the Board, shall have had no prior involvement with the case and shall not have the same nationality as the Player or other Person alleged to have committed an anti-doping rule violation. The appointed members shall be selected from the Anti-Doping Judicial Panel and shall comprise:
- (a) A senior legal practitioner who shall act as chairman; and
 - (b) An experienced medical practitioner; and
 - (c) Either a second person from category (a) or (b) above or an ex-Player or rugby administrator.
- 21.21.3 If one or more members of the Judicial Committee is/are unable or unwilling, for whatever reason, to hear the case, then the Board may, at its absolute discretion:
- (a) Appoint a replacement(s);
 - (b) Appoint a new Judicial Committee; or
 - (c) Allow the remaining member(s) of the Judicial Committee to hear the case.
- 21.21.4 Judicial Committees shall be entitled to call on experts to provide specialist advice, including legal advice.
- 21.21.5 Judicial Committees may request that a Board representative attend and present information in relation to the anti-doping rule violation.

- 21.21.6 Subject to Regulation, 21.21.3, Judicial Committees shall have the power to regulate their own procedure, in each case. However, subject to this power to regulate their own procedure Judicial Committees shall conform generally with the procedural guidelines set out below:
- (a) As soon as reasonably practicable following the referral of the matter the Judicial Committee chairman, or his designee, shall notify the Player, or other Person of the date, place and time of the hearing. The Player, or other Person shall be informed that he is required to attend the hearing.
 - (b) A Player, or other Person who is alleged to have committed an anti-doping rule violation shall be entitled to be represented by an official of his Union, Rugby Body/Club, or by legal counsel. Where necessary an independent interpreter shall be present at a hearing of the Judicial Committee.
 - (c) In the interests of time and minimising inconvenience a Player, or other Person whose hearing is pending can be required by the Judicial Committee, prior to the hearing, to supply it with full particulars of the case that will be presented on his behalf at the hearing.
 - (d) The Judicial Committee shall have the power to postpone or adjourn proceedings.
 - (e) The Judicial Committee shall be entitled to receive such evidence as it thinks fit (including evidence in writing) notwithstanding that evidence may not be legally admissible, and shall be entitled to attach such weight to that evidence as it sees fit.
 - (f) Generally the Judicial Committee shall apply the “best evidence rule”. This means that first-hand accounts from persons present at the hearing as to their observations/knowledge of the alleged anti-doping rule violation in question should be preferred. Hearsay evidence may be accepted. However, caution shall be exercised before hearsay evidence is accepted in preference to first-hand evidence and generally less weight is likely to be given to hearsay evidence. Further, as a general rule, Judicial Committees should not permit the introduction of opinion evidence other than expert opinion evidence. Expert opinion evidence is only likely to be permitted when the evidence falls outside the everyday knowledge of members of the Judicial Committee.



- (g) The Judicial Committee shall be entitled to determine whether witnesses that give evidence are able to remain in the room in which the hearing is being heard after their evidence has been given.
- (h) The Judicial Committee shall endeavour to ensure that proceedings are not heard in the absence of the Player, or other Person subject to the proceedings. However, the non-attendance of a Player, or other Person or his representative, after notice of the hearing has been provided, will not prevent the Judicial Committee from proceeding with the hearing in his absence. In arriving at its decision, the Judicial Committee may, however, take into account any written statement submitted by the Player, or other Person or his representatives.
- (i) At any hearing the Judicial Committee will not be bound by judicial rules governing the procedure or the admissibility of evidence, however, the hearing shall be conducted in a fair manner with a reasonable opportunity for the Player or other Person who is alleged to have committed an anti-doping rule violation to submit evidence, address the Judicial Committee and present his case.
- (j) In respect of any hearing in relation to an anti-doping rule violation before a Judicial Committee the following will apply:
 - (i) The hearing shall be held in private;
 - (ii) Decisions may be made by majority; and
 - (iii) The Judicial Committee's deliberations on its decision shall take place in private.

21.21.7 The decision of the Judicial Committee shall be advised to all parties as soon as practicable after the conclusion of the hearing. When it considers it appropriate, the Judicial Committee may deliver a short oral decision at the conclusion of the hearing with its reasons to be put in writing and communicated to the parties at a later date, or it may reserve its decision. The decision of the Judicial Committee shall be binding upon notification to the Player, or other Person concerned and/or his Union.

21.21.8 In the event that the Judicial Committee establishes that an anti-doping rule violation has been committed, the Judicial Committee shall impose sanctions on the Player, or other Person concerned in accordance with Regulation 21.22. The Judicial Committee shall also invalidate other Player awards including forfeiture of any medals and prizes.

- 21.21.9 A Player's or other Person's costs associated with any proceedings before a Judicial Committee dealing with an anti-doping rule violation shall ordinarily be borne by the Player, or other Person, including travel/accommodation costs of the Player or other Person, his representatives and his witnesses, as well as his legal costs.
- 21.21.10 A Judicial Committee dealing with an anti-doping rule violation may, in its discretion, make an award of costs against the Player, or other Person in respect of costs incurred by the Judicial Committee or other costs in relation to the investigation and/or proceedings where a sanction is imposed on the Player or other Person by the Judicial Committee.
- 21.21.11 Notwithstanding the provisions of Regulations 21.21.9 and 21.21.10 above, the Judicial Committee shall retain absolute discretion in relation to the awarding of costs associated with the case and may make such order as to costs as it sees fit.
- 21.21.12 Where a Player or other Person is adversely affected by a decision of the Judicial Committee in relation to an anti-doping rule violation, the Player or other Person shall be advised by the Judicial Committee of his right to request a review of the decision by a Post-Hearing Review Body.
- 21.21.13 Any deviation or deviations from the procedures set out in this Regulation 21.21 shall not invalidate any finding or decision of a Judicial Committee unless it was such as to cast real doubt on the reliability of such finding or decision.
- 21.21.14 The minimum requirements for first instance hearings held under the jurisdiction of Unions, Tournament Organisers or NADOs in relation to alleged anti-doping rule violations are set out in Regulations 21.14.3 to 21.14.8. The procedural guidelines set out in Regulation 21.21 may also be applied to such first instance hearings.

21.22 Sanctions

Imposition of Ineligibility for Prohibited Substances and Prohibited Methods

- 21.22.1 The period of Ineligibility imposed for a violation of Regulation 21.2.1 (Presence of Prohibited Substance or its Metabolites or Markers), Regulation 21.2.2 (Use or Attempted Use of a Prohibited Substance or Prohibited Method) and Regulation 21.2.6 (Possession of Prohibited Substances and Methods) shall be as follows, unless the conditions for eliminating or reducing the period of Ineligibility, as provided for in



Regulations 21.22.3, 21.22.4, 21.22.5, 21.22.6, 21.22.7 and/or 21.22.8 or the conditions for increasing the period of Ineligibility, as provided in Regulation 21.22.9, are met:

First violation: Two years.

Ineligibility for Other Anti-Doping Rule Violations

21.22.2 The period of Ineligibility for anti-doping rule violations other than as provided in Regulation 21.22.1 shall be as follows:

- (a) For violations of Regulation 21.2.3 (Refusing or Failing to Submit to Sample Collection) or Regulation 21.2.5 (Tampering or Attempted Tampering with Doping Control), two years unless the conditions provided for in Regulations 21.22.4, 21.22.5, 21.22.6, 21.22.7 and/or 21.22.8 or the conditions provided for in Regulation 21.22.9, are met.
- (b) For violations of Regulation 21.2.7 (Trafficking or Attempted Trafficking) or Regulation 21.2.8 (Administration or Attempted Administration of a Prohibited Substance or Prohibited Method), minimum of four years up to lifetime unless the conditions provided for in Regulations 21.22.3, 21.22.4, 21.22.5, 21.22.6, 21.22.7 and/or 21.22.8 are met. An anti-doping rule violation involving a Minor shall be considered a particularly serious violation and, if committed by Player Support Personnel for violations other than Specified Substances referenced in Regulation 21.4.5, shall result in lifetime Ineligibility for Player Support Personnel. In addition, significant violations of Regulations 21.2.7 or 21.2.8 which may also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.
- (c) For violations of Regulation 21.2.4 (Filing Failures and/or Missed Tests), a minimum one year and at a maximum two years based on the Player's degree of fault.

Elimination or Reduction of the Period of Ineligibility for Specified Substances under Specific Circumstances

21.22.3 Where a Player or other Person can establish how a Specified Substance entered his body or came into his Possession and that such Specified Substance was not intended to enhance the Player's sport performance or mask the Use of a performance-enhancing substance, the period of Ineligibility found in Regulation 21.22.1 shall be replaced with the following:

First violation: At a minimum, a reprimand and no period of Ineligibility; and at a maximum, two years.

To justify any elimination or reduction from the maximum period of Ineligibility set out above, the Player or other Person must produce corroborating evidence in addition to his word which establishes to the comfortable satisfaction of the Judicial Committee the absence of intent to enhance sport performance or mask the Use of a performance-enhancing substance. The Player's or other Person's degree of fault shall be the criterion considered in assessing any reduction of the period of Ineligibility.

Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances

21.22.4 No Fault or Negligence

If a Player or other Person establishes in an individual case that he bears No Fault or Negligence, the otherwise-applicable period of Ineligibility shall be eliminated. When a Prohibited Substance or its Markers or Metabolites is detected in a Player's Sample in violation of Regulation 21.2.1 (presence of a Prohibited Substance or its Metabolites or Markers), the Player must also establish how the Prohibited Substance entered his system in order to have the period of Ineligibility eliminated. In the event this Regulation 21.22.4 is applied and the period of Ineligibility otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of Ineligibility for multiple violations under Regulation 21.22.10.

21.22.5 No Significant Fault or Negligence

If a Player or other Person establishes in an individual case that he bears No Significant Fault or Negligence, the otherwise-applicable period of Ineligibility may be reduced, but the reduced period of Ineligibility may not be less than one-half of the period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this section may be no less than eight years. When a Prohibited Substance or its Markers or Metabolites is detected in a Player's Sample in violation of Regulation 21.2.1 (presence of Prohibited Substance or its Metabolites or Markers), the Player must also establish how the Prohibited Substance entered his system in order to have the period of Ineligibility reduced.

21.22.6 **Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations**

The Judicial Committee (or the judicial body of the Union or Tournament Organiser with results management responsibility for an anti-doping rule violation) may prior to the final appellate decision under Regulation 21.27 or the expiration of the time to appeal, suspend part of the period of Ineligibility imposed in an individual case where the Player or other Person has provided Substantial Assistance to the Judicial Committee (or the judicial body of the Unions or Tournament Organisers), criminal authority or professional disciplinary body which results in the Board discovering or establishing an anti-doping rule violation by another Person or which results in a criminal or disciplinary body discovering or establishing a criminal offence or a breach of professional rules by another Person.

After a final appellate decision under Regulation 21.27 or the expiration of the time to appeal, the Judicial Committee (or the judicial body of the Unions or Tournament Organisers) may only suspend a part of the applicable period of Ineligibility with the approval of WADA and the Board. The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the Player or other Person and the significance of the Substantial Assistance provided by the Player or other Person to the effort to eliminate doping in sport. No more than three quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this Regulation must be no less than eight years.

If the Judicial Committee (or the judicial body of the Unions or Tournament Organisers) suspends any part of the period of Ineligibility under this Regulation 21.22.6, the Judicial Committee (or the judicial body of the Unions or Tournament Organisers) shall promptly provide a written justification for its decision to each Anti-Doping Organisation having a right to appeal the decision. If the Judicial Committee (or the judicial body of the Union or Tournament Organiser) subsequently reinstates any part of the suspended period of Ineligibility because the Player or other Person has failed to provide the Substantial Assistance which was anticipated, the Player or other Person may appeal the reinstatement pursuant to Regulation 21.27.2.

Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence

- 21.22.7 Where a Player or other Person voluntarily admits the commission of an anti-doping rule violation before having received notice of a Sample collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than under Regulation 21.2.1, before receiving first notice of the admitted violation pursuant to Regulation 21.20) and that admission is the only reliable evidence of the violation at the time of admission, then the otherwise-applicable period of Ineligibility may be reduced, but not below one-half of the period of Ineligibility otherwise applicable.

Where a Player or Other Person Establishes Entitlement to Reduction in Sanction Under More than One Provision of this Regulation

- 21.22.8 Before applying any reduction or suspension under Regulations 21.22.5, 21.22.6 or 21.22.7, the otherwise-applicable period of Ineligibility shall be determined in accordance with Regulations 21.22.1, 21.22.2 and Regulation 21.22.9. If the Player or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under two or more of Regulations 21.22.5, 21.22.6 or 21.22.7, then the otherwise applicable period of Ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of Ineligibility.

Aggravating Circumstances Which May Increase the Period of Ineligibility

- 21.22.9 If the Judicial Committee (or the judicial body of the Unions or Tournament Organisers) establishes in an individual case involving an anti-doping rule violation other than violations under Regulation 21.2.7 (Trafficking or Attempted Trafficking) and 21.2.8 (Administration or Attempted Administration) that aggravating circumstances are present which justify the imposition of a period of Ineligibility greater than the standard sanction, then the period of Ineligibility otherwise applicable shall be increased up to a maximum of four years unless the Player or other Person can prove to the comfortable satisfaction of the Judicial Committee that he did not knowingly commit the anti-doping rule violation.

A Player or other Person can avoid the application of this Regulation by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by an Anti-Doping Organisation.



21.22.10 Multiple Violations

A. Second Anti-Doping Rule Violation

For a Player’s or other Person’s first anti-doping rule violation, the period of Ineligibility is set forth in Regulation 21.22.1 and 21.22.2 (subject to elimination, reduction or suspension under Regulation 21.22.3 or 21.22.4, 21.22.5, 21.22.6, 21.22.7 and/or 21.22.8 or to an increase under Regulation 21.22.9). For a second anti-doping rule violation the period of Ineligibility shall be within the range set forth in the table below.

Second Violation First Violation	RS	FFMT	NSF	St	AS	TRA
RS	1-4	2-4	2-4	4-6	8-10	10-life
FFMT	1-4	4-8	4-8	6-8	10-life	life
NSF	1-4	4-8	4-8	6-8	10-life	life
St	2-4	6-8	6-8	8-life	life	life
AS	4-5	10-life	10-life	life	life	life
TRA	8-life	life	life	life	life	life

Definitions for the purposes of the second anti-doping rule violation table:

- RS** (Reduced sanction for Specified Substance under Regulation 21.22.3): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Regulation 21.22.3 because it involved a Specified Substance and the other conditions under Regulation 21.22.3 were met.
- FFMT** (Filing Failures and/or Missed Tests): The anti-doping rule violation was or should be sanctioned under Regulation 21.22.2(c)
- NSF** (Reduced sanction for No Significant Fault or Negligence): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Regulation 21.22.5 because No Significant Fault or Negligence under Regulation 21.22.5 was proved by the Player.
- St** (Standard sanction under Regulation 21.22.1 or 21.22.2(a)): The anti-doping rule violation was or should be sanctioned by the standard sanction of two years under Regulation 21.22.1 or 21.22.2(a).

- AS** (Aggravated sanction): The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Regulation 21.22.9 because the Anti-Doping Organisation established the conditions set forth under Regulation 21.22.9.
- TRA** (Trafficking or Attempted Trafficking and Administration or Attempted Administration): The anti-doping rule violation was or should be sanctioned by a sanction under Regulation 21.22.2(b).

B. Application of Regulation 21.22.6 and 21.22.7 to Second Anti-Doping Rule Violations

Where a Player or other Person who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of Ineligibility under Regulation 21.22.6 or 21.22.7, the Judicial Committee shall first determine the otherwise applicable period of Ineligibility within the range established in the table in Regulation 21.22.10 and then apply the appropriate suspension or reduction of the period of Ineligibility. The remaining period of Ineligibility, after applying any suspension or reduction under Regulation 21.22.6 or 21.22.7, must be at least one-fourth of the otherwise applicable period of Ineligibility.

C. Third Anti-Doping Rule Violation

A third anti-doping rule violation will always result in a lifetime period of Ineligibility, except if the third violation fulfils the condition for elimination or reduction of the period of Ineligibility under Regulation 21.22.3 or involves a violation of Regulation 21.2.4 (Filing Failures and/or and Missed Tests). In these particular cases, the period of Ineligibility shall be from eight years to life ban.

D. Additional Rules for Certain Potential Multiple Violations

- (i) For the purposes of imposing sanctions under Regulation 21.22, an anti-doping rule violation will only be considered a second violation if the Board or a Union or Tournament Organiser can establish that the Player or other Person committed the second anti-doping rule violation after the Player or other Person received notice pursuant to Regulation 21.20, or after the Board or its Union or Tournament Organiser made reasonable efforts to give notice, of the first anti-doping rule violation; if the Board or its Union or Tournament Organiser cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be

based on the violation that carries the more severe sanction; however, the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances (Regulation 21.22.9).

- (ii) If, after the resolution of a first anti-doping rule violation, the Board, a Union or Tournament Organiser discovers facts involving an anti-doping rule violation by the Player or other Person which occurred prior to notification regarding the first violation, then the Board or a Union or Tournament Organiser shall impose an additional sanction based on the sanction that could have been imposed if the two violations would have been adjudicated at the same time.

To avoid the possibility of a finding of aggravating circumstances on account of the earlier-in-time but later-discovered violation, the Player or other Person must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which he is first charged. The same rule shall also apply when the Board discovers facts involving another prior violation after the resolution of proceedings for a second anti-doping rule violation.

E. Multiple Anti-Doping Rule Violations During Eight-Year Period

For the purposes of Regulation 21.22, each anti-doping rule violation must take place within the same eight-year period in order to be considered multiple violations.

Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation

21.22.11 In addition to any Provisional Suspension or Ineligibility period imposed on a Player who has been found to have committed an anti-doping rule violation, unless fairness requires otherwise, he shall also be subject to forfeiture of any medals and/or prizes.

- (a) As a condition of regaining eligibility after being found to have committed an anti-doping rule violation, the Player must first repay all prize money forfeited under this Regulation 21.22.11.
- (b) **Allocation of forfeited prize money**
Forfeited prize money shall be reallocated to reimburse the collection expenses of the Board or Union or Tournament Organiser that performed the necessary steps to collect the prize money back, then to reimburse the expenses of the Board or Union or Tournament

Organiser that conducted results management in the case, with the balance, if any, allocated to anti-doping education.

Commencement of Ineligibility Period

21.22.12 Except as provided below, the period of Ineligibility shall start on the date of the hearing decision providing for Ineligibility or, if the hearing is waived, on the date Ineligibility is accepted or otherwise imposed. Any period of Provisional Suspension (whether imposed or voluntarily accepted) shall be credited against the total period of Ineligibility to be served.

(a) **Delays Not Attributable to the Player or other Person**

Where there have been substantial delays in the hearing process or other aspects of Doping Control not attributable to the Player or other Person, then the Board or Union or Tournament Organiser imposing the sanction may start the period of Ineligibility at an earlier date commencing as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred.

(b) **Timely Admission**

Where the Player or other Person promptly (which, in all events, for a Player means before the Player competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by the Board or Union or Tournament Organiser, the period of Ineligibility may start as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Regulation 21.22.12(b) is applied, the Player or other Person shall serve at least one-half of the period of Ineligibility going forward from the date the Player or other Person accepted the imposition of a sanction, the date of the hearing decision imposing the sanction, or the date the sanction was otherwise imposed.

(c) If a Provisional Suspension is imposed and respected by the Player then the Player shall receive a credit for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed.

(d) If a Player voluntarily accepts a Provisional Suspension in writing from the Board or Union or Tournament Organiser and thereafter refrains from competing, the Player shall receive a credit for such period of voluntary Provisional Suspension against any period of Ineligibility which may ultimately be imposed. A copy of the Player's voluntary acceptance of a Provisional Suspension shall be provided promptly to each party entitled to receive notice of a potential anti-doping rule violation under Regulation 21.14.3.

- (e) No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional Suspension regardless of whether the Player elected not to compete or was suspended by his Team.

21.22.13 Status During Ineligibility

A. Prohibition Against Participating During Ineligibility

- (i) No Player or other Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in a Match and/or Tournament (International or otherwise) or activity (other than authorised anti-doping education or rehabilitation programmes) authorised or organised by the Board or any Union or Tournament Organiser. Such participation includes but is not limited to coaching, officiating, selection, Team management, administration or promotion of the Game, playing, training as part of a Team or squad, or involvement in the Game in any other capacity in any Union in membership of the IRB.
- (ii) Subject to paragraph (iii) below, no Player or other Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in any athletic contest or any activity in any sport (other than authorised anti-doping education or rehabilitation programmes) authorised or organised by any Signatory or any Signatory's member organisation, or in any athletic contest in any sport authorised or organised by any professional league or any international or national level event organisation.
- (iii) A Player or other Person subject to a period of Ineligibility longer than four years may, after completing four years of the period of Ineligibility, participate in local sport events in a sport other than rugby football, but only so long as the local sport event is not at a level that could otherwise qualify such Player or other Person directly or indirectly to compete in (or accumulate points toward) a national championship or International Event (as defined in the Code).
- (iv) A Player or other Person subject to a period of Ineligibility shall remain subject to Testing.

B. Violation of the Prohibition of Participation During Ineligibility

Where a Player or other Person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Regulation 21.22.13A, the medals and any prizes arising out of such participation shall be forfeited and the period of Ineligibility which was originally imposed shall start over again as of the date of the violation. The new period of Ineligibility may be reduced under Regulation 21.22.5 if the Player or other Person establishes he bears No Significant Fault or Negligence for violating the prohibition against participation. The determination of whether a Player or other Person has violated the prohibition against participation, and whether a reduction under Regulation 21.22.5 is appropriate, shall be made by the Board or Union or Tournament Organiser whose results management led to the imposition of the initial period of Ineligibility.

C. Withholding of Financial Support during Ineligibility.

In addition, for any anti-doping rule violation not involving a reduced sanction for Specified Substances as described in Regulation 21.22.3, some or all sport-related financial support or other sport-related benefits received by such Person will be withheld by the Board and/or Unions and/or Tournament Organisers.

21.22.14 Public Disclosure

- (a) All anti-doping rule violations found to have been committed shall be publicly announced by the Board, Union or Tournament Organiser responsible for the results management of the case.
- (b) The identity of any Player or other Person who commits an anti-doping rule violation shall be publicly announced only after notice has been provided to the Player or other Person. This shall be no later than 20 days after it has been determined in a hearing that such anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged. The Board, Union or Tournament Organiser responsible for results management shall publicly report the anti-doping rule violated and shall name the Player or other Person committing the violation, the Prohibited Substance or Prohibited Method involved and the Consequences of Anti-Doping Rule Violations imposed. The Board, Union or Tournament Organiser responsible for results management may also publish as they think fit, parts of or the entire hearing decision. The Board, Union or Tournament Organiser

responsible for results management must also publicly report within 20 days appeal decisions concerning anti-doping rule violations.

- (c) In any case where it is determined, after a hearing or appeal, that the Player or other Person did not commit an anti-doping rule violation, the decision may be disclosed publicly only with the consent of the Player or other Person who is the subject of the decision. The Board, Union or Tournament Organiser responsible for results management shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as the Player or other Person may approve.
- (d) Neither the Board, its Unions nor a WADA accredited laboratory (or their officials) shall publicly comment on the specific facts of a pending case (as opposed to general descriptions of the process and science) except (as appropriate) in response to public comments attributed to the Player or other Person or their representatives.
- (e) For the purposes of this Regulation 21.22.14, publication shall be accomplished at a minimum by placing the required information on the Board, Union or Tournament Organiser's website and leaving the information up for at least one year.

21.22.15 **Reinstatement Testing**

As a condition to regaining eligibility at the end of a specified period of Ineligibility, a Player must, during any period of Provisional Suspension or Ineligibility, make himself available for Out of Competition Testing by the Board, the applicable Union, and any other Anti-Doping Organisation having Testing jurisdiction, and must comply with all whereabouts requirements as set out in Regulation 21.10. If a Player subject to a period of Ineligibility retires from the Game and is removed from Out of Competition Testing pools and later seeks reinstatement, the Player shall not be eligible for reinstatement until the Player has notified the Board and the applicable Union and any other Anti-Doping Organisation having Testing jurisdiction and has been subject to Out of Competition Testing for a period of time equal to the longer of the period set forth in Regulation 21.12.3 or the period of Ineligibility remaining as at the date the Player retired. The foregoing shall apply to any Player or other Person seeking to participate in the Game following the equivalent of a period of Ineligibility with respect to another sport.

21.23 Consequences for Teams**21.23.1 Testing of Teams**

Where more than one member of a Team has been notified of a possible anti-doping rule violation under Regulation 21.20 in connection with a Match, Tournament or International Tour, the Team shall be subject to appropriate Target Testing by the Board and/or Union and/or Tournament Organiser.

21.23.2 Consequences for Teams

If more than two members of a Team are found to have committed an anti-doping rule violation during a Match, Tournament or International Tour, the entity with jurisdiction over the Match, Tournament or International Tour shall impose an appropriate sanction on the Team (e.g. loss of points, Disqualification from a Match, Tournament or International Tour and/or other sanction) in addition to any Consequences of Anti-Doping Rule Violations imposed upon the individual Team member(s) committing the anti-doping rule violations.

21.23.3 Additional Consequences for Teams

In relation to any particular Match, and/or Tournament and/or International Tour under its jurisdiction, the Board, Union and/or Tournament Organiser may impose stricter Consequences of Anti-Doping Rule Violations for Teams than those set out in Regulation 21.23.2.

21.24 Referral to Post-Hearing Review Body**Post-Hearing Review**

- 21.24.1 A Player or other Person who has been found by a Judicial Committee to have committed an anti-doping rule violation shall be entitled to have the finding and/or sanction referred to the Post-Hearing Review Body. In circumstances where the Player has been subject to a period of Ineligibility then pending the decision of the Post-Hearing Review Body, the Player or other Person shall not be entitled to participate in the Game or in any activities, such participation includes but is not limited to coaching, officiating, selection, Team management, administration or promotion of the Game, playing, training as part of a Team or squad, or involvement in the Game in any other capacity in any Union. The Board shall also be entitled to refer a case dealt with by a Judicial Committee to the Post-Hearing Review Body whether the Player or other Person in the case concerned has been found to have committed an anti-doping rule violation or otherwise.



- 21.24.2 A referral to the Post-Hearing Review Body must be made within seven days from the date of notification of the decision of the Judicial Committee. A notice of review signed by the party seeking review must be lodged with the Board CEO within seven days from the date of notification to the Player or other Person of the decision of the Judicial Committee and shall specify:
- (a) The name of the party seeking the review;
 - (b) The decision to be the subject of the review;
 - (c) The date of the decision; and
 - (d) The specific grounds for the referral request. Except as provided, no specific form of a notice of review is required.

21.25 Post-Hearing Review Body

- 21.25.1 The Post-Hearing Review Body shall be made up of three members all of whom shall have knowledge of doping in sport and the Code, and shall ordinarily comprise:
- (a) A senior legal practitioner who shall act as chairman;
 - (b) An experienced medical practitioner; and
 - (c) Either a second person from category (a) or (b) above or an ex-Player or rugby administrator.
- 21.25.2 If one or more members of the Post-Hearing Review Body is/are unable or unwilling, for whatever reason, to conduct the review, then the Board may in its absolute discretion:
- (a) Appoint a replacement(s);
 - (b) Appoint a new Post-Hearing Review Body; or
 - (c) Allow the remaining member(s) of the Post-Hearing Review Body to conduct the review.
- 21.25.3 The Post-Hearing Review Body shall determine the basis upon which any review will proceed. It may, however, in its discretion rehear the whole or any part of the evidence given before the Judicial Committee as it considers appropriate. Pending the decision of the Post-Hearing Review Body the decision of the Judicial Committee remains in full force and effect.

- 21.25.4 Where any question of fact arises on any review before the Post-Hearing Review Body it may be determined by reference to the record of proceedings before the Judicial Committee. However, the Post-Hearing Review Body, in its discretion, may rehear or receive written evidence in respect of the whole or any part of the evidence given before the Judicial Committee as it considers appropriate.
- 21.25.5 The Post-Hearing Review Body shall have the power to conduct and regulate the review proceedings as it sees fit having regard to the circumstances of the case. Although the Post-Hearing Review Body is entitled to regulate its own procedure it shall conform to the procedures stated in these Anti-Doping Regulations and with the procedural guidelines set out below:
- (a) The review shall be conducted in a timely fashion;
 - (b) The parties shall have the right to be represented by counsel at their own expense; and
 - (c) The decision shall be timely, written and reasoned.
- 21.25.6 The Post-Hearing Review Body shall be entitled to call on experts to provide specialist advice, including legal advice.
- 21.25.7 The Post-Hearing Review Body shall have full discretionary power to hear and receive such further evidence as it thinks fit, provided it is established by the party wishing to lead such new evidence that such evidence was not, on reasonable enquiry, available at the time of the original hearing.
- 21.25.8 In any case where a witness required by the Post-Hearing Review Body refuses or fails to attend before the Post-Hearing Review Body, the Post-Hearing Review Body may decide whether or not to allow the evidence of that witness to be given in any other form.
- 21.25.9 Save where the Post-Hearing Review Body decides to hear the entire case de novo (in which circumstances the applicable first instance standards and burdens shall apply), the party seeking review shall have the burden of proving that the decision being challenged should be overturned or varied.
- 21.25.10 The Post-Hearing Review Body may request that a Board representative attend the hearing before the Post-Hearing Review Body.
- 21.25.11 The decision of the Post-Hearing Review Body shall be advised to the parties as soon as practicable after the conclusion of the hearing. When it considers it appropriate, the Post-Hearing Review Body may deliver a

short oral decision at the conclusion of the hearing with its reasons to be put in writing and communicated to the parties at a later date, or it may reserve its decision.

- 21.25.12 Costs associated with any proceedings before the Post-Hearing Review Body shall, ordinarily, be borne by the party seeking review. The Post-Hearing Review Body shall, however, have full discretion in relation to the costs of Post-Hearing Review Body proceedings and may order any party or parties to pay some or all of the costs of proceedings under this Regulation 21.25 including the cost of holding the review, the cost of any interpreters and/or the legal and/or travel/accommodation costs of the members of the Post-Hearing Review Body and/or the parties.
- 21.25.13 In exercising its jurisdiction the Post-Hearing Review Body shall have power to quash, suspend, vary or increase the decisions and/or sanction reviewed, subject always to the provisions of Regulation 21.22.

21.26 Union Post-Hearing Review Procedures

- 21.26.1 In respect of cases involving anti-doping rule violations under the jurisdiction of Unions or Tournament Organisers following a first instance hearing and/or decision, Unions, Tournament Organisers and NADOs shall establish an independent post-hearing review body and implement procedures in compliance with Regulations 21.24 and 21.25 above.
- 21.26.2 Unions, Tournament Organisers and NADOs must ensure that as a minimum requirement the parties having the right to refer a case to the post-hearing review body of the Union, Tournament Organiser or NADO (as the case may be) shall include the Player or other Person subject to the decision being reviewed, the Union or Tournament Organiser (as the case may be), the Board and WADA. The written decision of the post-hearing review body shall be notified to the Board within 72 hours of it being communicated to the Player or other Person concerned.

21.27 Appeals

Decisions Subject to Appeal

- 21.27.1 Decisions made under Regulations 21.25 or 21.26 of these Anti-Doping Regulations may be appealed as set forth below. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-hearing review authorised in Regulations 21.25 and 21.26 must be exhausted except as provided in Regulation 21.27.1(a) below:

(a) **WADA Not Required to Exhaust Internal Remedies**

Where WADA has a right to appeal under this Regulation 21.27 and no other party has appealed a final decision within the Board's, Union's or Tournament Organiser's process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in the Board's or Union's or Tournament Organiser's process.

Appeals from Decisions Regarding Anti-Doping Rule Violations and Consequences

21.27.2 A decision that an anti-doping rule violation was committed, a decision imposing Consequences of Anti-Doping Rule Violations; a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons; a decision under Regulation 21.22.13B (prohibition of participation during Ineligibility); a decision that the Board, or its Union or Tournament Organiser lacks jurisdiction to rule on an alleged anti-doping rule violation or the Consequences of Anti-Doping Rule Violations; a decision by the Board or Union or Tournament Organiser not to bring forward an Adverse Analytical Finding or an Atypical Finding as an anti-doping rule violation and a decision not to go forward with an anti-doping rule violation after an investigation under Regulation 21.16; may be appealed exclusively as provided in this Regulation 21.27.2.

(a) **Appeals Involving International Level Players**

In cases arising from an International Match, Series of International Matches, International Tournament or International Tour and other cases of Doping Control initiated by the Board and in cases involving International Level Players, the decision may be appealed exclusively to CAS in accordance with the provisions applicable before such court and which will resolve definitively the dispute in accordance with the code of sports related arbitration.

(b) **Appeals Involving National Level Players**

In respect of decisions made pursuant to Regulation 21.26 by the applicable Union, Tournament Organiser or NADO post-hearing review body, WADA, the Board and the Player, or other Person concerned shall be entitled to appeal the case to CAS in accordance with the provisions applicable before such court and which will resolve definitively the dispute in accordance with the code of sports-related arbitration. For the avoidance of doubt before any appeal to CAS all internal procedures of the applicable body must be exhausted.

(c) **Persons Entitled to Appeal – International Level Players**

In cases under Regulation 21.27.2(a), the following parties shall have the right to appeal to CAS: (i) the Player or other Person who is the subject of the decision being appealed; (ii) the other party to the case in which the decision was rendered; (iii) the Board and any other Anti-Doping Organisation under whose rules a sanction could have been imposed; (iv) the National Anti-Doping Organisation of the Person's country of residence; the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (v) WADA.

(d) **Persons Entitled to Appeal – National Level Players**

In cases under Regulation 21.26, the following parties shall have the right to appeal to CAS: (i) the Player or other Person who is the subject of the decision being appealed; (ii) the other party to the case in which the decision was rendered; (iii) the Board and any other Anti-Doping Organisation under whose rules a sanction could have been imposed; (iv) the National Anti-Doping Organisation of the Person's country of residence; and (v) WADA.

Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the Board, Union and any other Anti-Doping Organisation whose decision is being appealed and the information shall be provided if CAS so directs.

- (e) The Board has the right to appear, attend and/or participate as a party in any appeal to CAS involving an anti-doping rule violation. For the avoidance of doubt, in relation to any proceedings and/or appeals referred to and/or to be dealt with by CAS, the Board shall be entitled to be a party, make representations, make submissions, adduce evidence and call witnesses if it so elects.
- (f) Where the Board appeals a case to CAS, the Union of the Player or other Person concerned may be represented at the CAS hearing in an observer capacity. Any alteration to this status will be subject to the rules of the CAS.

21.27.3 **Failure to Render a Timely Decision by an Anti-Doping Organisation**

Where, in a particular case, the Anti-Doping Organisation fails within a reasonable deadline set by WADA to render a decision with respect to whether an anti-doping rule violation was committed, WADA may elect to appeal directly to CAS as if the Board or its Unions or Tournament Organisers had rendered a decision finding no anti-doping rule violation. If the CAS hearing panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorneys fees in prosecuting the appeal shall be reimbursed to WADA by the Anti-Doping Organisation.

Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

- 21.27.4 Decisions by WADA reversing the grant or denial of a TUE may be appealed exclusively to CAS by the Player, Board or NADO which granted or denied the TUE. Decisions to deny TUEs, and which are not reversed by WADA, may be appealed by International Level Players to CAS and by other Players to the appointed TUE appeal body established in the country of their Union. Where such a body does not exist in the country of their Union, the non-International Level Players may appeal to WADA. If the appointed TUE appeal body reverses the decision to deny a TUE that decision may be appealed to CAS by WADA. When the Board, Union or NADO fails to take action on a properly submitted TUE application within a reasonable time, the Board, Union or NADO's failure to decide may be considered a denial for purposes of the appeal rights provided in this Regulation.

Appeal from Decisions Pursuant to Regulations 21.9.4 and 21.29.2

- 21.27.5 Decisions by the Board pursuant to Regulations 21.9.4 and 21.29.2 may be appealed exclusively to CAS by the Union concerned.

Time for Filing Appeals to CAS

- 21.27.6 Save in respect of an appeal by WADA, the time to file an appeal to CAS shall be 21 days from the date of receipt of the written decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal in accordance with these Anti-Doping Regulations but which was not a party to the proceedings having led to the decision subject to appeal:

- (a) Within 14 days from notice of the decision, such party/(ies) shall have the right to request from the body that issued the decision a copy of the complete file on which such body relied; and
- (b) If such a request is made within the 14-day period, then the party making such request shall have 21 days from receipt of the complete file to file an appeal to CAS.

21.27.7 The above notwithstanding, the filing deadline for an appeal or intervention filed by WADA shall be the later of:

- (a) 21 days after the last day on which any other party in the case could have appealed, or
- (b) 21 days after WADA's receipt of the complete file relating to the decision.

21.28 Mutual Recognition

- 21.28.1 Any decision of the Board or a decision of a Union or Tournament Organiser where such decision is recognised and accepted by the Board in connection with a violation of these Anti-Doping Regulations or the anti-doping regulations of a Union or Tournament Organiser (which must be compliant with these Anti-Doping Regulations) shall be recognised by all Unions and Tournament Organisers which shall take all necessary action to render such decision effective.
- 21.28.2 The Board may as appropriate recognise sanctions or penalties imposed by public authorities in respect of doping related matters whether specifically defined hereunder or otherwise, and may recognise and/or impose (as the case may be) appropriate sports-based sanctions, including without limitation the sanctions provided for in these Anti-Doping Regulations.
- 21.28.3 Subject to the right to appeal provided in Regulation 21.27, Testing, TUEs and hearing decisions or other final adjudications of any Signatory which are consistent with the Code and are within that Signatory's authority, shall be recognised and respected by all other Signatories.
- 21.28.4 The Board and Unions shall recognise the same actions of other bodies which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code.

21.29 Reporting Requirements

- 21.29.1 Without limiting the reporting and notification requirements set out in Regulation 21.14.5 and 21.14.9 each Union or Tournament Organiser (as the case may be) shall submit to the CEO of the Board a full report of the proceedings and conclusions of all hearings resulting from anti-doping rule violations arising out of or within its jurisdiction within 72 hours of the final written decision on the anti-doping rule violation having been made. Such cases shall be considered by the IRB Anti-Doping Manager who, on behalf of the Board shall be entitled to (a) request the case file, (b) accept the result and decision or (c) refer the matter to representatives of the Board's Anti-Doping Advisory Committee who on behalf of the Board may accept the result and decision or subject to these Anti-Doping Regulations refer the matter to the applicable review body or appeal the matter to CAS. Any review following a referral to the Board's Anti-Doping Advisory Committee shall be undertaken as expeditiously as possible, but in any event shall not be constrained by time limits. Both the IRB Anti-Doping Manager or representatives of the Board's Anti-Doping Advisory Committee may take such other steps and/or make such other recommendations to the Board as they deem appropriate.
- 21.29.2 If the CEO of the Board or his nominee believes that a Union is not applying, or in a particular case did not apply, these Anti-Doping Regulations and/or the Guidelines, or failed to apply these Anti-Doping Regulations properly or in good faith, that Union renders itself liable to disciplinary action.
- 21.29.3 The Board shall publish annually a general statistical report of its Doping Control activities during the calendar year with a copy provided to WADA and the Board may periodically publish testing data received from Unions.
- 21.29.4 The Unions shall report to the Board at the end of every year the results of all Doping Controls within their jurisdiction sorted by Player and identifying each date on which the Player was tested, the entity conducting the test, and whether the test was In Competition or Out of Competition.
- 21.29.5 The Board shall provide to WADA information supplied by Unions, Tournament Organisers and/or NADOs in relation to these Anti-Doping Regulations and the regulations of the Union and Tournament Organiser concerned. The Board shall in the case of an Adverse Analytical Finding or anti-doping rule violation notify WADA upon completion of the initial hearing before a Judicial Committee and upon notification by a Union or Tournament Organiser or NADO of the findings/decisions of its hearing bodies.

21.29.6 The Board will report to WADA on its compliance with the Code every second year.

21.30 Statute of Limitations

No action may be commenced under these Anti-Doping Regulations against a Player or other Person for a violation of an anti-doping rule contained in these Anti-Doping Regulations unless such action is commenced within eight years from the date the violation occurred.

21.31 Data

21.31.1 Any Person who submits data and/or medical information to the Board in accordance with these Anti-Doping Regulations agrees that such information may be utilised by the Board, Unions, WADA, NADOs or other relevant entities for the purposes of the implementation of these Anti-Doping Regulations.

21.31.2 Any person who submits data and/or medical information to the Board in accordance with these Anti-Doping Regulations agrees that such information may be stored electronically (whether in a database or otherwise) by the Board, Unions, WADA, NADOs or other relevant entities for the purposes of the implementation of these Anti-Doping Regulations.

21.31.3 Whereabouts information provided pursuant to these Anti-Doping Regulations shall be shared with WADA and other Anti-Doping Organisations for the purposes of Doping Control.

21.31.4 The Board, each Union and Tournament Organiser shall procure that it obtains the consent of every Player that their personal anti-doping data relating to the Doping Control process (including test distribution planning, Sample collection and handling, laboratory analysis, results management, hearings and appeals, TUEs and/or Player whereabouts) can be processed (for example transmitted, disclosed, used and/or stored) by and amongst the Board, Unions, WADA, NADOs and/or other Anti-Doping Organisations in electronic form including but not limited to as part of the ADAMS database system². A Player/Athlete Information Notice relating to data provided for use by WADA and/or as part of the ADAMS database system is located at www.irb.com and in Schedule 5.

² ADAMS is the Anti-Doping Administration and Management System which has been developed to enable Players and Anti-Doping Organisations to enter and share Doping Control-related data. ADAMS is an on-line, web-based system, which allows restricted sharing of data only with those organisations with the right to access such data in accordance with Regulation 21 and/or the Code or equivalent anti-doping regulations.

21.32 Exceptional Circumstances

- 21.32.1 In exceptional circumstances where it has grounds to believe that there has been a misapplication of the applicable anti-doping regulations and acting on the advice of the Anti-Doping Advisory Committee, the Board shall be entitled to require as it deems fit that the relevant Union(s) provisionally suspend such Players or other Person(s) from any involvement in the Game pending the final determination of the matter.
- 21.32.2 It is the responsibility of each Union to ensure that in such circumstances it is able by reference to its anti-doping regulations or otherwise, to effect and/or recognise such Provisional Suspension of the Players or other Person(s) concerned.

21.33 Unforeseen Circumstances

In the event that a doping-related incident arises for which there is no provision in these Anti-Doping Regulations then the CEO of the Board or his nominee may take such action that he considers appropriate in the circumstances in accordance with general principles of natural justice and fairness.

21.34 General

- 21.34.1 Any deviation or deviations from the Anti-Doping Regulations and/or the Guidelines does not invalidate any finding, decision or Adverse Analytical Finding unless such deviation or deviations are such as to cast material doubt on any finding, decision or Adverse Analytical Finding.
- 21.34.2 (a) Representatives of the Anti-Doping Advisory Committee shall on behalf of the Board and on behalf of all Unions recognise anti-doping rule violations arising out of anti-doping programmes carried out by Signatories to the Code.
- (b) The Anti-Doping Advisory Committee may, on behalf of the Board and all Unions, recognise anti-doping rule violations arising out of, and sanctions imposed under anti-doping programmes of a sporting body other than the Board, Unions or Tournament Organisers, or Signatories (or by a member of another sporting body), under rules and procedures different from those of the Board, as long as the applicable rules and procedures are consistent with the provisions of the Code.
- (c) Unions shall recognise anti-doping rule violations committed, and sanctions imposed, under the rules of another sporting body and make provision to ensure that the Persons who are subject to such sanctions are unable to play, coach, train or provide any other assistance in any other capacity in connection with the Game. This is applicable at any level of the Game and for the same period of Ineligibility sanctioned in relation to the sport in respect of which the

anti-doping rule violation was committed. For the avoidance of doubt, the burden is on a person who is subject to a suspension imposed under the rules of another sporting body to prove that he should be entitled to play the Game on the grounds that the suspension he has received was improperly complied with.

- 21.34.3 The Board may amend these Anti-Doping Regulations from time to time.
- 21.34.4 The Board shall do everything possible to award world championships only to countries in which the government has ratified, accepted, approved or acceded to the UNESCO Convention.

21.35 Retrospective Application

- 21.35.1 These Anti-Doping Regulations shall not apply retrospectively to matters pre-dating 1 January 2009 (“the Effective Date”); provided, however, that:
- (a) Any case pending prior to the Effective Date, or brought after the Effective Date based on an anti-doping rule violation that occurred prior to the Effective Date, shall be governed by the predecessor to these Anti-Doping Regulations in force at the time of the anti-doping rule violation, subject to any application of the principle of *lex mitior* by the Judicial Committee determining the case.
 - (b) Where a period of Ineligibility imposed by the Board, a Union and/or Tournament Organiser under and/or in accordance with these Anti-Doping Regulations in force prior to the Effective Date has not yet expired as of the Effective Date, the Person who is Ineligible may apply to the IRB the Union or Tournament Organiser (who had results management responsibility at the time of the imposition of the original period of Ineligibility) for a reduction in the period of Ineligibility in light of the amendments made to these Anti-Doping Regulations as from the Effective Date. To be valid, such application must be made before the period of Ineligibility has expired.
 - (c) Subject always to Regulation 21.22.10E, anti-doping rule violations committed under rules in force prior to the Effective Date shall be taken into account as prior offences for the purposes of determining sanctions under Regulation 21.22.10. Where such pre-Effective Date anti-doping rule violation involved a substance that would be treated as a Specified Substance under these Anti-Doping Regulations, for which a period of Ineligibility of less than two years was imposed, such violation shall be considered a reduced sanction (RS) violation for the purposes of Regulation 21.22.10A.



SCHEDULE 1. DOPING CONTROL PROCEDURAL GUIDELINES

1. Doping Control Procedural Guidelines (“Guidelines”)

- (a) These Guidelines are in compliance with the WADA International Standard for Testing and should be followed as far as is reasonably practicable. However, any departure from the procedures set out in these Guidelines shall not invalidate a finding of an anti-doping rule violation unless such departure undermines the validity of such finding.

2. Doping Control Station

- (a) For In Competition Doping Control the Union or Tournament Organiser hosting the Match/Tournament shall provide a Doping Control Station.
 - (i) The Doping Control Station shall be secure and comprise of a waiting room, a processing area and a toilet (WC). The processing area shall be separate to the waiting area and should be private. The toilet should also be within the Doping Control Station.
 - (ii) The Doping Control Station shall not be shared with any other functional area supporting the Game.
 - (iii) The Doping Control Station shall be furnished to enable Sample collection to be carried out. This is the responsibility of the host Union or Tournament Organiser.
 - (iv) The Doping Control Officer (DCO), the Board or the Tournament Organiser (as the case may be) shall provide the Sample collection equipment necessary to conduct the Doping Control session.
 - (v) Security shall be provided on the entrance to the Doping Control Station or the DCO shall require a set of keys to the Doping Control Station for the duration of the Testing session.
 - (vi) No media, photography, video or recordings of any sort are permitted in the Doping Control Station while the station is in operation.

- (vii) A range of sealed, chilled non-alcoholic drinks should be available in the waiting area of the Doping Control Station to allow Players to hydrate. These drinks should also be offered to the selected Players at the time of notification.
- (viii) The host Union / Tournament Organiser shall be responsible for ensuring that the Doping Control Station is clearly identified; that the facilities are secure and clean and that the necessary furniture and fit out of the area in which Testing will take place has been provided and is acceptable. The DCO / Anti-Doping Commissioner (if present) shall review this on their arrival at the Doping Control Station.

3. Authorised Doping Control Officials

- (a) For In Competition Testing at a Match, a Sample collection Team should at a minimum consist of one DCO and four Chaperones. If additional selections or multiple Matches are taking place then a suitable number of DCOs and Chaperones should be appointed.
- (b) Chaperones must be of the same gender as those Players being tested and must be over the age of twenty one.
- (c) The DCO and the Chaperones shall carry an identification card and/or a letter authorising them to act as authorised Doping Control officials and confirming their entitlement to collect Samples from Players. Such identification should be made available to a Player when that Player is notified of his selection for a test. Chaperones are at a minimum required to carry a letter of authorisation.
- (d) The DCO, Chaperones and any Anti-Doping Commissioner shall be issued with Tournament or Match accreditation (where existing) that will grant them access to the venue(s), training grounds and to areas within the venue(s) and training grounds in which they may require access to in order to carry out their duties.
- (e) A DCO, Chaperone or Anti-Doping Commissioner who may have an interest in the outcome of the collection or Testing of a Sample from any Player who might provide a Sample at a Testing session shall not be appointed to the notification, Sample collection or Sample processing of that Player. Sample collection staff are deemed to have an interest in the collection of a Sample if they are:



- (i) Involved in the planning of the Game; or
 - (ii) Related to, or involved in the personal affairs of, any Player who might provide a Sample at that session.
- (f) All Sample collection staff shall have undertaken suitable training in relation to their role and activities of their position.
- (g) DCOs may personally perform any activities involved in the Sample collection session, with the exception of blood collection unless qualified and registered with the appropriate medical authority and appropriately experienced.

4. Selection of Players In Competition

- (a) The selection of Players for In Competition Testing may be random or targeted.

Random Selection

- (b) Using the numbered-card system or equivalent. The selection process should, ordinarily, take place within a one (1) hour time period prior to the commencement of the Match
- (c) The random selection draw of Players will take place in the Doping Control Station or in a private location.
- (d) The DCO will arrange for the random draw to be made by the two Team managers or their delegated representatives. The Anti-Doping Commissioner may also be present.
- (e) The DCO shall provide a set of cards for each Team numbered from 1 to the number corresponding to the total number of Players and replacements/substitutes participating in the Match or Tournament as appearing on the official Team sheet/Match list.
- (f) Each set of cards shall then be rearranged or shuffled and placed down as to expose only the reverse side, which does not show any number. Each Team manager shall select four cards of their own choice. On each card the Team manager shall sign and record the name of their Team. The selected cards shall be left face down so the numbers of the selected Players remains confidential.

- (g) Each Team manager shall also mark two of the four cards selected with “R1” and “R2” in addition to the Team manager’s signature and the name of their Team. These “reserve” cards may be used in the case of a selected Player being seriously injured and requiring immediate hospitalisation. For the avoidance of doubt if a selected Player is injured or is replaced for any reason prior to the start of a Match they shall remain selected for Testing unless they require immediate hospitalisation. If the Player does require immediate hospitalisation then one of the reserve selections shall be used.
- (h) At no stage are the selections, whether random or targeted, to be made known to the Team manager or any other party outside of the authorised Sample collection Team until the end of the Match. If the Team manager or his delegated representative wish to see the random selection cards drawn for their Team the Anti-Doping Commissioner or DCO shall show them the selected cards post Match.

Target Selection

- (i) The Board, host Union, Tournament Organiser or DCO shall have the right to request, without justifying the reason, that any Player undergo Testing at any time during an IRB Tournament or designated event. This may be a target selection of a Player(s) rather than using the random selection process or may be in addition to any random selection(s) made. Such target selections may also be specific to one or more Team(s). No reason is required to be provided by the Board, host Union, Tournament Organiser or DCO justifying why Target Testing is occurring for a Player(s). However, the Team manager shall ordinarily be notified by the DCO or the Anti-Doping Commissioner prior to the end of the Match that Target Testing is occurring but the identity of the targeted Players will not be advised until the end of the Match.
- (j) A Player may be subject to Doping Control on more than one occasion during any IRB Tournament or designated event or Tournament Organiser event.
- (k) Where a Player selected to undertake Doping Control is certified by the Match doctor to have been so seriously injured during the Match as to require hospitalisation, then that Team’s reserve “R” Player selected at the time of the random draw shall undertake the drug test in place of the originally selected Player.



- (l) The Match doctor shall provide a brief written report to the DCO outlining the reasons for the Players hospitalisation and his inability to provide a Sample for Doping Control.

5. Notification of Selection In Competition

- (a) The Chaperone shall be advised of their selected Player from when the Match begins. The DCO and Chaperones shall be located in a position within the Match venue where they have good vision of the selected Players during the Match.
- (b) As soon as reasonably practicable after the conclusion of the Match and in a discrete manner the Chaperones shall identify the selected Players and notify them individually that they are required to submit to Doping Control. All tests are to be conducted as No Advance Notice subject to (c) below.
- (c) The DCO or Chaperone shall consider whether a third party is required to be notified prior to the notification of the Player for example when the Player is a Minor or in situations where an interpreter is required for notification or when assistance from a third party is required to identify the selected Player.
- (d) A Player selected for Doping Control shall be handed a Doping Control form by a Chaperone confirming that the Player is required to submit to Doping Control. The Player shall acknowledge and accept notification of their selection by signing the Doping Control form as soon as the Player has read the Doping Control form.
- (e) The Chaperone shall record the time of notification.
- (f) A Chaperone shall accompany the Player selected from the time of notification until such time as the Player is handed over to the DCO in the processing area of the Doping Control Station. A Chaperone shall keep the Player under continuous, direct supervision.
- (g) Players should attend the Doping Control Station as soon as possible following notification that they have been selected for Doping Control. In any event, the Player shall arrive at the Doping Control Station as soon as they have completed their post Match activities which may consist of any activities as outlined in section 6(b) in this Schedule which must be completed within one (1) hour of being notified. The time of arrival to the Doping Control Station should be recorded by the Chaperone or DCO on the Doping Control form.



- (h) If an In Competition session cannot be completed after a Match (see definition of In Competition) the formal notification to the Player of the extension of the In Competition period up to a maximum of 24 hours shall be made in the comments section of the Doping Control form or on a supplementary form. The Doping Control Officer shall agree a time and place for Sample collection from the Player during the subsequent 24-hour period and shall record such time and place in the comments section of the Doping Control form or on a supplementary form. The Player shall acknowledge such notification and agreement by signing the appropriate form. Failure to appear for Sample collection at the agreed time and place shall constitute a breach of Regulation 21.2.3.

6. Players Rights and Responsibilities

- (a) The Player has the right to:
- (i) Have a representative and if available an interpreter present in the Doping Control Station (except for when the Player is passing a urine Sample);
 - (ii) Request additional information about the Sample collection process;
 - (iii) Request a delay in reporting to the Doping Control Station for valid reasons which may result in the Player arriving after the initial one hour period has expired. The DCO and/or Anti-Doping Commissioner shall decide on whether to approve such request.
- (b) Under the direct supervision of a Chaperone and within one (1) hour of notification a Player may complete any of the following before arriving to the Doping Control Station:
- (i) Attend a victory ceremony;
 - (ii) Fulfill media commitments;
 - (iii) Perform a warm-down or take an ice bath;
 - (iv) Be medically assessed and receive any necessary medical attention either in the Team change room or Match medical room;
 - (v) Attend a post-Match Team meeting in the Team change room;
 - (vi) Change out of his playing uniform;



- (vii) Locate a representative and/or interpreter;
 - (viii) Obtain the relevant personal identification;
 - (ix) Complete a training session if selected for Out of Competition Testing;
 - (x) Any other exceptional circumstances which may be justified, and which shall be documented. These may include but are not limited to the following:
 - A Player shall be permitted to take a shower for health and welfare reasons, for example due to the Player bleeding or having sustained any type of injury in which a shower would assist in the treatment of the injury or where due to the playing or training conditions the Player is cold and wet.
 - If a Player takes a shower due to the above reasons then it should be documented accordingly on the Doping Control form and the DCO/Chaperone shall inform the Player that he shall be under the direct observation of the DCO/Chaperone and shall not be permitted to pass urine in the shower or otherwise prior to providing a Sample in the Doping Control Station. Failure by the Player to adhere to this instruction may result in additional Samples being requested from the Player.
- (c) Once a Player has arrived at the Doping Control Station he shall be expected to remain until the Sample collection, Sample division and sealing procedures have been concluded and the relevant documentation completed.
- (d) The Anti-Doping Commissioner or in the event there is no Anti-Doping Commissioner present the DCO may grant permission for the Player to leave the Doping Control Station temporarily after arrival to perform one of the above activities listed in (b) but only if the Player;
- (i) Identifies the purpose of their request to leave the Doping Control Station;
 - (ii) Returns to the Doping Control Station within the specified time allocated;
 - (iii) Is continuously chaperoned and kept under direct observation during any temporary permitted departure from the Doping Control Station; and



- (iv) Does not urinate during this permitted absence period.
- (e) Where Team meetings occur within the one (1) hour notification period that require the presence of the selected Players, it shall be a requirement that each Player's Chaperone is present at the Team meeting to ensure the selected Players are kept under direct observation. Any Person who restricts the DCO or Chaperone from gaining entry to the Team changing room or meeting room to notify or escort a selected Player for the purposes of Doping Control may be in breach of these Regulations and shall be subject to disciplinary action.
- (f) It is a Player's responsibility to ensure that:
 - (i) He is aware of and complies with these Anti-Doping Regulations;
 - (ii) He remains within direct observation of the DCO/Chaperone at all times from the point of notification by the DCO/Chaperone until the completion of the Sample collection procedure;
 - (iii) He complies with the notification, Sample collection and sealing procedures;
 - (iv) The Sample he provides shall be the first Sample passed post-notification. The Player shall not pass urine in the shower or otherwise prior to providing a Sample in the Doping Control Station;
 - (v) He is aware that any food or fluids consumed prior to providing the Sample is done at the Player's own risk. The Player should avoid excessive hydration as this may have implications to the suitability of their Sample or the laboratory and may require him to provide an additional Sample(s) until the urine is within the required range of the laboratory;
 - (vi) He produces identification to identify himself. This may be by way of photo, third party or other appropriate means accepted by the DCO. In cases where the Player's identity cannot be confirmed the Board, Union, Tournament Organiser and or the DCO shall decide whether it is appropriate to follow up a possible failure to comply;



- (vii) He arrives at the Doping Control Station within one (1) hour of notification to provide his Sample. If the Player delays reporting to the Doping Control Station and arrives later than one (1) hour from the time of notification the Chaperone/DCO accompanying the Player, or avoids or attempts to avoid being kept under direct supervision of the Chaperone, the DCO shall document the reasons for the delay and any circumstances regarding the Player's behaviour while being chaperoned. The DCO shall proceed to collect a Sample from the Player and may require an additional Sample to be provided by the Player or may file a potential breach of Regulation 21.2.5 based on the circumstances;
- (viii) He controls the Sample until it is sealed in the urine Sample collection kit save where he gives his representative or the DCO approval to carry out the division and sealing process;
- (ix) The sealed urine Sample collection kit is secure and the Sample kit/bottle numbers are identified correctly on the Doping Control form;
- (x) He receives a copy of the notification and/or the Doping Control form.

7. Testing of Minors

- (a) Players who are Minors may be accompanied by a representative throughout the entire Sample collection session. The Player's representative shall not witness the passing of a urine Sample unless requested to do so by the Minor. The objective is to ensure that the DCO is observing the Sample provision correctly. Even if the Minor declines a representative the DCO/Anti-Doping Commissioner shall consider whether a third party should be present during notification and/or the collection of the Sample from the Player.
- (b) Should a Minor decline to have a representative present during the Sample collection session, this should be clearly documented by the DCO on the Doping Control form. Such decline does not invalidate the test. If a Minor declines the presence of a representative, a representative of the Sample collection Team in addition to the DCO must be present.
- (c) Should a Minor be subject to Out of Competition Testing, the preferred venue for Testing to take place is a location where the presence of an adult is most likely, e.g. training venue or Player's place of residence.



- (d) If no adult is present at the Testing of a Player Out of Competition who is a Minor, the DCO shall accommodate the Player by locating a representative in order to proceed with Testing.

8. Failure to Comply With a Request for Doping Control

- (a) If a Player refuses to sign the notification/Doping Control form confirming that he has been notified, and/or evades the notification and/or refuses to report to the Doping Control Station after notification, the Chaperone/DCO shall use his best endeavours to inform the Player of the consequences of refusing or failing to comply. If the Player still refuses after being advised of the consequences, the Chaperone should then immediately report this to the DCO/Anti-Doping Commissioner who shall use his best endeavours to further inform the Player of his obligation to submit to Doping Control and attempt to collect a Sample.
- (b) If the Player still fails or refuses to sign the notification form and/or fails to report to the Doping Control Station he shall be deemed to have failed or refused to submit to Doping Control and to have thereby committed an anti-doping rule violation.
- (c) The Chaperone shall note this on the notification or Doping Control form and sign it. The DCO will provide a written report on the actions involving the Players refusal or failure to comply. Such report and accompanying documents shall be forwarded to the Board, Union, and/or Tournament Organiser as soon as possible.
- (d) The Board, Union or Tournament Organiser shall conduct an investigation into the alleged failure to comply in accordance with Regulation 21.16.

9. Arrival at the Doping Control Station

- (a) Only the following persons shall be authorised to attend the Doping Control Station:
 - (i) The Players selected for Testing;
 - (ii) The Player's representative, if any;
 - (iii) The Players interpreter (if appropriate);
 - (iv) The Doping Control Officer;
 - (v) The Chaperones;
 - (vi) The Anti-Doping Commissioner; and
 - (vii) WADA Independent Observer.



- (b) The Player may consume fluids provided in the Doping Control Station which shall be sealed.

10. Sample Collection Equipment

- (a) Only Sample collection equipment systems which, at a minimum, meet the following criteria shall be utilised. Such equipment shall:
 - (i) Have a unique numbering system incorporated into all bottles, containers, tubes or other items used to seal the Sample;
 - (ii) Have a sealing system that is tamper evident;
 - (iii) Ensure the identity of the Player is not evident from the equipment itself; and
 - (iv) Is clean and sealed prior to use by the Player.

11. Providing a Urine Sample

- (a) The Player shall be requested to provide a minimum urine Sample of 90ml however the Player should be urged to provide a greater amount if possible.
- (b) When the Player believes that he is ready to provide a urine Sample he shall move from the waiting area to the processing area of the Doping Control Station. The DCO shall ensure that the Player is informed of the requirements of Sample collection. The Player shall be offered a choice of Sample Collection equipment. The DCO shall instruct the Player to select a sealed Sample collection vessel from a minimum of two. The Player should break the seal of the Sample collection vessel, remove and check that the vessel is clean. If the Player is not satisfied with the Sample collection vessel he may select another. If the Player is not satisfied with any of the Sample collection vessels available for selection, this shall be recorded by the DCO.

If the DCO does not agree with the Player that all of the Sample collection vessels are unsatisfactory, the DCO shall instruct the Player to proceed with the Sample collection session.



If the DCO agrees with the Player that all of the Sample collection vessels available for the selection are unsatisfactory, the DCO shall terminate the collection of the Player's urine Sample and this shall be recorded by the DCO.

The Player and the DCO shall then proceed to the toilet area. The Chaperone shall remain in the processing area with the Player's representative and/or interpreter or the Player's representative and/or interpreter shall be asked to return to the waiting room until the Player has provided his Sample if a second Sample collection Team member is not present.

- (c) No one other than the DCO and the Player shall be present in the toilet when the urine is being provided by the Player.
- (d) To ensure authenticity of the Sample, the Player shall be required to remove such items of clothing as is necessary to allow the DCO an unobstructed view of the Player urinating into the collection vessel. The DCO shall record the witnessing of the Sample in writing on the Doping Control form.
- (e) The DCO who witnesses the passing of the Sample shall be of the same gender as the Player providing the Sample.
- (f) The DCO/Chaperone should where practicable ensure that the Player thoroughly washes his hands or if hand-washing facilities do not exist is provided with surgical gloves prior to the provision of a Sample.
- (g) When the Player signifies to the DCO that he has finished providing his Sample, the Player and the DCO shall return to the processing area. The Player shall keep control of the Sample at all times until the Sample is sealed. The DCO shall keep the collection vessel in sight at all times. Additional assistance may be provided in exceptional circumstances to any Player by the Player's representative or DCO during the Sample collection session where authorised by the Player and agreed to by the DCO/Anti-Doping Commissioner.
- (h) Any behaviour by the Player and/or persons associated with the Player or anomalies with the potential to compromise the Sample collection shall be recorded in detail by the DCO. If appropriate the Board, Union or Tournament Organiser shall institute the investigation of a possible failure to comply or Tampering or Attempted Tampering with any part of Doping Control.



- (i) If there are doubts as to the origin or authenticity of the Sample, the Player shall be asked to provide an additional Sample, the DCO shall document in detail the circumstances around the refusal, and the Board, Union or Tournament Organiser shall institute a possible failure to comply.

12. Division and Sealing the Urine Sample

- (a) Upon returning to the processing area, the quantity of urine shall be measured by the DCO. If the quantity of urine is less than 90ml the partial Sample procedure set out in section 18 of this Schedule 1 shall apply.
- (b) If the collection vessel contains approximately 90ml or more of urine, the Player shall select a sealed urine Sample kit from a minimum of two. The Player should check the security of the kit prior to opening it. If there is any evidence of tampering the Player should select a new urine Sample kit. The Player will then be invited to break the security seal and remove the contents of the kit.
- (c) The following procedures must be carried out in the presence of the Player and the Player's Representative, if any, and the DCO. The Player may request that the DCO carry out the Sample division and sealing procedures. If this is the case, the DCO shall note this on the Doping Control form in the comments section.
- (d) The urine Sample kit should contain two clean bottles. One bottle shall be marked Sample "A" and one bottle Sample "B" and will contain corresponding code numbers. The Player and his representative, if any, should check that the Sample bottle codes correspond. The Sample bottle codes should also correspond to the external code number on the urine Sample kit. If either does not correspond then a new urine Sample kit should be selected. The DCO shall record the Sample number on the Doping Control form if the numbers correspond.
- (e) The Player's Sample shall then be divided between the "A" and the "B" Sample bottles. It is recommended that the "A" Sample contain approximately two thirds of the urine (a minimum of 60ml) provided and the "B" Sample contain the remaining third (a minimum of 30ml). If a large volume of urine is provided then each bottle shall be filled up to the maximum level permitted in each bottle. However, any shortfall in the amount of urine in either bottle after division shall not invalidate a test provided there is sufficient urine for the analysis to be adequately performed.



- (f) The DCO shall instruct the Player to leave a small amount of urine in the collection vessel so that the specific gravity of the Sample can be measured in accordance with section 13.
- (g) Both the “A” and “B” bottles shall be tightly sealed by the Player. The DCO shall check in full view of the Player that the “A” and “B” bottles have been properly sealed and there is no leakage.

13. Specific Gravity Test

- (a) The DCO shall test the residual urine in the collection vessel to determine if the Sample has suitable specific gravity for analysis. The specific gravity is a measure of how concentrated or dilute the Sample is.
- (b) The DCO shall measure the specific gravity of a Player’s urine using the residual volume of the urine remaining in the collection vessel after the Sample has been sealed.
- (c) The specific gravity criteria for acceptance of the Sample shall be as follows:
 - (i) not less than 1.010 - if using urine analysis strips;
 - (ii) not less than 1.005 - if using a refractometer.
- (d) If the Sample does not meet the required specifications the DCO shall inform the Player that he is required to provide a further Sample.
- (e) The Player shall remain under continuous observation while waiting to provide additional Sample(s).
- (f) The Player shall not hydrate any further as this will cause dilution which will continue to delay the production of a suitable Sample. A failure to adhere to this instruction may result in the DCO reporting attempts of Tampering with the Doping Control process.
- (g) When the Player is able to provide an additional Sample, the DCO shall repeat the procedures for collection of the Sample as outlined in section 11 of this Schedule.



- (h) The DCO should continue to collect additional Samples until the requirement for suitable specific gravity for analysis is met, or until the Anti-Doping Commissioner or DCO determines that there are exceptional circumstances which mean that for logistical reasons it is impossible to continue with the Sample collection session. Such exceptional circumstances shall be documented accordingly by the Anti-Doping Commissioner or DCO.
- (i) If a Player has been in the Doping Control Station for five or more hours after providing an unsuitable Sample(s), has not consumed any further liquids, has provided additional Samples but is yet to produce a suitable Sample then the DCO or Anti-Doping Commissioner may cancel the Sample collection session. If the DCO or Anti-Doping Commissioner cancels the Sample collection session then they should consider either rescheduling the test for the following day if logistically possible or target test the Player at a later date. Where the DCO or Anti-Doping Commissioner reschedules the test for the following day this should be on an In Competition basis in accordance with the procedure set out at section 5(h) in this Schedule.
- (j) The DCO shall record that the Samples collected belongs to a single Player and the order in which the Samples were provided.
- (k) If it is determined that none of the Player's Samples meets the specific gravity requirements for analysis and the DCO determines that for logistical reasons it is impossible to continue with the Sample collection session, the DCO may end the Sample collection session. In such circumstances, if appropriate the ADO may also investigate a possible anti-doping rule violation.
- (l) The DCO shall send to the laboratory for analysis all Samples which were collected, irrespective of whether or not they meet the specific gravity requirements and discuss with the laboratory the number of Samples to be analysed.
- (m) If the Player refuses to provide a further Sample(s) he should be notified that such refusal may constitute an anti-doping rule violation.

14. Residual Urine

The DCO shall ensure that the Player has been given the option of requiring that any residual urine that will not be sent for analysis is discarded in full view of the Player.

15. Research of Urine Post Analysis by Laboratory

- (a) Prior to any research being conducted on any remaining urine once the analysis process has been completed by the laboratory the following conditions must have been met:
 - (i) The Player has given his consent for any such research to take place (such consent shall be recorded on the laboratory section of the Doping Control form) on his remaining urine once all laboratory procedures have been completed;
 - (ii) The mandatory storage time at the laboratory has expired and;
 - (iii) The removal of any identity code(s) in relation to the Sample.

16. Declaration of Medication or Other Substances

- (a) The Player shall be asked by the DCO to declare any medications or any other substance the Player has taken during the previous seven days. This declaration should be recorded on the Doping Control form by the DCO (unless the declaration is not in a language the DCO speaks in which case it shall be recorded in the Player's language by the Player or his representative).
- (b) If the Player declares more medications than the Doping Control form has space for the DCO shall record the remainder of the medications on a supplementary form and attach it to the first Doping Control form. If the Player declines to make such a declaration this should also be recorded on the Doping Control form.
- (c) The DCO shall provide the Player with the opportunity to document any concerns he may have about the way in which the Sample collection procedures were conducted. Any such comments should be recorded on the Doping Control form by the DCO or the Player. If there is insufficient space the Player may document his comment on a supplementary form which he shall sign and date. The DCO shall provide a copy of the Player's additional comments made on the supplementary form to the Player and shall attach the original to the Doping Control form.



17. Signing Off the Doping Control Form

- (a) The DCO shall ask the Player and his representative if any, to check all the information on the Doping Control form (and any supplementary form) and if satisfied both the Player and his representative, if any, should sign the form. If the Player indicates his satisfaction with the Sample collection procedures on the Doping Control form this shall amount to conclusive evidence that such procedures were conducted properly.
- (b) The DCO shall then check and sign the Doping Control form noting any irregularities or comments that he may have on the form.
- (c) The DCO shall then provide a copy of the completed Doping Control form to the Player who is then free to leave the Doping Control Station.

18. Partial Sample

- (a) If insufficient urine has been provided by a Player i.e. less than 90ml, the Player's Sample will be securely stored temporarily in a partial Sample kit by the DCO until such time as he provides further urine to meet the minimum requirements.
- (b) On returning from the toilet to the processing area the DCO shall instruct the Player to select a partial Sample kit from a minimum of two. The Player should check the security of the kit prior to opening it. If there is any evidence of tampering the Player should select a new partial Sample kit.
- (c) The Player shall then open the partial kit and check that the bottle is clean before pouring the urine from the collection vessel into the partial Sample kit bottle. The Player shall then close the bottle and seal it as directed by the DCO. The DCO shall then check in full view of the Player that the container has been properly sealed and check that there is no leakage.
- (d) The identity of the insufficient Sample shall be recorded on the Doping Control form along with the time of Sample collection, volume of urine and the Player's signature.
- (e) The Doping Control form and partial Sample shall be kept secure by the DCO until the Player is ready to provide another Sample. The Player shall return to the waiting area and remain under continuous observation by a Chaperone/DCO pending provision of his further Sample. The Player shall be given the opportunity to hydrate.



- (f) When the Player is ready to provide more urine, a new sealed collection vessel should be selected by the Player. The Player shall be advised of the amount of urine required to meet the minimum 90ml level. The Player should again provide his Sample in accordance with section 11 of this Schedule.
- (g) When the DCO is satisfied that the minimum volume have been met and before removing the seal to open the sealed partial Sample, the DCO and the Player should check the code number of the partial kit/bottle in which the Player's partial Sample is stored against the code number recorded on the Doping Control form. The Player and DCO shall ensure that the seal has not been tampered with. Any irregularity with the integrity of the seal/s will be recorded by the DCO and investigated if required.
- (h) The DCO shall then direct the Player to break the seal and combine the urine collected from the Player in the previous collection and add this urine to the subsequent collection in the collection vessel. The total volume shall be checked by the DCO to determine if the minimum requirements have been met. If the Sample is still insufficient in volume, the partial Sample sealing and recording procedures shall be repeated.
- (i) Once a combined urine volume of 90ml has been provided the standard division and sealing procedures should be followed as set out in section 12 of this Schedule.

19. Transportation of Samples to the Laboratory

- (a) The sealed Samples should be securely stored pending their dispatch to a WADA accredited laboratory (or as otherwise approved by WADA) for analysis.
- (b) All Samples shall be sent by a courier (to ensure that the Samples and related documentation will be transported in a manner that protects the integrity, identity and security of the shipment). Samples shall always be transported to the WADA accredited laboratory (or as otherwise approved by WADA), as soon as reasonably practicable after the completion of the Sample collection session.
- (c) Samples shall be transported in a manner which minimises the potential for Sample degradation due to factors such as time delays and extreme temperature variations. Refrigeration or freezing of Samples may be required prior to transport by the courier if the Samples were collected in a country that does not have regular courier services or if the laboratory where the Samples are to be analysed is a great distance away from the point of dispatch.



- (d) All Samples forwarded to WADA accredited laboratories (or as otherwise approved by WADA) shall be placed in suitable transport containers or bags. Copies of each Player's Doping Control form, which shall only contain details of the Sample code, declared medications and other relevant information for the laboratory and which does not reveal the identity of the Player shall accompany the Samples to the laboratory.
- (e) A summary of all Sample codes collected shall be recorded on the relevant document and shall also be forwarded to the WADA accredited laboratory (or as otherwise approved by WADA) with the sealed Samples.
- (f) If sending the Samples to a WADA accredited laboratory (or as otherwise approved by WADA) outside of the country of where the Samples were collected a customs declaration may be required to accompany the Samples.

20. WADA Accredited Laboratory

- (a) The Board, Union or Tournament Organiser shall ensure that the WADA accredited laboratory (or as otherwise approved by WADA) where the Samples are being analysed confirms receipt of the Samples sent, that the Samples delivered correspond with the accompanying paperwork and that there is no evidence of any tampering of the Samples. If there is any evidence of tampering then the Board, Union or Tournament Organiser shall consider whether the Sample shall be voided.
- (b) The WADA accredited laboratory (or as otherwise approved) shall proceed to analyse the "A" Sample for Prohibited Substances as per the current WADA Prohibited List

21. Result Management

- (a) If the "A" Sample returns a negative result then the WADA accredited laboratory (or as otherwise approved by WADA) shall report this to the Board, Union or Tournament Organiser (as the case may be). The Board, Union and/or Tournament Organiser shall then notify the Player's Union of the result. The Union should then notify the Player of this result.
- (b) If the "A" Sample returns an Adverse Analytical Finding then the procedures set out in the IRB Regulation 21.20 shall apply.



- (c) In line with the WADA International Standard for Laboratories the Board shall be notified of all Adverse Analytical Findings for the sport of rugby union regardless of whether the Board coordinated the Testing.

22. Out of Competition Testing

- (a) Under the Board's Out of Competition programme the Board may select any Player under membership of a Union to undergo Testing at any time or place regardless of whether that Player is part of a Registered Testing Pool or Testing Pool.
- (b) The Board may appoint a Sample collection agency to conduct Out of Competition Testing on behalf of the Board.
- (c) Such Testing shall where possible be conducted with No Advance Notice by an authorised Doping Control Official.
- (d) Out of Competition Testing may take place during a rugby football season or out-of-season and may occur at a training ground, residential accommodation or any other place where the Player is likely to be found and/or has indicated in his Whereabouts Filing.

23. Selection of Players Out of Competition

- (a) A Player may be selected for Out of Competition testing by either random selection or targeted by the Board, Member Union, Tournament Organiser or other authorised Anti-Doping Organisation.

24. Notification of Players Out of Competition

- (a) A Player shall be notified for Out of Competition Doping Control by "No Advance Notice" notification, where the DCO or Chaperone appears unannounced and notifies the selected Player in person. The selected Player is then kept under direct observation until the Sample is sealed and appropriate documentation completed. Advance notice notification, shall only occur in the most exceptional circumstances.
- (b) Where a DCO appointed by the Board to conduct No Advance Notice Out of Competition Doping Control, the DCO or Chaperone should give the Player a reasonable time to complete any activity in which he is engaged subject to the DCO's authorisation and agreed time period. Such activity should be within the DCO/ Chaperones clear and continuous view.



- (c) No Advance Notice Doping Control should commence as soon as reasonably practicable after a Player has been notified. In the case where the selected Player is participating in a Team training session, the Player may complete the session under direct view of a DCO or Chaperone before presenting for Doping Control.
- (d) The DCO shall unless advised otherwise attempt to notify the Player(s) selected for Doping Control at all their nominated whereabouts locations (prior to visiting the one hour location if the Player is in a Registered Testing Pool or during the off season or periods of injury if the Player is in the Testing Pool) in an attempt to collect a Sample. If the Player is not present at any of the nominated whereabouts locations the DCO shall attempt to discover in a reasonable and discrete manner the location of the Player without alerting the Player.
- The DCO shall stay at all locations other than the one hour location for a reasonable amount of time but no less than 30 minutes (unless reliable intelligence indicates an alternative location for the Player at that time). The DCO shall stay at the one hour location from the time of arrival until the expiry of the one hour period.
 - If the DCO is unable to locate the Player after visiting all nominated whereabouts locations and any other location that may have been obtained from reliable intelligence in the process of attempting to locate the Player then the DCO shall complete an Unsuccessful Attempt Report.
 - If the DCO is unable to locate the Player at the nominated or default one-hour location then he shall complete an Unsuccessful Attempt Report.
- (e) When a DCO makes contact with the Player who is subject to Out of Competition Doping Control he should show the Player at a minimum:
- (i) A valid form of photo identification; and
 - (ii) A letter from the Board, Union, Tournament Organiser containing the name(s) of the DCO and authorising the DCO(s) to conduct Doping Control on its behalf.
- (f) When a Chaperone makes contact with the Player who is subject to Out of Competition Doping Control he should show the Player at a minimum:
- (i) A letter from the Board, Union or Tournament Organiser authorising the Chaperone to assist with conducting Doping Control on its behalf.

- (g) Prior to undertaking the Sample collection the DCO shall request the Player to produce photo identification or satisfy himself of the identity of the Player to be tested as further outlined in section 6(f)(vi) of this Schedule.
- (h) The DCO shall make every effort to collect the urine Samples as discreetly as possible and with maximum privacy.
- (i) If the Doping Control facilities are not suitable at the location where notification took place the DCO may conduct Doping Control on the selected Player at another location. The DCO will make this decision. The Player may not leave the location where notification occurred unless the DCO permits. The Player must be accompanied by the DCO or Chaperone at all times if the testing session is to be relocated.
- (j) If the Player wishes to leave the location against the DCO's direction the DCO shall inform the Player that he is required to provide a Sample for Out of Competition Testing at the current location and outline the possible consequences of not complying with a request to provide a Sample and that it may constitute an anti-doping rule violation in accordance with the IRB Anti-Doping Regulations. If the Player still does not comply, then a failure to comply shall be recorded. The DCO shall compile a written report relating to the circumstances of the failure to comply.
- (k) In all other respects the Sample collection process shall, as far as reasonably practicable, take place in accordance with the Doping Control Procedural Guidelines for In Competition testing.

25. Collection of Blood Samples

- (a) Blood sampling may be performed prior to, after or separately to any required urine Sample collection procedure in either In Competition or Out of Competition.
- (b) The DCO shall ensure that the Player is informed of the requirements for blood Sample collection.
- (c) The DCO/Chaperone and the Player shall proceed to the area where the Sample will be provided.
- (d) The DCO or Blood Collection Official shall ensure the Player is offered as comfortable conditions as possible including being in a relaxed position for at least ten minutes prior to providing a Sample.



- (e) The DCO shall instruct the Player to choose a blood sampling kit from a selection of at least two sealed kits. Blood sampling kits shall consist of either an “A” Sample tube, or an “A” Sample tube and a “B” Sample tube (if the Sample consists solely of blood, then a “B” Sample shall be collected and used as a confirmation, if required). The DCO will instruct the Player to check that all the seals on the selected equipment are intact and that the equipment has not been tampered with. If the Player is not satisfied with a selected kit, the Player may select another. If the Player is not satisfied with any of the equipment available for selection, this fact shall be recorded by the DCO. If the DCO does not agree with the Player’s opinion that all the equipment available for selection is unsatisfactory, the DCO shall instruct the Player to proceed with the Sample collection session. If the DCO agrees with the reasons put forward by the Player that all the equipment for selection is unsatisfactory, the DCO shall terminate the collection of the Player’s blood Sample and this shall be recorded by the DCO.
- (f) When the blood Sample collection kit has been selected, the DCO and the Player shall check that all code numbers match and that this code number is accurately recorded by the DCO on the Doping Control form.
- (g) If the Player or DCO finds that the numbers are not the same, the DCO shall instruct the Player to choose another kit in accordance with section (e) above. The DCO shall record the matter.
- (h) Blood Sample collections shall only be conducted by suitably-qualified medical personnel or by a qualified phlebotomist.
- (i) The Blood Collection Official shall clean the skin with a sterile disinfectant wipe or swab in a location unlikely to adversely affect the Player or his performance and, if necessary, apply a tourniquet. The Blood Collection Official shall take the blood Sample from a superficial vein into the tube. No blood Sample shall be taken from any part of the Player's body other than from the arm or hand. The tourniquet, if applied, shall be immediately removed after the venipuncture has been made.
- (j) The amount of blood removed shall be adequate to satisfy analytical requirements for the Sample analysis to be performed.



- (k) If the amount of blood that can be removed from the Player at the first attempt is insufficient, the Blood Collection Official shall repeat the procedure. The maximum number of attempts shall be three. Should all attempts fail, then the Blood Collection Official shall inform the DCO. The DCO shall terminate the collection of the blood Sample and record this and the reasons for terminating the collection.
- (l) The Blood Collection Official shall apply a dressing to the puncture site/s.
- (m) The Blood Collection Official shall dispose of any used blood sampling equipment not required for completing the Sample Collection session in accordance with the required local standards for handling blood.
- (n) Each tube in which the blood is drawn into shall be marked with a code number. This code number should be recorded by the relevant official on the Player's Doping Control form and the Player should ensure that the code number on the tube corresponds to that entered by the official on the form. The Player shall insert the tube(s) into the Sample collection kit as directed by the DCO and then be sealed. The Player and the DCO shall check that the sealing of the kit is satisfactory.
- (o) The sealed Sample shall be stored in a manner that protects its integrity, identity and security prior to transport from the Doping Control Station to the WADA accredited laboratory or as otherwise approved by WADA.
- (p) If the Sample requires further on-site processing, such as centrifugation or separation of serum, the Player shall remain to observe the Sample until final sealing in a secure, tamper evident kit.
- (q) Where the IRB carries out blood sampling, it may also require that the Player provides a urine Sample. If the Player refuses to provide a urine Sample, he may be deemed to have refused to submit to Doping Control and may be subject to sanctions under IRB Regulation 21.22. The urine Sample shall be collected in accordance with the guidelines provided within this Schedule.
- (r) Further procedures relating to the collection of blood Samples shall be in accordance with the WADA Models for Best Practice – Guidelines for Blood Sample Collection which can be located on the WADA website www.wada-ama.org under Models of Best Practice.



SCHEDULE 2. THE 2012 PROHIBITED LIST. WORLD ANTI-DOPING CODE

Valid 1 January 2012

In accordance with Article 4.2.2 of the World Anti-Doping Code, all *Prohibited Substances* shall be considered as “Specified Substances” except Substances in classes S1, S2, S4.4, S4.5, S6.a, and *Prohibited Methods* M1, M2 and M3.

SUBSTANCES AND METHODS PROHIBITED AT ALL TIMES (IN- AND OUT-OF-COMPETITION)

PROHIBITED SUBSTANCES

S0. NON-APPROVED SUBSTANCES

Any pharmacological substance which is not addressed by any of the subsequent sections of the List and with no current approval by any governmental regulatory health authority for human therapeutic use (e.g drugs under pre-clinical or clinical development or discontinued, designer drugs, veterinary medicines) is prohibited at all times.

S1. ANABOLIC AGENTS

Anabolic agents are prohibited.

1. Anabolic Androgenic Steroids (AAS)

a. Exogenous* AAS, including:

1-androstenediol (5 α -androst-1-ene-3 β ,17 β -diol); **1-androstenedione** (5 α -androst-1-ene-3,17-dione); **bolandioli** (estr-4-ene-3 β ,17 β -diol); **bolasterone**; **boldenone**; **boldione** (androsta-1,4-diene-3,17-dione); **calusterone**; **clostebol**; **danazol** (17 α -ethynyl-17 β -hydroxyandrost-4-eno[2,3-d]isoxazole); **dehydrochlormethyltestosterone** (4-chloro-17 β -hydroxy-17 α -methylandrosta-1,4-dien-3-one); **desoxymethyltestosterone** (17 α -methyl-5 α -androst-2-en-17 β -ol); **drostanolone**; **ethylestrenol** (19-nor-17 α -pregn-4-en-17-ol); **fluoxymesterone**; **formebolone**; **furazabol** (17 β -hydroxy-17 α -methyl-5 α -androstano[2,3-c]-furazan); **gestrinone**; **4-hydroxytestosterone** (4,17 β -dihydroxyandrost-4-en-3-one); **mestanolone**; **mesterolone**; **metenolone**; **methandienone** (17 β -hydroxy-17 α -methylandrosta-1,4-dien-3-one); **methandriol**; **methasterone** (2 α , 17 α -dimethyl-5 α -androstane-3-one-17 β -ol); **methyldienolone** (17 β -hydroxy-17 α -methylestra-4,9-dien-3-one); **methyl-1-testosterone** (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one); **methylnortestosterone** (17 β -hydroxy-17 α -methylestr-4-en-3-one); **methyltestosterone**; **metribolone** (methyltrienolone, 17 β -hydroxy-17 α -methylestra-4,9,11-trien-3-one); **mibolerone**; **nandrolone**; **19-norandrostenedione**

(estr-4-ene-3,17-dione); **norboletone**; **norclostebol**; **norethandrolone**; **oxabolone**; **oxandrolone**; **oxymesterone**; **oxymetholone**; **prostanazol** (17 β -hydroxy-5 α -androstano[3,2-c] pyrazole); **quinbolone**; **stanozolol**; **stenbolone**; **1-testosterone** (17 β -hydroxy-5 α -androst-1-en-3-one); **tetrahydrogestrinone** (18 α -homo-pregna-4,9,11-trien-17 β -ol-3-one); **trenbolone**; and other substances with a similar chemical structure or similar biological effect(s).

b. Endogenous** AAS when administered exogenously:

androstenediol (androst-5-ene-3 β ,17 β -diol); **androstenedione** (androst-4-ene-3,17-dione); **dihydrotestosterone** (17 β -hydroxy-5 α -androst-3-one); **prasterone** (dehydroepiandrosterone, DHEA); **testosterone** and their metabolites and isomers, including but not limited to:

5 α -androstane-3 α ,17 α -diol; **5 α -androstane-3 α ,17 β -diol**; **5 α -androstane-3 β ,17 α -diol**; **5 α -androstane-3 β ,17 β -diol**; **androst-4-ene-3 α ,17 α -diol**; **androst-4-ene-3 α ,17 β -diol**; **androst-4-ene-3 β ,17 α -diol**; **androst-5-ene-3 α ,17 α -diol**; **androst-5-ene-3 α ,17 β -diol**; **androst-5-ene-3 β ,17 α -diol**; **4-androstenediol** (androst-4-ene-3 β ,17 β -diol); **5-androstenedione** (androst-5-ene-3,17-dione); **epi-dihydrotestosterone**; **epitestosterone**; **3 α -hydroxy-5 α -androst-17-one**; **3 β -hydroxy-5 α -androst-17-one**; **7 α -hydroxy-DHEA** ; **7 β -hydroxy-DHEA**; **7-keto-DHEA**; **19-norandrosterone**; **19-noretiocholanolone**.

2. Other Anabolic Agents, including but not limited to:

Clenbuterol, selective androgen receptor modulators (SARMs), **tibolone**, **zeranol**, **zilpaterol**.

For purposes of this section:

* “exogenous” refers to a substance which is not ordinarily capable of being produced by the body naturally.

** “endogenous” refers to a substance which is capable of being produced by the body naturally.

S2. PEPTIDE HORMONES, GROWTH FACTORS AND RELATED SUBSTANCES

The following substances and their releasing factors, are prohibited:

1. **Erythropoiesis-Stimulating Agents** [e.g. **erythropoietin (EPO)**, **darbepoetin (dEPO)**, **hypoxia-inducible factor (HIF) stabilizers**, **methoxy polyethylene glycol-epoetin beta (CERA)**, **peginesatide (hematide)**];
2. **Chorionic Gonadotrophin (CG)** and **Luteinizing Hormone (LH)** in males;
3. **Insulins**;
4. **Corticotrophins**;



5. **Growth Hormone (GH), Insulin-like Growth Factor-1 (IGF-1), Fibroblast Growth Factors (FGFs), Hepatocyte Growth Factor (HGF) Mechano Growth Factors (MGFs), Platelet-Derived Growth Factor (PDGF), Vascular-Endothelial Growth Factor (VEGF)** as well as any other growth factor affecting muscle, tendon or ligament protein synthesis/degradation, vascularisation, energy utilization, regenerative capacity or fibre type switching;

and other substances with similar chemical structure or similar biological effect(s).

S3. BETA-2 AGONISTS

All beta-2 agonists (including both optical isomers where relevant) are prohibited except salbutamol (maximum 1600 micrograms over 24 hours), formoterol (maximum 36 micrograms over 24 hours) and salmeterol when taken by inhalation in accordance with the manufacturers' recommended therapeutic regime.

The presence in urine of salbutamol in excess of 1000 ng/mL or formoterol in excess of 30 ng/mL is presumed not to be an intended therapeutic use of the substance and will be considered as an *Adverse Analytical Finding* unless the *Athlete* proves, through a controlled pharmacokinetic study, that the abnormal result was the consequence of the use of the therapeutic inhaled dose up to the maximum indicated above.

S4. HORMONE AND METABOLIC MODULATORS

The following are prohibited:

1. **Aromatase inhibitors** including, but not limited to: **aminoglutethimide, anastrozole, androsta-1,4,6-triene-3,17-dione (androstatrienedione), 4-androstene-3,6,17 trione (6-oxo), exemestane, formestane, letrozole, testolactone.**
2. **Selective estrogen receptor modulators (SERMs)** including, but not limited to: **raloxifene, tamoxifen, toremifene.**
3. **Other anti-estrogenic substances** including, but not limited to: **clomiphene, cyclofenil, fulvestrant.**
4. **Agents modifying myostatin function(s)** including but not limited to: **myostatin inhibitors.**
5. **Metabolic modulators: Peroxisome Proliferator Activated Receptor δ (PPAR δ) agonists (e.g. GW 1516), PPAR δ -AMP-activated protein kinase (AMPK) axis agonists (e.g. AICAR)**

S5. DIURETICS AND OTHER MASKING AGENTS

Masking agents are prohibited. They include:

Diuretics, desmopressin, plasma expanders (e.g. **glycerol**; intravenous administration of **albumin, dextran, hydroxyethyl starch** and **mannitol**), **probenecid**; and other substances with similar biological effect(s). Local application of felypressin in dental anaesthesia is not prohibited.

Diuretics include:

Acetazolamide, amiloride, bumetanide, canrenone, chlorthalidone, etacrynic acid, furosemide, indapamide, metolazone, spironolactone, thiazides (e.g. **bendroflumethiazide, chlorothiazide, hydrochlorothiazide**), **triamterene**; and other substances with a similar chemical structure or similar biological effect(s) (except drospirenone, pamabrom and topical dorzolamide and brinzolamide, which are not prohibited).

The use *In-* and *Out-of-Competition*, as applicable, of any quantity of a substance subject to threshold limits (i.e. formoterol, salbutamol, morphine, cathine, ephedrine, methylephedrine and pseudoephedrine) in conjunction with a diuretic or other masking agent requires the deliverance of a specific Therapeutic Use Exemption for that substance in addition to the one granted for the diuretic or other masking agent.



PROHIBITED METHODS

M1. ENHANCEMENT OF OXYGEN TRANSFER

The following are prohibited:

1. Blood doping, including the use of autologous, homologous or heterologous blood or red blood cell products of any origin.
2. Artificially enhancing the uptake, transport or delivery of oxygen, including, but not limited to, perfluorochemicals, efaproxiral (RSR13) and modified haemoglobin products (e.g. haemoglobin-based blood substitutes, microencapsulated haemoglobin products), excluding supplemental oxygen.

M2. CHEMICAL AND PHYSICAL MANIPULATION

The following are prohibited:

1. *Tampering*, or attempting to tamper, in order to alter the integrity and validity of *Samples* collected during *Doping Control* is prohibited. These include but are not limited to urine substitution and/or adulteration (e.g. proteases).
2. Intravenous infusions and/or injections of more than 50 mL per 6 hour period are prohibited except for those legitimately received in the course of hospital admissions or clinical investigations.
3. Sequential withdrawal, manipulation and reintroduction of any quantity of whole blood into the circulatory system.

M3. GENE DOPING

The following, with the potential to enhance sport performance, are prohibited:

1. The transfer of nucleic acids or nucleic acid sequences;
2. The use of normal or genetically modified cells.

SUBSTANCES AND METHODS PROHIBITED IN-COMPETITION

In addition to the categories S0 to S5 and M1 to M3 defined above, the following categories are prohibited *In Competition*:

PROHIBITED SUBSTANCES

S6. STIMULANTS

All stimulants (including both optical isomers where relevant) are prohibited, except imidazole derivatives for topical use and those stimulants included in the 2012 Monitoring Program*.

Stimulants include:

a: Non Specified Stimulants:

Adrafinil; amfepramone; amiphenazole; amphetamine; amphetaminil; benfluorex; benzphetamine; benzylpiperazine; bromantan; clobenzorex; cocaine; cropropamide; crotetamide; dimethylamphetamine; etilamphetamine; famprofazone; fencamine; fenetylline; fenfluramine; fenproporex; furfenorex; mefenorex; mephentermine; mesocarb; methamphetamine(*d*-); p-methylamphetamine; methylenedioxyamphetamine; methylenedioxymethamphetamine; modafinil; norfenfluramine; phendimetrazine; phenmetrazine; phentermine; 4-phenylpiracetam (carphedon); prenylamine; prolintane.

A stimulant not expressly listed in this section is a Specified Substance.

b: Specified Stimulants (examples):

Adrenaline^{}; cathine^{***}; ephedrine^{****}; etamivan; etilefrine; fenbutrazate; fencamfamin; heptaminol; isometheptene; levmetamfetamine; meclofenoxate; methylephedrine^{****}; methylhexaneamine (dimethylpentylamine); methylphenidate; nikethamide; norfenefrine; octopamine; oxilofrine; parahydroxyamphetamine; pemoline; pentetrazol; phenpromethamine; propylhexedrine; pseudoephedrine^{*****}; selegiline; sibutramine; strychnine; tuaminoheptane;** and other substances with a similar chemical structure or similar biological effect(s).

* The following substances included in the 2012 Monitoring Program (bupropion, caffeine, nicotine, phenylephrine, phenylpropanolamine, pipradol, synephrine) are not considered as *Prohibited Substances*.

** Local administration (e.g. nasal, ophthalmologic) of **Adrenaline** or co-administration with local anaesthetic agents is not prohibited.



*** **Cathine** is prohibited when its concentration in urine is greater than 5 micrograms per milliliter.

**** Each of **ephedrine** and **methylephedrine** is prohibited when its concentration in urine is greater than 10 micrograms per milliliter.

***** **Pseudoephedrine** is prohibited when its concentration in urine is greater than 150 micrograms per milliliter.

S7. NARCOTICS

The following are prohibited:

Buprenorphine, dextromoramide, diamorphine (heroin), fentanyl and its derivatives, hydromorphone, methadone, morphine, oxycodone, oxymorphone, pentazocine, pethidine.

S8. CANNABINOIDS

Natural (e.g. cannabis, hashish, marijuana) or synthetic delta 9-tetrahydrocannabinol (THC) and cannabimimetics [e.g. “Spice” (containing JWH018, JWH073), HU-210] are prohibited.

S9. GLUCOCORTICOSTEROIDS

All glucocorticosteroids are prohibited when administered by oral, intravenous, intramuscular or rectal routes.

SUBSTANCES PROHIBITED IN PARTICULAR SPORTS

P1. ALCOHOL

Alcohol (ethanol) is prohibited *In Competition* only, in the following sports. Detection will be conducted by analysis of breath and/or blood. The doping violation threshold (haematological values) is 0.10 g/L.

- Aeronautic (FAI)
- Archery (FITA)
- Automobile (FIA)
- Karate (WKF)
- Motorcycling (FIM)
- Powerboating (UIM)

P2. BETA-BLOCKERS

Unless otherwise specified, beta-blockers are prohibited *In Competition* only, in the following sports.

- Aeronautic (FAI)
- Archery (FITA) (also prohibited *Out-of-Competition*)
- Automobile (FIA)
- Billiards (all disciplines) (WCBS)
- Boules (CMSB)
- Bridge (FMB)
- Darts (WDF)
- Golf (IGF)
- Ninepin and Tenpin Bowling (FIQ)
- Powerboating (UIM)
- Shooting (ISSF, IPC) (also prohibited *Out-of-Competition*)
- Skiing/Snowboarding (FIS) in ski jumping, freestyle aerials/halfpipe and snowboard halfpipe/big air

Beta-blockers include, but are not limited to, the following:

Acebutolol, alprenolol, atenolol, betaxolol, bisoprolol, bunolol, carteolol, carvedilol, celiprolol, esmolol, labetalol, levobunolol, metipranolol, metoprolol, nadolol, oxprenolol, pindolol, propranolol, sotalol, timolol.



SCHEDULE 3(a). WADA INTERNATIONAL STANDARD FOR THERAPEUTIC USE EXEMPTIONS (TUE)

3.2 Defined Terms from the International Standard for TUE

Personal Information: as defined in the International Standard for the protection of privacy and Personal Information, information including without limitation sensitive Personal Information, relating to an identified or identifiable participant or relating to other Persons whose information is processed solely in context of an anti-doping organisation's anti-doping activities.

[Comment: It is understood that Personal Information includes, but is not limited to, information relating to an athlete's contact details an sporting affiliations, whereabouts, designated therapeutic use exemptions (if any), anti-doping test results, and results management (including disciplinary hearings, appeals and sanctions). Personal Information also includes personal details and contact information relating to other persons, such as medical professionals and other persons working with, treating or assisting an athlete in the context of anti-doping activities.]

Therapeutic: Of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.

TUE: is a therapeutic use exemption approved by a Therapeutic Use Exemption Committee based on a documented medical file before the Use or Possession of, a substance or method that would otherwise be prohibited by the Code.

TUEC: Therapeutic Use Exemption Committee is the Panel established by the relevant Anti-Doping Organisation.

WADA TUEC: WADA Therapeutic Use Exemption Committee is the Panel established by WADA.

PART TWO: STANDARDS FOR GRANTING THERAPEUTIC USE EXEMPTIONS

4.0 Criteria for Granting a Therapeutic Use Exemption

A Therapeutic Use Exemption (TUE) may be granted to an Athlete permitting the Use of a Prohibited Substance or Prohibited Method. An application for a TUE will be reviewed by a Therapeutic Use Exemption Committee (TUEC). The TUEC will be appointed by an Anti-Doping Organisation.



4.1 A TUE will be granted only in strict accordance with the following criteria:

- a. The Athlete would experience a significant impairment to health if the Prohibited Substance or Prohibited Method were to be withheld in the course of treating an acute or chronic medical condition.
- b. The Therapeutic Use of the Prohibited Substance or Prohibited Method would produce no additional enhancement of performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition. The Use of any Prohibited Substance or Prohibited Method to increase “low-normal” levels of any endogenous hormone is not considered an acceptable Therapeutic intervention.
- c. There is no reasonable Therapeutic alternative to the Use of the otherwise Prohibited Substance or Prohibited Method.
- d. The necessity for the Use of the otherwise Prohibited Substance or Prohibited Method cannot be 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 Use.

4.2 The TUE will be cancelled, if:

- a. The Athlete does not promptly comply with any requirements or conditions imposed by the Anti-Doping Organisation granting the exemption.
- b. The term for which the TUE was granted has expired.
- c. The Athlete is advised that the TUE has been withdrawn by the Anti-Doping Organisation.
- d. A decision granting a TUE has been reversed by WADA or CAS.

[Comment: Each TUE will have a specified duration as decided upon by the TUEC. There may be cases when a TUE has expired or has been withdrawn and the Prohibited Substance subject to the TUE is still present in the Athlete's body. In such cases, the Anti-Doping Organisation conducting the initial review of an Adverse Analytical Finding will consider whether the finding is consistent with expiry or withdrawal of the TUE.]



- 4.3** An application for a TUE will not be considered for retroactive approval except in cases where:
- a. Emergency treatment or treatment of an acute medical condition was necessary, or
 - b. Due to exceptional circumstances, there was insufficient time or opportunity for an applicant to submit, or a TUEC to consider, an application prior to Doping Control.

[Comment: Medical emergencies or acute medical situations requiring administration of an otherwise Prohibited Substance or Prohibited Method before an application for a TUE can be made, are uncommon. Similarly, circumstances requiring expedited consideration of an application for a TUE due to imminent competition are infrequent. Anti-Doping Organisations granting TUEs should have internal procedures that permit such situations to be addressed.]

5.0 Confidentiality of Information

- 5.1** The collection, storage, processing, disclosure and retention of Personal Information in the TUE process by Anti-Doping Organisations and WADA shall comply with the International Standard for the Protection of Privacy and Personal Information.
- 5.2** An Athlete applying for a TUE shall provide written consent for the transmission of all information pertaining to the application to members of all TUECs with authority under the Code to review the file and, as required, other independent medical or scientific experts, and to all necessary staff involved in the management, review or appeal of TUEs, and WADA. The applicant shall also provide written consent for the decision of the TUEC to be distributed to other relevant Anti-Doping Organisations and National Federations under the provisions of the Code.

[Comment to 5.2: Prior to collecting Personal Information or obtaining consent from an Athlete, the Anti-Doping Organisation shall communicate to the Athlete the information set forth in Article 7.1 of the International Standard for the Protection of Privacy and Personal Information.]

Should the assistance of external, independent experts be required, all details of the application will be circulated without identifying the Athlete concerned.

- 5.3** The members of the TUECs, independent experts and the staff of the Anti-Doping Organisation involved, will conduct all of their activities in strict confidence and will sign confidentiality agreements. In particular they will keep the following information confidential:

- a. All medical information and data provided by the Athlete and physician(s) involved in the Athlete's care.
- b. All details of the application including the name of the physician(s) involved in the process.

Should the Athlete wish to revoke the right of any TUEC to obtain any health information on his/her behalf, the Athlete shall notify his/her medical practitioner in writing of the fact. As a consequence of such a decision, the Athlete will not receive approval for a TUE or renewal of an existing TUE.

5.4 Anti-Doping Organisations shall ensure that Personal Information obtained in the TUE process is retained for a period of eight (8) years, and thereafter only for as long as necessary to fulfill their obligations under the Code or where otherwise required by applicable law, regulation or compulsory legal process.

6.0 Therapeutic Use Exemption Committees (TUECs)

TUECs shall be constituted and act in accordance with the following guidelines:

- 6.1** TUECs should include at least three (3) physicians with experience in the care and treatment of Athletes and a sound knowledge of clinical, sports and exercise medicine. In order to ensure a level of independence of decisions, the majority of the members of any TUEC should be free of conflicts of interest or political responsibility in the Anti-Doping Organisation. All members of a TUEC will sign a conflict of interest agreement. In applications involving Athletes with disabilities, at least one TUEC member shall possess specific experience with the care and treatment of Athletes with disabilities.
- 6.2** TUECs may seek whatever medical or scientific expertise they deem appropriate in reviewing the circumstances of any application for a TUE.
- 6.3** The WADA TUEC shall be composed following the criteria set out in Article 6.1. The WADA TUEC is established to review the granting or denial of TUEs for International-Level Athletes, Athletes entered in an International event as described under 7.1(b), or Athletes in their National Anti-Doping Organisation's Registered Testing Pool as set forth in Article 4.4 of the Code. In normal circumstances, the WADA TUEC shall render a decision within 30 days of receipt of all requested information.



7.0 Responsibilities of International Federations and National Anti-Doping Organisations

7.1 Each International Federation shall:

- a. Establish a TUEC as provided in Article 6.
- b. Publish a list of International Events for which a TUE granted pursuant to the International Federation's rules is required.
- c. Establish and publish a TUE process whereby any Athlete who is in the International Federation's Registered Testing Pool or who is entered in an International Event described in Article 7.1(b) may request a TUE for a documented medical condition requiring the Use of a Prohibited Substance or a Prohibited Method. Such TUE process shall comply with Article 4.4 of the Code, this International Standard and the International Standard for the Protection of Privacy and Personal Information.
- d. Publish any rule pursuant to which the International Federation will accept TUEs granted by other Anti-Doping Organisations.
- e. Promptly report to WADA, through ADAMS, the granting of all TUEs, including the approved substance or method, dosage, frequency and route of administration, the duration of the TUE, any conditions imposed in connection with the TUE, and its entire file.
- f. Promptly report the granting of a TUE to the relevant National Anti-Doping Organisation and National Federation.
- g. At WADA's request, promptly provide its entire file on any TUE which has been denied.

7.2 Each National Anti-Doping Organisation shall:

- a. Establish a TUEC as provided in Article 6.
- b. Identify and publish those categories of Athletes within its jurisdiction who are required to obtain a TUE before Using a Prohibited Substance or a Prohibited Method. At a minimum, this shall include all Athletes in the National Anti-Doping Organisation's Registered Testing Pool and other national-level Athletes as defined by the National Anti-Doping Organisation.
- c. Establish and publish a TUE process whereby any Athlete who is in the National Anti-Doping Organisation's Registered Testing Pool or who is described in 7.2(b) may request a TUE for a documented medical condition requiring the Use of a Prohibited Substance or a



Prohibited Method. Such TUE process shall comply with Article 4.4 of the Code, this International Standard and the International Standard for the Protection of Privacy and Personal Information.

[Comment to 7.2(b): National Anti-Doping Organisations will not grant TUEs to Athletes in an International Federation's Registered Testing Pool except in those instances where the International Federation's rules recognize or give authority to National Anti-Doping Organisations to grant TUEs to such Athletes.]

- d. Promptly report to WADA, through ADAMS, the granting of a TUE to any Athlete in its Registered Testing Pool, and if applicable, to an Athlete in an International Federation's Registered Testing Pool or entered in an International Event described in Article 7.1(b), including the approved substance or method, dosage, frequency and route of administration, the duration of the TUE, any conditions imposed in connection with the TUE, and its entire file.
- e. At WADA's request, promptly provide its entire file on any TUE that has been denied.
- f. Promptly report the granting of a TUE to the relevant National Federation and International Federation where the rules of the International Federation authorize NADO to grant TUEs to International-Level Athletes.
- g. Recognize TUEs granted by International Federations to Athletes in the International Federation's Registered Testing Pool or entered in an International Event as described under 7.1(b).

[As used in this Article 7, the term "publish" means: An Anti-Doping Organisation shall publish information by providing the information in a conspicuous place on its website and by sending the information to each National Federation which is subject to its rules.]

8.0 TUE Application Process

8.1 Unless the rules of their International Federation provide otherwise, the following Athletes shall obtain a TUE from their International Federation:

- a. Athletes in the International Federation's Registered Testing Pool; and
- b. Athletes participating in an International Event for which a TUE granted pursuant to the International Federation's rules is required.



8.2 Athletes not identified in Article 8.1 shall obtain a TUE from their National Anti-Doping Organisation.

[Comment to 8.1 and 8.2: Unless the rules of an International Federation provide otherwise, an Athlete who already has a TUE from a National Anti-Doping Organisation, but later becomes a member of the International Federation's Registered Testing Pool or seeks to participate in an International Event which the International Federation has identified as requiring an International Federation TUE, shall obtain a new TUE from the International Federation.

The phrase "unless the rules of an International Federation provide otherwise" takes into account the fact that some International Federations, through their rules, are willing to recognize TUEs granted by National Anti-Doping Organisations and do not require a new TUE application at the International Federation level. Where such rules are in place, the Athlete should obtain a TUE from the Athlete's National Anti-Doping Organisation.]

8.3 The Athlete should submit an application for a TUE no less than thirty (30) days before he/she needs the approval (for instance, an Event).

8.4 A TUE will only be considered following the receipt of a completed application form that shall include all relevant documents (see Annex 1 - TUE form). The application process shall be dealt with in accordance with the principles of strict medical confidentiality.

8.5 The TUE application form(s), as set out in Annex 1, can be modified by Anti-Doping Organisations to include additional requests for information, but no sections or items shall be removed.

8.6 The TUE application form(s) may be translated into other language(s) by Anti-Doping Organisations, but the English or French text shall remain on the application form(s).

8.7 The application shall identify the Athlete's level of competition (e.g., International Federation Registered Testing Pool), sport and, where appropriate, discipline and specific position or role.

8.8 The application shall list any previous and/or current TUE requests, the body to whom that request was made, the decision of that body, and the decisions of any other body on review or appeal.



- 8.9** The application shall include a comprehensive medical history and the results of all examinations, laboratory investigations and imaging studies relevant to the application. The arguments related to the diagnosis and treatment, as well as duration of validity, should be guided by the WADA “Medical Information to Support the Decisions of TUECs”.
- 8.10** Any additional relevant investigations, examinations or imaging studies requested by the TUEC of the Anti-Doping Organisation before approval will be undertaken at the expense of the applicant.

[Comment to 8.10: In some cases, the applicant’s National Federation may elect to pay this expense.]

- 8.11** The application shall include a statement by an appropriately qualified physician attesting to the necessity of the otherwise Prohibited Substance or Prohibited Method in the treatment of the Athlete and describing why an alternative, permitted medication cannot, or could not, be used in the treatment of this condition.
- 8.12** The substance or method, dose, frequency, route and duration of administration of the otherwise Prohibited Substance or Prohibited Method in question shall be specified. In case of change, a new application shall be submitted.
- 8.13** In normal circumstances, decisions of the TUEC should be completed within thirty (30) days of receipt of all relevant documentation and will be conveyed in writing to the Athlete by the relevant Anti-Doping Organisation. In case of a TUE application made in a reasonable time limit prior to an Event the TUEC should use its best endeavors to complete the TUE process before the start of the Event.

[Comment to 8.13: When an Anti-Doping Organisation has failed to act on an Athlete’s TUE application within a reasonable time, the Athlete may seek review by WADA as if the application was denied.]

9.0 Declaration of Use

- 9.1** There are no longer substances or methods on the Prohibited List that require a Declaration of Use and therefore it is not necessary to file a Declaration of Use.



10.0 Review of TUE Decisions by WADA

10.1 The WADA TUEC may, at any time, review the grant of a TUE to an Athlete in the International Federation Registered Testing Pool, entered in an International Event as described in 7.1(b), or a National Anti-Doping Organisation Registered Testing Pool. In addition to the information to be provided as set forth in Articles 7.1 and 7.2, the WADA TUEC may also seek additional information from the Athlete, including further studies as described in Article 8.10. If a decision granting a TUE is reversed by WADA upon review, the reversal shall not apply retroactively and shall not disqualify the Athlete's results during the period for which the TUE had been granted and shall take effect no later than fourteen (14) days following notification of the decision to the Athlete.

10.2 An Athlete in an International Federation Registered Testing Pool, entered in an International Event as described in 7.1(b), or National Anti-Doping Organisation Registered Testing Pool may request that WADA review the denial of a TUE by submitting a written request for review to WADA within twenty-one (21) days of the date of the denial. An Athlete submitting such a request for review to WADA shall pay an application fee as established by WADA and shall provide to the WADA TUEC copies of all information that the Athlete submitted to the Anti-Doping Organisation in connection with the TUE application. The WADA TUEC will assess the request based on the file that was available to the Anti-Doping Organisation that has denied the TUE but may, for the sake of clarification, seek additional information from the Athlete, including further studies as described in Article 8.10. Until the WADA review process has been completed, the original TUE denial remains in effect. If WADA reverses the denial of a TUE, the TUE shall immediately go into effect in accordance with the conditions set forth in the WADA decision.

10.3 Decisions by WADA to affirm or reverse the TUE decisions of an Anti-Doping Organisation may be appealed to CAS as provided in Article 13 of the Code.



11.0 Previously Granted Abbreviated Therapeutic Use Exemptions (ATUEs)

11.1 All previously granted ATUEs that have not already expired or been cancelled shall expire on December 31, 2009.

THERAPEUTIC USE EXEMPTION (TUE)



APPLICATION FORM

Schedule 3b

IRB fax: +353 1 2409 289

e-mail: TUE@irb.com

In accordance with Section 4 of the WADA International Standard for Therapeutic Use Exemptions and IRB Regulation 21.5 any Player who wishes to apply for the use of a Prohibited Substances or Prohibited Method to treat a legitimate medical condition must apply to the relevant Therapeutic Use Exemption Committee (TUEC) via their national Union.

SECTION A – Player Information - PLEASE PRINT CLEARLY IN CAPITALS

First Name: _____	Surname: _____	Date of Birth: ____ / ____ / ____
Gender: Male <input type="checkbox"/> Female <input type="checkbox"/>	Contact Telephone Number - Mobile: _____	
National Union and level: _____ <small>(i.e. Nat 15's Squad/7's/U21's etc)</small>	Team/Club: _____	

SECTION B – Notifying Medical Practitioner and Medical Information

Name: _____	Medical Specialty: _____	
Business Address: _____		
Telephone Number - Business: _____	Fax Number: _____	Telephone Number - Mobile: _____
Email: _____		
Diagnosis with sufficient medical information (see note 1): _____		

Has the national Unions Chief Medical Officer / Doctor been notified of this application? Yes <input type="checkbox"/> No <input type="checkbox"/>		

SECTION C - Medical Details

Prohibited Substance – Generic Name	Dose of Administration	Route of Administration	Frequency of Administration
1.			
2.			

Intended duration of treatment: Once only Emergency Weeks Months Years

If a permitted medication can be used to treat the medical condition, provide clinical justification for requested use of prohibited medication:

SECTION D - Medical Practitioner's Declaration

I,..... certify that the above mentioned treatment is medically appropriate and that the use of alternative medication not on the Prohibited List would be unsatisfactory for this condition.

Signature of Medical Practitioner: _____ Date: ____ / ____ / ____

SECTION E -- Previous or Current TUE Applications

Have you submitted any previous TUE application: Yes No What date?: ____ / ____ / ____

If Yes, for what substance/s? _____

TUE Body who provided TUE Decision: _____ TUE Decision: Attach copy of previous TUE application and Certificate of Approval if for same Prohibited Substance

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THERAPEUTIC USE EXEMPTION (TUE)



APPLICATION FORM

Schedule 3b

IRB fax: +353 1 2409 289

e-mail: TUE@irb.com

SECTION F - Player's Declaration

I,..... certify that the information under Section A & B is accurate and that I am requesting approval to use a Prohibited Substance or Method from the WADA Prohibited List. I authorise the recording (whether electronically or otherwise) and/or storage by release of personal medical information to the Anti Doping Organisation, relevant Tournament Organisers as well as to WADA staff and to the WADA TUEC under the provisions of the Code. I understand that if I ever wish to revoke the right of the relevant TUEC or WADA TUEC to obtain my health information on my behalf, I must notify my medical practitioner in writing of that fact. I also understand that if I withdraw my consent to the release of my personal medical information, I may not receive approval for a TUE or the renewal of an existing TUE, since no TUE can be granted or renewed without the disclosure of comprehensive medical data.

I am aware that an application for a TUE requires the processing (for example transmission, disclosure, use and storage) of all data pertaining to such application through relevant anti-doping administration/data management systems including but not limited to ADAMS* to ensure harmonized, coordinated and effective anti-doping programs for detection, deterrence and prevention of doping. Signing this form will indicate that I have been so informed and that I give my express consent to such processing of data.

I understand and agree that my application for a TUE will only be considered following the submission in ADAMS or otherwise, by myself or by my Anti-Doping Organisation (ADO), of the present completed application form, as well as all relevant documents related to the application.

I understand and agree that my TUE related data will be made accessible through ADAMS and/or any other relevant anti-doping administration/data management system, to the authorized ADO, to WADA and to the Therapeutic Use Exemption Committee. I understand and agree that if a TUE is granted, such TUE and the related information will be sorted electronically in ADAMS (and/or in any other relevant anti-doping administration/data management system) for a minimum period of 8 years, the period of 8 years being the period within which an action can be commenced following a violation of an anti-doping rule contained in the WADA Code/IRB Regulation 21.

WADA, ADOs and Therapeutic Use Exemption Committees will not disclose any of my TUE related information beyond those persons within their organisation with a need to know for doping control purposes according to the Code.

I understand that if I believe that my personal information is not used in conformity with this consent and the International Standard for the Protection and Privacy and Personal Information I can file a complaint to WADA or CAS.

RELEASE

I hereby release WADA as well as ADOs and TUE Committees from all claims, demands, liabilities, damages, costs and expenses that I may have arising in connection with the processing of my TUE related data through ADAMS and/or any other relevant anti-doping administration/data management system.

WITHDRAWAL OF CONSENT

I understand that I may at any time revoke my consent for the processing of my TUE related data through ADAMS and/or any other relevant anti-doping administration/data management system. I also understand that as a consequence of such withdrawal of consent, I will not receive approval for a TUE or a renewal of an existing TUE.

Player's Signature: _____

Date: ____ / ____ / ____

Parent's/Guardian's Signature: _____

Date: ____ / ____ / ____

(if a Player is a minor a parent or guardian shall sign together with or on behalf of the Player)

(Day/Month/Year)

* ADAMS is the Anti-Doping Administration and Management System, which has been developed to enable athletes and anti-doping organisations to enter and share data related to doping control. ADAMS is an on-line, web-based system, which allows restricted sharing of data only with those organisations with the right to access such data in accordance with the World Anti-Doping Code.

SECTION G – Application Notes

Note 1 *Diagnosis: Evidence confirming the diagnosis must be attached and forwarded with this application. The medical evidence should include a comprehensive medical history and the results of all relevant examinations, laboratory investigations and imaging studies (where applicable). Copies of the original reports or letters should be included where possible. Evidence should be as objective as possible in the clinical circumstances and in the case of non-demonstrable conditions independent supporting medical opinion will assist this application.*

IRB TUEC Contact Details

INTERNATIONAL RUGBY BOARD, Huguenot House, 35-38 St. Stephen's Green, Dublin 2, Ireland
Tel: +353 1 2409 212 **Fax:** +353 1 2409 289 **Email:** tue@irb.com

INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED AND WILL NEED TO BE RESUBMITTED.

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SCHEDULE 4. ACKNOWLEDGMENT AND AGREEMENT FORM*

I, _____ of _____
Union/Club/Rugby Body hereby acknowledge and agree as follows:

1. I have received and had an opportunity to review the IRB [other] Anti-Doping Regulations.
2. I consent and agree to comply with and be bound by all of the provisions of the IRB [other] Anti-Doping Regulations, including but not limited to, all amendments to the IRB [other] Anti-Doping Regulations and all International Standards incorporated in the IRB [other] Anti-Doping Regulations.
3. I acknowledge and agree that the IRB [other] has jurisdiction to impose sanctions as provided in the IRB [other] Anti-Doping Regulations.
4. I also acknowledge and agree that any dispute arising out of a decision made pursuant to the IRB Anti-Doping Regulations, after exhaustion of the process expressly provided for in those Regulations, may be appealed exclusively as provided in Regulation [21.27] [*Appeals] to an appellate body for final and binding arbitration, which in the case of International-Level Players [others] is the Court of Arbitration for Sport.
5. The governing law of the appeal heard by the Court of Arbitration for Sport shall be English law.
6. I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable.
7. I agree that I will submit a Therapeutic Use Exemption form if I am required to do so under the IRB [other] Anti-Doping Regulations;
8. I agree that my personal anti-doping data relating to the Doping Control process (including test distribution planning, Sample collection and handling, laboratory analysis, result management, hearings and appeals), Therapeutic Use Exemption and/or player whereabouts can be processed (for example transmitted, disclosed, used and/or stored) by and amongst my [Union / club / rugby body], the IRB, Member Unions, the World Anti Doping Agency (WADA), National Anti Doping Agencies and/or other Anti Doping Organisations (as applicable) in electronic form including but not limited to as part of the ADAMS¹ database system.

¹ ADAMS is the Anti-Doping Administration and Management System which has been developed to enable athletes and anti-doping organisations to enter and share related to doping control. ADAMS is an on-line, web-based system, which allows restricted sharing of data only with those organisations with the right to access such data in accordance with the World Anti-Doping Code.



9. I have read and understand this Acknowledgement and Agreement.

Date _____

Print Name _____
(Last Name, First Name)

Date of Birth _____
(Day/Month/Year)

Signature _____
(or, if a minor, signature of legal guardian)

*This form may need to be modified for local use.



SCHEDULE 5. PLAYER INFORMATION NOTICE – DATA PRIVACY

Doping Control-related Data

1. In the context of Doping Control activities you will be asked to sign a “Player Consent Form” for the processing of Doping Control-related data. This Information Notice explains in more detail how your Doping Control-related data will be used and processed to ensure harmonised, coordinated and effective anti-doping programmes for detection, deterrence and prevention of doping. The Player Consent Form should be read in conjunction with this Information Notice.

Categories of Data

2. Your Doping Control-related data is any and all data with respect to the Doping Control process related to you (including test distribution planning, Sample collection and handling, laboratory analysis, results management, hearings and appeals), Therapeutic Use Exemptions and whereabouts.
3. The laboratory analysis results may include, without limitation: detection of a Prohibited Substance, its Metabolites or Markers or any evidence of use of a Prohibited Method identified on the Prohibited List; detection of the presence of other substances not included on the Prohibited List as may be directed by WADA pursuant to a monitoring programme described in Article 4.5 of the World Anti-Doping Code; longitudinal profiling of haematological parameters such as haemoglobin and red blood count over a specified period of time as well as testosterone/epitestosterone ratio; and/or results from other tests that may be developed in the future to identify the presence of Prohibited Substances or Prohibited Methods.
4. Some of your Doping Control-related data may constitute protected personal data under applicable national data protection or privacy laws where you reside.

Responsibility

5. Your Doping Control-related data will be collected by an Anti-Doping Organisation (including without limitation the IRB) acting pursuant to Regulation 21 and/or the Code or equivalent anti-doping regulations (“the Testing Authority”), or through an authorised collection authority and/or results management authority. The Testing Authority will be responsible for protecting your information in accordance with its local laws and

regulations, the WADA International Standard on the Protection of Privacy and Personal Information and Regulation 21 and/or the Code or equivalent anti-doping regulations.

6. The Testing Authority will use a data-management system (which may be in electronic form including but not limited to the ADAMS¹ system) to process and manage, including disclose to authorised recipients, your Doping Control-related data.
7. You will be responsible for ensuring that all information which you provide or that is provided on your behalf by other parties, such as your Union, is accurate and up to date, including with respect to your whereabouts. Please note that failure to provide and/or update accurate whereabouts information is likely to constitute an anti-doping rule violation, whether the failure is intentional or negligent. If you are provided with a password to access the data-management system you will be responsible for keeping this password confidential at all times. Should you inadvertently or otherwise disclose such password you should contact the Testing Authority immediately.

Disclosures

8. Your Doping Control-related data will, where appropriate, be made available to authorised Anti-Doping Organisations, in accordance with Regulation 21 and/or the Code or equivalent anti-doping regulations, to enable them to administer their anti-doping programmes. These Anti-Doping Organisations may include, without limitation, National Anti-Doping Organisations, international or national sporting federations including without limitation the IRB and Unions, Major Event Organisations and National Olympic Committees. Where this occurs, such Anti-Doping Organisations will be responsible for protecting your information in accordance with their local laws and regulations, the WADA International Standard on the Protection of Privacy and Personal Information and Regulation 21 and/or the Code or equivalent anti-doping regulations.

¹ ADAMS is the Anti-Doping Administration and Management System which has been developed to enable Players and Anti-Doping Organisations to enter and share Doping Control-related data. ADAMS is an on-line, web-based system, which allows restricted sharing of data only with those organisations with the right to access such data in accordance with Regulation 21 and/or the Code or equivalent anti-doping regulations.



9. Your Doping Control-related data will also be made available, in part, to WADA, which will need to process certain information in order to fulfil its obligations and responsibilities under the Code. In such case WADA will be responsible for protecting your information in accordance with its local laws and regulations, the WADA International Standard on the Protection of Privacy and Personal Information and the Code.
10. WADA accredited laboratories will need to receive your Samples and possibly other data relating to you; however, such laboratories will only be provided with de-identified, key-coded data and Samples that will not enable the laboratories to identify you.
11. The Anti-Doping Organisations, WADA and WADA accredited laboratories will process your Doping Control-related data only for the purpose of ensuring harmonised, coordinated and effective anti-doping programmes.
12. Anti-Doping Organisations, WADA, and WADA accredited laboratories will not disclose any of your Doping Control-related data other than to those persons within their organisation who require it for Doping Control purposes. Each of the organisations accessing and using any of your Doping Control-related data may only do so in order to fulfil their responsibilities and obligations arising under Regulation 21 and/or the Code or equivalent anti-doping regulations, which primarily involve the establishment and maintenance of anti-doping programmes and ensuring appropriate information sharing as provided for under Regulation 21 and/or the Code or equivalent anti-doping regulations.

International Transfers

13. Your Doping Control-related data may be made available to persons or parties, including WADA and Anti-Doping Organisations, located outside of the country where you reside. In some other countries, data protection and privacy laws may not be equivalent to those in your own country.

Your Rights

14. You may have certain rights under applicable laws and/or the WADA International Standard on the Protection of Privacy and Personal Information in relation to your Doping Control-related data, including rights to access and/or correct any inaccurate data, and remedies and rights of redress for any unlawful processing of your Doping Control-related data.



15. To the extent that you have any concerns about the processing of your Doping Control-related data you may consult with the Testing Authority, WADA (www.wada-ama.org), your Union and/or your National Anti-Doping Organisation, as appropriate.

Security

16. Your Doping Control-related data may be held in electronic form including but not limited to ADAMS. ADAMS is hosted in data centres located in Canada and maintained by WADA on behalf of Anti-Doping Organisations using ADAMS. Strong technological, organisational and other security measures have been applied to ADAMS to maintain the security of the data it contains. In addition, WADA and Anti-Doping Organisations have put in place internal and contractual provisions to protect the confidentiality of your data.

Data Retention

17. It may be necessary to retain certain of your Doping Control-related data in ADAMS (or other relevant administration/management system) for a minimum period of eight years. The period of eight years represents the time period within which an action may be commended for an anti-doping rule violation under the Code, Regulation 21 and/or equivalent anti-doping regulations. Your whereabouts information, however, will be retained for a much shorter period (approximately 18 months).

Right to Object

18. You understand that you may have rights to object to the processing of your Doping Control-related data, although in that event, and as noted above, it still may be necessary for the Testing Authority and WADA to continue to process (including retain) certain parts of your Doping Control-related data to fulfil obligations and responsibilities arising under Regulation 21 and/or the Code or equivalent anti-doping regulations and applicable laws.
19. You understand that objecting to disclose your Doping Control-related data, or objecting to the processing of your Doping Control-related data, may make anti-doping testing and procedures in accordance with Regulation 21 and/or the Code or equivalent anti-doping regulations, as applicable, and the International Standards impossible. In such case your objection could be equivalent to an anti-doping rule violation which may exclude you from further participation in the Game, and may result in disciplinary or other sanctions being imposed upon you, such as



disqualification from competitions in which you are scheduled to participate or the invalidation of results arising from prior competitions.

Release

20. By signing the Player Consent Form you release the Testing Authority (and the IRB, where the IRB is not the Testing Authority), WADA, and relevant Anti-Doping Organisations, from all claims, demands, liabilities, damages, costs and expenses that you may have arising in connection with the processing of your Doping Control-related data through ADAMS, and/or any other relevant administration/management system.

