



2021 Irish Anti-Doping Rules (Rules): SUMMARY OF MAJOR CHANGES*

***This document is not exhaustive and should be used as a guide**

The 2021 Code and the 2021 Rules come into effect on 1 January 2021.

NGB OBLIGATIONS

Article 1.2.10 of the 2021 Rules requires NGBs to adopt and implement certain disciplinary rules or codes of conduct, including requiring athletes and others to co-operate with anti-doping investigations and not to engage in offensive conduct during a test.

ANTI-DOPING RULE VIOLATIONS (ADRV):

New Anti-Doping Rule Violation (ADRV): Protecting Whistleblowers

Article 2.11 Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities

This Article makes it an ADRV to threaten another person to discourage that person from the good faith reporting to authorities of information relating to an ADRV, non-compliance with the Code or other doping activity, or to retaliate against another person for doing so.

The range of sanction for these violations is two years to lifetime ineligibility depending on the seriousness of the violation.

Changes to Existing ADRVs:

Article 2.5 Tampering

The acts of falsifying documents submitted and procuring false testimony from witnesses during the Results Management of an ADRV have been specifically included in the definition of "Tampering" and will be treated as a separate offence and a further consecutive sanction may be applied.

Article 2.9 Attempted Complicity

The attempted involvement or cover up of an ADRV committed by another person has been added. The sanction length can vary between 2 years and a lifetime ban.

SANCTIONS

Substances of Abuse

The 2021 Prohibited List identifies a group of recreational drugs that are often used in society outside of sports performance e.g. cannabis and cocaine.

In cases where such substances are found in-competition:

- if the athlete can establish the use occurred out-of-competition and was unrelated to sports performance the length of sanction will be 3 months
- a possible further reduction in sanction down to 1 month if an approved rehabilitation/ treatment programme is completed by the athlete

Other Changes to Sanctions

Article 10.3 Reintroduction of Aggravating Circumstances:

A sanction can be extended by an additional two years in certain circumstances e.g. use of multiple prohibited substances at one time.

Article 10.7 Result Management Agreements:

This article has two parts:

- (i) A ban of 4 or more years can be reduced by 1 year if the person admits to the violation and accepts the sanction within 20 days.
- (ii) Sport Ireland, the person and WADA can enter into a case resolution agreement in which the ban is agreed upon based on the facts of the case. A person who is negotiating a case resolution agreement is entitled to tell his or her story under a "Without Prejudice Agreement."

APPEALS

WADA has introduced a requirement for 'Institutional Independence' regarding appeals and so all appeals under the Irish Anti-Doping Rules will be heard by the Court of Arbitration for Sport.

DEFINITIONS

New Definitions

Protected Person: This definition will apply during the results management process to young athletes (under the age of 16 or 18, depending on circumstances), or an athlete who has been determined to lack legal capacity in their decision making e.g. intellectual impairment.

Recreational Athlete: An athlete who, based on their competition level, may be entitled to a reduced

sanction compared to an International Level or National Level Athlete.

Revised Definitions

In- Competition Definition: The period commencing at 11:59 pm on the day before a competition in which the Athlete is scheduled to compete through to the end of such competition and the Sample collection process related to such competition.

ADDITIONAL EXPECTATIONS OF SPORT IRELAND

NGBs must co-operate fully with Sport Ireland investigations and conduct anti-doping education in coordination with Sport Ireland.

Financial and/or other non-financial support from Sport Ireland may be withheld or other sanctions imposed where an NGB is not in compliance with the Rules.

For more information visit the Sport Ireland website: <https://www.sportireland.ie/anti-doping>