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INTRODUCTION

Doping is fundamentally contrary to the spirit of sport. 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 Rules. The spirit of sport is the intrinsic value of sport. The spirit of sport is the celebration of the human spirit, body and mind, and is characterised, amongst other values, by ethics, fair play, honesty, health and respect for, and compliance with, the spirit and letter of rules and laws. Anti-doping programmes seek to preserve the spirit of sport.

The Code and the World Anti-Doping Programme

The Code is the fundamental and universal document upon which the World Anti-Doping Programme in sport is based. The purpose of the Code is to advance the anti-doping effort through universal harmonisation of core anti-doping elements. The World Anti-Doping Programme encompasses all of the elements needed in order to ensure optimal harmonisation and best practice in international and national anti-doping programmes. The main elements are:

(i) Level 1: The Code
(ii) Level 2: International Standards
(iii) Level 3: Models of Best Practice and Guidelines

The Irish Sport Anti-Doping Programme

The Irish Sports Council was established under the Irish Sports Council Act, 1999 to perform the functions conferred on it by or under that Act. Its functions include the following:

(i) encouraging the promotion, development and co-ordination of competitive sport and the achievement of excellence in competitive sport;
(ii) facilitating, through the promulgation of guidelines and codes of practice, standards of good conduct and fair play in either or both competitive sport and recreational sport; and
(iii) taking such action as it considers appropriate, including testing, to combat doping in sport.

In performance of these functions, the *Irish Sports Council* established and implemented the Irish Sport Anti-Doping Programme.

**The Irish Anti-Doping Rules**

These Rules are adopted and implemented by the *Irish Sports Council* in discharge of its statutory functions and duties – in particular as they relate to the combating of doping in sport – and in accordance with its obligations under the *Code*. These Rules are the fundamental document upon which the Irish Sport Anti-Doping Programme is based.

These Rules, like *Competition* rules, are sports rules governing the conditions under which sport is played. *Participants* accept these Rules as a condition of participation in sport and shall be bound to these Rules. These sport-specific Rules aimed at enforcing anti-doping rules and procedures in an international and harmonised way are distinct in nature and are, therefore, not intended to be subject to, or limited by, any national requirements and legal standards applicable to criminal proceedings or employment matters. When revising the facts and the law of a case all courts, arbitral tribunals and other adjudicating bodies should be aware and respect the distinct nature of the anti-doping rules in the *Code* and in these Rules and the fact that the *Code* represents the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

Nothing in these Rules shall be interpreted as limiting the functions and obligations of the *Irish Sports Council* as a *Signatory* nor preventing the *Irish Sports Council* from undertaking *Doping Control*, results management and/or any other anti-doping activity in accordance with any agreement or arrangement with any other *Anti-Doping Organisation*, *International Federation*, or other *Signatory* to the *Code* or in accordance with any right or obligation arising under the *Code* and/or in discharge of its statutory functions or duties.
Education for Doping-Free Sport

To fight doping by promoting the spirit of sport, the Code requires each Anti-Doping Organisation to develop and implement educational programmes for Athletes, including youth, and Athlete Support Personnel. The Irish Sports Council shall, within its means and scope of responsibility and in co-operation with other Signatories, plan, implement, evaluate and monitor information and education programmes for doping-free sport. The basic principle for such programmes is to preserve the spirit of sport from being undermined by doping. The primary goal of such programmes is prevention and their objective shall be to prevent the intentional or unintentional Use by Athletes of Prohibited Substances and Prohibited Methods. The programmes shall promote the spirit of sport in order to establish an environment that is strongly conducive to doping-free sport and will have a positive and long-term influence on the choices made by Participants.

The Irish Sports Council shall co-operate with other Signatories and governments to encourage relevant competent professional associations and institutions to develop and implement appropriate codes of conduct, good practice and ethics related to sport practice regarding anti-doping, as well as sanctions, which are consistent with the Code. The Irish Sports Council and Participants shall co-operate with each other and with other Signatories and governments to co-ordinate their efforts in anti-doping information and education in order to share experiences and ensure the effectiveness of these programmes in preventing doping in sport.
1. **ARTICLE 1 APPLICATION OF RULES**

1.1 **Application to National Governing Bodies**

1.1.1 As a condition of receiving financial and/or other assistance from the Government of Ireland and/or the *Irish Sports Council, National Governing Bodies* shall abide by the spirit and terms of the Irish Sport Anti-Doping Programme and these Rules, including application of sanctions to *Participants*, and shall respect the authority of, and co-operate with, the *Irish Sports Council*, the *Irish Sport Anti-Doping Disciplinary Panel* and *CAS* on all matters to which these Rules relate.

1.1.2 Each *National Governing Body* shall therefore adopt these Rules and incorporate these Rules either directly or by reference into its governing documents, constitution and/or rules and thus as part of the rules of sport governing the rights and obligations of the *Participants* in the sport of that *National Governing Body*. Where a *National Governing Body* resolves to adopt these Rules, it shall be deemed to have incorporated these Rules into its rules of sport as if it had set them out in full therein.

1.1.3 By its adoption of these Rules each *National Governing Body* specifically recognises the authority and responsibility of the *Irish Sports Council* for administering the Irish Sport Anti-Doping Programme and authorises and designates the *Irish Sports Council* to carry out *Doping Control* on behalf of that *National Governing Body*.

1.1.4 By its adoption of these Rules each *National Governing Body* shall be deemed to have agreed to be bound by and to comply strictly with these Rules and to submit to the authority of the *Irish Sport Anti-Doping Disciplinary Panel* and *CAS*. 

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*This text is a 2009 version of the Anti-Doping Code.*
1.1.5 By its adoption of these Rules, each National Governing Body shall be deemed to have agreed to take all steps within its power to implement these Rules in their sport which shall include, without limitation, to vigorously pursue all potential anti-doping rule violations within its jurisdiction in accordance with these Rules; to assist the Irish Sports Council in establishing and maintaining its Registered Testing Pool; to consult with the Irish Sports Council in relation to the designation of National Events in its sport and to Provisionally Suspend an Athlete after the Irish Sports Council has notified that it appears that the Athlete has committed an anti-doping rule violation involving a Prohibited Substance other than a Specified Substance.

1.2 Application to Participants

1.2.1 These Rules apply to

1.2.1.1 All Participants who are members or licence holders of a National Governing Body or of a member or affiliate organisation or licensee of a National Governing Body which shall be deemed to include a club, team, association or league; and

1.2.1.2 All Participants participating as such in an Event, Competition or other activity organised, convened, authorised or recognised by a National Governing Body or member or affiliate organisation or licensee of a National Governing Body which shall be deemed to include a club, team, association or league; and

1.2.1.3 Any other Participant who is subject to the jurisdiction of a National Governing Body for purposes of anti-doping.
1.2.2 To be a member of a National Governing Body and/or of a member or affiliate organisation or licensee of a National Governing Body, or, to be eligible to participate as a Participant in any Event, Competition or other activity organised, convened, authorised or recognised by a National Governing Body or any of its member or affiliate organisations or licensees, a Participant must agree to be bound by and to comply with these Rules. Accordingly, by becoming such a member or by so participating a Participant shall be deemed to have agreed:

1.2.2.1 To be bound by and to comply strictly with these Rules, without prejudice to any other anti-doping rules applicable to him or her;

1.2.2.2 To submit to the authority of the National Governing Body, the Irish Sports Council, the Irish Sport Anti-Doping Disciplinary Panel and CAS to apply, police and enforce these Rules;

1.2.2.3 To provide all requested assistance to a National Governing Body, the Irish Sports Council, the Irish Sport Anti-Doping Disciplinary Panel and CAS in the application, policing and enforcement of these Rules including (without limitation) co-operating fully with any investigation or proceedings being conducted pursuant to these Rules in relation to any suspected anti-doping rule violation;

1.2.2.4 To submit to the exclusive jurisdiction of the Irish Sport Anti-Doping Disciplinary Panel and CAS to hear and determine alleged anti-doping rule violations and related issues and appeals arising under these Rules; and

1.2.2.5 Further to Article 16 of these Rules, not to bring any proceedings in any court or other forum that are inconsistent with the foregoing submission to the jurisdiction of the Irish Sport Anti-Doping Disciplinary Panel and CAS.
1.2.3 If any Participant is found to have committed an anti-doping rule violation, the Consequences shall apply. A Participant sanctioned under these Rules remains subject to the sanction throughout the duration of the sanction regardless of that Participant's membership status in any National Governing Body or member or affiliate organisation or licensee of any National Governing Body. Unless the Participant sanctioned retires during the period of the sanction, this shall include remaining subject to Doping Control.

1.2.4 Each Participant shall continue to be bound by and required to comply with these Rules (including any amended or successor versions thereto) unless and until he or she has given written notice of his or her retirement to his or her National Governing Body, and, if applicable, his or her International Federation. Where the Participant is an Athlete who is in the Irish Sports Council Registered Testing Pool at the time of such retirement, he or she must also send such notice to the Irish Sports Council in accordance with Article 5.9.3. The National Governing Body, the Irish Sports Council, the Irish Sport Anti-Doping Disciplinary Panel and CAS shall continue to have jurisdiction over the Participant under these Rules after such retirement in respect of matters taking place prior to retirement.

1.2.5 Certain Participants may also be subject to the anti-doping rules of other Anti-Doping Organisations. These Rules are not intended to limit the responsibilities of any Participant under such other Rules.
1.3 Roles and Responsibilities of *Athletes*

1.3.1 To know what constitutes an anti-doping rule violation.

1.3.2 To know the substances and methods which have been included in the *Prohibited List*;

1.3.3 To be knowledgeable of and comply with these Rules;

1.3.4 To take responsibility, in the context of anti-doping, for what they *Use*;

1.3.5 To 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 these Rules;

1.3.6 To make himself or herself available for *Testing* at all times;

1.3.7 To provide complete, accurate and up to date *Whereabouts Filings* if he or she is included in a *Registered Testing Pool*; and

1.3.8 To co-operate fully with any investigation into a potential anti-doping rule violation under these Rules.

1.4 Roles and Responsibilities of *Athlete Support Personnel*

1.4.1 To know what constitutes an anti-doping rule violation.

1.4.2 To know the substances and methods which have been included in the *Prohibited List*;

1.4.3 To be knowledgeable of and comply with these Rules;

1.4.4 To co-operate fully with the *Testing of Athletes*;

1.4.5 To co-operate fully with any investigation into a potential anti-doping rule violation under these Rules; and

1.4.6 To endeavour to influence the values and behaviour of *Athletes* to foster anti-doping attitudes.
2. ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

Each of the acts or omissions set out in Articles 2.1 to 2.8 below shall constitute an anti-doping rule violation under these Rules:

2.1 The presence of a Prohibited Substance or its Metabolites or Markers in an Athlete’s Sample

2.1.1 It is each Athlete’s personal duty to ensure that no Prohibited Substance enters his or her body. An Athlete is responsible for any Prohibited Substance or any of its Metabolites or Markers found to be present in his or her Sample. 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; nor is the Athlete’s lack of intent, fault, negligence or knowledge a valid defence to an allegation that an anti-doping rule violation has been committed under Article 2.1.

2.1.2 Proof of either of the following is sufficient to establish an anti-doping rule violation under Article 2.1 to the standard required by Article 8.4.1.

2.1.2.1 The presence of a Prohibited Substance or any of its Metabolites or Markers in the Athlete’s A Sample, where the Athlete waives analysis of his or her B Sample and the B Sample is not analysed; or

2.1.2.2 The presence of a Prohibited Substance or any of its Metabolites or Markers in the Athlete’s A Sample, where the Athlete’s B Sample is analysed and such analysis confirms the presence in the B Sample of the Prohibited Substance or any of its Metabolites or Markers found in the A Sample.
2.1.3 Excepting those substances for which a quantitative reporting threshold is specifically identified in the Prohibited List, the presence of any quantity of a Prohibited Substance or any of its Metabolites or Markers in an Athlete’s Sample shall constitute an anti-doping rule violation.

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

2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method

2.2.1 It is each Athlete’s personal duty to ensure that no Prohibited Substance enters his or her body and that he or she does not Use any Prohibited Method. 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 of Use under Article 2.2; nor is the Athlete’s lack of intent, fault, negligence or knowledge a valid defence to an allegation that an anti-doping rule violation of Use has been committed under Article 2.2.

2.2.2 It is necessary to demonstrate intent on the Athlete’s part to establish an anti-doping rule violation of Attempted Use under Article 2.2.

2.2.3 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. The success or failure of the Use or Attempted Use of a Prohibited Substance or Prohibited Method is not material.
2.3 Refusing or failing without compelling justification to submit to Sample collection after notification as authorised under these Rules or other applicable anti-doping rules, or otherwise evading Sample collection.

2.4 Committing Three Whereabouts Failures In Eighteen Months

2.4.1 An Athlete shall be deemed to have committed an anti-doping rule violation under Article 2.4 if he or she commits a total of three (3) Whereabouts Failures, which may be any combination of Filing Failures and/or Missed Tests adding up to three (3) in total, within any eighteen (18) month period, irrespective of which Anti-Doping Organisation has declared each of the Whereabouts Failures in question.

2.4.2 The eighteen (18) month period referred to in Article 2.4.1 starts to run on the date that an Athlete commits a Whereabouts Failure. A Filing Failure shall be deemed to have occurred on the first day of the quarter for which the Athlete fails to make the required Whereabouts Filing. If it is a subsequent Filing Failure in the same quarter, the Filing Failure shall be deemed to have occurred on the date that the deadline specified for such filing in accordance with Article 5.11.4 expires. A Missed Test shall be deemed to have occurred on the date that the Sample collection was unsuccessfully attempted.

2.4.3 The eighteen (18) month period referred to in Article 2.4.1 is not affected by any successful Sample collection conducted with respect to that Athlete during the eighteen (18) month period. If an Athlete who has committed one (1) Whereabouts Failure does not commit a further two (2) Whereabouts Failures within eighteen (18) months of the first, at the end of that eighteen (18) month period, the first Whereabouts Failure expires for the purposes of Article 2.4.1.
2.4.4 Where an Athlete retires from but then returns to sport, his or her period of retirement shall be disregarded for purposes of calculating the eighteen (18) month period referred to in Article 2.4.1.

2.4.5 For purposes of Articles 9 and 10, the anti-doping rule violation shall be deemed to have occurred on the date of the third Whereabouts Failure found to have occurred.

2.4.6 A Whereabouts Failure used as a basis of an alleged anti-doping rule violation pursuant to Article 2.4 may also be used as a basis of an alleged anti-doping rule violation pursuant to Article 2.3 and/or Article 2.5.

2.5 Tampering or Attempted Tampering with any part of Doping Control

2.6 Possession of Prohibited Substances and/or Prohibited Methods

2.6.1 Possession by an Athlete In-Competition of any Prohibited Method or any Prohibited Substance, or Possession by an Athlete Out-of-Competition of any Prohibited Method or any Prohibited Substance that is prohibited Out-of-Competition is an anti-doping rule violation under Article 2.6 unless the Athlete establishes that the Possession is pursuant to a TUE granted in accordance with Article 4 or other acceptable justification.

2.6.2 Possession by an Athlete Support Personnel In-Competition of any Prohibited Method or any Prohibited Substance, or Possession by an Athlete Support Personnel Out-of-Competition of any Prohibited Method or any Prohibited Substance that is prohibited Out-of-Competition in connection with an Athlete, Competition or training, is an anti-doping rule violation under Article 2.6, unless the Athlete Support Personnel establishes that the Possession is pursuant to a TUE granted to an Athlete in accordance with Article 4 or other acceptable justification.
2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method

2.8 Administration or Attempted administration to an Athlete In-Competition of any Prohibited Method or Prohibited Substance, or administration or Attempted administration to an Athlete Out-of-Competition of any Prohibited Method or of any Prohibited Substance that is prohibited Out-of-Competition, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any Attempted anti-doping rule violation.
3. **ARTICLE 3 THE PROHIBITED LIST**

3.1 **Incorporation of the Prohibited List and the International Standard for the Prohibited List**

3.1.1 These Rules adopt and incorporate the *Prohibited List* and the *International Standard for the Prohibited List*, as revised from time to time and all Participants shall be deemed to accept the *Prohibited List* and the *International Standard for the Prohibited List* and all revisions thereto as binding upon them.

3.1.2 The *Prohibited List* may be revised by WADA from time to time and unless provided otherwise by WADA, each such revision shall come into effect under these Rules three (3) months after publication of the revision by WADA without requiring any further action by the Irish Sports Council or any National Governing Body.

3.2 **Prohibited Substances and Prohibited Methods Identified on the Prohibited List.**

The *Prohibited List* shall identify those *Prohibited Substances* and *Prohibited Methods* which are prohibited at all times (both *In-Competition* and *Out-of-Competition*) and those substances and methods which are prohibited *In-Competition* only. *Prohibited Substances* and *Prohibited Methods* may be included in the *Prohibited List* by general category or by specific reference to a particular substance or method or sport.

3.3 **WADA’s Determination of the Prohibited List**

WADA’s determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* and the classification of substances into categories on the *Prohibited List* shall be final and shall not be subject to challenge by any Participant on any grounds.
4. ARTICLE 4 THERAPEUTIC USE

4.1 Therapeutic Use

4.1.1 These Rules adopt and incorporate the International Standard for Therapeutic Use Exemptions as revised from time to time and all Participants shall be deemed to accept the International Standard for Therapeutic Use Exemptions and all revisions thereto as binding upon them.

4.1.2 Athletes subject to these Rules with a documented medical condition requiring the Use of a Prohibited Substance or a Prohibited Method must obtain a TUE from the Irish Sports Council or an International Federation as provided for in this Article.

4.1.3 The presence of a Prohibited Substance or its Metabolites or Markers, Use or Attempted Use of a Prohibited Substance or a Prohibited Method, Possession of Prohibited Substances and Prohibited Methods or administration or Attempted administration of a Prohibited Substance or Prohibited Method consistent with the provisions of an applicable TUE issued pursuant to the International Standard for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation.

4.1.4 Any TUE granted to an Athlete by or on behalf of a Signatory shall be recognised under these Rules in accordance with the terms of the grant provided that the grant was consistent with the Code. Accordingly, an Athlete who applies for a TUE pursuant to the rules of his or her International Federation or another Anti-Doping Organisation shall report the grant or denial of the application immediately to the Irish Sports Council by sending it copies of the application and the decision.
4.1.5 *International-Level Athletes* may only obtain a *TUE* from their *International Federation* or in accordance with the rules of their *International Federation*. Other *Athletes* who are competing in an *International Event* may be required to seek a *TUE* from an *International Federation* or a *Major Event Organisation*. Each *International Federation* shall publish a list of *International Events* for which a *TUE* is required, either from that *International Federation*, or in accordance with its rules.

4.1.6 It is the responsibility of an *Athlete* who is in an *International Federation’s Registered Testing Pool* or an *Athlete* participating in an *International Event* to ascertain whether he or she needs to apply for a *TUE* from the *International Federation* or a *Major Event Organisation*, regardless of whether he or she has been granted a *TUE* under these Rules.

4.1.7 *Athletes* in the *Irish Sports Council Registered Testing Pool* must obtain a *TUE* from the *Irish Sports Council*, unless the *Athlete* has previously received a *TUE* from an *International Federation* and such *TUE* is still valid and the *Athlete* has reported the granting of the *TUE* to the *Irish Sports Council* in accordance with Article 4.1.4. Except as otherwise provided in these Rules, *Athletes* in the *Irish Sports Council Registered Testing Pool* shall apply to the *Irish Sports Council* for a *TUE* at the same time that the *Athlete* first provides whereabouts information to the *Irish Sports Council* pursuant to these Rules or at any other time as the need arises.

4.1.8 Except as otherwise provided in these Rules, *Athletes* participating in *National Events* who are not included in the *Irish Sports Council Registered Testing Pool* must apply for a *TUE* from the *Irish Sports Council* no later than twenty one (21) days before the *Athlete* needs the approval.
4.2 Irish Sports Council TUE Committee

4.2.1 The Irish Sports Council shall appoint a committee of not less than three physicians to consider and determine requests for TUEs ("the TUE Committee") in accordance with the criteria set out in the International Standard for Therapeutic Use Exemptions. The Irish Sports Council shall appoint a physician to be the Chair of the TUE Committee.

4.2.2 Upon receipt by the Irish Sports Council of a TUE request, the Chair of the TUE Committee shall appoint three members of the TUE Committee (who may include the Chair) to consider and determine such request.

4.2.3 The TUE Committee members so designated shall evaluate such request in accordance with the International Standard for Therapeutic Use Exemptions and render a decision on such request, which shall be the decision of the Irish Sports Council.

4.2.4 The Irish Sports Council and the TUE Committee will conduct the administration and determination of applications for TUEs in strict confidence.

4.2.5 The TUE Committee may request from the Athlete concerned such additional medical information as the TUE Committee deems necessary and it shall be the responsibility of the Athlete to fully comply with such request.

4.2.6 The TUE Committee may seek whatever medical or scientific expertise it deems appropriate in reviewing the circumstances of any application for a TUE. Should the assistance of external, independent experts be required, all details of the application will be circulated without identifying the Athlete involved.
4.2.7 The decision of the TUE Committee shall be effective as directed by the TUE Committee and will have a specified duration as may be decided on a case by case basis by the TUE Committee. It may also be granted subject to such conditions or restrictions as the TUE Committee sees fit.

4.2.8 The decision of the TUE Committee shall be conveyed in writing to the Athlete by the Irish Sports Council and reported to WADA where required by the provisions of Article 14.1.

4.3 Applications for Therapeutic Use Exemptions

4.3.1 An application for a TUE will only be considered following the receipt of a completed application form in the approved format that includes all relevant documents.

4.3.2 The application must include a comprehensive medical history and the results of all examinations, laboratory investigations and imaging studies relevant to the application.

4.3.3 Any additional relevant investigations, examinations or imaging studies requested by the TUE Committee shall be undertaken at the expense of the Athlete or his or her National Governing Body.

4.3.4 The application must include a statement by an appropriately qualified physician attesting to the necessity of the otherwise Prohibited Substance or Prohibited Method in the treatment of the Athlete and describing why an alternative, permitted medication cannot, or could not, be used in the treatment of this condition.
4.3.5 The dose, frequency, route and administration of the otherwise Prohibited Substance or Prohibited Method in question must be specified. In case of change, a new application must be submitted.

4.3.6 An Athlete requesting a TUE shall provide written consent for the transmission of all information pertaining to the request to members of the TUE Committee and, as may be required, to other independent medical or scientific experts and to all necessary Persons involved in the management, review or appeals of TUEs. The Athlete shall also provide written consent for the decisions of the TUE Committee to be distributed to other relevant Anti-Doping Organisations under the provisions of these Rules and/or the Code.

4.4 Criteria for Granting a TUE

4.4.1 A TUE shall be granted only in strict accordance with the following criteria:

4.4.1.1 The Athlete would experience a significant impairment to health if the Prohibited Substance or Prohibited Method were to be withheld in the course of treating an acute or chronic medical condition;

4.4.1.2 The therapeutic Use of the Prohibited Substance or Prohibited Method would produce no additional enhancement of performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition. The Use of any Prohibited Substance or Prohibited Method to increase “low-normal” levels of endogenous hormone is not considered an acceptable therapeutic intervention;

4.4.1.3 There is no reasonable therapeutic alternative to the Use of the otherwise Prohibited Substance or Prohibited Method; and
4.4.1.4 The necessity for the use of the otherwise Prohibited Substance or Prohibited Method cannot be a consequence, wholly or in part of prior non-therapeutic use of any substance from the Prohibited List.

4.5 Criteria for Granting a Therapeutic Use Exemption Retroactively

4.5.1 An application for a TUE shall not be considered for approval by the TUE Committee after a laboratory has reported an Adverse Analytical Finding except where:

4.5.1.1 Emergency treatment or treatment of an acute medical condition was necessary; or

4.5.1.2 Due to exceptional circumstances, there was insufficient time or opportunity for an applicant to submit, or for the TUE Committee to consider, an application prior to Sample collection; or

4.5.1.3 The application was made by an Athlete who is not in the Irish Sports Council Registered Testing Pool and to whom neither Rule 4.1.5 or Rule 4.1.6 applies.

4.5.2 No retroactive TUE will be granted if the requirements of this Article 4.5 are not met, meaning that any Adverse Analytical Finding reported shall result in an anti-doping rule violation.

4.5.3 Any Athlete who has applied for a TUE or a retroactive TUE and who is denied such TUE may not use the substance without the prior granting of a TUE and in those circumstances, no retroactive TUE shall be permitted.
4.6 Expiration of a TUE

4.6.1 A TUE granted pursuant to these Rules shall expire automatically at the end of any term for which it was granted, without the need for any further notice or other formalities.

4.6.2 An Athlete in the Irish Sports Council Registered Testing Pool who wishes to continue to Use the Prohibited Substance or Prohibited Method in question after the expiration of the term for which the TUE has been granted must apply prior to the end of the term for renewal of the TUE in accordance with Article 4.3.

4.6.3 In the event of the expiration of a TUE pursuant to Article 4.6.1, the Athlete shall not be subject to any Consequences based on his or her Use or Possession or administration of the Prohibited Substance or Prohibited Method in question in accordance with the TUE at any time prior to the effective date of expiry of the TUE. The review pursuant to Article 7.2 of any subsequent Adverse Analytical Finding shall include consideration of whether such finding is consistent with Use of the Prohibited Substance or Prohibited Method prior to that date.

4.7 Review of Decisions Regarding Therapeutic Use Exemptions

4.7.1 WADA, on its own initiative, may review the granting of a TUE by the Irish Sports Council and, at the request of an Athlete, may review the denial of a TUE by the Irish Sports Council.

4.7.2 Until the review process has been completed, the original decision shall remain in effect.
4.7.3 If the decision regarding the granting of a TUE is reversed upon review, the reversal shall not apply retroactively and shall not disqualify the Athlete’s results during the period that the TUE had been granted and shall take effect no later than fourteen (14) days following notification of the decision to the Athlete.

4.7.4 Decisions on TUE’s are subject to further appeal as provided in Article 13.5. Until the appeal process has been completed, the original decision shall remain in effect.
5. **ARTICLE 5 TESTING**

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

These Rules adopt and incorporate the *International Standard for Testing* as revised from time to time and all *Participants* shall be deemed to accept the *International Standard for Testing* and all revisions thereto as binding upon them.

5.2 **Standard for Testing**

*Testing* conducted by, or on behalf of, the *Irish Sports Council* shall be in conformity with the *International Standard for Testing* applicable at the time of *Testing*.

5.3 **Authority for Testing**

*Persons* so authorised by the *Irish Sports Council* may conduct *Testing* on behalf of the *Irish Sports Council*.

5.4 **Testing Jurisdiction**

The *Irish Sports Council* shall have *Testing* jurisdiction over all *Athletes* to whom these Rules apply and such *Athletes* must make themselves available for, and must submit to, *Testing* pursuant to these Rules by the *Irish Sports Council* or by any *Anti-Doping Organisation* with *Testing* jurisdiction at any time and any place.

5.5 **Event Testing**

5.5.1 At *National Events*, the collection of *Samples* shall be initiated and directed by the *Irish Sports Council*. 
5.5.2 At International Events, the collection of Samples shall be initiated and directed by the international organisation which is the ruling body for the Event, subject always to the right of the Irish Sports Council to initiate and conduct such Testing in accordance with Article 15.1.1 of the Code.

5.5.3 In the event that the Testing produces evidence that suggests that the Athlete’s participation in a Competition or Event may present a risk to the Athlete or other Persons, the National Governing Body may stop the Athlete participating in the Competition or Event.

5.6 Out-of-Competition Testing

5.6.1 Out-of-Competition Testing may be initiated by the following organisations:

5.6.1.1 the Irish Sports Council;

5.6.1.2 WADA;

5.6.1.3 the Athlete’s International Federation;

5.6.1.4 the International Olympic Committee or International Paralympic Committee in connection with the Olympic Games or Paralympic Games; or

5.6.1.5 any other Anti-Doping Organisation that has Testing jurisdiction over the Athlete.

5.6.2 Out-of-Competition Testing shall be co-ordinated with other anti-doping organisations where reasonably feasible in order to maximise the effectiveness of the combined Testing effort and to avoid unnecessary repetitive Testing of individual Athletes.
5.6.3 The Irish Sports Council shall be entitled to conduct Out-of-Competition Testing as described in this Article on any Athlete up until twelve (12) hours before the first time an Athlete is scheduled to participate in a Competition or an Event and on the day following the last day an Athlete has participated in a Competition in the Event.

5.7 Liability for Testing

Although every reasonable effort will be made to avoid inconvenience to the Athlete being tested, no liability shall arise on the part of the Irish Sports Council or the Athlete’s National Governing Body or any of their respective members, directors, officers, employees, agents or representatives for any inconvenience or loss arising on the part of the Athlete as a result of such Testing.

5.8 Testing of Minors

For the purposes of these Rules, the consent of a parent or guardian of a Minor to the Testing of that Minor shall be deemed from the fact that the Minor has been permitted by his or her parent or guardian to participate in the sport in question.

5.9 Registered Testing Pool

5.9.1 The Irish Sports Council shall define the criteria for Athletes to be included in the Irish Sports Council Registered Testing Pool. From time to time the Irish Sports Council shall publish those criteria as well as a list of the Athletes meeting those criteria and so included in the Irish Sports Council Registered Testing Pool at the time of publication.
5.9.2 In addition to the general obligation on all Athletes to submit to Testing, an Athlete included in the Irish Sports Council Registered Testing Pool shall be subject to the whereabouts requirements set out in these Rules.

5.9.3 An Athlete who has been identified by the Irish Sports Council for inclusion in the Irish Sports Council Registered Testing Pool shall continue to be subject to the whereabouts requirements set out in these Rules unless and until the Athlete retires from Competition in the sport in question and gives written notice to the Irish Sports Council, to his or her National Governing Body and, if applicable, to his or her International Federation to that effect or, in the alternative, he or she has been given written notice by the Irish Sports Council that he or she is no longer designated for inclusion in the Irish Sports Council Registered Testing Pool.

5.9.4 An Athlete who was previously included in the Irish Sports Council Registered Testing Pool who is not serving a period of Ineligibility and who has given notice of retirement may not resume competing unless he or she notifies the Irish Sports Council at least six (6) months before he or she expects to return to Competition and during that notice period he or she has submitted to the application of these Rules and to the jurisdiction of the National Governing Body, the Irish Sports Council, the Irish Sport Anti-Doping Disciplinary Panel and CAS under these Rules, including by making himself or herself available for Out-of-Competition Testing and by providing such whereabouts information during the notice period as is required by the Irish Sports Council.

5.9.5 The Irish Sports Council can establish one or more further testing pool(s) for other Athletes subject to these Rules and may apply different whereabouts requirements to such pool(s) for purposes of Article 2.4.
5.10  **Athlete Whereabouts Requirements**

5.10.1 Each *Athlete* in the *Irish Sports Council Registered Testing Pool* is required to make to the *Irish Sports Council* an accurate and complete quarterly *Whereabouts Filing* in the format and detail required by the *Irish Sports Council* pursuant to the *International Standard for Testing*. If the *Athlete* fails to make to the *Irish Sports Council* each required *Whereabouts Filing* by the specified timeline or makes a *Whereabouts Filing* that is not accurate and complete, that failure shall amount to a *Filing Failure* and shall therefore constitute a *Whereabouts Failure* for the purposes of Article 2.4.

5.10.2 Each *Athlete* in the *Irish Sports Council Registered Testing Pool* is also required to specify in his or her *Whereabouts Filing*, for each day in the forthcoming quarter, one specific sixty (60) minute time slot between 6 a.m. and 11 p.m. each day when he or she will be available at a specified location for *Testing*. This shall not limit in any way the *Athlete’s* obligation to be available for *Testing* at any time and place. Nor shall it limit his or her obligation to provide the information as to his or her whereabouts outside of that sixty (60) minute time slot.

5.10.3 When making a *Whereabouts Filing*, it is the *Athlete’s* responsibility to make sure that he or she provides all of the information required accurately and in sufficient detail to enable any *Anti-Doping Organisation* wishing to do so to locate the *Athlete* for *Testing* on any given day in the quarter, including but not limited to during the sixty (60) minute time slot specified for that day in the *Whereabouts Filing*.

5.10.4 Each *Athlete* in the *Irish Sports Council Registered Testing Pool* must be present and available for *Testing* on any given day in the relevant quarter for the sixty (60) minute time slot specified for that day in his or her *Whereabouts Filing*, at the
location that the Athlete has specified for that time slot in such Whereabouts Filing. If the Athlete is not available for Testing at such location during the sixty (60) minute time slot specified for that day in his or her Whereabouts Filing, and has not updated his or her Whereabouts Filing prior to that sixty (60) minute time slot to provide an alternative time slot or location for that day, that failure shall amount to a Missed Test and shall therefore constitute a Whereabouts Failure for the purposes of Article 2.4.

5.10.5 Any Athlete who provides fraudulent information in his or her Whereabouts Filing, whether in relation to his or her location during the specified daily sixty (60) minute time slot, or in relation to his or her whereabouts outside of that time slot, or otherwise, thereby commits an anti-doping rule violation under Article 2.3 and/or Article 2.5.

5.10.6 An Athlete may be included in the Irish Sports Council Registered Testing Pool notwithstanding that he or she is also included in the Registered Testing Pool of an International Federation. In that case, the Athlete shall simultaneously provide to the Irish Sports Council a copy of the Whereabouts Filing he or she has submitted to the International Federation, unless otherwise agreed between the Irish Sports Council and the International Federation.

5.10.7 An Athlete in the Irish Sports Council Registered Testing Pool may choose to delegate the making of some or all of his or her required Whereabouts Filings and/or any updates to his or her Whereabouts Filings to a third party provided that the third party agrees to such delegation. However the Athlete remains ultimately responsible at all times for making accurate and complete Whereabouts Filings as required by these Rules, whether he or she makes each Whereabouts Filing or update personally or delegates it to a third party. It shall not be a defence to an allegation of a Filing Failure under these Rules that the Athlete delegated such
responsibility to a third party and that the third party failed to comply with the applicable requirements.

5.10.8 Each Athlete remains personally responsible at all times for ensuring that he or she is available for Testing at the specified location declared on his or her Whereabouts Filing, whether he or she made that Whereabouts Filing personally or delegated it to a third party. It shall not be a defence to an allegation of a Missed Test under these Rules that the Athlete had delegated responsibility for making his or her Whereabouts Filing for the relevant period to a third party and that the third party failed to file the correct information or failed to update previously filed information so as to ensure that the whereabouts information in the Whereabouts Filing for the day in question was current and accurate.

5.10.9 Where agreed between the Irish Sports Council and a National Governing Body, the Irish Sports Council, instead of notifying the Athlete of his or her inclusion in the Irish Sports Council Registered Testing Pool, may notify the Athlete’s National Governing Body. The National Governing Body shall make to the Irish Sports Council the required Whereabouts Filings and/or any updates to the Whereabouts Filings in respect of such Athlete. The National Governing Body may choose to delegate the making of some or all of the required Whereabouts Filings and/or any updates to the required Whereabouts Filings to a member or affiliate organisation or licensee of the National Governing Body. However the National Governing Body remains ultimately responsible at all times for making the required Whereabouts Filings and updates.

5.10.10 A National Governing Body which has entered into an agreement with the Irish Sports Council pursuant to Article 5.10.9 and which fails to make to the Irish Sports Council the required Whereabouts Filing or makes a Whereabouts Filing that is not
accurate and complete shall be considered not to have complied with these Rules and may be sanctioned by the Irish Sports Council in accordance with Article 12. It shall not be a defence to an allegation of such non-compliance that the National Governing Body delegated such responsibility to a member or affiliate organisation or licensee of the National Governing Body and that that organisation or licensee failed to comply with the applicable requirements.

5.11 Whereabouts Failures Results Management

5.11.1 Annex A of the International Standard for Testing shall not apply with respect to Whereabouts Failures.

5.11.2 An Athlete may only be declared to have committed a Filing Failure for the purposes of these Rules where the Irish Sports Council, following the results management procedure set out in Articles 5.11.4 through 5.11.9, can establish each of the following:

5.11.2.1 That the Athlete was duly notified of his or her inclusion in the Irish Sports Council Registered Testing Pool, of the consequent requirement to submit Whereabouts Filings in accordance with these Rules and of the consequences of any failure to comply with that requirement;

5.11.2.2 That the Athlete failed to comply with that requirement by the applicable deadline;

5.11.2.3 That in the case of a second or third Filing Failure in the same quarter, that he or she was given notice of the previous Filing Failure(s) in accordance with Article 5.11.4 and failed to rectify that Filing Failure by the deadline specified in that notice; and
5.11.2.4 That the Athlete’s failure to comply was at least negligent. For these purposes, the Athlete shall be presumed to have committed the failure negligently upon proof that he or she was notified of the requirement yet failed to comply with it. That presumption may only be rebutted by the Athlete establishing that no negligent behaviour on his or her part caused or contributed to the failure.

5.11.3 An Athlete may only be declared to have committed a Missed Test for the purposes of these Rules where the Irish Sports Council, following the results management procedure set out in Articles 5.11.4 through 5.11.9, can establish each of the following:

5.11.3.1 That when the Athlete was given notice that he or she had been designated for inclusion in the Irish Sports Council Registered Testing Pool, he or she was advised of his or her liability for, and the consequences of, a Missed Test if he or she was unavailable for Testing during the sixty (60) minute time slot specified in his or her Whereabouts Filing at the location specified for that time slot;

5.11.3.2 That a Person authorised pursuant to Article 5.3 attempted to test the Athlete on a given day in that quarter, during the sixty (60) minute time slot specified in the Athlete’s Whereabouts Filing for that day, by visiting the location specified for that time slot;

5.11.3.3 That during the specified sixty (60) minute time slot, the authorised Person did what was reasonable in the circumstances given the nature of the specified location to try to locate the Athlete, short of giving the Athlete any advance notice of the test;
5.11.3.4 That, in the case of a second or subsequent failure by the Athlete to be available for Testing in that quarter, the Athlete’s failure to be available for Testing took place after the Athlete was given notice in accordance with Article 5.11.4 of any previous unsuccessful attempt made to test the Athlete during one of the sixty (60) minute time slots specified in his or her Whereabouts Filing; and

5.11.3.5 That the Athlete’s failure to be available for Testing at the specified location during the specified sixty (60) minute time slot was at least negligent. For these purposes, the Athlete shall be presumed to have been negligent upon proof of the matters set out in Articles 5.11.3.1 through 5.11.3.4. That presumption may only be rebutted by the Athlete establishing that no negligent behaviour on his or her part caused or contributed (i) to him or her being unavailable for Testing at such location during such time slot and (ii) to him or her failing to update his or her most recent Whereabouts Filing to give notice of a different location where he or she would instead be available for Testing during a specified sixty (60) minute time slot on the relevant day.

5.11.4 If it appears that all of the requirements of Article 5.11.2 relating to Filing Failures or Article 5.11.3 relating to Missed Tests, as the case may be, are satisfied, then no later than fourteen (14) days after the date of discovery of an apparent Filing Failure or the date of the unsuccessful attempt, the Irish Sports Council shall send notice to the Athlete in question of the apparent Filing Failure or unsuccessful attempt and in the case of an apparent Filing Failure, shall advise the Athlete that, in order to avoid a further possible Filing Failure, he or she must file the required Whereabouts Filing by the deadline specified for such filing in the notice. In the notice, the Irish Sports Council shall also invite a response within twenty one (21) days of the notice and warn the Athlete:
5.11.4.1 That unless the Athlete persuades the Irish Sports Council that there has not been any Filing Failure or Missed Test, as the case may be, then, subject to the remainder of the results management process set out in Articles 5.11.5 through 5.11.9, an alleged Whereabouts Failure shall be recorded against the Athlete; and

5.11.4.2 Of the consequences to the Athlete if the Irish Sport Anti-Doping Disciplinary Panel or other applicable disciplinary tribunal upholds the alleged Whereabouts Failure.

5.11.5 Where the Athlete disputes the alleged Whereabouts Failure, the Irish Sports Council shall re-assess whether all of the requirements set out in Article 5.11.2 relating to Filing Failures or Article 5.11.3 relating to Missed Tests, as the case may be, are satisfied. The Irish Sports Council shall advise the Athlete, by notice sent no later than fourteen (14) days after receipt of the Athlete’s response, of its decision as to whether or not it maintains that there has been an alleged Whereabouts Failure by the Athlete.

5.11.6 If no response is received from the Athlete by the relevant deadline or if the Irish Sports Council maintains, notwithstanding the Athlete’s response, that there has been an alleged Whereabouts Failure, the Irish Sports Council shall send notice to the Athlete that an alleged Whereabouts Failure is to be recorded against him or her. The Irish Sports Council shall at the same time advise the Athlete that he or she has the right to an administrative review of that decision, if requested by the Athlete within twenty one (21) days of the notice of the alleged Whereabouts Failure.

5.11.7 Where it is requested by the Athlete, such administrative review shall be conducted by a designee of the Irish Sports Council who was not involved in the previous assessment of the alleged Whereabouts Failure. The review shall be based on written submissions only and shall consider whether all of the requirements of
Article 5.11.2 or Article 5.11.3, as applicable, are met. The review shall be completed within fourteen (14) days of receipt of the Athlete’s request and the review decision shall be communicated to the Athlete by letter sent no more than seven (7) days after the decision is made.

5.11.8 If it appears, upon review, that the requirements of Article 5.11.2 or Article 5.11.3, as applicable, have not been met, then the apparent Filing Failure or unsuccessful attempt shall not be treated by the Irish Sports Council as an alleged Whereabouts Failure for any purpose.

5.11.9 If the Athlete does not request an administrative review of the alleged Whereabouts Failure by the relevant deadline, or if the administrative review leads to the conclusion that all of the requirements of Article 5.11.2 or Article 5.11.3, as applicable, have been met, then the Irish Sports Council shall record an alleged Filing Failure or an alleged Missed Test, as the case may be, against the Athlete and shall notify the Athlete of the alleged Whereabouts Failure.

5.11.10 The Irish Sports Council may withhold from an Athlete one quarterly instalment of the annual sport-related financial support payable to that Athlete where an alleged Whereabouts Failure has been recorded against that Athlete, regardless of the Anti-Doping Organisation that has recorded the alleged Whereabouts Failure.

5.11.11 Unless the Irish Sports Council agrees or WADA provides that the applicable International Federation shall take such responsibility, results management in respect of an apparent Filing Failure by an Athlete in the Irish Sports Council Registered Testing Pool shall be conducted by the Irish Sports Council in accordance with these Rules.
5.11.12 Results management in respect of an unsuccessful attempt by or on behalf of the Irish Sports Council to test an Athlete in the Irish Sports Council Registered Testing Pool shall be conducted by the Irish Sports Council in accordance with these Rules. Results management in respect of an unsuccessful attempt by or on behalf of any other Anti-Doping Organisation to test an Athlete in the Irish Sports Council Registered Testing Pool shall be conducted by that Anti-Doping Organisation in accordance with the International Standard for Testing.

5.11.13 The Irish Sports Council shall keep a record of all Whereabouts Failures alleged in respect of each Athlete in the Irish Sports Council Registered Testing Pool. Where it appears that such an Athlete has committed three (3) Whereabouts Failures within any eighteen (18) month period, then, save only where the International Standard for Testing Article 11.6.5 (a) provides otherwise, the Irish Sports Council shall be responsible for reviewing the matter to determine whether it is alleged that the Athlete has committed an anti-doping rule violation under Article 2.4 of these Rules and for referring the matter to the Irish Sports Council Anti-Doping Disciplinary Panel.

5.11.14 The Irish Sport Anti-Doping Disciplinary Panel shall not be bound by any determination made during the results management process, whether as to the adequacy of any explanation offered for a Whereabouts Failure or otherwise, and the burden is on the Irish Sports Council to establish all of the requisite elements of each Whereabouts Failure.
6. **ARTICLE 6 ANALYSIS OF SAMPLES**

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

These Rules adopt and incorporate the *International Standard for Laboratories* as revised from time to time and all *Participants* shall be deemed to accept the *International Standard* for Laboratories and all revisions thereto as binding upon them.

6.2 **Analysis in Approved Laboratories**

For purposes of Article 2.1, *Samples* collected by or on behalf of the *Irish Sports Council* under these Rules shall be analysed only in WADA-accredited laboratories selected by the *Irish Sports Council* or as otherwise approved by WADA.

6.3 **Standard for Sample Analysis and Reporting**

Laboratories shall analyse *Samples* collected under the Rules and report the results of such analysis in conformity with the *International Standard* for Laboratories.

6.4 **Purpose of Collection and Analysis of Samples**

*Samples* shall be analysed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List*, other substances as may be directed by WADA pursuant to the Monitoring Programme described in Article 4.5 of the *Code* and/or to assist the *Irish Sports Council* or another *Anti-Doping Organisation* in profiling relevant parameters in an *Athlete’s* urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes.
6.5 Retesting Samples

A Sample collected under these Rules may be reanalysed for the purpose of Article 6.4 at any time exclusively at the direction of the Irish Sports Council or WADA. The circumstances and conditions for re-analysing Samples shall conform with the requirements of the International Standard for Laboratories.

6.6 Research on Samples

6.6.1 All Samples provided by an Athlete for the purposes of Doping Control under these Rules shall be the property of the Irish Sports Council and the Irish Sports Council, subject to Article 6.6.2, shall be entitled to determine all matters regarding the analysis and disposal of such Samples.

6.6.2 No Sample may be used for any purpose other than as described in Article 6.4 without the Athlete’s written consent. A Sample used for purposes other than as described in Article 6.4 shall have any means of identification removed so that it cannot be traced back to the Athlete.
7. ARTICLE 7 RESULTS MANAGEMENT

7.1 Results Management, Hearings and Sanctions

7.1.1 Except as provided in Article 7.1.2 below, results management shall be the responsibility of the Irish Sports Council and the conduct of disciplinary proceedings shall proceed pursuant to these Rules where the Irish Sports Council initiated and directed Sample collection or, if no Sample collection is involved, where the Irish Sports Council discovered the alleged anti-doping rule violation. If the Irish Sports Council does not have the authority to conduct results management, then results management authority shall default to the applicable International Federation or NADO.

7.1.2 Results management and the conduct of disciplinary proceedings for an alleged anti-doping rule violation arising from Sample collection initiated or directed by, or discovered by, the Irish Sports Council involving a Participant who is not a national or resident of Ireland or Northern Ireland shall be administered as directed by the rules of the applicable International Federation.

7.2 Review Regarding Adverse Analytical Findings

Upon receipt of an A Sample Adverse Analytical Finding, the Irish Sports Council shall conduct a review of any TUE granted to the Athlete as well as of the documentation relating to the Doping Control and the A Sample analysis, and any other relevant documentation, to determine whether:

7.2.1 the presence of the Prohibited Substance or its Metabolite or Marker in the Athlete’s Sample is consistent with a valid and applicable TUE held by the Athlete; or
7.2.2 there has been any apparent departure from the *International Standard for Testing* or from the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*.

If necessary, and with notice to the *Athlete*, the *Irish Sports Council* may have conducted the B Sample analysis as if requested by the *Athlete* in accordance with Article 7.3.

7.3 Notification After Review Regarding *Adverse Analytical Findings*

7.3.1 If the initial review of an *Adverse Analytical Finding* under Article 7.2 reveals a valid and applicable TUE held by the *Athlete* with which the *Adverse Analytical Finding* is consistent, or reveals that there has been an apparent departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, then the *Irish Sports Council* need take no further action in relation to such *Adverse Analytical Finding*, provided, however, that the *Athlete* may subsequently be made the subject of *Target Testing*.

7.3.2 If the initial review of an *Adverse Analytical Finding* under Article 7.2 does not reveal a valid and applicable TUE held by the *Athlete* with which the *Adverse Analytical Finding* is consistent or a departure from either the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, the *Irish Sports Council* shall promptly notify the *Athlete*, the applicable *National Governing Body* and the *Irish Sport Anti-Doping Disciplinary Panel*, in such manner as the *Irish Sports Council* considers appropriate, of:

7.3.2.1 the *Adverse Analytical Finding*;
7.3.2.2 the alleged anti-doping rule violation(s); 

7.3.2.3 the Athlete’s right, within seven (7) days of the date of notification, to request the analysis of the B Sample and that failing such request, that the B Sample analysis may be deemed waived; 

7.3.2.4 the opportunity for the Athlete and/or the Athlete’s representative to attend the B Sample opening and analysis if such analysis is requested; 

7.3.2.5 the Athlete’s right to request a copy of the laboratory documentation package as defined by the International Standard for Laboratories supporting the Adverse Analytical Finding; 

7.3.2.6 the disciplinary procedure that will be followed to determine whether or not the Athlete committed the alleged anti-doping rule violation(s); 

7.3.2.7 the Consequences applicable under these Rules if it is established that the Athlete has committed the alleged anti-doping rule violation(s); 

7.3.2.8 the Athlete’s right, within fourteen (14) days of the date of notification, either to admit the anti-doping rule violation(s) with the Consequences to be determined by the Irish Sport Anti-Doping Disciplinary Panel, or, in the alternative, to deny the alleged anti-doping rule violation(s) stating, in summary form, the basis for such denial; and 

7.3.2.9 that if the Athlete fails to either admit to or deny the alleged anti-doping rule violation pursuant to Article 7.3.2.8, he or she shall be deemed to have admitted the anti-doping rule violation(s). 

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7.3.3 If the *Athlete* admits the alleged anti-doping rule violation(s), he or she shall be deemed to have waived his or her right to have the B *Sample* analysed and to have accepted the *Adverse Analytical Finding* based on the A *Sample* analysis alone.

7.3.4 If the *Athlete* chooses not to request an analysis of the B *Sample*, the *Irish Sports Council* may nonetheless elect to proceed with the B *Sample* analysis. The *Athlete* and/or his or her representative shall have a right to attend on that date at the *Athlete’s* cost to witness the opening and analysis of the B *Sample* as shall representatives of the *Irish Sports Council*, the *International Federation* and the *National Governing Body* concerned at their own cost.

7.4 **Review of Atypical Findings**

7.4.1 As provided in the *International Standards*, in some circumstances laboratories are directed to report the presence of *Prohibited Substances*, which may also be produced endogenously, as *Atypical Findings* that should be investigated further. Upon receipt of an A *Sample* *Atypical Finding*, the *Irish Sports Council* shall conduct a review of any *TUE* granted to the *Athlete* as well as of the documentation relating to the *Doping Control* and the A *Sample* analysis to determine whether:

7.4.1.1 The presence of the *Prohibited Substance* or its *Marker* or *Metabolite* in the *Athlete’s Sample* is consistent with a valid and applicable *TUE* held by the *Athlete*; or

7.4.1.2 There has been any apparent departure from the *International Standard for Testing* or from the *International Standard for Laboratories* that caused the *Atypical Finding*. 
7.4.2 If the review of the *Atypical Finding* under Article 7.4.1 reveals a valid and applicable *TUE* held by the *Athlete* or an apparent departure from either the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Atypical Finding* then the *Irish Sports Council* need take no further action in relation to such *Atypical Finding*, provided, however, that the *Athlete* may subsequently be made the subject of *Target Testing*.

7.4.3 If the review of an *Atypical Finding* under Article 7.4.1 does not reveal a valid and applicable *TUE* held by the *Athlete* with which the *Atypical Finding* is consistent or a departure from either the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Atypical Finding*, the *Irish Sports Council* shall conduct the follow-up investigation required by the *International Standards*.

7.4.4 Pending the outcome of the investigation, the *Atypical Finding* shall be kept confidential save that if the *Irish Sports Council* receives a request, either from an *International Federation* or a *Major Event Organisation* shortly before one of its *International Events* or a request from a sport body responsible for meeting an imminent deadline for selecting team members for an *International Event*, to disclose whether any *Athlete* identified on a list provided by the *International Federation*, *Major Event Organisation* or sport body has a pending *Atypical Finding*, the *Irish Sports Council* shall so identify any such *Athlete* after first informing the *Athlete*.

7.4.5 If the *Irish Sports Council* determines the *B Sample* should be analysed prior to the conclusion of its investigation under Article 7.4.3, the *Irish Sports Council* may conduct the *B Sample* analysis after notifying the *Athlete*, with such notice to include a description of the *Atypical Finding* and confirming the opportunity for the *Athlete* and/or the *Athlete’s* representative to attend the *B Sample* opening and analysis.
7.4.6 If, after the investigation is completed, the Irish Sports Council concludes that the Atypical Finding should not be considered an Adverse Analytical Finding, the Irish Sports Council shall advise the Athlete and the applicable National Governing Body of that fact. The Irish Sports Council need to take no further action in relation to such Atypical Finding, provided, however, that the Athlete may subsequently be made the subject of Target Testing.

7.4.7 If, after the investigation is completed, the Irish Sports Council concludes that the Atypical Finding should be considered an Adverse Analytical Finding, the Athlete, the applicable National Governing Body and the Irish Sport Anti-Doping Disciplinary Panel shall be notified in accordance with Article 7.3.

7.5 Review of Other Anti-Doping Rule Violations

Where a matter arises that involves evidence of a potential anti-doping rule violation other than an Adverse Analytical Finding or an Atypical Finding, the Irish Sports Council shall conduct any further investigation into the possible anti-doping rule violation which the Irish Sports Council considers appropriate including the seeking of any additional information it considers relevant from any Persons and/or the carrying out of such Target Testing as it considers appropriate. Where, following the conclusion of such investigation, the Irish Sports Council concludes that it is appropriate to allege that a Participant has committed an anti-doping rule violation, it shall promptly give the Participant concerned, the applicable National Governing Body and the Irish Sport Anti-Doping Disciplinary Panel notice, in such manner as the Irish Sports Council considers appropriate, of:

7.5.1 the alleged anti-doping rule violation(s);

7.5.2 the basis of the alleged anti-doping rule violation(s);
7.5.3 the disciplinary procedure that will be followed to determine whether or not the Participant committed the alleged anti-doping rule violation(s);

7.5.4 the Consequences applicable under these Rules if it is established that the Participant has committed the alleged anti-doping rule violation(s);

7.5.5 the Participant’s right, within fourteen (14) days of the date of notification, either to admit the anti-doping rule violation(s) with the Consequences to be determined by the Irish Sport Anti-Doping Disciplinary Panel, or, in the alternative, to deny the alleged anti-doping rule violation(s) stating, in summary form, the basis for such denial; and

7.5.6 that if the Participant fails to either admit to or deny the alleged anti-doping rule violation pursuant to Article 7.3.3.7, he or she shall be deemed to have admitted the anti-doping rule violation(s).

7.6 Provisional Suspensions

7.6.1 Mandatory Provisional Suspension after A Sample Adverse Analytical Finding

When an A Sample Adverse Analytical Finding is received for a Prohibited Substance, other than a Specified Substance, a Provisional Suspension shall be imposed promptly after the review and notification described in Articles 7.2 and 7.3 but prior to the analysis of the Athlete’s B Sample or a final hearing as described in Article 8 on the Athlete concerned by the applicable National Governing Body.
7.6.2 Optional Provisional Suspension based on A Sample Adverse Analytical Finding for Specified Substances

When an Adverse Analytical Finding is received for a Specified Substance, a Provisional Suspension may be imposed after the review and notification described in Articles 7.2 and 7.3 but prior to the analysis of the Athlete’s B Sample or a final hearing as described in Article 8 on the Athlete concerned by the applicable National Governing Body.

7.6.3 Non-confirmation of A Sample Adverse Analytical Finding

If a Provisional Suspension is imposed based on an A Sample Adverse Analytical Finding and a subsequent B Sample analysis (if requested by the Athlete or the Irish Sports Council) does not confirm the A Sample analysis, then the Athlete shall not be subject to any further Provisional Suspension on account of an alleged violation of Article 2.1. In circumstances where the Athlete (or the Athlete’s team as may be provided in the rules of the applicable International Federation) has been removed from a Competition based solely on an alleged violation of Article 2.1 and a subsequent B Sample analysis does not confirm the A Sample finding, if, without otherwise affecting the Competition, it is still possible for the Athlete or team to be re-inserted, the Athlete or team may continue to take part in the Competition.

7.6.4 Optional Provisional Suspension for Other Alleged Anti-Doping Rule Violation

Where an anti-doping rule violation other than an anti-doping rule violation based on an Adverse Analytical Finding is alleged, a Provisional Suspension may be imposed after the review and notification described in Article 7.5 but prior to a final hearing as described in Article 8 on the Participant concerned by the applicable National Governing Body.
7.6.5 Appeals from Provisional Suspensions

A decision to impose a Provisional Suspension may be appealed exclusively in accordance with Article 13.2.4. The only two grounds upon which such a decision may be appealed are that either the Provisional Suspension has been imposed in violation of this Article 7.6 or that exceptional circumstances exist that make it manifestly unfair to impose a Provisional Suspension on the Participant prior to a full hearing as described in Article 8. The fact that the Provisional Suspension would prevent the Participant participating in a particular Competition or Event shall not qualify as exceptional circumstances for these purposes.

7.6.6 Right to Expedited Hearing

An Athlete who is subject to a Provisional Suspension has the right, if he or she so wishes, to an expedited hearing pursuant to Article 8.

7.7 Suspension of Financial Support

All sport-related financial support to an Athlete shall stand suspended from the notification of that Athlete under Article 7.3 or Article 7.5 as applicable of an alleged anti-doping rule violation, other than an anti-doping rule violation involving a Specified Substance. The suspension shall last until the date of final determination that an anti-doping rule violation has or has not been committed, when the following provisions shall apply:

7.7.1 Where the final determination is that an anti-doping rule violation has not been committed, the suspended financial support shall be remitted to the Athlete as soon as practicable.
7.7.2 Where the final determination is that an anti-doping rule violation has been committed but the period of Ineligibility has been eliminated, the suspended financial support shall be remitted to the Athlete as soon as practicable.

7.7.3 Where the final determination is that an anti-doping rule violation has been committed and a period of Ineligibility has been imposed on the Athlete, the provisions of Article 10.8.3 shall apply.

7.8 Retirement from Sport

If a Participant retires while a results management process under these Rules is underway, the Irish Sports Council retains jurisdiction to complete its results management process. If a Participant retires before any results management process under these Rules has begun, the Anti-Doping Organisation which would have had results management jurisdiction over the Participant at the time the Participant committed an anti-doping rule violation, has jurisdiction to conduct results management.
8. ARTICLE 8 DISCIPLINARY PROCEEDINGS

8.1 Appointment of the Irish Sport Anti-Doping Disciplinary Panel

8.1.1 The Irish Sports Council shall appoint the Irish Sport Anti-Doping Disciplinary Panel which shall comprise of the following:

8.1.1.1 A Chair and up to nine (9) Vice-Chairs, each of whom is a solicitor or barrister not less than five (5) years qualified or a retired Supreme Court or High Court judge; and

8.1.1.2 Up to ten (10) members each of whom is a registered medical practitioner not less than five (5) years qualified; and

8.1.1.3 Up to ten (10) members each of whom is or was a sports administrator or an Athlete.

8.1.2 Each member shall be appointed for a term of four (4) years. A member may be re-appointed by the Irish Sports Council.

8.1.3 If a member dies or resigns, the Irish Sports Council may appoint a new member to fill the resultant vacancy. The member so appointed shall be appointed for the remainder of the term of the member who occasioned the vacancy.

8.1.4 Each member shall be appointed on the basis that he or she is in a position to hear cases under this Article 8 and appeals under Article 13 fairly and impartially.

8.1.5 The Irish Sports Council shall pay the remuneration and costs of the Irish Sport Anti-Doping Disciplinary Panel and its members incurred in the exercise of its functions.
8.2 Jurisdiction of the Irish Sport Anti-Doping Disciplinary Panel

8.2.1 The Irish Sport 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 Rules. In particular, the Irish Sport Anti-Doping Disciplinary Panel has the power to hear and determine a case or appeal arising under these Rules and to determine whether an anti-doping rule violation has been committed and/or the Consequences to be imposed pursuant to these Rules for an anti-doping rule violation found to have been committed.

8.2.2 The Irish Sport Anti-Doping Disciplinary Panel has all powers necessary for, and incidental to, the exercise of its functions except that the Irish Sport Anti-Doping Disciplinary Panel shall not have the power to award costs save where:

8.2.2.1 the Irish Sport Anti-Doping Disciplinary Panel has decided that a Participant did not commit the alleged anti-doping rule violation; and

8.2.2.2 the Irish Sport Anti-Doping Disciplinary Panel considers it appropriate to award some or all of his or her costs to the Participant, having considered all the circumstances of the case.

8.3 Disciplinary Proceedings

8.3.1 When it is alleged that a Participant has committed a violation of these Rules, the Irish Sports Council shall refer the matter to the Irish Sport Anti-Doping Disciplinary Panel for adjudication as to whether the Participant has committed a violation of these Rules and if so what Consequences should be imposed.

8.3.2 The Chair of the Irish Sport 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, save for the chair of the hearing panel who may have heard an appeal on a decision to impose a Provisional Suspension pursuant to Article 13.2.4. Each member, upon appointment to a hearing panel, shall disclose to the Chair any circumstances likely to affect his or her independence or impartiality with respect to any of the parties to the case.

8.3.4 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.

8.3.5 Subject to these Rules, the hearing panel shall have the power to regulate its procedures.

8.3.6 The Irish Sports Council shall have the right to join proceedings and attend hearings of the hearing panel as a party.

8.3.7 The Irish Sports Council, if not a party to the proceedings, the relevant International Federation and WADA shall each have the right to attend hearings of the hearing panel as an observer.

8.3.8 Proceedings held in connection with Events may be conducted on an expedited basis.
8.4 Burdens and Standards of Proof

8.4.1 The National Governing Body of the Participant concerned shall present the case against the Participant and have the burden of proving the alleged anti-doping rule violation(s). The standard of proof shall be whether the National Governing Body has established the anti-doping rule violation(s) to the comfortable satisfaction of the hearing panel 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.

8.4.2 Where agreed between the National Governing Body of the Participant concerned and the Irish Sports Council, the Irish Sports Council may assist the National Governing Body in presenting the case against the Participant concerned.

8.4.3 Where these Rules place the burden of proof upon the Participant concerned to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability, except as provided in Articles 10.3.2, 10.5.1 and/or 10.8.2 where the Participant must satisfy a higher burden of proof.

8.5 Methods of Establishing Facts and Presumptions

8.5.1 The hearing panel shall have the power to decide on the admissibility, relevance and weight of any evidence (including the testimony of any fact or expert witness) and shall not be bound by any legal rules in relation to such matters. Facts may be established by any reliable means, including admissions.

8.5.2 WADA-accredited laboratories shall be presumed to have conducted Sample analysis and custodial procedures in accordance with the applicable International Standard for Laboratories. The Participant may rebut this presumption by
establishing that a departure from the *International Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding*. If the *Participant* rebuts the preceding presumption by showing a departure from the *International Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding*, then the *Irish Sports Council* shall have the burden of establishing that such departure did not cause the *Adverse Analytical Finding*.

8.5.3 Departures from any other *International Standard* or other anti-doping rule or policy which did not cause an *Adverse Analytical Finding* or the factual basis for an anti-doping rule violation shall not invalidate such evidence. If the *Participant* establishes that a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused the *Adverse Analytical Finding* or the factual basis for an anti-doping rule violation occurred, then the *Irish Sports Council* shall have the burden of establishing that such departure did not cause the *Adverse Analytical Finding* or the factual basis for the alleged anti-doping rule violation.

8.5.4 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Participant* to whom the decision pertained of those facts unless the *Participant* establishes that the decision violated principles of natural justice.

8.5.5 Any certificate, notice, form, or other such document shall be, until the contrary is proved, sufficient evidence of:

8.5.5.1 The qualifications and authority of any official who carried out, or assisted in the
carrying out of, any part of Doping Control to carry out, or to assist in the carrying out of, such part of Doping Control; and

8.5.5.2 The authority of the official who signed the certificate, notice, form or other such document; and

8.5.5.3 The facts stated in the certificate, notice, form or other such document.

8.5.6 The hearing panel may draw an inference that is adverse to the Participant alleged to have committed an anti-doping rule violation based on the Participant’s refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or a party.

8.5.7 Any other deviation from these Rules or the procedures referred to in these Rules shall not invalidate any finding, procedure, decision or result under these Rules unless the Person relying on such deviation establishes that it casts material doubt on the validity of such finding, procedure, decision or result and the other parties to the proceedings cannot rebut that doubt or otherwise establish the validity of such finding, procedure, decision or result.

8.6 Disciplinary Hearings

8.6.1 Hearings of the hearing panel shall be confidential and held in private, unless the hearing panel decides otherwise.

8.6.2 The hearing panel may conduct a hearing in person or by video or teleconference or by a combination of these means.

8.6.3 Each party shall have the right to be represented at a hearing.
8.6.4 Each party to the proceedings shall have the right to present evidence, make submissions, call witnesses and cross-examine the witnesses of the other parties (subject to the hearing panel’s discretion to accept testimony by telephone, written statement or submission, whether by fax, email or other means).

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

8.6.6 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 to supply it and/or the other party or parties to the proceedings, within such time as the hearing panel determines, with further particulars of the case of that party, including details of all witnesses that party intends to call at any hearing together with details of the evidence to be given by those witnesses and that party shall comply with that direction.

8.6.7 The hearing panel, at the request of one of the parties to the proceedings or on its own initiative, may direct one or more parties to the proceedings to make any property, document or other thing in that party’s possession or under its control available for inspection by the hearing panel and/or any other party and that party shall comply with that direction.

8.6.8 Any failure by any party to the proceedings to comply with any requirement or direction of the hearing panel, including those requirements or directions to be complied with within a truncated time schedule, shall not prevent the hearing panel from proceeding and such failure may be taken into consideration by the hearing panel when making its decision.
8.6.9 A failure by any party or their representative to attend a hearing after notification shall not prevent the hearing panel from proceeding with the hearing in their absence.

8.6.10 All hearings shall be recorded and the Irish Sports Council shall retain the record.

8.6.11 The hearing panel may postpone or adjourn a hearing.

8.6.12 The hearing panel shall have the power, at its absolute discretion, to appoint an expert to assist or advise it.

8.7 Disciplinary Decisions

8.7.1 The deliberations of the hearing panel on its decision shall be private. No member of the hearing panel may abstain.

8.7.2 No minority or dissenting decisions shall be produced. In the event of a majority decision, this shall be the decision of the hearing panel.

8.7.3 The decision of the hearing panel shall be written, reasoned and dated. In any case in which the hearing panel exercises discretion conferred on it as to Consequences, the decision shall explain the basis on which the hearing panel has determined that such a discretion was triggered as well as the basis for the manner in which such discretion was exercised.

8.7.4 The decision of the hearing panel shall be advised to the parties to the proceedings, WADA and to the Irish Sports Council if not a party to the proceedings as soon as practicable after the conclusion of the hearing.

8.7.5 The decision of the hearing panel shall be final and binding on all of the Persons identified in Article 13.2.5 and may only be appealed in accordance with Article 13.
8.8 National Governing Body Disciplinary Panel

8.8.1 A National Governing Body may, in agreement with the Irish Sports Council, determine that hearings pursuant to this Article shall be before its own disciplinary panel and for the purposes of the rules of the National Governing Body concerned all references to the Irish Sport Anti-Doping Disciplinary Panel and/or the hearing panel in this Article shall be construed as referring to its disciplinary panel.

8.8.2 The Irish Sports Council, in so agreeing with a National Governing Body, may require the National Governing Body to comply with such conditions and terms regarding its disciplinary panel as the Irish Sports Council considers appropriate in all the circumstances.

8.8.3 The Irish Sports Council may rescind an agreement with a National Governing Body regarding its disciplinary panel if the Irish Sports Council forms the view that any such term or condition has not been adhered to or that the National Governing Body or its disciplinary panel is not acting in compliance with the provisions of these Rules.

8.8.4 The composition, jurisdiction, hearings, proceedings and decision-making processes of such disciplinary panel shall be in conformity with the provisions of this Article 8 and the disciplinary panel shall determine the Consequences to be imposed in accordance with these Rules.

8.8.5 The National Governing Body shall pay the remuneration and costs of such disciplinary panel and its members incurred in the exercise of its functions.

8.8.6 All decisions issued by such disciplinary panel shall be final and binding on all of the parties identified in Article 13.2.5 and may only be appealed in accordance with Article 13.
9. ARTICLE 9 DISQUALIFICATION SANCTIONS FOR INDIVIDUALS

9.1 Automatic Disqualification of Competition Results

An anti-doping rule violation committed in connection with or arising out of an In-Competition test automatically leads to Disqualification of the individual results obtained by the Athlete in that Competition with all resulting consequences, including forfeiture of any medals, titles, points and prizes.

9.2 Disqualification of Results in Event During which an Anti-Doping Rule Violation Occurs

9.2.1 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, titles, points and prizes, except as provided in Article 9.2.2.

9.2.2 If the Athlete establishes that he or she bears No Fault or Negligence for the anti-doping rule violation, the Athlete’s individual results in such 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.

9.3 Disqualification of Subsequent Competitions Results

Unless fairness requires otherwise, in addition to the automatic Disqualification of results under Articles 9.1 and 9.2 as applicable, all results obtained by the Athlete in Competition taking place after the date of the Sample in question 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 be Disqualified with all of the resulting consequences including forfeiture of any medals, titles, points and prizes.

9.4 Impact of Disqualification on Results

Application of this Article 9 shall not lead to an adjustment of results, medals, title, points, prizes or other consequences for the opponent of an Athlete (or the opponent of a team of Athletes) subsequently found to have committed an anti-doping rule violation, irrespective of any Disqualification of results that may be determined under these Rules, unless provision is made for such adjustment in the rules of the International Federation or in the applicable Event or Competition rules.

9.5 Allocation of Forfeited Prize Money

Unless the rules of the International Federation provide that forfeited prize money shall be reallocated to other Athletes, prize money forfeited under these Rules shall be allocated first to reimburse the collection expenses of the Anti-Doping Organization that performed the necessary steps to collect the prize money back, then to reimburse the expenses of the Irish Sports Council, with the balance, if any, allocated in accordance with the International Federation’s rules.
10. ARTICLE 10 INELIGIBILITY SANCTIONS FOR INDIVIDUALS

10.1 Ineligibility for the presence, Use or Attempted Use, or Possession of Prohibited Substances and Prohibited Methods

The period of Ineligibility imposed for a first violation of Article 2.1, Article 2.2 or Article 2.6 shall be two (2) years’ Ineligibility, unless the conditions for eliminating or reducing the period of Ineligibility, as provided in Articles 10.3 and 10.4, or the conditions for increasing the period of Ineligibility, as provided in Article 10.5, are met.

10.2 Ineligibility for Other Anti-Doping Rule Violations

The period of Ineligibility for a first anti-doping rule violation other than as provided in Article 10.1 shall be as follows:

10.2.1 For violations of Article 2.3 or Article 2.5, the Ineligibility period shall be two (2) years unless the conditions provided in Article 10.4, or the conditions provided in Article 10.5, are met.

10.2.2 For violations of Article 2.4, the period of Ineligibility shall be at a minimum one (1) year and at a maximum two (2) years based on the Athlete’s degree of fault.

10.2.3 For violations of Articles 2.7 or 2.8, the period of Ineligibility imposed shall be a minimum of four (4) years up to lifetime Ineligibility unless the conditions provided in Article 10.4 are met, provided that:

10.2.3.1 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 those involving Specified Substances shall result in lifetime Ineligibility for Athlete Support Personnel.

10.2.3.2 In addition, significant violations of Articles 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

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

10.3.1 Where a Participant can establish how a Specified Substance entered his or her body or came into his or her Possession and that such Specified Substance was not intended to enhance the Athlete’s sport performance or mask the Use of a performance-enhancing substance, the period of Ineligibility found in Article 10.1 shall be replaced with, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, a period of Ineligibility of two (2) years.

10.3.2 To justify any elimination or reduction, the Participant must produce corroborating evidence in addition to his or her word which establishes to the comfortable satisfaction of the hearing panel the absence of an intent to enhance sport performance or mask the Use of a performance enhancing substance. The Participant’s degree of fault shall be the criterion considered in assessing any reduction of the period of Ineligibility.
10.4 Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances

10.4.1 No Fault or Negligence

If an Athlete establishes in an individual case that he or she bears No Fault or Negligence, the otherwise applicable period of Ineligibility shall be eliminated. When a Prohibited Substance or its Markers or Metabolites is detected in an Athlete’s Sample in violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system in order to have the period of Ineligibility eliminated. In the event this Article is applied and the period of Ineligibility otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of Ineligibility for multiple violations under Article 10.6.

10.4.2 No Significant Fault or Negligence

If a Participant establishes in an individual case that he or she bears No Significant Fault or Negligence, then the otherwise applicable period of Ineligibility may be reduced, but the reduced period of Ineligibility may not be less than one-half of the period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this Article may be no less than eight (8) years. When a Prohibited Substance or its Markers or Metabolites is detected in an Athlete’s Sample in violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system in order to have the period of Ineligibility reduced.
10.4.3 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations

10.4.3.1 The Irish Sport Anti-Doping Disciplinary Panel may, prior to a final decision of CAS under Article 13 or the expiration of the time to appeal to CAS, suspend part of the period of Ineligibility imposed in an individual case where the Participant has provided Substantial Assistance to the Irish Sports Council or another Anti-Doping Organization, criminal authority or professional disciplinary body which results:

10.4.3.1.1 In the Irish Sports Council or other Anti-Doping Organization discovering or establishing an anti-doping rule violation by another Person; or

10.4.3.1.2 A criminal or disciplinary body discovering or establishing a criminal offence or the breach of professional rules by another Person.

10.4.3.2 After a final decision of CAS under Article 13 or the expiration of time to appeal to CAS, the Irish Sport Anti-Doping Disciplinary Panel may only suspend a part of the otherwise applicable period of Ineligibility with the approval of WADA and the applicable International Federation.

10.4.3.3 The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the Participant and the significance of the Substantial Assistance provided by the Participant to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this section must be no less than eight (8) years.
10.4.3.4 If the Irish Sport Anti-Doping Disciplinary Panel suspends any part of the otherwise applicable period of Ineligibility under this Article, the Irish Sport Anti-Doping Disciplinary Panel shall promptly provide a written justification for its decision to each Anti-Doping Organization having a right to appeal the decision.

10.4.3.5 If the Irish Sport Anti-Doping Disciplinary Panel subsequently reinstates any part of the suspended period of Ineligibility because the Participant has failed to provide the Substantial Assistance which was anticipated, the Participant may appeal the reinstatement pursuant to Article 13.2.

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

Where a Participant voluntarily admits the commission of an anti-doping rule violation before having received notice of a Sample collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 2.1, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of Ineligibility may be reduced, but not below one-half of the period of Ineligibility otherwise applicable.

10.4.5 Where a Participant Establishes Entitlement to Reduction in Sanction Under More than One Provision of this Article

Before applying any reduction or suspension under Articles 10.4.2, 10.4.3 or 10.4.4, the otherwise applicable period of Ineligibility shall be determined in accordance with Articles 10.1, 10.2, 10.3 and 10.5. If the Participant establishes
entitlement to a reduction or suspension of the period of *Ineligibility* under two or more of Articles 10.4.2, 10.4.3 or 10.4.4, then the period of *Ineligibility* may be reduced or suspended, but not below one-fourth of the otherwise applicable period of *Ineligibility*.

### 10.5 Aggravating Circumstances Which May Increase the Period of *Ineligibility*

10.5.1 If the *Irish Sport Anti-Doping Disciplinary Panel* determines in an individual case involving an anti-doping rule violation other than violations under Articles 2.7 and 2.8 that aggravating circumstances are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased up to a maximum of four (4) years unless the *Participant* can prove to the comfortable satisfaction of the hearing panel that he or she did not knowingly commit the anti-doping rule violation.

10.5.2 A *Participant* can avoid the application of Article 10.5.1 by admitting his or her anti-doping rule violation promptly after the violation is alleged against him or her by the *Irish Sports Council*.

### 10.6 Multiple Violations

#### 10.6.1 Second Anti-Doping Rule Violation

For a second anti-doping rule violation the period of *Ineligibility* shall be within the range set forth in the table below.
Definitions for purposes of the second anti-doping rule violation table:

**RS** (Reduced sanction for *Specified Substance* under Article 10.3): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.3 because it involved a *Specified Substance* and the other conditions under Article 10.3.

**FFMT** (*Filing Failures and/or Missed Tests*): The anti-doping rule violation was or should be sanctioned under Article 10.2.2.

**NSF** (Reduced sanction for *No Significant Fault or Negligence*): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.4.2 because *No Significant Fault or Negligence* as provided for in Article 10.4.2 was proved by the *Athlete*.

**St** (Standard sanction under Article 10.1 or 10.2.1): The anti-doping rule violation was or should be sanctioned by the standard sanction of two (2) years under Articles 10.1 or 10.2.1.

**AS** (Aggravated sanction): The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Article 10.5 because the *Anti-Doping Organization* established the conditions set forth under Article 10.5.

**TRA** (*Trafficking or Attempted Trafficking and/or Administration or Attempted...*):
Administration): The anti-doping rule violation was or should be sanctioned by a sanction under Article 10.2.3.

10.6.2 Application of Articles 10.4.3 and 10.4.4 to Second Anti-Doping Rule Violation

Where a Participant who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of Ineligibility under Article 10.4.3 or Article 10.4.4, the Irish Sport Anti-Doping Disciplinary Panel shall first determine the otherwise applicable period of Ineligibility within the range established in the table in Article 10.6.1, and then apply the appropriate suspension or reduction of the period of Ineligibility. The remaining period of Ineligibility, after applying any suspension or reduction under Articles 10.4.3 and 10.4.4 must be at least one-fourth of the otherwise applicable period of Ineligibility.

10.6.3 Third Anti-Doping Rule Violation

A third anti-doping rule violation will always result in a lifetime period of Ineligibility, except if the third violation fulfils the condition for elimination or reduction of the period of Ineligibility under Article 10.3 or involves a violation of Article 2.4. In these particular cases, the period of Ineligibility shall be from eight (8) years to life ban.

10.6.4 Additional Rules for Certain Potential Multiple Violations

10.6.4.1 An anti-doping rule violation will only be considered a second violation for purposes of imposing sanctions under Article 10.6 if the Irish Sports Council can establish that the Participant committed the second anti-doping rule violation after the Participant received notice pursuant to Article 7, or after the Irish Sports
Council made reasonable efforts to give notice, of the first anti-doping rule violation. If the Irish Sports Council cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction. However, the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances pursuant to Article 10.5.

10.6.4.2 If, after the resolution of a first anti-doping rule violation, the Irish Sports Council discovers facts involving an anti-doping rule violation by the Participant which occurred prior to notification regarding the first violation, then an additional sanction shall be imposed based on the sanction that could have been imposed if the two violations had been adjudicated at the same time. Results in all Competitions dating back to the earlier anti-doping rule violation shall be Disqualified as provided in Article 9.3. To avoid the possibility of a finding of aggravating circumstances pursuant to Article 10.5 on account of the earlier-in-time but later-discovered violation, the Participant must voluntarily admit the earlier anti-doping rule violation on a timely basis after the date of the notice alleging the later violation. The same rule shall also apply when the Irish Sports Council discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.

10.6.5 Multiple Anti-Doping Rule Violations During Eight-Year Period

For purposes of Article 10.6, each anti-doping rule violation must take place within the same eight (8) year period in order to be considered multiple violations.

10.7 Commencement of Ineligibility Period

Except as provided below, the period of Ineligibility shall start on the date of the decision providing for Ineligibility.
10.7.1 Delays Not Attributable to the Participant

Where there have been substantial delays in the hearing process or other aspects of Doping Control not attributable to the Participant, the sanction imposed may provide for the commencement of the period of Ineligibility at an earlier date commencing as early as the date on which the anti-doping rule violation last occurred, which shall be deemed in a case involving Sample collection to be the date of Sample collection.

10.7.2 Timely Admission

Where the Participant promptly (which, in all events, for an Athlete means before the Athlete competes again) admits the anti-doping rule violation after being notified of the alleged anti-doping rule violation(s) by the Irish Sports Council, the sanction imposed may provide for the commencement of the period of Ineligibility as early as the date on which the anti-doping rule violation last occurred, which shall be deemed in a case involving Sample collection to be the date of Sample collection. In each case, however, where this Article 10.7.2 is applied, the sanction imposed must provide that the Participant shall actually serve at least one-half of the period of Ineligibility imposed. Further, this Article 10.7.2 shall not apply where the period of Ineligibility has already been reduced under Article 10.4.4.

10.7.3 Credit for Provisional Suspension

10.7.3.1 If a Provisional Suspension is imposed and respected by the Athlete, then the Athlete shall receive a credit for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed.
10.7.3.2 If an Athlete voluntarily accepts a Provisional Suspension in writing and thereafter refrains from competing, the Athlete shall receive a credit for such period of voluntary Provisional Suspension against any period of Ineligibility which may ultimately be imposed. A copy of the Athlete’s voluntary acceptance of a Provisional Suspension shall be provided at the beginning of such period to the Irish Sport Anti-Doping Disciplinary Panel.

10.7.3.3 No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional Suspension.

10.8 Status During Ineligibility

10.8.1 Prohibition Against Participation During Ineligibility

10.8.1.1 A Participant who has been declared Ineligible may not, during the period of Ineligibility, in the case of an Athlete participate in any capacity, and in the case of an Athlete Support Personnel work with, treat or assist any Athlete participating in any capacity, in a Competition, Event or activity (other than authorised anti-doping education or rehabilitation programmes) organised, convened, authorised or recognised by any National Governing Body or by a member or affiliate organisation or licensee of a National Governing Body, which shall be deemed to include any club, team, association or league.

10.8.1.2 A Participant 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 Participant 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 Participant directly or indirectly to compete in (or accumulate points toward) a National Event or International Event.

10.8.1.3 A Participant subject to a period of Ineligibility shall remain subject to Testing during the period of Ineligibility.

10.8.2 Violation of the Prohibition of Participation During Ineligibility

Where a Participant who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Article 10.8.1, the results of such participation shall be Disqualified and the period of Ineligibility which was originally imposed shall start over again as of the date of the violation. The new period of Ineligibility may be reduced under Article 10.4.2 if the Participant establishes to the comfortable satisfaction of the Irish Sport Anti-Doping Disciplinary Panel that he or she bears No Significant Fault or Negligence for violating the prohibition against participation.

10.8.3 Withholding of Financial Support during Ineligibility

For any anti-doping rule violation not involving a reduced sanction for Specified Substances under Article 10.3, all sport-related financial support and other sport-related benefits received by a Participant shall be withheld by the Irish Sports Council and the applicable National Governing Body.

10.9 Reinstatement

10.9.1 As a condition of regaining eligibility at the end of a specified period of Ineligibility, an Athlete shall, during any period of Provisional Suspension or Ineligibility:
10.9.1.1 make him or herself available for *Out-of-Competition Testing* by the *Irish Sports Council* and any *Anti-Doping Organization* having *Testing* jurisdiction;

10.9.1.2 if requested, provide current and accurate whereabouts information; and,

10.9.1.3 first repay all prize money forfeited under these Rules.

10.9.2 If an *Athlete* subject to a period of *Ineligibility* retires from sport and is removed from the *Irish Sports Council Registered Testing Pool* and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified the *Irish Sports Council* and other relevant *Anti-Doping Organizations* and has been subject to *Out-of-Competition Testing* for a period of time equal to the period of *Ineligibility* remaining as of the date the *Athlete* had retired.
11. ARTICLE 11 SANCTIONS FOR TEAMS

11.1 Testing of Team Sports

Where more than one member of a team in a Team Sport has been notified of an alleged anti-doping rule violation under Article 7 in connection with an Event, the Irish Sports Council may conduct Target Testing of the team.

11.2 Consequences for Team Sports

If more than two members of a team in a Team Sport are found to have committed an anti-doping rule violation or violations in connection with an Event and/or as a result of Testing conducted pursuant to Article 11.1, an appropriate sanction shall be imposed on the team in addition to any Consequences imposed upon the individual Athletes committing the anti-doping rule violation or violations.
12. ARTICLE 12 SANCTIONS FOR NATIONAL GOVERNING BODIES

12.1 Financial and/or other non-financial support from the Irish Sports Council may be withheld in whole or in part from a National Governing Body that is not in compliance with, or fails in the implementation of, these Rules.

12.2 Recognition of a National Governing Body by the Irish Sports Council may be withdrawn or withheld from a National Governing Body that is not in compliance with, or fails in the implementation of, these Rules.

12.3 Compliance with, and implementation of, these Rules by each National Governing Body shall be monitored by the Irish Sports Council. To facilitate monitoring, each National Governing Body shall report to the Irish Sports Council upon request on its compliance with, and/or implementation of, these Rules and shall provide to the Irish Sports Council all relevant documentation and information with such report. Failure by a National Governing Body to provide a report, documentation or information requested by the Irish Sports Council may be considered by the Irish Sports Council to be non-compliance by that National Governing Body with these Rules.

12.4 Decisions of the Irish Sports Council pursuant to this Article 12 may be appealed as provided for in Article 13.6.
13. ARTICLE 13 APPEALS

13.1 Decisions Subject to Appeal

Decisions made under these Rules may be appealed as set forth in this Article or as otherwise provided in these Rules. 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

13.2.1 Each of the following decisions may be appealed exclusively as provided in this Article 13.2: a decision that an anti-doping rule violation was committed, a decision imposing Consequences, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule proceeding cannot go forward for procedural reasons; a decision that a hearing panel lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences; a decision by the Irish Sports Council not to bring forward an Adverse Analytical Finding or an Atypical Finding as an alleged anti-doping rule violation, or a decision not to go forward with an alleged anti-doping rule violation after investigation under Article 7.5; a decision to suspend a period of Ineligibility under Article 10.4.3 or a decision to reinstate a suspended period of Ineligibility under Article 10.4.3: a decision to reduce a new period of Ineligibility under Article 10.8.2.

13.2.2 In cases arising from participation in an International Event or in cases involving International-Level Athletes, the decision referred to in Article 13.2.1 may be appealed exclusively to CAS in accordance with the provisions applicable before such Court.
13.2.3 In cases involving Athletes who do not have a right to appeal under Article 13.2.2, the decision may be appealed as provided for in Article 13.4 with a further appeal to CAS in accordance with the provisions applicable before such Court.

13.2.4 A decision to impose a Provisional Suspension may be appealed exclusively to the Chair of the Irish Sport Anti-Doping Disciplinary Panel or a Vice-Chair appointed by the Chair for that purpose with a further appeal to CAS in accordance with the provisions applicable before such court.

13.2.5 In cases under Articles 13.2.1 the following parties shall have the right to appeal:

13.2.5.1 the Participant who is the subject of the decision being appealed;

13.2.5.2 the National Governing Body concerned;

13.2.5.3 the Irish Sports Council,

13.2.5.4 the relevant International Federation;

13.2.5.5 the National Anti-Doping Organisation of each of the Person’s county of residence, country of nationality and country where he or she is licensed to participate in sport if different from the Irish Sports Council;

13.2.5.6 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; and

13.2.5.7 WADA.
13.2.6 In cases under Article 13.2.4, the only Person who may appeal the imposition of a Provisional Suspension is the Participant upon whom the Provisional Suspension is imposed.

13.2.7 Any party filing an appeal who was not a party to the proceedings that led to the decision being appealed shall be entitled to obtain all the relevant information from the Irish Sports Council and/or the Irish Sport Anti-Doping Disciplinary Panel and the information shall be provided as soon as reasonably practicable.

13.2.8 Where WADA has a right to appeal under this Article and no other party has appealed a final decision made under these Rules, WADA may appeal such decision directly to CAS without having to exhaust other remedies available under these Rules.

13.2.9 The filing deadline for an appeal or intervention filed by WADA shall be the later of:

13.2.9.1 Twenty-one (21) days after the last day on which any other party in the case could have appealed, or

13.2.9.2 Twenty-one (21) days after WADA’s receipt of the complete file relating to the decision.

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

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

13.4 Appeal Proceedings

13.4.1 A Person entitled to appeal a decision who wishes to do so shall file a notice of the appeal with the Chair of the Irish Sport Anti-Doping Disciplinary Panel c/o the Irish Sports Council within fourteen (14) days of the date of the decision.

13.4.2 Notice of appeal shall specify the decision being appealed and the grounds upon which the appeal is being made.

13.4.3 The Chair of the Irish Sport Anti-Doping Disciplinary Panel shall appoint three (3) members from the panel to hear and determine each case. Each such appeal panel shall comprise the Chair or a Vice-Chair of the Irish Sport Anti-Doping Disciplinary Panel as Chair of the appeal panel, one medical practitioner member and one sports administrator or Athlete member.

13.4.4 The appointed members shall have had no prior involvement with the case, save for the chair of the appeal panel who may have heard an appeal on a decision to impose a Provisional Suspension pursuant to Article 13.2.4. Each member, upon appointment to the appeal panel, shall disclose to the Chair of the Irish Sport Anti-Doping Disciplinary Panel any circumstances likely to affect his or her independence or impartiality with respect to any of the parties to the appeal.

13.4.5 If a member, appointed 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 appeal panel.
13.4.6 The appeal panel shall hear and determine all issues arising from any matter within
the scope of the appeal to it pursuant to these Rules on a de novo basis. In
particular, depending on the nature of the appeal, the appeal panel shall determine
on a de novo basis whether an anti-doping rule violation has been committed
and/or what Consequences should be imposed pursuant to these Rules for an
anti-doping rule violation found to have been committed.

13.4.7 The appeal panel has all powers necessary for, and incidental to, the exercise of
its functions except that the appeal panel shall not have the power to award costs
save where:

13.4.7.1 the appeal panel has decided that a Participant did not commit the alleged anti-
doping rule violation; and

13.4.7.2 the appeal panel considers it appropriate to award some or all of his or her
costs to the Participant, having considered all the circumstances of the case.

13.4.8 Subject to the provisions of these Rules and, in particular, Articles 8.4 to 8.6,
applicable to proceedings before a hearing panel, which shall apply to proceedings
before the appeal panel with changes deemed to have been made to reflect the
different context, the appeal panel shall have the power to regulate its procedures.

13.4.9 The Irish Sports Council shall have the right to join proceedings and attend
hearings of the appeal panel as a party.

13.4.10 The Irish Sports Council, if not a party to the proceedings, the relevant
International Federation and WADA shall each have the right to attend hearings of
the appeal panel as an observer.
13.4.11 Proceedings held in connection with Events may be conducted on an expedited basis.

13.4.12 The decision of the appeal panel shall be final and binding on all of the Persons identified in Article 13.2.5 and may only be further appealed in accordance with this Article 13.

13.5 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

13.5.1 Decisions by the Irish Sports Council denying TUEs which are not reversed by WADA, may be appealed exclusively to CAS by the Athlete.

13.5.2 Decisions by WADA reversing the grant or denial of a TUE by the Irish Sports Council may be appealed exclusively to CAS by the Athlete or the Irish Sports Council.

13.5.3 Where the Irish Sports Council fails to take action on a properly submitted TUE application within a reasonable time, the Irish Sports Council’s failure to decide may be considered a denial for the purposes of the appeal rights provided for in this Article.

13.6 Appeals from Decisions Pursuant to Article 12

Decisions of the Irish Sports Council pursuant to Article 12 may be appealed exclusively to CAS by the National Governing Body concerned.
14. ARTICLE 14 REPORTING AND PRIVACY

14.1 Reporting of Therapeutic Use Exemptions

The Irish Sports Council shall report any TUEs granted to an Athlete subject to Testing under these Rules, to the applicable International Federation and National Governing Body, as well as to WADA, except where the granted TUE is in relation to an Athlete who is not included in the Irish Sports Council Registered Testing Pool.

14.2 Reporting of Athlete Whereabouts Information

14.2.1 The Irish Sports Council shall submit to WADA the criteria that the Irish Sports Council has established for inclusion of Athletes in the Irish Sports Council Registered Testing Pool, the current list of Athletes in the Irish Sports Council Registered Testing Pool and the current Athlete whereabouts information for the Athletes who are included in the Irish Sports Council Registered Testing Pool. WADA shall make this information accessible to other Anti-Doping Organisations having jurisdiction to test the Athlete.

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 of Whereabouts Failures

14.3.1 The Irish Sports Council shall notify WADA, the applicable National Governing Body and such other Anti-Doping Organisation(s) as it considers relevant of each alleged Whereabouts Failure in respect of each Athlete and the date of its occurrence.
14.3.2 The Irish Sports Council may notify such Anti-Doping Organisation(s) as it considers relevant of an alleged Whereabouts Failure at an earlier stage of the whereabouts results management process if the Irish Sports Council considers it appropriate for any purpose such as test planning.

14.3.3 A National Governing Body or Anti-Doping Organisation that receives notice of an alleged Whereabouts Failure in respect of an Athlete shall not disclose that information beyond those Persons with a need to know unless and until that Athlete is found to have committed an Anti-Doping Rule Violation under Article 2.4 of these Rules or other applicable anti-doping rules based on, among other things, such alleged Whereabouts Failure. Such Persons who need to know shall also maintain the confidentiality of such information until the same point in time.

14.4 Reporting of Testing

The Irish Sports Council shall report all In-Competition and Out-of-Competition tests on International-Level Athletes and Athletes in the Irish Sports Council Registered Testing Pool to WADA.

14.5 Reporting Information Concerning Adverse Analytical Findings and Other Alleged Anti-Doping Rule Violations

14.5.1 When an Athlete’s Sample is brought forward as an Adverse Analytical Finding after the initial review under Article 7.2 or 7.4, or a Participant is asserted to have committed an anti-doping rule violation after the initial review under Article 7.5, the applicable National Governing Body and the Irish Sport Anti-Doping Disciplinary Panel shall be notified by the Irish Sports Council as provided in Article 7.
14.5.2 The Irish Sports Council shall also notify the Participant’s National Anti-Doping Organisation where applicable, International Federation and WADA not later than the completion of the process described in Article 7.

14.5.3 The same Anti-Doping Organisations shall be regularly updated on the status of, and decisions in, proceedings conducted pursuant to these Rules. Within the time periods for publication of decisions provided in Article 15, the Irish Sports Council shall send copies of such published decisions to WADA.

14.5.4 The recipient organisations shall not disclose this information beyond those Persons with a need to know until the Irish Sports Council has made public disclosure or has failed to make public disclosure as required in Article 15.

14.6 Reporting Compliance With the Code

The Irish Sports Council shall report to WADA on its compliance with the Code and shall explain reasons for any non-compliance.

14.7 Statistical Reporting

The Irish Sports Council shall publish annually, within six (6) months of the end of the calendar year, a general statistical report of its Doping Control activities during the calendar year with a copy provided to WADA. The Irish Sports Council may also publish reports naming each Athlete tested and the date of each test.
14.8 Privacy

14.8.1 These Rules adopt and incorporate the *International Standard* for the Protection of Privacy and Personal Information as revised from time to time and all *Participants* shall be deemed to accept the *International Standard* for Protection of Privacy and Personal Information and all revisions thereto as binding upon them.

14.8.2 The *Irish Sports Council* shall *Process Personal Information* in accordance with the *International Standard* for the Protection of Privacy and Personal Information.

14.8.3 Any *Participant* who submits *Personal Information* to any *Person* in accordance with these Rules shall be deemed to have agreed, both pursuant to the Data Protection Acts 1988 to 2003 as amended and otherwise, that such *Person* may *Process* such *Personal Information* for the purposes of the implementation of these Rules in accordance with the *International Standard* for the Protection of Privacy and Personal Information.
15. **ARTICLE 15 PUBLICATION OF DECISIONS**

15.1 No later than twenty (20) days after it has been determined, in accordance with Article 8, that an anti-doping rule violation has been committed, the *Irish Sports Council* shall *Publicly Report* the decision of the *Irish Sport Anti-Doping Disciplinary Panel* including the sport, the anti-doping rule violation, the name of the *Participant* who committed the violation, the *Prohibited Substance* or *Prohibited Method* involved and the *Consequences* imposed.

15.2 In any case where it is determined, in accordance with Article 8, that an anti-doping rule violation has not been committed and the *Participant* concerned does not consent to the publication of the decision in accordance with Article 15.1, or, in a case where the *Irish Sport Anti-Doping Disciplinary Panel* so directs, the *Irish Sports Council* shall *Publicly Report* a summary of the decision or a redacted form of the decision which will not enable the public to identify the *Participant* concerned.

15.3 The *Irish Sports Council* shall *Publicly Report* decisions on appeals within twenty (20) days of the date of the decision in the manner provided for decisions at first instance in Article 15.1 unless the appeal decision confirms a first instance decision that no anti-doping rule violation was committed in which case the provisions of Article 15.2 shall apply to the publication of that decision.

15.4 For purposes of this Article, publication shall be accomplished at a minimum by placing the required information on the *Irish Sports Council’s* website and leaving the information up for at least one (1) year.
15.5 The *Irish Sports Council*, an *National Governing Body*, an *Anti-Doping Organisation*, or a *WADA* accredited laboratory, or official of any, shall not publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Participant* or his or her representative.
16. **ARTICLE 16 RECOGNITION OF DECISIONS, GOVERNING LAW AND LIMITATIONS**

16.1 **Recognition of Decisions of Other Organisations**

The *Testing, TUEs* and decisions or other final adjudications of any *Signatory* that are consistent with the *Code* shall be recognised and respected by the *Irish Sports Council, National Governing Bodies, the Irish Sport Anti-Doping Disciplinary Panel* and all *Participants* to whom these Rules apply. The same actions of other bodies that have not accepted the *Code* shall also be recognised and respected if the actions and rules of those bodies are consistent with the *Code*.

16.2 **Governing Law**

16.2.1 Subject to Article 18.2.1 and 18.2.2, these Rules and all matters and proceedings arising in connection with these Rules shall be governed by the laws of Ireland.

16.2.2 These Rules shall constitute an agreement to arbitrate and proceedings before the *Irish Sport Anti-Doping Disciplinary Panel* pursuant to Articles 8 and 13 and *CAS* pursuant to Article 13 shall constitute arbitration proceedings to which the *Arbitration Acts 1954 to 1998 as amended* shall apply.

16.2.3 To the greatest extent allowable under applicable law, any challenge to these Rules or to a decision made pursuant to these Rules shall be made exclusively in accordance with the provisions of Articles 8 and 13 and shall not be made by recourse to any court or other forum.

16.2.4 Subject strictly to Article 16.2.3, the Courts of Ireland shall have exclusive jurisdiction in relation to these Rules and any decision made hereunder.
16.3 Statute of Limitations

No action may be commenced under these Rules against a *Participant* for an alleged violation of an anti-doping rule contained in these Rules unless such action is commenced within eight (8) years from the date the violation occurred.
17. **ARTICLE 17 NOTICES**

17.1 All written notices or other written communications given or made under or referred to in these Rules shall be governed by the provisions of this Article 17.

17.2 Each Athlete in the Irish Sports Council Registered Testing Pool shall provide the Irish Sports Council with a complete postal address where correspondence may be sent to the Athlete for formal notice. In the event of a change of address it is the responsibility of the Athlete to provide the Irish Sports Council with such amended details.

17.3 Notice to an Athlete in the Irish Sports Council Registered Testing Pool shall be delivered by registered post to the address provided by that Athlete pursuant to Article 17.2. Such notice shall be deemed to have been received upon the expiry of five (5) working days after the date of posting.

17.4 Notice to any other Person shall be accomplished by sending the notice by registered post to the address provided by that Person, or to the last known address of such Person, as applicable. Such notice shall be deemed to have been received upon the expiry of five (5) working days after the date of posting.

17.5 The Irish Sports Council and the Irish Sport Anti-Doping Disciplinary Panel each may, at its discretion, as an alternative to, or in conjunction with notice by post, use any other method of secure and confidential communication available, including but not limited to courier, facsimile, email, SMS text and/or telephone; provided that if disputed, actual receipt of notice sent by such means must be proved.
17.6 Written notice or other written communications to the Irish Sports Council or the Irish Sport Anti-Doping Disciplinary Panel given or made under or referred to in these Rules may be accomplished by any means provided that if disputed, actual receipt by the Irish Sports Council or the Irish Sport Anti-Doping Disciplinary Panel of such notice or communication sent by such means must be proved.

17.7 Written notices or other written communications given or made under, or referred to in these Rules, other than as set out in Articles 17.2 through 17.6, shall be accomplished by sending the notice by registered post to the address of the addressee. Such notice shall be deemed to have been received upon the expiry of five (5) working days after the date of posting.
18. ARTICLE 18 MODIFICATION AND INTERPRETATION

18.1 Modification

18.1.1 The *Irish Sports Council* shall be responsible for overseeing the evolution and improvement of these Rules including implementing any amendments to the *Code*. *Participants* and *National Governing Bodies* shall be invited to participate in such process.

18.1.2 Amendments to these Rules shall be approved by the *Irish Sports Council*. Amendments shall, unless provided otherwise, go into effect three (3) months after such approval. The *Irish Sports Council* shall notify *National Governing Bodies* promptly of all such amendments.

18.1.3 *Participants* and *National Governing Bodies* shall be deemed to accept the amendments as binding upon them.

18.2 Interpretation

18.2.1 The *Code* and these Rules shall be interpreted as independent and autonomous texts and not by reference to the existing law or statutes of *Signatories* or governments.

18.2.2 These Rules shall be interpreted in a manner that is consistent with applicable provisions of the *Code*.

18.2.3 The comments annotating various provisions of the *Code* shall be used, where applicable, to assist in the understanding and interpretation of these Rules.
18.2.4 The headings used in these Rules are for convenience only and shall not be deemed part of the substance of these Rules or to affect in any way the language of the provisions to which they refer.

18.2.5 Save where otherwise indicated, references to Articles and the Appendix are references to the articles of, and Appendix 1 Definitions to, these Rules and defined terms used in these Rules, which are those words or phrases in italicised font, shall have the meaning given to them in Appendix 1 Definitions.

18.2.6 The Introduction to, and Appendix 1 Definitions of, these Rules shall be considered integral parts of these Rules.

18.2.7 In the event of a material conflict between these Rules and the anti-doping rules of the applicable International Federation, the anti-doping rules of the International Federation shall prevail, provided the anti-doping rules of the International Federation concerned are consistent with the Code. The onus of establishing the conflict is on the Person asserting it and the anti-doping rules of the International Federation shall prevail only if it is established by that Person, on the balance of probabilities, that the conflict exists and is material.
19. **ARTICLE 19 COMMENCEMENT AND TRANSITION**

19.1 **Commencement**

19.1.1 These Rules shall come into full force and effect on, and shall be adopted and incorporated by National Governing Bodies pursuant to Article 1.1 by, the 1st day of June 2004.

19.1.2 These Rules shall not apply retrospectively to matters pending before the 1st day of June 2004. However, any anti-doping rule violation committed under rules in force prior to that date shall be taken into account as a prior doping offence when applying the provisions of Article 10.

19.2 **General Application of 2009 Version**

The 2009 version of these Rules shall apply in full after the 1st day of January 2009).

19.3 **Non-Retroactive Unless Principle of Lex Mitior Applies**

With respect to any anti-doping rule violation case which is pending as of the 1st day of January 2009 and any anti-doping rule violation case brought after the 1st day of January 2009 based on an anti-doping rule violation which occurred prior to the 1st day of January 2009, the case shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred unless the Irish Sport Anti-Doping Disciplinary Panel or CAS, as the case may be, determines the principle of lex mitior appropriately applies under the circumstances of the case.
19.4 **Application to Decisions Rendered Prior to the 1st day of January 2009**

With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the 1st day of January 2009, but the Participant is still serving the period of Ineligibility as of the 1st day of January 2009, the Participant may apply to the Irish Sport Anti-Doping Disciplinary Panel to consider a reduction in the period of Ineligibility in light of the provisions of the 2009 version of these Rules. Such application must be made before the period of Ineligibility has expired. The decision rendered by the Irish Sport Anti-Doping Disciplinary Panel may be appealed pursuant to Article 13. The provisions of the 2009 version of these Rules shall have no application to any anti-doping rule violation case where a final decision finding an anti-doping rule violation has been rendered and the period of Ineligibility has expired prior to the 1st day of January 2009.

19.5 **Application to Whereabouts Failures**

Any recorded failure by an Athlete to comply with the whereabouts requirements of the version of these Rules in force prior to the 1st day of January 2009, which has not expired prior to the 1st day of January 2009, may be relied upon as an alleged Whereabouts Failure for the purposes of Article 2.4 of these Rules. However, a recorded failure by an Athlete pursuant to Article 5.4.4 of the version of these Rules in force prior to the 1st day of January 2009 may only be relied upon in combination with Filing Failures and a recorded failure by an Athlete to comply with Article 5.4.5 of the version of these Rules in force prior to the 1st day of January 2009 may only be relied upon in combination with Missed Tests for the purposes of Article 2.4 of these Rules.
19.6 Application to Sanctions

Anti-doping rule violations committed under the version of these Rules in force prior to the 1st day of January 2009 shall be taken into account as prior violations for the purposes of determining sanctions under Article 10.6. An anti-doping rule violation established before the date of coming into effect of these Rules shall be considered a Reduced Sanction (RS) under Article 10.6.1 where the violation involved a substance which is categorised as a Specified Substance under the provisions of the 2009 version of these Rules and the period of Ineligibility imposed was less than two (2) years.
20. **ARTICLE 20 MISCELLANEOUS**

20.1 **Time Periods**

Unless otherwise specified, time periods in these Rules are total consecutive days irrespective of weekends or holidays. When a deadline falls on a weekend or a statutory holiday, the next working day shall be the deadline for the purpose of these Rules.

20.2 **Validity of Acts Done**

All acts done in good faith by any *Person* in the implementation of these Rules, notwithstanding that it be afterwards discovered that there was some defect in the appointment or authority of such *Person* so acting, shall be as valid as if every such *Person* had been duly appointed or authorised.

20.3 **Limitation of Liability**

None of the *National Governing Bodies*, the *Irish Sports Council* or the *Irish Sport Anti-Doping Disciplinary Panel* or any of their respective members, directors, officers, employees, agents, representatives and other *Persons* involved in the administration of these Rules shall be liable to any *Person* in any way, in relation to acts done or omitted to be done in good faith in connection with these Rules.

20.4 **Severability**

If any clause or provision of these Rules is held invalid, unenforceable or illegal for any reason, these Rules shall remain otherwise in full force apart from such clause or provision which shall be deemed deleted insofar as it is invalid, unenforceable or illegal.
20.5 Matters Not Otherwise Provided For

Where a matter arises that is not otherwise provided for in these Rules, the Person or body called upon to resolve the matter shall have discretion to do so in such manner as he or she or it sees fit, provided that such resolution does not materially undermine the reliability of proceedings under these Rules or otherwise cause material injustice to the Participant to whom these Rules are being applied.
APPENDIX I - DEFINITIONS

**Adverse Analytical Finding**: A report from a laboratory or other WADA-approved entity that, consistent with the *International Standard* for Laboratories and related technical documents, identifies in a Sample 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 Organisation**: A Signatory that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process including the International Olympic Committee, the International Paralympic Committee, other *Major Event Organisations* that conduct Testing at their Events, WADA, International Federations, and National Anti-Doping Organisations.

**Athlete**: Any Person who participates at any level in any sport under the authority of any Signatory, government or other sports organisation accepting the *Code*.

**Athlete Support Personnel**: Any coach, trainer, manager, agent, team staff, official, nutritionist, medical or para-medical personnel, parent or any other Person working with, treating or assisting an Athlete participating in or preparing for a sports Competition.

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

**Atypical Finding**: A report from a laboratory or other WADA-approved entity that requires further investigation as provided by the *International Standards* prior to the determination of an Adverse Analytical Finding.

**CAS**: The Court of Arbitration for Sport.

**Code**: The World Anti-Doping Code.

**Competition**: A single race, match, game or singular athletic contest.

**Consequences**: An anti-doping rule violation 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, titles, points and prizes; (b) Ineligibility means the Participant is barred for a specified period of time from participating in any Competition or other activity or funding as provided in Article 10.8; and (c) Provisional Suspension means the Participant is barred temporarily from participating in any Competition prior to the final decision at a hearing conducted under Article 8.

Disqualification: See Consequences above.

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

Event: A series of individual Competitions conducted together under one ruling body.

Filing Failure: A failure by an Athlete to make a Whereabouts Filing in accordance with these Rules.

In-Competition: The period commencing twelve (12) hours before a Competition in which the Athlete is scheduled to participate through the end of such Competition and the Sample collection process related to such Competition.

Ineligibility: See Consequences above.

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

International Federation: An international non-governmental organisation administering one or more sports at world level.

International-Level Athlete: An Athlete designated by an International Federation as being within its Registered Testing Pool.

International Standard: A standard adopted by WADA in support of the Code (including any technical documents issued pursuant to such standard). Compliance with an International Standard (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the International Standard were performed properly.
Irish Sport Anti-Doping Disciplinary Panel: The panel appointed by the Irish Sports Council pursuant to Article 8 to hear and determine all issues referred to it including cases of alleged anti-doping rule violations and appeals from decisions under these Rules.


Major Event Organisations: The continental associations of National Olympic Committees and other international multi-sport organisations that function as the ruling body for any continental, regional or other International Event.

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

Metabolite: Any substance produced by a biotransformation process.

Minor: A natural Person under the age of eighteen (18).

Missed Test: A failure by the Athlete to be available for Testing at the location and time specified in the sixty (60) minute time slot identified in his or her Whereabouts Filing for the day in question.

National Anti-Doping Organisation: The entity designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, the management of test results, and the conduct of hearings, all at the national level. This includes an entity which may be designated by multiple countries to serve as regional Anti-Doping Organisation for such countries. If this designation has not been made by the competent public authorities, the entity shall be the country’s National Olympic Committee or its designee. For the purposes of these Rules the Irish Sports Council is the designated entity.

National Event: An Event so designated by the Irish Sports Council in consultation with the National Governing Body that is the ruling body for the Event or that appoints the technical officials for the Event.

National Governing Body: A Person receiving financial and/or other assistance from the government of Ireland and/or the Irish Sports Council which governs sport in Ireland or part thereof.

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

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

**No Significant Fault or Negligence:** The Athlete’s establishing that his or her 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 period which is not *In-Competition*.

**Participant:** Any Athlete or Athlete Support Personnel.

**Personal Information:** Information related to an identified or identifiable Participant.

**Possession:** The actual, physical *Possession*, or the constructive *Possession* (which shall be found only if the Participant has exclusive control over the *Prohibited Substance* or *Prohibited Method* or the premises or property in which a *Prohibited Substance* or *Prohibited Method* exists); provided, however, that if the Participant does not have exclusive control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists, constructive Possession shall only be found if the Participant knew about the presence of the *Prohibited Substance* or *Prohibited Method* and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on Possession if, prior to receiving notification of any kind that the Participant has committed an anti-doping rule violation, the Participant has taken concrete action demonstrating that the Participant never intended to have Possession and has renounced Possession by explicitly declaring it to an Anti-Doping Organisation. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes Possession by the Participant who makes the purchase.
**Process:** Collect, retain, store, disclose, transfer, transmit, amend, delete or otherwise make use of Personal Information.

**Prohibited List:** The Prohibited List issued by WADA identifying the Prohibited Substances and Prohibited Methods.

**Prohibited Method:** Any method so described in the Prohibited List.

**Prohibited Substance:** Any substance so described in the Prohibited List.

**Provisional Suspension:** See Consequences above.

**Publicly Report:** To disseminate or distribute information to the general public or Persons beyond those Persons entitled to earlier notification in accordance with these Rules.

**Registered Testing Pool:** The pool of top level Athletes established separately by each International Federation and National Anti-Doping Organisation who are subject to both In-Competition and Out-of-Competition Testing as part of that International Federation’s or National Anti-Doping Organisation’s distribution plan. Each International Federation shall publish a list which identifies those Athletes included in its Registered Testing Pool either by name or by clearly defined, specific criteria.

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

**Signatory:** A Person that has signed the Code.

**Specified Substance:** Any substance so described in the Prohibited List.

**Substantial Assistance:** A Participant providing Substantial Assistance must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including testifying at a hearing if requested to do so. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

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

**Target Testing**: Selection of *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**: Selling, giving, transporting, sending, delivering or distributing a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by a *Participant* to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes.

**TUE**: A therapeutic use exemption approved by the Therapeutic Use Exemption Committee of the relevant *Anti-Doping Organisation* based on a documented medical file before the *Use* of the substance in sport.

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

**WADA**: The World Anti-Doping Agency.

**Whereabouts Failure**: A *Filing Failure* or a *Missed Test*.

**Whereabouts Filing**: Information provided by or on behalf of an *Athlete* in a *Registered Testing Pool* that sets out the *Athlete*’s whereabouts during the following quarter.
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2009 VERSION