

# **THE ANTI-DOPING RULES**

**NATIONAL ANTI-DOPING AGENCY, INDIA**

## TABLE OF CONTENTS

INTRODUCTION.....	1
<b>1</b> <b>ARTICLE 1 APPLICATION OF RULES</b> .....	<b>3</b>
<b>2</b> <b>ARTICLE 2 ANTI-DOPING RULE VIOLATIONS</b> .....	<b>7</b>
<b>3</b> <b>ARTICLE 3 PROOF OF DOPING</b> .....	<b>9</b>
<b>4</b> <b>ARTICLE 4 THE PROHIBITED LIST</b> .....	<b>10</b>
<b>5</b> <b>ARTICLE 5 TESTING</b> .....	<b>14</b>
<b>6</b> <b>ARTICLE 6 ANALYSIS OF SAMPLES</b> .....	<b>18</b>
<b>7</b> <b>ARTICLE 7 RESULTS MANAGEMENT</b> .....	<b>19</b>
<b>8</b> <b>ARTICLE 8 DISCIPLINARY PROCEDURE</b> .....	<b>31</b>
<b>9</b> <b>ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS</b> .....	<b>37</b>
<b>10</b> <b>ARTICLE 10 SANCTIONS ON INDIVIDUALS</b> .....	<b>37</b>
<b>11</b> <b>ARTICLE 11 CONSEQUENCES TO TEAMS/SPORTS</b> .....	<b>45</b>
<b>12</b> <b>ARTICLE 12 SANCTIONS AGAINST NATIONAL SPORTS FEDERATIONS</b> .....	<b>46</b>
<b>13</b> <b>ARTICLE 13 APPEALS</b> .....	<b>46</b>
<b>14</b> <b>ARTICLE 14 REPORTING</b> .....	<b>53</b>
<b>15</b> <b>ARTICLE 15 PUBLIC DISCLOSURE</b> .....	<b>55</b>
<b>16</b> <b>ARTICLE 16 MUTUAL RECOGNITION OF DECISIONS</b> .....	<b>55</b>
<b>17</b> <b>ARTICLE 17 STATUTE OF LIMITATION</b> .....	<b>56</b>
<b>18</b> <b>ARTICLE 18 AMENDMENT AND INTERPRETATION</b> .....	<b>56</b>
<b>19</b> <b>ARTICLE 19 INFORMATION AND NOTICES</b> .....	<b>57</b>
<b>20</b> <b>ARTICLE 20 COMMENCEMENT AND VALIDITY</b> .....	<b>58</b>
<b>21</b> <b>DEFINITIONS</b> .....	<b>59</b>

## INTRODUCTION

### Preface

On 7<sup>th</sup> March, 2008, the National Anti Doping Agency[NADA] has accepted the World Anti-Doping Code (the "Code"). These Anti-Doping Rules are adopted and implemented in conformity with the NADA's responsibilities under the Code, and are in furtherance of NADA's continuing efforts to eradicate doping in India.

Anti-Doping Rules, like *Competition* rules, are sport rules governing the conditions under which sport is played. *Athletes* and *Athlete Support Personnel* accept these rules as a condition of participation. Anti-Doping Rules are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards set forth in the Code and implemented in these Anti-Doping Rules represent the consensus of a broad spectrum of stakeholders with an interest in fair sport and should be respected by all courts and adjudicating bodies.

The Code defines NADA as;

*The entity designated by India as possessing the primary authority 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.*

## **Fundamental Rationale for the Code and the NADA's Anti-Doping Rules**

Anti-doping programmes seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as “the spirit of sport”; it is the essence of Olympism; it is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is characterized by the following values:

- Ethics, fair play and honesty
- Health
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other *Participants*
- Courage
- Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

### **The National Anti-Doping Programme**

The National Anti Doping Agency [NADA] was established by the Government of India, with the objective of acting as the independent *Anti-Doping Organization* for India. The NADA has the necessary authority and responsibility for:

- Planning, coordinating, implementing, monitoring and advocating improvements in the *Doping Control*;
- Cooperating with other relevant national organizations and other *Anti-Doping Organizations*;
- Encouraging reciprocal *Testing* between *National Anti-Doping Organizations*;
- Promoting anti-doping research;
- Planning, implementing and monitoring information and education programs.

The NADA thereby is a distinct body, independent from the disciplinary authorities (the *Anti-Doping Disciplinary Panel* and *Anti-Doping Appeal Panel*).

## **The NADA Anti-Doping Rules**

These Anti-Doping Rules, like *Competition* rules, are rules governing the conditions under which sport is played. *Participants* accept these rules as a condition of participation in sport. These Anti-Doping Rules are not intended to be subject to, or limited by, the requirements and legal standards applicable to criminal proceedings or employment matters.

### **Scope**

These Anti-Doping Rules shall apply to NADA, each *National Federation* of India, and each *Participant* in the activities of the *National Federations* by virtue of the *Participant's* membership, accreditation, or participation in their *National Federations*, or their activities or *Events*. Any *Person* who is not a member of a *National Federation* of India and who fulfills the requirements to be part of the *NADA Registered Testing Pool*, must become a member of the *Person's National Federation*, and shall make himself or herself available for *Testing*, at least [twelve (12)] months before participating in *International Events* or *Events* of his or her *National Federation*.

These Anti-Doping Rules shall apply to all *Doping Controls* over which the NADA has jurisdiction.

## **1 ARTICLE 1 APPLICATION OF RULES**

### **1.1 Application to *National Sports Federations***

1.1.1 *National Sports Federations* shall accept these Anti-Doping Rules and incorporate these Anti-Doping Rules either directly or by reference into their governing documents, constitution and/or rules and thus as part of the rules of sport and the rights and obligations governing their members and *Participants*.

1.1.2 The application of these Anti-Doping Rules to *Participants* is based on the membership obligations that exist between *National Sports Federations* and

their members or *Participants* through those individuals' agreement to participate in sport according to its rules.

1.1.3 As a condition of receiving financial and/or other assistance from the Government of India and/or the NADA, *National Sports Federations* shall accept and abide by the spirit and terms of the National Anti-Doping Programme and these Anti-Doping Rules, including the application of its sanctions to individuals, and shall respect the authority of, and co-operate with, the NADA and the hearing bodies in all anti-doping matters which are not governed by the rules of the relevant International Federation in accordance with the *Code*.

1.1.4 By the adoption of these Anti-Doping Rules and their incorporation into their governing documents and rules of sport, *National Sports Federations* recognize the authority and responsibility of the NADA for implementing the National Anti-Doping Programme and authorize the NADA to carry out *Doping Control* and their members and *Participants* accordingly recognize and accept this authority and responsibility.

The International Federation and the NADA respect each other's authority and responsibility as foreseen in the *Code*.

1.1.5 By the adoption of these Anti-Doping Rules and their incorporation into their governing documents and rules of sport, *National Sports Federations* also formally submit the *National Sports Federation* and all *Athletes* under its jurisdiction or control or subject to its governing documents or rules of sport to these Anti-Doping Rules. They agree to abide by the decisions made pursuant to these Anti-Doping Rules, in particular

the decisions of the *Anti-Doping Disciplinary Panel*, the *Anti-Doping Appeal Panel*. Their International Federations, members and *Participants* accordingly recognize and accept this submission and agreement subject to the rights of appeal foreseen in these rules.

## 1.2 Application to *Persons*

- 1.2.1 The NADA Anti-Doping Rules apply to all *Persons* who:
- 1.2.1.1 are members of a *National Sports Federation* of India, regardless of where they reside or are situated;
  - 1.2.1.2 are members of a *National Sports Federation's* affiliated members, clubs, teams, associations or leagues;
  - 1.2.1.3 participate in any capacity in any activity organized, held, convened or authorized by a *National Sports Federation* of India or its affiliated members, clubs, teams, associations or leagues; and
  - 1.2.1.4 participate in any capacity in any activity organized, held, convened or authorized by a *National Event* organization, or a national league not affiliated with a *National Sports Federation*.
- 1.2.2 Participants including Minors are deemed to accept, submit to and abide by these Anti-Doping Rules by virtue of their participation in sport.

### 1.2.3 The Roles and Responsibilities of Athletes are to:

- 1.2.3.1 be knowledgeable of and comply with all applicable anti-doping policies and rules adopted pursuant to the *Code*;

1.2.3.2 be available for *Sample* collection;

1.2.3.3 take responsibility, in the context of anti-doping, for what they ingest and *Use*; and

1.2.3.4 inform medical personnel of their obligation not to *Use Prohibited Substances and Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate anti-doping policies and rules adopted pursuant to the *Code*.

1.2.4 The Roles and Responsibilities of Athlete Support Personnel are to:

1.2.4.1 be knowledgeable of and comply with all anti-doping policies and rules adopted pursuant to the *Code* and which are applicable to them or the *Athletes* to whom they support;

1.2.4.2 cooperate with the *Athlete Testing* program; and

1.2.4.3 use their influence on *Athlete* values and behaviour to foster anti-doping attitudes.

1.2.5 If any *Person* is found to have committed an anti-doping rules violation, the *Consequences of these Anti-Doping Rules* shall apply. A *Person* sanctioned under these Anti-Doping Rules remains subject to it throughout the duration of the *Ineligibility* regardless of that *Person's* membership status in any *National Sports Federation* or sports organization. Unless the *Person* sanctioned retires during the period of *Ineligibility*, this shall include remaining subject to *Doping Control*.



## 2 ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.8 of these Anti-Doping Rules (Anti-Doping Rule Violations). The following constitute Anti-Doping Rule Violations:

### 2.1 The Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Bodily Specimen*.

2.1.1 It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *bodily Specimens*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.

2.1.2 Excepting those substances for which a quantitative reporting threshold is specifically identified in the *Prohibited List*, the detected presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* shall constitute an anti-doping rule violation.

2.1.3 As an exception to the general rule of Article 2.1, the *Prohibited List* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.

**2.2 Use or Attempted Use of a Prohibited Substance or a Prohibited Method**

**2.2.1** 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.

**2.3 Refusing, or failing without compelling justification, to submit to Sample collection after notification as authorized in these Anti-Doping Rules or otherwise evading Sample collection.**

**2.4 Violation of the requirements regarding Athlete availability for Out-of-Competition Testing including failure to provide required whereabouts information and missed tests as set forth in Article 5.4 (Athlete whereabouts requirements).**

**2.5 Tampering, or Attempting to tamper, with any part of Doping Control.**

**2.6 Possession of Prohibited Substances and Methods:**

**2.6.1** Possession by an Athlete at any time or place of a substance that is prohibited in Out-of-Competition Testing or a Prohibited Method unless the Athlete establishes that the Possession is pursuant to a TUE granted in accordance with Article 4.4 (TUEs) or other acceptable justification.

**2.6.2** Possession of a Prohibited Substance that is prohibited in Out-of-Competition Testing or a Prohibited Method by Athlete Support Personnel in connection with an Athlete, Event or training, unless the Athlete Support Personnel establishes that the Possession is pursuant to a TUE granted to an Athlete in accordance with Article 4.4 (TUEs) or other acceptable justification.

**2.7 Trafficking in any Prohibited Substance or Prohibited Method.**

**2.8 Administration or Attempted administration of a Prohibited Substance or Prohibited Method to any Athlete, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any Attempted violation.**

### **3 ARTICLE 3 PROOF OF DOPING**

#### **3.1 Burdens and Standards of Proof**

**3.1.1** The NADA has the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the NADA has established an anti-doping rule violation to the comfortable satisfaction of the hearing body bearing in mind the seriousness of the allegation that 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.

**3.1.2** Where these Anti-Doping Rules place the burden of proof upon the *Athlete* 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.

#### **3.2 Methods of Establishing Facts and Presumptions**

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:

**3.2.1** WADA-accredited laboratories are presumed to have conducted *Sample* analysis and custodial procedures

in accordance with the *International Standard for Laboratories*. The *Athlete* may rebut this presumption by establishing that a departure from the *International Standard for laboratory analysis* occurred. If the *Athlete* rebuts the preceding presumption by showing that a departure from the *International Standard for laboratory analysis* occurred, then the NADA shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

3.2.2 Departures from the *International Standard for Testing* which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* establishes that departures from this *International Standard* occurred during *Testing* then the NADA shall have the burden to establish that such departures did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

## 4 ARTICLE 4 THE PROHIBITED LIST

### 4.1 Incorporation of the *Prohibited List*

4.1.1 These Anti-Doping Rules adopt and incorporate the *WADA International Standard for the Prohibited List* as amended from time to time and all *Participants* and *National Sports Federations* shall be deemed to accept the amendments as binding upon them.

4.1.2 The *Prohibited List* shall be revised by *WADA* from time to time. Unless provided for otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three (3) months after publication of the *Prohibited List* by

WADA without requiring any further action by the NADA.

- 4.1.3 The NADA make the most recently revised *Prohibited List* publicly available. It is the responsibility of each *National Sports Federation* to ensure that the current *Prohibited List* is available to its members and *Participants*.

#### **4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List**

The *Prohibited List* identifies those *Prohibited Substances* and *Prohibited Methods* which are prohibited as doping at all times (both *In-Competition* and *Out-of-Competition*) and those substances and methods which are prohibited *In-Competition* only.

#### **4.3 Substances and Methods on the Prohibited List**

WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that shall be included on the *Prohibited List* shall be final and shall not be subject to challenge by an *Athlete* or other *Person*.

#### **4.4 TUEs**

- 4.4.1 These Anti-Doping Rules adopt and incorporate the *WADA International Standard for TUEs* as amended from time to time and all *Participants* and *National Sports Federations* shall be deemed to accept the amendments as binding upon them.

- 4.4.2 *Athletes* subject to these Anti-Doping Rules with a medical condition requiring the *Use of a Prohibited Substance* or a *Prohibited Method*, shall obtain a *TUE* from the NADA or an *International Federation* as provided for in this Article. The application for a *TUE* from such an *Athlete* shall occur immediately when the *Athlete* becomes aware that the *Use of a Prohibited*

*Substance* or a *Prohibited Method* is required and, subject to an emergency, the *TUE* shall have been obtained prior to that *Athlete's* participation in any *Competition*.

- 4.4.3 An *Athlete* subject to *Testing* under these Anti-Doping Rules, who is, or has been prior to the adoption of these Anti-Doping Rules, granted a *TUE* by an International Federation, shall immediately report the granting of the *TUE* to the NADA and to the *National Sports Federation* concerned and shall provide to the NADA all relevant information and documentation. *TUEs* granted prior to the adoption of these Anti-Doping Rules shall be recognized by the NADA where the *TUE* was granted in accordance with the *TUE Standard* and the *TUE* has not expired or otherwise been effected by any changes in the *Prohibited List* occurring since the date the *TUE* was granted.

#### **4.5 *TUEs for International-Level Athletes and Athletes Participating in International Events***

- 4.5.1 *International-Level Athletes* or *Athletes* participating in *International Events* shall apply to the International Federation concerned for the *TUE*, except in emergency situations, no later than twenty one (21) days before the *Athlete's* participation in an *International Event*, or as otherwise provided for in the anti-doping rules of that International Federation, and simultaneously provide a copy of that application for information to the NADA.
- 4.5.2 Where the International Federation has not implemented a process to grant *TUEs*, the *Athlete* shall apply to the NADA for a *TUE*.

#### **4.6 *TUEs for National-Level Athletes and Athletes Participating in National Events***

*National-Level Athletes* and *Athletes* participating in *National Events* shall

obtain a *TUE* from the NADA, unless the *Athlete* has previously received a *TUE* from an International Federation and such *TUE* is still valid and its granting has been reported to the NADA.

#### **4.7 NADA TUEC**

4.7.1 The NADA shall appoint a *TUEC* to consider applications for *TUEs*. To avoid potential conflicts of interest, all members of the *TUEC* shall be independent from the NADA. Where members of the *TUEC* have an interest in individual *National Sports Federations* or International Federations, they are excluded from considering applications for *TUEs* from *Athletes* who are members of the same individual *National Sports Federations* or International Federations.

4.7.2 The *TUEC* member(s) so designated shall promptly evaluate such a request in accordance with the *International Standard for TUEs* and render a decision on such request, which shall be the decision of the NADA.

4.7.3 The NADA and the *TUEC* shall conduct the administration and determination of applications for *TUEs* in strict confidence.

#### **4.8 Applications for TUEs**

4.8.1 An application for a *TUE* shall be made in accordance with the *International Standard for TUEs*.

4.8.2 The *Athlete* shall provide written consent for the transmission of all information pertaining to the application to members of the *TUEC* and, as required, other independent medical or scientific experts and to all necessary staff involved in the management, review or appeals of *TUEs*. The *Athlete* shall also provide written consent for the decisions of the *TUEC* to be distributed

to other relevant *Anti-Doping Organizations* under the provisions of the *Code* and for data to be stored in and transferred to the *WADA Clearinghouse*.

#### **4.9 Review of TUEs**

4.9.1 WADA, at the request of an *Athlete* or on its own initiative, may review the granting or denial of any *TUE* by the *NADA*.

4.9.2 Until the review process has been completed, the original decision remains in effect.

4.9.3 If *WADA* determines that the grant 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 and the *TUE* shall stand cancelled. In the event of a cancellation, *WADA* will advise the *Athlete*, the *NADA* and to the *National Sports Federation* concerned.

4.9.4 Decisions on *TUEs* are subject to further appeal as provided in Article 13.8 (Appeals from Decisions Granting or Denying a *TUE*) and pursuant to the rules of *CAS*.

## **5 ARTICLE 5 TESTING**

### **5.1 Incorporation of the *International Standard for Testing***

These *Anti-Doping Rules* adopt and incorporate the *WADA International Standard for Testing* as amended from time to time and all *Participants* and *National Sports Federations* shall be deemed to accept the amendments as binding upon them. *Testing* conducted by, or on behalf of, the *NADA* and *National Sports Federations* shall be in substantial conformity with the *International Standard for Testing* in force at the time of *Testing*.



## **5.2 Testing**

All *Athletes* subject to these Anti-Doping Rules are subject to *In-Competition Testing* by their *National Sports Federation*, its International Federation, the NADA and any *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate. All *Athletes* subject to these Anti-Doping Rules shall also be subject to *Out-of-Competition Testing* at any time or place, by their *National Sports Federation*, its International Federation, the NADA, WADA, the *National Anti-Doping Organization* of any country where the *Athlete* is present, the International Olympic Committee in connection with the Olympic Games and the International Paralympic Committee in connection with the Paralympic Games. This *Testing* may include *Target Testing*.

## **5.3 Testing at Events**

At *International Events*, the collection of *Doping Control Samples* shall be initiated and directed by the international organization that is the ruling body for the *Event*. If the international organization decides not to conduct any *Testing* at such an *Event*, the NADA may, in coordination with and with the approval of the international organization or WADA, initiate and conduct such *Testing*. At *National Events*, the collection of *Doping Control Samples* shall be initiated and directed by the NADA.

## **5.4 Whereabouts Requirements**

5.4.1 The NADA shall identify a *Registered Testing Pool*, and shall revise its *Registered Testing Pool* from time to time as appropriate. Each *National Sports Federation* shall assist the NADA in identifying and maintaining the NADA *Registered Testing Pool*. *National Sports Federations* shall ensure that *Athletes* who are not their regular members are included in the NADA *Registered Testing Pool* at least for the year prior to the Olympic Games, as a member of a *NOC Team*.

5.4.2 The NADA shall notify each *Athlete* of their inclusion in the *Registered Testing Pool* and advise that *Athlete* of

their obligations under these Anti-Doping Rules. Each *Athlete* in the *Registered Testing Pool* shall file halfyearly whereabouts information with the NADA on forms provided by the NADA which specify on a daily basis the locations and times where the *Athlete* will be residing, training and/or competing. *Athletes* shall update this information as necessary so that it is current and complete at all times. Where *Athletes* are also required to provide whereabouts information to their International Federation, *Athletes* shall simultaneously provide a copy of that information to the NADA unless it is available through the *WADA* Clearinghouse.

The NADA shall recommend that the responsible sports organization withhold some or all sport-related financial support from an *Athlete* where the *Athlete's* regular report is not received by the NADA by the due date or is not fully and accurately completed.

5.4.3 Any *Athlete* in the *NADA Registered Testing Pool* who fails to submit a mandatory whereabouts report after three formal written warnings from the NADA to do so in the preceding eighteen (18) months, shall be considered to have committed an anti-doping rule violation pursuant to Article 2.4 (Whereabouts Violations).

5.4.4 Any *Athlete* in the *NADA Registered Testing Pool* who is unavailable for *Testing* on three attempts during any period of eighteen (18) consecutive months shall be considered to have committed an anti-doping rule violation pursuant to Article 2.4 (Whereabouts Violations). Notification shall be sent to the *Athlete* in respect of each attempt.

## 5.5 Retirement and Return to *Competition*

5.5.1 An *Athlete* who has been identified by the NADA for inclusion in the *Registered Testing Pool* shall continue to be subject to these Anti-Doping Rules, including the obligation to be available for *No Advance Notice Out-of-Competition Testing*, unless and until the *Athlete* gives written notice to NADA and to their *National Sports Federation* that they have retired for the purposes of these Anti-Doping Rules or until they no longer satisfy the criteria for inclusion in the *Registered Testing Pool* and have been so informed by NADA.

5.5.2 An *Athlete* who is not serving a Period of *Ineligibility* who has given notice of retirement may not resume competing unless they notify NADA at least twelve (12) months before they expect to return to *Competition*. This notification must include the submission to these Anti-Doping Rules, including the provision of whereabouts information and availability for *No Advance Notice Out-of-Competition Testing* during this period.

## 5.6 Selection of *Athletes to be Tested*

NADA shall select *Athletes for Testing* through a process that substantially complies with the *International Standard for Testing* in force at the time of selection. In this regard, *No Advance Notice* shall be the preferred method for *Out-of-Competition Testing*.

## 5.7 Testing of *Minors*

*Testing* under these Anti-Doping Rules may only be conducted on a *Minor* where a *Person* with legal responsibility for that *Minor* has given prior consent. The giving of such prior consent shall be a condition precedent to the participation of that *Minor* in sport, unless the rules of the relevant *Natational Sports Federation* provide otherwise.

## 5.8 *Independent Observer Program*

NADA, National Sports Federations and the organization committees for Events and their employees, contractors, officials and agents shall provide access to Persons participating in the *Independent Observers Program* at Events.

## 6 ARTICLE 6 ANALYSIS OF SAMPLES

### 6.1 Incorporation of the *International Standard for Laboratories*

These Anti-Doping Rules adopt and incorporate the *WADA International Standard for Laboratories* as amended from time to time and all Participants and National Sports Federations shall be deemed to accept the amendments as binding upon them.

### 6.2 Utilization of Approved Laboratories

NADA shall send *Doping Control Samples* collected under these Anti-Doping Rules for analysis only 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 the *Sample* analysis shall be determined exclusively by NADA. Laboratories shall analyze *Doping Control Samples* and report results in substantial conformity with the *International Standard for Laboratories*.

### 6.3 Substances Subject to Detection

*Doping Control Samples* shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by WADA pursuant to the Monitoring Program described in Article 4.5 of the *Code*.

### 6.4 Research on Samples

No *Sample* may be used for any purpose other than the detection of substances (or classes of substances) or methods on the *Prohibited List*, or as otherwise identified by WADA pursuant to its Monitoring Program, without the *Athlete's* written consent.

## **7 ARTICLE 7 RESULTS MANAGEMENT**

### **7.1 Laboratory Results and Possible Failure to Comply Reports**

7.1.1 NADA shall receive the analytical results from the laboratory by secure fax, hand delivery or electronically through the WADA Clearinghouse.

7.1.2 NADA shall receive any Doping Control Officer Reports indicating a possible Failure to Comply from the relevant Doping Control Officer along with other documentation from the *Sample* Collection Session, by secure fax, hand delivery or electronically through the WADA Clearinghouse.

### **7.2 Negative Analytical Findings**

7.2.1 NADA shall identify from the Doping Control Form all *Athletes* whose *Samples* have resulted in a Negative Analytical Finding.

7.2.2 NADA shall notify via the WADA Clearinghouse, relevant stakeholders of Negative Analytical Findings to ratify Records.

7.2.3 NADA may notify *Athletes* or their representative of Negative Analytical Findings if so required. However, NADA shall reserve the possibility to conduct further *Testing* on the *Sample* as long as they are stored securely.

7.2.4 All documentation from the *Sample* Collection Session along with the notification of Negative Analytical Findings shall be retained by NADA for a minimum of eight (8) years.

### **7.3 Adverse Analytical Findings**

7.3.1 Initial Review

- 7.3.1.1 Upon receipt of an *Adverse Analytical Finding*, *NADA* shall review for any irregularity all of the documentation relating to the *Sample* Collection Session (including the Doping Control Form, Doping Control Officer Report and other Records), and the laboratory analysis.
- 7.3.1.2 If there are any irregularities in the documentation, *NADA* shall determine whether the irregularity can be considered to undermine the validity of the *Adverse Analytical Finding*.
- 7.3.1.3 If irregularities are reasonably considered to undermine the validity of the *Adverse Analytical Finding*, *NADA* shall declare the test result void.
- 7.3.1.4 If a test is declared void due to an irregularity, *NADA* may schedule an additional test on the *Athlete* at a later time.
- 7.3.1.5 If the *NADA* declares a test result void, it shall immediately inform the *Athlete*, the *Athlete's* International Federation, *National Sporting Federation* and *WADA*.
- 7.3.2 Follow-up Investigations
- 7.3.2.1 If *Sample* shows the presence of a *Prohibited Substance* (for example endogenous substances) where further investigations are required to determine an Anti-Doping Rule Violation, *NADA* may conduct an investigation before issuing a notice to an *Athlete* asserting that an Anti-Doping Rule Violation has occurred.
- 7.3.2.2 In the case where the laboratory has reported the presence of a testosterone/epitestosterone ratio greater than 6 to 1 in the urine, further

investigation is obligatory in order to determine whether the ratio is due to a physiological or pathological condition. The investigation will include a review of any previous tests, subsequent tests, results of endocrinological investigations and/or CIRMS analyses. Where previous tests are not available, the *Athlete* shall undergo an endocrine investigation or be tested on a *No Advance Notice* basis at least once per month for three months.

7.3.2.3 *NADA* may request the assistance of the laboratory and other scientific and/or medical expertise as necessary to conduct an investigation, not revealing the identity of the *Athlete*.

7.3.2.4 If *NADA* determines that the past doping test history of the *Athlete* is relevant to the investigation, and *NADA* does not already have this information, *NADA* must notify the *Athlete* in writing that the *Athlete's* past doping test history is required and provide reasoning for such request. The *Athlete* must then forward details of their past doping test history to *NADA* within seven (7) days of receiving the notice and authorize *NADA* to request information from other *Anti-Doping Organizations*. *NADA* may contact other *Anti-Doping Organizations*, other laboratories or *WADA* to verify the *Athlete's* past doping test history.

7.3.2.5 *NADA* shall make the final consideration as to whether the follow-up investigation procedures evidence of an Anti-Doping Rule Violation. In

making the consideration, *NADA* must take into account all laboratory analyses and the findings and recommendation of any medical advisory or review committee. *NADA* may consult the laboratory and any other experts to assist in the interpretation of the follow-up investigation results.

7.3.2.6 If *NADA* determines that the investigation indicates that the *Adverse Analytical Finding* is due to a physiological or pathological condition and not due to an Anti-Doping Rule Violation, *NADA* shall advise the *Athlete* accordingly and no further action shall be taken in relation to the *Adverse Analytical Finding*.

7.3.2.7 If *NADA* determines that the investigation establishes evidence of an Anti-Doping Rule Violation, then *NADA* shall follow these Anti-Doping Rules with respect to the *Adverse Analytical Finding*.

### 7.3.3 TUEs

7.3.3.1 If the analysis reveals a *Prohibited Substance* or method for which a *TUE* has been granted in accordance with the International Standards for *TUEs*, no further action is required.

7.3.3.2 If the *Athlete* has been granted a *TUE* in accordance with the *International Standard for TUEs*, but the level of the *Prohibited Substance* in the *Sample* is not consistent with the *TUE*, then *NADA* shall continue to follow these Anti-Doping Rules in respect to the *A Sample Adverse Analytical Finding*.



7.3.3.3 If the *Athlete* has not been granted a *TUE* in accordance with the *International Standard for TUEs*, then *NADA* shall follow these Anti-Doping Rules in respect to the *A Sample Adverse Analytical Finding*.

7.3.3.4 Despite the fact that the *Athlete* has produced any other medical information at the time of the *Doping Control* *NADA* shall follow these Anti-Doping Rules in respect to the *A Sample Adverse Analytical Finding*.

#### 7.3.4 Notification After Initial Review

7.3.4.1 Once *NADA* has determined that the *Adverse Analytical Finding* is not due to any irregularity that undermines its validity and that there is no applicable *TUE*, then *NADA* shall ensure that the *Athlete* is notified in writing of the *Adverse Analytical Finding*. The notice shall include the following details:

- a) *Athletes* name, country, sport and discipline;
- b) *In-Competition* or *Out-of-Competition* control and date of the collection;
- c) Confirmation that the *A Sample* has returned an *Adverse Analytical Finding* and the details of the *Prohibited Substance* identified in the *A Sample*;
- d) The anti-doping rule asserted to be violated in accordance with *NADA*, *International Federation* and/or *National Sports Federation* rules, or, where a further investigation is necessary, a description of the additional investigation that will be

conducted as to whether there is an Anti-Doping Rule Violation;

- e) The possible *Consequences of the Anti-Doping Rule Violation*;
- f) The *Athlete's* right to promptly request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed waived and the *A Sample* finding used as evidence of the Anti-Doping Rule Violation;
- g) The right of the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis if such analysis is requested;
- h) The other parties that will be notified of the *A Sample Adverse Analytical Finding*;
- i) The *Athlete's* right to request copies of the *A* and *B Sample* laboratory report which includes information as required by the *International Standard* for laboratory analysis;
- j) The *Athlete's* right to respond to any assertion that an anti-doping rule had been violated;
- k) In cases where a *Provisional Suspension* is to be imposed in accordance with Article 7.6 below, details of that *Provisional Suspension*, the provisional hearing and/or expedited hearing as applicable; and
- l) The *Athlete's* right to waive their right to a hearing by acknowledging the Anti-Doping Rule Violation asserted and the identified *Consequences of the Anti-Doping Rule Violation*.

7.3.4.2 In an *Event* where a *Provisional Suspension* (*Article 7.6*) is to be imposed or other instances where time dictates, the above details may be given to the *Athlete* and other relevant organizations verbally in the first instance and followed up by notice in writing as soon as possible.

7.3.5 B *Sample* Analysis

7.3.5.1 Should the *Athlete* and/or *NADA* decide to have the B *Sample* analysed *NADA* shall contact the laboratory and confirm the date and\_time for analysis of the B *Sample*.

7.3.5.2 *NADA* shall notify the *Athlete* of the time for the B *Sample* analysis, which should be no later than 5 working days after the *Athlete* requests that it be analysed.

7.3.5.3 The time for analysis of the B *Sample* may be extended by mutual agreement between the *Athlete*, *NADA* and the laboratory.

7.3.5.4 The *Athlete* or the *Athlete's* representative has the right to attend the identification, opening and analysis of the B *Sample*.

7.3.5.5 Where neither the *Athlete* nor his/her representative attends the identification, opening and analysis of the B *Sample*, *NADA* or the laboratory shall appoint an independent *Person*.

7.3.5.6 The B *Sample* must be performed at the same laboratory and shall be tested by a different analyst than the A *Sample*.

7.3.5.7 If the B *Sample* analysis does not confirm the A *Sample* analysis, NADA shall notify the *Athlete* that the *Sample* has been declared negative and that no further action will occur. In circumstances where a *Provisional Suspension* has been imposed, refer to Article 7.6.4.

7.3.5.8 If the B *Sample* analysis does confirm the A *Sample Adverse Analytical Finding*, NADA shall continue to follow these Anti-Doping Rules with respect to the *Adverse Analytical Finding*.

#### **7.4 Other Anti-Doping Rule Violations**

##### 7.4.1 Initial Review

7.4.1.1 Upon receipt of a Doping Control Officer Report and/or other related documents showing a possible Anti-doping Rule Violation, NADA shall review for any irregularity all of the documentation relating to the case.

7.4.1.2 If there are any irregularities in the documentation NADA shall determine whether the irregularity can reasonably be considered to undermine the possibility of an Anti-Doping Rule Violation.

7.4.1.3 If irregularities are reasonably considered to undermine the possibility of an Anti-Doping Rule Violation, NADA shall not pursue the Doping Control Officer Report further.

7.4.1.4 If NADA decides not to pursue the Doping Control Officer Report further, it shall immediately inform the *Athlete's* International Federation, *National Sports Federation* and WADA.

7.4.1.5 The *Athlete* and/or *Support Personnel* may make a submission in relation to a possible Anti-Doping Rule Violation. *NADA* shall consider this submission in suggesting whether to issue notice to the *Athlete* and/or *Support Personnel* that there has been a possible Anti-Doping Rule Violation.

7.4.2 Notification After Initial Review

7.4.2.1 Once *NADA* has determined that the Doping Control Officer Report and/or other related documentation showing a possible Anti-Doping Rule Violation is not due to an irregularity that undermines the possibility of an Anti-Doping Rule Violation, then *NADA* shall ensure that the *Athlete* is notified in writing of the possible Anti-Doping Rule Violation.

The notice shall include the following details:

- a) The *Athlete* and/or *Support Personnel* name, country, sport and discipline.
- b) An outline of the Doping Control Officer Report and/or other related documentation indicating the specific Anti-Doping Rule Violation;
- c) The anti-doping rule asserted to be violated in accordance with *NADA* or applicable International Federation or *National Sports Federation's* rules, or, where a further investigation is necessary, a description of the additional investigation that will be conducted as to whether there is an Anti-Doping Rule Violation;

- d) The possible *Consequences of the Anti-Doping Rule Violation*;
- e) The *Athlete's* and/or Support Personnel right to present submissions relating to the possible Anti-Doping Rule Violation;
- f) The other parties that will be notified about the Anti-Doping Rule Violation; and
- g) In cases where a *Provisional Suspension* is to be imposed in accordance with Article 7.6 below, details of that *Provisional Suspension*, the provisional hearing and/or expedited hearing as applicable.

7.4.2.2 In an *Event* where a *Provisional Suspension* (Article 7.6) is to be imposed or other instances where time dictates, the above details may be given to *Athlete* and/or *Support Personnel* and other relevant organizations verbally in first instance and followed up with notice in writing as soon as possible.

## 7.5 Identity of *Athletes*

7.5.1 NADA shall identify from the *Doping Control* Form and/or other relevant documentation all *Athletes* whose *Samples* have resulted in an *Adverse Analytical Finding*/or possible Anti-Doping Rule Violation.

7.5.2 The *Athlete's* and/or *Athlete Support Personnel's* identity shall be kept confidential throughout the results management process. Only the *Athlete* or other *Person* who may have breached an Anti-Doping Rule Violation shall be notified. The NADA, *the athletes*, *National Sports Federation*, International Federation and WADA shall be notified following the completion of the Notification After Initial Review process (Article

7.3.4).

## 7.6 Provisional Hearings and Suspensions

7.6.1 Once the *Athlete* has received notification following the initial review as set out in Article 7.3.4 above, NADA and/or applicable International Federation may impose a *Provisional Suspension* on the *Athlete*.

7.6.2 Where a *Provisional Suspension* is imposed on an *Athlete*, the *Athlete* must be given either:

- a) A provisional hearing prior to the imposition of the *Provisional Suspension*;
- b) A provisional hearing as soon as possible (within 10 days) after the imposition of the *Provisional Suspension*. Extensions can be granted upon written notification; or
- c) An expedited hearing as soon as possible after the imposition of the *Provisional Suspension*.

7.6.3 All provisional hearings or expedited hearings must be conducted in accordance with Articles 7.5 and 8 of the *Code*. Separate guidelines for hearings may also be applicable.

7.6.4 Where a *Provisional Suspension* has been imposed in relation to an A *Sample Adverse Analytical Finding*, the *Athlete* has requested that the B *Sample* analysis be conducted and the B *Sample* analysis does not confirm the A *Sample* analysis, then the *Provisional Suspension* shall be rescinded immediately.

7.6.5 Where a *Provisional Suspension* has been imposed in relation to a Doping Control Officer Report and/or related documentation showing a possible Anti-Doping Rule Violation and NADA determines, following the *Athlete's* submission, that there has been no Anti-

Doping Rule Violation, then the *Provisional Suspension* shall be rescinded immediately.

7.6.6 Where the *Athlete* or the *Athlete's* team has been removed from a *Competition* or *Event* following a *Provisional Suspension* and the *Provisional Suspension* is then rescinded in accordance with Article 7.6.4 or 7.6.5 above, and it is still possible for the *Athlete* or team to be reinserted without otherwise affecting the *Competition* or *Event*, the *Athlete* or team shall be allowed to continue to take part in the *Competition* or *Event*.

7.6.7 If *NADA* declares that there has been no Anti-Doping Rule Violation, it shall immediately inform the *Athlete's* International Federation, *National Sports Federation*, National Anti-Doping Organization and *WADA*.

## **7.7 Assertion of an Anti-Doping Rule Violation**

7.7.1 Where there has been an *Adverse Analytical Finding* and:

- a) The test has not been declared void due to an irregularity in accordance with Article 7.3.1;
- b) The presence of the *Prohibited Substance* is not consistent with a *TUE* that has been granted in accordance with Article 4;
- c) The *Athlete* has not requested that the *B Sample* be analysed, or the *B Sample* Analysis has been conducted and confirms the *A Sample Adverse Analytical Finding* in accordance with Article 7.3.5;
- d) Any follow-up investigation conducted that has led to the conclusion of a possible Anti-Doping Rule Violation in accordance with Article 7.3.2; and



- e) The *Athlete* has not provided any information or evidence on the validity of the test that requires further investigation,

then *NADA* shall assert that there has been an Anti-Doping Rule Violation.

7.7.2 Where *NADA* asserts that there has been an Anti-Doping Rule Violation, *NADA* shall notify the *Person*, the *Person's* National Anti-Doping Agency, International Federation, *National Sports Federation* and *WADA* in writing of this assertion.

7.7.3 Where *NADA* asserts that there has been an Anti-Doping Rule Violation, *NADA* shall notify the *Anti-Doping Disciplinary Panel* of the assertion, for a hearing to be conducted in accordance with Article 8 and any applicable guidelines. *NADA* shall provide the *Anti-Doping Disciplinary Panel* with all of the documentation relevant to the assertion.

7.7.4 The *Person* is also entitled to copies of all of the documentation relevant to the assertion that there has been an Anti-Doping Rule Violation, and *NADA* shall provide this to the *Person* or his/her representative upon request.

## 8 ARTICLE 8 DISCIPLINARY PROCEDURE

### 8.1 Appointment of the *Anti-Doping Disciplinary Panel*

8.1.1 The Government of India, the IOA or the *NADA* shall appoint the independent *Anti-Doping Disciplinary Panel* which will comprise of the following:

- a) A Chair and two (2) Vice-Chairs, each of whom shall be legal practitioners of not less than five (5) years

standing; and

- b) Three (3) medical practitioners of not less than five (5) years standing; and
- c) Three (3) additional members; each of whom shall be, or has previously been, a sports administrator or an *Athlete*,

all of whom will be appointed on the basis that they are in a position to hear the cases fairly, impartially and independently.

8.1.2 Each panel member shall be appointed for a term of 2 years.

8.1.3 If a panel member dies or resigns, the Government, the IOA or the NADA may appoint an independent *Person* to be a panel member to fill the resultant vacancy. The *Person* so appointed shall be appointed for the remainder of the term of the member who occasioned the vacancy.

8.1.4 A panel member may be re-appointed by the Government, the IOA or the NADA.

## **8.2 Jurisdiction of the *Anti-Doping Disciplinary Panel***

8.2.1 The *Anti-Doping Disciplinary Panel* has the power to hear and determine all issues arising from any matter which is referred to it pursuant to these Anti-Doping Rules. In particular, the *Anti-Doping Disciplinary Panel* has the power to determine the *Consequences* of Anti-Doping Rule Violations to be imposed pursuant to these Anti-Doping Rules.

8.2.2 The *Anti-Doping Disciplinary Panel* shall be fair and impartial in the performance of its functions.

8.2.3 The *Anti-Doping Disciplinary Panel* has all powers necessary for, and incidental to, the exercise of its functions.

### **8.3 Hearings Before the *Anti-Doping Disciplinary Panel***

8.3.1 When it appears, following the results management process described in Article 7 (Results Management), that these Anti-Doping Rules may have been violated, NADA shall refer the matter to the *Anti-Doping Disciplinary Panel* for adjudication as to whether a violation of these Anti-Doping rules has occurred and if so what *Consequences* should be imposed.

8.3.2 The Chair of the *Anti-Doping Disciplinary Panel*, or in his/her absence, a Vice-Chair, shall appoint three (3) members from the panel to hear and determine each case. Each such hearing panel shall comprise the Chair or a Vice-Chair as chair of the hearing panel, one medical practitioner member and one sports administrator or *Athlete* member.

8.3.3 The appointed members shall have had no prior involvement with the case. Each member, upon appointment, shall disclose to the Chair any circumstances likely to affect impartiality with respect to any of the parties.

8.3.4 An *Athlete* or other *Person* may forego a hearing by waiving the right to a hearing in writing and acknowledging the violation of these Anti-Doping Rules and accepting the *Consequences* consistent with *Code* Article 9 (Automatic *Disqualification* of Individual Results) and *Code* Article 10 (Sanctions on Individuals) as notified by NADA.

8.3.5 The *Anti-Doping Disciplinary Panel* shall have the

power, at its absolute discretion, to appoint an expert to assist or advise the panel as required by the panel.

8.3.6 The International Federation, and/or the *National Sports Federation* concerned, if not a party to the proceedings, the Indian Olympic Association, if not a party to the proceedings, and *WADA* shall each have the right to attend hearings of the *Anti-Doping Disciplinary Panel* as an observer.

8.3.7 Hearings pursuant to this Article should be completed expeditiously and in all cases within three (3) months of the completion of the results management process described in Article 7 (Results Management), save where exceptional circumstances apply.

8.3.8 Unless otherwise agreed between the parties, the *Anti-Doping Disciplinary Panel* shall;

8.3.8.1 commence the hearing within fourteen (14) days of the notification date;

8.3.8.2 issue a written decision within twenty (20) days of the notification date; and

8.3.8.3 issue written reasons for the decision within thirty (30) days of the notification date.

8.3.9 Hearings held in connection with *Events* may be conducted on an expedited basis.

#### 8.4 Proceedings of the *Anti-Doping Disciplinary Panel*

8.4.1 Subject to the provisions of these Anti-Doping Rules, the *Anti-Doping Disciplinary Panel* and its hearing panels shall have the power to regulate their procedures.

8.4.2 Hearings of the *Anti-Doping Disciplinary Panel* shall be open to the public, unless the *Anti-Doping Disciplinary*

*Panel* determines that there are special circumstances warranting otherwise.

- 8.4.3 NADA shall present the case against the *Person* before the *Anti-Doping Disciplinary Panel* and, where requested by NADA, the *National Sports Federation* of the *Person* concerned shall assist NADA.
- 8.4.4 The *Person*, against whom the case is brought, has the right to respond to the asserted anti-doping rule violation and resulting *Consequences*.
- 8.4.5 A failure by any party or their representative to attend a hearing after notification will be deemed to be an abandonment of their right to a hearing. This right may be reinstated on reasonable grounds.
- 8.4.6 Each party shall have the right to be represented at a hearing, at that party's own expense.
- 8.4.7 Every party shall have the right to an interpreter at the hearing, if deemed necessary by the hearing panel. The hearing panel shall determine the identity and responsibility for the cost of any interpreter.
- 8.4.8 Each party to the proceedings has the right to present evidence, including the right to call and question witnesses (subject to the hearing panel's discretion to accept testimony by telephone, written statement or submission, whether by fax, email or other means).
- 8.4.9 Facts related to anti-doping rule violations may be established by any reliable means, including admissions. The hearing panel may receive evidence, including hearsay, as it thinks fit and shall be entitled to attach such weight to that evidence as it deems appropriate.

- 8.4.10 The hearing panel may postpone or adjourn a hearing.
- 8.4.11 The hearing panel, at the request of one of the parties to the proceedings or on its own initiative, may require one or more parties to the proceedings, prior to the hearing, to supply it and/or the other parties to the proceedings with further particulars of the case to be presented by that party at the hearing, including what witnesses they intend to call and that party shall comply with that direction.
- 8.4.12 Any failure by the *Person* concerned to comply with any requirement or direction of the hearing panel shall not prevent the hearing panel from proceeding and such failure may be taken into consideration by the hearing panel when making its decision.
- 8.4.13 Hearings may be recorded and the NADA shall own and retain any recording.

## **8.5 Decisions of the *Anti-Doping Disciplinary Panel***

- 8.5.1 The deliberations of the hearing panel on its decision shall be private.
- 8.5.2 Any minority or dissenting decisions shall be noted in the written reasons. In the event of a majority decision, this shall be the decision of the hearing panel.
- 8.5.3 The decision of the hearing panel shall be written, dated and signed. In order to expedite the finalization of the hearing, the decision may be handed down without written reasons in accordance with the time schedule outlined in Article 8.3.8. In any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 (*No Fault or Negligence*) or reduced under Article 10.5.2 (*No Significant Fault or Negligence*) the decision shall explain the basis for the elimination or

reduction.

8.5.4 The decision of the hearing panel shall be advised to the parties to the proceedings, WADA, the relevant International Federation (and to the *National Olympic Committee* and *National Sports Federation* if not a party to the proceedings) as soon as practicable after the conclusion of the hearing.

8.5.5 Decisions of the *Anti-Doping Hearing Panel* may be appealed as provided in Article 13 (Appeals).

## 9 ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

An anti-doping rule violation in connection with an *In-Competition* test automatically leads to *Disqualification* of the individual result obtained in that *Competition* with all resulting *Consequences*, including forfeiture of any medals, points and prizes.

## 10 ARTICLE 10 SANCTIONS ON INDIVIDUALS

### 10.1 *Disqualification of Results in an Event During which an Anti-Doping Rule Violation Occurs*

10.1.1 An anti-doping rule violation occurring during or in connection with an *Event* may, upon the decision of the ruling body of the *Event*, lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all *Consequences*, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.2.

10.1.2 If the *Athlete* establishes that they bear *No Fault or Negligence* for the violation, the *Athlete's* individual results in the other *Competitions* shall not be *Disqualified* unless the *Athlete's* results in *Competitions*

other than the *Competition* in which the anti-doping rule violation occurred were likely to have been affected by the *Athlete's* anti-doping rule violation.

## **10.2 Imposition of *Ineligibility* for *Prohibited Substances* and *Prohibited Methods***

Except for the specified substances identified in Article 10.3, the period of *Ineligibility* imposed for a violation of *Code* Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), *Code* Article 2.2 (*Use* or *Attempted Use* of *Prohibited Substance* or *Prohibited Method*) and *Code* Article 2.6 (*Possession of Prohibited Substances* and *Prohibited Methods*) shall be:

First violation: Two (2) years' *Ineligibility*.

Second violation: Lifetime *Ineligibility*.

However, the *Athlete* or other *Person* shall have the opportunity in each case, before a period of *Ineligibility* is imposed, to establish the basis for eliminating or reducing this sanction as provided in Article 10.5 (*Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances*).

## **10.3 Specified Substances**

The *Prohibited List* may identify specified substances which are particularly susceptible to unintentional anti-doping rule violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents. Where an *Athlete* can establish that the *Use* of such a specified substance was not intended to enhance sport performance, the period of *Ineligibility* found in Article 10.2 (*Imposition of Ineligibility for Prohibited Substances and Prohibited Methods*) shall be replaced with the following:

First violation: At a minimum, a warning and reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, one (1) year's *Ineligibility*.

Second violation: Two (2) years' *Ineligibility*.

Third violation: Lifetime *Ineligibility*.



However, the *Athlete* or other *Person* shall have the opportunity in each case, before a period of *Ineligibility* is imposed, to establish the basis for eliminating or reducing (in the case of a second or third violation) this sanction as provided in Article 10.5 (Elimination or Reduction of Period of *Ineligibility* Based on Exceptional Circumstances).

#### **10.4 *Ineligibility* for Other Anti-Doping Rule Violations**

The period of *Ineligibility* for other anti-doping rule violations shall be:

10.4.1 For violations of *Code* Article 2.3 (Refusing or Failing to Submit to *Sample* Collection) or *Code* Article 2.5 (*Tampering* with *Doping* Control), the *Ineligibility* periods set forth in Article 10.2 (Imposition of *Ineligibility* for *Prohibited Substances* and *Prohibited Methods*) shall apply.

10.4.2 For violations of Article *Code* 2.7 (*Trafficking*), *Code* Article 2.8 (Administration of *Prohibited Substance* or *Prohibited Method*) the period of *Ineligibility* imposed shall be a minimum of four (4) years up to lifetime *Ineligibility*. An anti-doping rule violation involving a *Minor* shall be considered a particularly serious violation, and, if committed by *Athlete Support Personnel* for violations other than specified substances referenced in Article 10.3 (Specified Substances), shall result in lifetime *Ineligibility* for such *Athlete Support Personnel*. In addition, violations of such Articles that also violate non-sporting laws and regulations, may be reported to the competent administrative, professional or judicial authorities.

10.4.3 For violations of *Code* Article 2.4 (Whereabouts Violation or Missed Test), the period of *Ineligibility* shall be:

First Violation: A minimum of three (3) months to a maximum of two (2) years *Ineligibility*;

Second and Subsequent Violations: *Ineligibility* for a period of two (2) years.

## **10.5 Elimination or Reduction of Period of *Ineligibility* Based on Exceptional Circumstances.**

### **10.5.1 *No Fault or Negligence***

If the *Athlete* establishes in an individual case involving an anti-doping rule violation under *Code* Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*) or under *Code* Article 2.2 (Use of a *Prohibited Substance* or *Prohibited Method*) that they bear *No Fault or Negligence* for the violation, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or its *Metabolites* is detected in an *Athlete's Specimen* in violation of *Code* Article 2.1 (Presence of *Prohibited Substance*), the *Athlete* shall also establish how the *Prohibited Substance* entered their system in order to have the period of *Ineligibility* eliminated.

In the event that this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation only for the limited purpose of determining the period of *Ineligibility* for multiple violations under Articles 10.2 (Imposition of *Ineligibility* for *Prohibited Substances* and *Prohibited Methods*), 10.3 (Specified Substances) and 10.6 (Rules for Certain Multiple Violations).

### **10.5.2 *No Significant Fault or Negligence***

This Article 10.5.2 applies only to anti-doping rule violations involving *Code* Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), Use of a *Prohibited Substance* or *Prohibited Method* under *Code* Article 2.2, failing to submit to *Sample* collection under *Code* Article 2.3, administration of a *Prohibited Substance* or *Prohibited Method* under *Code* Article 2.8. If an *Athlete* establishes in an individual case involving such violations that they bear *No Significant Fault or Negligence*, then the period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the

minimum 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 8 years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Specimen* in violation of *Code Article 2.1 (Presence of Prohibited Substance)*, the *Athlete* shall also establish how the *Prohibited Substance* entered their system in order to have the period of *Ineligibility* reduced.

#### 10.5.3 *Athlete's Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations by Athlete Support Personnel and Others*

The *Anti-Doping Disciplinary Panel* or *Anti-Doping Appeal Panel* may also reduce the period of *Ineligibility* in an individual case where the *Athlete* has provided substantial assistance to an *Anti-Doping Organization* which results in the *Anti-Doping Organization* discovering or establishing an anti-doping rule violation by another *Person* involving *Possession* under *Article 2.6.2 (Possession by Athlete Support Personnel)*, *Article 2.7 (Trafficking)*, or *Article 2.8 (Administration to an Athlete)*. The reduced period of *Ineligibility* may not, however, be less than one-half of the minimum 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 8 years.

### 10.6 **Rules for Certain Potential Multiple Violations**

10.6.1 For purposes of imposing sanctions under *Articles 10.2 (Imposition of Ineligibility for Prohibited Substances and Prohibited Methods)*, *10.3 (Specified Substances)* and *10.4 (Ineligibility for Other Anti-Doping Rule Violations)*, a second anti-doping rule violation may be considered for purposes of imposing sanctions only if NADA can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice, or after NADA made a reasonable *Attempt* to give notice, of the first anti-doping rule violation. If NADA can not establish this, the

violations shall be considered as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

10.6.2 Where an *Athlete*, based on the same *Doping Control*, is found to have committed an anti-doping rule violation involving both a specified substance under Article 10.3 (Specified Substances) and another *Prohibited Substance* or *Prohibited Method*, the *Athlete* shall be considered to have committed a single anti-doping rule violation, but the sanction imposed shall be based on the *Prohibited Substance* or *Prohibited Method* that carries the most severe sanction.

10.6.3 Where an *Athlete* is found to have committed two separate anti-doping rule violations, one involving a specified substance governed by the sanctions set forth in Article 10.3 (Specified Substances) and the other involving a *Prohibited Substance* or *Prohibited Method* governed by the sanctions set forth in Article 10.2 (Imposition of *Ineligibility* for *Prohibited Substances* and *Prohibited Methods*) or a violation governed by the sanctions in Article 10.4.1, the period of *Ineligibility* imposed for the second offence shall be at a minimum two years' *Ineligibility* and at a maximum three years' *Ineligibility*. Any *Athlete* found to have committed a third anti-doping rule violation involving any combination of specified substances under Article 10.3 (Specified Substances) and any other anti-doping rule violation under Article 10.2 (Imposition of *Ineligibility* for *Prohibited Substances* and *Prohibited Methods*) or Article 10.4.1 shall receive a sanction of lifetime *Ineligibility*.

## 10.7 **Disqualification of Results in Competitions Subsequent to Sample Collection**

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 (Automatic *Disqualification* of Individual Results), all other competitive results obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other anti-doping rule violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting *Consequences* including forfeiture of any medals, points and prizes.

## 10.8 **Commencement of Ineligibility Period**

10.8.1 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.

10.8.2 Any period of *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *Ineligibility* to be served.

10.8.3 Where required by fairness, such as delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete*, the *Anti-Doping Disciplinary Panel* may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection.

## 10.9 **Status During Ineligibility**

10.9.1 No *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in an *NOC* or *National Federation Team*, *Competition* or activity (other than authorized anti-doping education or rehabilitation programs)

authorized or organized by any *Signatory* or *Signatory's* member organizations, including a *National Sports Federation*. In addition, for any anti-doping rule violation not involving specified substances described in Article 10.3 (Specified Substances), some or all sport-related financial support or other sport-related benefits received by such *Person* shall be withheld by the *Signatories*, *Signatory's* member organizations, including the *National Sports Federations* and the government.

10.9.2 A *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 the sport in which the *Person* committed the anti-doping rule violation, but only so long as the local sport *Event* is not at a level that could otherwise qualify such *Person* directly or indirectly to compete in (or accumulate points toward) a *National Event* or *International Event*.

## 10.10 Reinstatement *Testing*

10.10.1 As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* shall, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by NADA, the applicable *National Sports Federation* and/or any *Anti-Doping Organization* having *Testing* jurisdiction, and shall, if requested, provide current and accurate whereabouts information as provided in Article 5.4 (Whereabouts Requirements).

10.10.2 If an *Athlete*, subject to a period of *Ineligibility*, retires

from sport and is removed from *Out-of-Competition Registered Testing Pools* and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified NADA, Indian Olympic Association, the applicable *National Sports Federation* and *relevant Anti-Doping Organizations* and has been subject to *Out-of-Competition Testing* for a period of time equal to the longer of the period set forth in Article 5.5.2 or the period of *Ineligibility* remaining as of the date the *Athlete* had retired. During such remaining period of *Ineligibility*, the *Athlete* shall undergo *Out-of-Competition Testing*. NADA shall determine the number and frequency of *Testing*.

10.10.3 NADA shall be responsible for conducting the *Out-of-Competition Testing* required under this Article 10.10, but *Testing* by any *Anti-Doping Organization* may be used to satisfy the requirement.

10.10.4 Once the period of an *Athlete's* suspension has expired, and the *Athlete* has fulfilled the conditions of reinstatement then the *Athlete* shall become automatically re-eligible and no application by the *Athlete* or by the *Athlete's National Sports Federation* shall then be necessary.

## 11 ARTICLE 11 CONSEQUENCES TO TEAM SPORTS

Where more than one team member in a *Team Sport* has been notified of a possible anti-doping rule violation under Article 7 (Results Management) in connection with an *Event*, the team shall be subject to *Target Testing* for the *Event*. If more than one team member in a *Team Sport* is found to have committed an anti-doping rule violation during the *Event*, the team may be subject to *Disqualification* or other disciplinary action. In sports which are not *Team Sports* but where awards are given to teams, *Disqualification* or other

disciplinary action against the team when one or more team members have committed an anti-doping rule violation shall be as provided for in these rules or the applicable rules of the International Federation.

## **12 ARTICLE 12 SANCTIONS AGAINST NATIONAL SPORTS FEDERATIONS**

12.1 Financial and/or other non-financial support from *NADA and/or the Government* may be withheld in whole or in part from *National Sports Federations* which are not in compliance with, or fail in the implementation of, these Anti-Doping Rules.

12.2 Where *National Sports Federations* are members of or recognized by NADA Membership or recognition of *National Sports Federations* by NADA and Government may be withdrawn or withheld until the *National Sports Federation* anti-doping rules are in compliance with these Anti-Doping Rules and the *Code*.

12.3 Decisions of the *NADA* pursuant to this Article 12 (Sanctions against *National Sports Federations*) may be appealed as provided for in Article 13.9 (Appeals from Decisions Pursuant to Article 12).

## **13 ARTICLE 13 APPEALS**

### **13.1 Decisions Subject to Appeal**

Decisions made under these Anti-Doping Rules may be appealed as set forth in this Article 13. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

### **13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, and Provisional Suspensions**

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* for an anti-doping rule violation, a decision that no anti-doping rule violation was committed, a decision that an *Anti-Doping Organization* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*, and a decision



to impose a *Provisional Suspension* as a result of a Provisional hearing or in violation of Article 7.5 may be appealed exclusively as provided in this Article 13.2.

13.2.1 In cases arising from *Competition* in an *International Event* or in cases involving *International-Level Athletes*, the decision may be appealed exclusively to the Court of Arbitration for Sport ("CAS") in accordance with the provisions applicable before such court.

13.2.2 In cases involving national-level *Athletes*, as defined by each *National Anti-Doping Organization*, that do not have a right to appeal under Article 13.2.1, the decision may be appealed to the *Anti-Doping Appeal Panel*.

13.2.3 *Persons Entitled to Appeal*

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS:

- a) the *Athlete* or other *Person* who is the subject of the decision being appealed;
- b) the other party to the case in which the decision was rendered;
- c) the relevant International Federation and any other *Anti-Doping Organization* under whose rules a sanction could have been imposed;
- d) 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
- e) WADA

In cases under Article 13.2.2, the parties having the right to appeal to the the *Anti-Doping Appeal Panel* shall at a minimum include the:

- (1) *Athlete* or other *Person* who is the subject of the decision being appealed;
- (2) NADA involved;
- (3) relevant International Federation;
- (4) *National Olympic Committee*;
- (5) *Athlete's* National Anti-Doping Organization; and
- (6) WADA.

For cases under Article 13.2.2, WADA and the International Federation shall also have the right to appeal to CAS with respect to the decision of the the *Anti-Doping Appeal Panel*.

Notwithstanding any other provision herein, the only *Person* that may appeal from a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

### **13.3 The Anti-Doping Appeal Panel**

- 13.3.1 The Government or the NADA shall appoint the independent *Anti-Doping Appeal Panel*.
- 13.3.2 Each panel member shall be appointed for a term of 2 years.
- 13.3.3 If a panel member dies or resigns, the Government or the NADA may appoint an independent *Person* to be a panel member to fill the resultant vacancy. The *Person* so appointed shall be appointed for the remainder of the term of the member who occasioned the vacancy.
- 13.3.4 A panel member may be re-appointed.

#### 13.4 Jurisdiction of the *Anti-Doping Appeal Panel*

13.4.1 The *Anti-Doping Appeal Panel* only has the power to hear and determine all issues arising from any matter which is appealed to it pursuant to these Anti-Doping Rules. In particular, the *Anti-Doping Appeal Panel* has the power to determine the *Consequences* of Anti-Doping Rule to be imposed pursuant to these Anti-Doping Rules.

13.4.2 The *Anti-Doping Appeal Panel* shall be independent and impartial in the performance of its functions.

13.4.3 The *Anti-Doping Appeal Panel* has all powers necessary for, and incidental to, the exercise of its functions.

#### 13.5 Hearings Before the *Anti-Doping Appeal Panel*

13.5.1 A *Person* entitled to appeal a decision of the *Anti-Doping Disciplinary Panel* who wishes to do so shall lodge notice of the appeal with the *Anti-Doping Appeal Panel* within fourteen (14) days of the date of the decision of the *Anti-Doping Disciplinary Panel*.

13.5.2 Composition of the *Appeal Panel*.

The *Appeal Panel* will consist of the following:-

- (a) One legal practitioner as Chairman of not less than 7 years standing;
- (b) One medical practitioner of not less 10 years standing;
- (c) One sports administrator;
- (d) One renowned athlete who has retired from active sports.

13.5.3 The appointed members shall have had no prior involvement with the case, or any aspect of the case. In particular, no member may have previously considered any *TUE* application or appeal involving the

same *Athlete* as is a party in the current case. Each member, upon appointment, shall disclose to the Chair any circumstances likely to affect impartiality with respect to any of the parties.

13.5.4 If a member, appointed by the Chair to hear a case, is unwilling or unable, for whatever reason, to hear the case, the Chair may appoint a replacement or appoint a new hearing panel from the pool.

13.5.5 The *Anti-Doping Appeal Panel* has the power, at its absolute discretion, to appoint an expert to assist or advise the panel as required by the panel.

13.5.6 NADA has the right to join proceedings and attend hearings of the *Anti-Doping Appeal Panel* as a party.

13.5.7 The International Federation and/or the *National Sports Federation* concerned, if not a party to the proceedings, the Indian *Olympic Association*, if not a party to the proceedings, and WADA each have the right to attend hearings of the *Anti-Doping Appeal Panel* as an observer.

13.5.8 Hearings pursuant to this Article should be completed expeditiously and in all cases within three (3) months of the date of the decision of the *Anti-Doping Disciplinary Panel*, save where exceptional circumstances apply.

13.5.9 Hearings held in connection with *Events* may be conducted on an expedited basis.

### 13.6 Proceedings of the *Anti-Doping Appeal Panel*

13.6.1 Subject to the provisions of these Anti-Doping Rules, the *Anti-Doping Appeal Panel* shall have the power to regulate their procedures.

13.6.2 Hearings of the *Anti-Doping Appeal Panel* shall be

open to the public, unless the *Anti-Doping Disciplinary Panel* determines that there are special circumstances warranting otherwise.

13.6.3 The appellant shall present their case and the respondent party or parties shall present their cases in reply.

13.6.4 A failure by any party or their representative to attend a hearing after notification will be deemed to be an abandonment of their right to a hearing. This right may be reinstated on reasonable grounds.

13.6.5 Each party shall have the right to be represented at a hearing, at that party's own expense.

13.6.6 Every party shall have the right to an interpreter at the hearing, if deemed necessary by the hearing panel. The hearing panel shall determine the identity and responsibility for the cost of any interpreter.

13.6.7 Each party to the proceedings has the right to present evidence, including the right to call and question witnesses (subject to the hearing *Panel's* discretion to accept testimony by telephone, written statement or submission, whether by fax, email or other means).

13.6.8 Facts relating to anti-doping rule violations may be established by any reliable means, including admissions. The *Appeal Panel* may receive evidence, including hearsay, as it thinks fit and shall be entitled to attach such weight to that evidence as it deems appropriate.

13.6.9 The *Appeal Panel* may postpone or adjourn a hearing.

13.6.10 The *Appeal Panel*, at the request of one of the parties to the proceedings or on its own initiative, may require

one or more parties to the proceedings, prior to the hearing, to supply it and/or the other or other parties to the proceedings with further particulars of the case to be presented by that party at the hearing, including what witnesses they intend to call and that party shall comply with that direction.

13.6.11 Any failure by any party to comply with any requirement or direction of the *Appeal Panel* shall not prevent the *Appeal Panel* from proceeding and such failure may be taken into consideration by the *Appeal Panel* when making its decision.

13.6.12 Hearings may be recorded and any recording is owned and shall be retained by NADA.

### **13.7 Decisions of the *Anti-Doping Appeal Panel***

13.7.1 The deliberations of the *Anti-Doping Appeal Panel* on its decision shall be private.

13.7.2 Any minority or dissenting decisions shall be noted in the written reasons. In the *Event* of a majority decision, this shall be the decision of the *Anti-Doping Appeal Panel*.

13.7.3 **The decision of the *Anti-Doping Appeal Panel* shall be written, dated and signed and shall state brief reasons.**  
In any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 (*No Fault or Negligence*) or reduced under Article 10.5.2 (*No Significant Fault or Negligence*) the decision shall explain the basis for the elimination or reduction. The signature of the Chair or Vice-Chair as applicable shall suffice.

13.7.4 The decision of the *Anti-Doping Appeal Panel* shall be advised to the parties to the proceedings and to NADA if not a party to the proceedings as soon as

practicable after the conclusion of the hearing.

### **13.8 Appeals from Decisions Granting or Denying a TUE**

13.8.1 Decisions by NADA denying TUEs, which are not reversed by WADA, may be appealed exclusively to CAS by the *International-Level Athlete* or to the *Anti-Doping Appeal Panel* where the *Athlete* is not an *International-Level Athlete*. If the *Anti-Doping Appeal Panel* reverses the decision to deny a TUE, that decision may be appealed to CAS by WADA. The *Anti-Doping Appeal Panel* considering an appeal under this Article will not include members of the TUEC.

13.8.2 Decisions by WADA reversing the grant or denial of a TUE may, subject to the rules of CAS, be appealed exclusively to CAS by the *Athlete* or NADA.

### **13.9 Appeals from Decisions Pursuant to Article 12**

Decisions of NADA pursuant to Article 12 (Sanctions Against *National Sporting Federations*) may be appealed exclusively to CAS by the *National Sports Federation* concerned.

## **14 ARTICLE 14 REPORTING**

### **14.1 Reporting of TUEs**

NADA shall promptly report any TUE granted to an *Athlete* (except those *Athletes* not in NADA's *Registered Testing Pool*), to the applicable International Federation, to the *Athlete's National Sports Federation* and to WADA.

### **14.2 Reporting of Testing**

NADA shall submit to WADA current *Athlete* whereabouts information. WADA shall make this information accessible to other *Anti-Doping Organizations* having authority to test the *Athlete*.

14.2.1 NADA shall report all *In-Competition* and *Out-of-Competition* tests to WADA as soon as possible after such tests have been conducted.

14.2.2 This information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, co-ordinating or conducting *Testing* and shall be destroyed after it is no longer relevant for these purposes.

### 14.3 Reporting Regarding Results Management

14.3.1 When a *National Sports Federation* has received an *Adverse Analytical Finding* on one of its *Athletes*, NADA, on its behalf, shall report the following information to its International Federation and WADA not later than the end of the process described in Article 7.2 (Initial Review Regarding *Adverse Analytical Findings*): the *Athlete's* name, country, sport and discipline within the sport, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection and the analytical result reported by the laboratory. The same parties shall be regularly updated on the statutes and findings, including results management, hearings and appeals.

14.3.2 Where the *Athlete* requests the analysis of the *B Sample*, NADA shall report the result of such analysis to the International Federation and to WADA.

14.3.3 In any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 (*No Fault or Negligence*) or reduced under Article 10.5.2 (*No Significant Fault or Negligence*) NADA shall provide the International Federation and WADA with a copy of the written reasoned decision.



#### 14.4 Reporting Under the Code

NADA shall publish annually, a general statistical report of its *Doping Control* activities during the calendar year with a copy provided to WADA.

### 15 ARTICLE 15 PUBLIC DISCLOSURE

NADA, the Athlete's National Anti-Doping Organization, any National Sports Federation, the Anti-Doping Disciplinary Panel or any other Person shall not Publicly Disclose or Publicly Report the identity of Athletes whose Samples have resulted in Adverse Analytical Findings, or of Persons who are alleged to have committed an anti-doping rule violation pursuant to these Anti-Doping Rules until the administrative review described in Articles 7.3 and 7.4 has been completed. No later than twenty (20) days after it has been determined in a hearing in accordance with Article 8 (Disciplinary Procedure) that an anti-doping rule violation has occurred or such hearing has been waived, NADA shall Publicly Report the disposition of the anti-doping matter. This disposition shall include the name of the Person concerned and the reasons for decisions.

### 16 ARTICLE 16 MUTUAL RECOGNITION OF DECISIONS

#### 16.1 Recognition of Decisions Pursuant to these Rules

Subject to the right to appeal any decision of the *Anti-Doping Disciplinary Panel* or *CAS*, or the *Anti-Doping Appeal Panel*, regarding a violation of these Anti-Doping Rules within the authority of NADA shall be recognized by all *Anti-Doping Organizations* and each of their affiliated Organizations, each of which shall take all necessary action to render such results effective.

#### 16.2 Recognition of Decisions of Other Organizations

16.2.1 Subject to any applicable right to appeal, the *Testing*, *TUEs* and hearing results or other final adjudications of any *Signatory* to the *Code* which are consistent with the *Code* and are within the *Signatory's* authority, shall

be recognized and respected by NADA, the *National Sports Federations*, the *Anti-Doping Disciplinary Panel* and the *Anti-Doping Appeal Panel*.

- 16.2.2 NADA and *National Sports Federations* may recognize the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

## 17 ARTICLE 17 STATUTE OF LIMITATION

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

## 18 ARTICLE 18 AMENDMENT AND INTERPRETATION

### 18.1 Amendment

- 18.1.1 NADA shall be responsible for overseeing the evolution and improvement of these Anti-Doping Rules, including implementing any amendments to the *Code*. *Participants* and *National Sports Federations* shall be invited to participate in such process.
- 18.1.2 Amendments to these Anti-Doping Rules initiated by NADA shall, after appropriate consultation, be approved by NADA. NADA shall notify *National Sports Federations* promptly of all such amendments.
- 18.1.3 Amendments shall, unless provided otherwise in the amendment, go into effect and shall be implemented by *National Sports Federations* three months after such approval.

## **18.2 Interpretation**

- 18.2.1 The headings used in these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.
- 18.2.2 The INTRODUCTION and the DEFINITIONS shall be considered integral parts of these Anti-Doping Rules.
- 18.2.3 These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code*. The comments annotating various provisions of the *Code* shall be referred to, where applicable, to assist in the understanding and interpretation of these Anti-Doping Rules.

## **19 ARTICLE 19 INFORMATION AND NOTICES**

### **19.1 Information**

Any *Person* who submits information including data or medical information to any organization or *Person* in accordance with these Anti-Doping Rules shall be deemed to have agreed that such information may be utilised by such organization or *Person* for the purposes of the implementation of these Anti-Doping Rules.

### **19.2 Notices**

- 19.2.1 All notices referred to in these Anti-Doping Rules shall be governed by the provisions of this Article 19.2 (Notices).
- 19.2.2 Each *Athlete* in the NADA *Registered Testing Pool* shall provide NADA with an address to which notice may be delivered and in the event of a change of address it is

the responsibility of the *Athlete* to provide NADA with such amended details.

19.2.3 Notice to an *Athlete* in the NADA *Registered Testing Pool* shall be delivered by means of registered/speed post to the address provided to NADA by that *Athlete*. Such notice shall be deemed to have been received upon the expiry of three (3) working days after the date of posting.

19.2.4 Notice to any other *Athlete* or other *Person* shall be accomplished by posting the notice by registered/speed post to the address furnished by that *Athlete* or *Person*. Such notice shall be deemed to have been received upon the expiry of three (3) working days after the date of posting.

19.2.5 NADA may, with the prior agreement of the intended recipient, as an alternative to, or in conjunction with, notice by registered post, use any other method of communication available, including, but not limited to, facsimile, email, and telephone.

## 20 ARTICLE 20 COMMENCEMENT AND VALIDITY

### 20.1 Commencement

20.1.1 These Anti-Doping Rules shall come into full force and effect on, and shall be adopted and incorporated by *National Sports Federations* pursuant to Article 1.1 (Application to *National Sports Federations*) by 1st October, 2008.

20.1.2 These Anti-Doping Rules shall not apply retrospectively to matters pending before the date these Anti-Doping Rules come into effect. Outstanding protests, appeals

and applications for reinstatement initiated under any prior NADA, Indian *Olympic Association* or *National Sports Federation* anti-doping policy may be completed under that policy and, to the extent relevant, their results shall be recognized for the purposes of these Anti-Doping Rules. The term of outstanding suspensions under any prior NADA, Indian *Olympic Association* or *National Sports Federation* anti-doping policy shall also be recognized under these Anti-Doping Rules.

## **20.2 Validity**

- 20.2.1 Any deviation from these Anti-Doping Rules or the procedures referred to herein shall not invalidate any finding, decision or result unless it was such as to cast material doubt on that finding, decision or result.
- 20.2.2 If any Article of these Anti-Doping Rules is held invalid, unenforceable or illegal for any reason, these Anti-Doping Rules shall remain otherwise in full force apart from such Article which shall be deemed deleted insofar as it is invalid, unenforceable or illegal.
- 20.2.3 All acts bona fide done by any *Person* in the implementation of these Anti-Doping Rules, notwithstanding that it be afterwards discovered that there was some defect in the appointment, qualification or authority of such *Person* so acting, shall be as valid as if every such *Person* had been duly appointed, qualified or authorized.

## **20.3 Governing Law**

National law governs these Anti-Doping Rules.

## DEFINITIONS

Adverse Analytical Finding: A report from a laboratory or other approved *Testing* entity that identifies in a *Specimen* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use of a Prohibited Method*.

Anti-Doping Organization: A *Signatory* 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 Organizations* that conduct *Testing* at their *Events*, WADA, International Federations, and *National Anti-Doping Organizations*.

Athlete: For purposes of *Doping Control*, any *Person* who participates in sport at the international level (as defined by each International Federation) or national level (as defined by each *National Anti-Doping Organization*) and any additional *Person* who participates in sport at a lower level if designated by the *Person's National Anti-Doping Organization*. For purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code*.

Athlete Support Personnel: Any coach, trainer, manager, agent, team staff, official, medical or para-medical personnel working with or treating *Athletes* participating in or preparing for sports *Competition*.

Attempt: Engaging in conduct that constitutes a substantial step in a course of conduct which could or did culminate in the commission of an anti-doping rule violation. Provided, however, there must 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*.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code first adopted by WADA on 5 March 2003, and any subsequent amendments.

Competition: A single race, match, game or singular athletic contest. For example, the finals of the Olympic 100-meter dash. For stage races and other athletic contests where prizes are awarded on a daily or other interim basis the distinction between a *Competition* and an *Event* will be as provided in the rules of the relevant International Federation.

Consequences of Anti-Doping Rules Violations: An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.9 of the *Code* (Status During *Ineligibility*); and (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* prior to the final decision at a hearing conducted under Article 8 of the *Code* (Right to a Fair Hearing).

Disqualification: See *Consequences of Anti-Doping Rules Violations* above.

Doping Control: The process including test distribution planning, *Sample* collection and handling, laboratory analysis, results management, hearings and appeals.

Event: A series of individual *Competitions* conducted together under one ruling body (eg., the Olympic Games, FINA World Championships, or Pan American Games).

Government: Government of India.

In-Competition: For purposes of differentiating between *In-Competition* and *Out-of-Competition Testing*, unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, an *In-Competition* test is a test where an *Athlete* is selected for *Testing* in connection with a specific *Competition*.

Independent Observer Program: A team of observers, under the supervision of WADA, who observe the *Doping Control* process at certain *Events* and report on observations. If WADA is *Testing In-Competition* at an *Event*, the observers must be supervised by an independent organization.

Indian Olympic Association: The National Olympic Committee of India.

Ineligibility: See *Consequences of Anti-Doping Rules Violations* above.

*International Event*: An *Event* where the International Olympic Committee, the International Paralympic Committee, an International Federation, a *Major Event Organization*, or another international sport organization is the ruling body for the *Event* or appoints the technical officials for the *Event*.

*International-Level Athlete*: An *Athlete* designated by one or more International Federations as being within the *Registered Testing Pool* for an International Federation.

*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) must be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly.

*Major Event Organizations*: This term refers to the continental associations of *National Olympic Committees* and other international multi-sport Organizations that function as the ruling body for any continental, regional or other *International Event*.

*Marker*: A compound, group of compounds or biological parameters that indicates the *Use of a Prohibited Substance or Prohibited Method*.

*Metabolite*: Any substance produced by a biotransformation process.

*Minor*: A natural *Person* who has not reached the age of majority as established by the applicable laws of their country of residence.

*NADA*: National Anti Doping Agency of India.

*Anti-Doping Appeal Panel*: The panel appointed by the Government or NADA to adjudicate on appeals from decisions of the *Anti-Doping Disciplinary Panel*. [unless CAS is preferred]

*Anti-Doping Disciplinary Panel*: The panel appointed by the Government, the IOA or NADA to adjudicate on alleged violations of these Anti-Doping Rules. [unless CAS is preferred]

*National Anti-Doping Agency*: The entity designated by India 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. For the purposes of these Anti-Doping Rules, NADA will be the designated entity.



National Event: A sport Event involving International-Level Athletes or National-Level Athletes that is not an International Event.

National-Level Athlete: An Athlete, other than an International-Level Athlete, who is designated by NADA as being within the NADA Registered Testing Pool.

National Olympic Committee: The organization recognized by the International Olympic Committee. The term National Olympic Committee must 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 Sports Federation: Any national, provincial or territorial Person governing sport in country or part thereof and its affiliated members, clubs, teams, associations and leagues.

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

NOC Team: any National Olympic Team or other team selected by the Indian Olympic Association.

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

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

Out-of-Competition: Any Doping Control which is not In-Competition.

Participant: Any Athlete or Athlete Support Personnel.

Person: A natural Person or an organization or other entity.

Possession: The actual, physical possession, or the constructive Possession (which must be found only if the Person has exclusive control over the Prohibited Substance/Method or the premises or property in which a Prohibited Substance/Method exists); provided,

however, that if the *Person* does not have exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists, constructive *Possession* must only be found if the *Person* knew about the presence of the *Prohibited Substance/Method* and intended to exercise control over it. Provided, however, there must be no anti-doping rule violation based solely on *Possession* if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* no longer intends to have *Possession* and has renounced the *Person's* previous *Possession*.

*Prohibited List*: The WADA 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 Rules 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 Article 14 of the *Code* (Confidentiality and Reporting).

*Registered Testing Pool*: The pool of top level *Athletes* established separately by each International Federation and *National Anti-Doping Organization* who are subject to both *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or *National Anti-Doping Agency's* test distribution plan.

*Sample/Specimen*: Any biological material collected for the purposes of *Doping Control*.

*Signatories*: Those entities 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 Organizations*, *National Anti-Doping Organizations*, and WADA.

*Tampering*: Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly to alter results or prevent normal procedures from occurring.

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

Team Sport: A sport in which the substitution of players is permitted during a *Competition*.

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

Trafficking: To sell, give, administer, transport, send, deliver or distribute a *Prohibited Substance* or *Prohibited Method* to an *Athlete* either directly or indirectly or through one or more third parties, but excluding the prescription, dispensing, sale or distribution of a *Prohibited Substance* for genuine and legal therapeutic purposes.

TUE: Therapeutic use exemption.

TUEC: TUE Committee established by NADA.

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

WADA: The World Anti-Doping Agency, being a Foundation constituted under the Swiss Civil Code in Lausanne on 10 November 1999 and any *National Anti-Doping Organization* contracted by WADA.